

**Final Mitigation Monitoring and Reporting Program
for the**

**Soto Street Roadway Widening Project from
Multnomah Street to Mission Road**

State Clearinghouse No. 2018071004



City of Los Angeles Department of Public Works
Bureau of Engineering, Environmental Management Group
1149 South Broadway, Suite 600
Los Angeles, California 90015

April 2019

TRANSMITTAL NO. 2

Introduction

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines to provide for monitoring of the mitigation measures required by the Soto Street Roadway Widening Project from Multnomah Street to Mission Road Initial Study/Mitigated Negative Declaration. Section 21081.6 of the Public Resources Code and Section 15091(d) of the CEQA Guidelines require public agencies to “adopt a reporting or monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.” The lead agency must define specific reporting and/or monitoring requirements to be enforced during project implementation prior to final approval of the proposed project.

The City of Los Angeles Bureau of Engineering (BOE) is the lead agency for the proposed project and is responsible for administering and implementing the MMRP. The MMRP stipulates how all required mitigation measures are to be implemented and completed during the appropriate project phase. It also facilitates documentation necessary to verify that mitigation measures were in fact properly implemented.

Mitigation Monitoring and Reporting Program Procedures

This MMRP gives BOE the primary responsibility for taking all actions necessary to implement the mitigation measures according to the specifications provided for each measure and for demonstrating that the action has been successfully completed. BOE’s designated environmental monitor will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to remedy problems. BOE, at its discretion, may delegate responsibility for measure implementation and monitoring, or portions thereof, to other responsible individuals, such as a licensed contractor. Specific responsibilities for BOE include:

- Coordination of all mitigation monitoring activities
- Management of the preparation, approval, and filing of monitoring or permit compliance reports
- Maintenance of records concerning the status of all approved mitigation measures
- Quality control assurance of field monitoring personnel
- Coordination with other agencies regarding compliance with mitigation or permit requirements
- Reviewing and recommending acceptance and certification of implementation documentation
- Acting as a contact for interested parties or surrounding property owners who wish to register concerns regarding environmental issues; verifying any such circumstances; and developing any necessary corrective actions

Resolution of Noncompliance Complaints

Any person or agency may file a complaint regarding noncompliance with the mitigation measures addressed in the MMRP. The complaint shall be directed to BOE at the mailing or e-mail addresses listed below in written form providing detailed information on the purported violation.

City of Los Angeles Department of Public Works
Bureau of Engineering, Environmental Management Group
1149 South Broadway, Suite 600
Los Angeles, California 90015
Attention: William Jones, Environmental Supervisor II, or
Billy Ho, Environmental Specialist III

Via E-Mail: william.jones@lacity.org or billy.ho@lacity.org

BOE will investigate any complaints filed to determine the validity of the complaint. If noncompliance with a mitigation measure is verified, BOE will take the necessary action(s) to remedy the violation. The complainant will receive written confirmation indicating the results of the investigation, including any corrective action that was implemented in response to the specific noncompliance issue.

Mitigation Monitoring and Reporting Program Matrix

The MMRP is organized in a matrix format. The first column identifies the mitigation measure. The second column, entitled "Time Frame for Implementation," refers to when monitoring will occur. The timing for implementing mitigation measures and the definition of the approval process has been provided to assist BOE staff to plan for monitoring activities. The third column, entitled "Responsible Agency," refers to the agency responsible for ensuring that the mitigation measure is implemented. The fourth column, entitled "Monitoring Party," refers to the party that will conduct the monitoring to ensure compliance with the mitigation measure. The fifth column, entitled "Monitoring Period", indicates when monitoring will occur during implementation of the project. The mitigation measures are presented by environmental issue area.

Mitigation Monitoring and Reporting Program

SCH No. 2018071004

Soto Street Roadway Widening Project from Multnomah Street to Mission Road Initial Study/Mitigated Negative Declaration

| Mitigation Measure | Time Frame for Implementation | Responsible Agency | Monitoring Party | Monitoring Period |
|--|-------------------------------|--------------------|--|-----------------------------|
| Air Quality | | | | |
| AQ-1: Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph. | During construction | BOE | Department of Public Works Contracts Administration Bureau Construction Inspector | Ongoing during construction |
| AQ-2: Apply water three times daily, or non-toxic soil stabilizers according to manufacturers' specifications, to all unpaved parking or staging areas, unpaved road surfaces, and active construction areas. | During construction | BOE | Department of Public Works Contracts Administration Bureau Construction Inspector | Ongoing during construction |
| AQ-3: Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more) or replace ground cover as quickly as possible (within 10 days after an area has been completed grading or other soil disturbance activities and the area is not used as an unpaved roadway). | During construction | BOE | Department of Public Works Contracts Administration Bureau Construction Inspector | Ongoing during construction |
| AQ-4: Install wheel washers or shaker plates to minimize dirt track out and dust generation where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site. | During construction | BOE | Department of Public Works Contracts Administration Bureau Construction Inspector | Ongoing during construction |
| AQ-5: Traffic speeds on all unpaved roads to be reduced to 15 mph or less. | During construction | BOE | Department of Public Works | Ongoing during construction |

| Mitigation Measure | Time Frame for Implementation | Responsible Agency | Monitoring Party | Monitoring Period |
|---|-------------------------------|--------------------|---|-----------------------------|
| | | | Contracts Administration Bureau Construction Inspector | |
| AQ-6: All trucks that are to haul excavated or graded material on-site shall comply with State Vehicle Code Section 23114 (Spilling Loads on Highways), with special attention to Sections 23114(b)(F), (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads. | During construction | BOE | Department of Public Works Contracts Administration Bureau Construction Inspector | Ongoing during construction |
| AQ-7: Streets shall be swept at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway. | During construction | BOE | Department of Public Works Contracts Administration Bureau Construction Inspector | Ongoing during construction |
| AQ-8: Maintain all construction equipment in proper tune according to manufacturer's specifications. | During construction | BOE | Department of Public Works Contracts Administration Bureau Construction Inspector | Ongoing during construction |
| AQ-9: Minimize idling time either by shutting equipment when not in use or reducing the time of idling to 5 minutes as a maximum. | During construction | BOE | Department of Public Works Contracts Administration Bureau Construction Inspector | Ongoing during construction |
| AQ-10: Electrify equipment when possible. | During construction | BOE | Department of Public Works Contracts Administration Bureau | Ongoing during construction |

| Mitigation Measure | Time Frame for Implementation | Responsible Agency | Monitoring Party | Monitoring Period |
|---|-------------------------------|--------------------|---|-----------------------------|
| | | | Construction Inspector | |
| AQ-11: Substitute gasoline-powered in place of diesel-powered equipment, when available. | During construction | BOE | Department of Public Works Contracts Administration Bureau Construction Inspector | Ongoing during construction |
| AQ-12: Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel. | During construction | BOE | Department of Public Works Contracts Administration Bureau Construction Inspector | Ongoing during construction |
| AQ-13: Minimize the hours of operation of heavy-duty equipment and/or the amount of equipment in use at any one time. | During construction | BOE | Department of Public Works Contracts Administration Bureau Construction Inspector | Ongoing during construction |
| AQ-14: On-road diesel vehicles shall comply with Section 2485 of Title 13 of the CCR. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles: <ol style="list-style-type: none"> 1. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and, 2. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation. | During construction | BOE | Department of Public Works Contracts Administration Bureau Construction Inspector | Ongoing during construction |

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| AQ-15: Off-road, diesel powered construction equipment used during all phases of the proposed project's construction shall meet or exceed the CARB and USEPA Tier 3 off-road emissions standards for equipment rated at 50 horsepower or greater. A copy of the fleet's tier compliance documentation, and CARB or SCAQMD operating permits, if applicable, shall be provided to the lead agency at the time of mobilization of each applicable unit of equipment. This requirement will be included as a bid or contract specification with contractors. Required periodic reporting and provision of written documents by contractors to will prove and ensure compliance. | Pre-construction and during construction | BOE | Department of Public Works Contracts Administration Bureau Construction Inspector | During construction bid and ongoing during construction |
| Biological Resources | | | | |
| BIO-1: Protected tree species measuring four inches or more in diameter at 4.5 feet above mean natural grade will be protected in place unless specifically permitted for removal by the City. | During construction | BOE | Qualified Biologist | Ongoing during construction |
| BIO-2: Protective fencing and silt fencing will be installed outside of the drip line of any tree to be protected in place during construction to minimize damage from equipment storage, debris dumping, grading, etc. within tree protection zones. | During construction | BOE | Qualified Biologist | Ongoing during construction |
| BIO-3: Protected trees to be removed will be replaced on site at a minimum 2:1 ratio in a manner consistent with the City of Los Angeles Protected Tree Replacement and Relocation Ordinance. The size of each replacement tree will be a 15-gallon or larger specimen, measuring one-inch or more in diameter at a point one foot above the base, and not less than seven-feet in height, measured from the base. | Post construction | BOE | Qualified Biologist | Post construction |
| BIO-4: A qualified biologist will complete pre-construction surveys no more than 48 hours prior to construction to determine the presence or absence of wildlife, including coastal whiptail, southern grasshopper mouse, and American badger in the construction area. Surveys will be repeated if construction activities are suspended for five days or more. If any wildlife species are identified, appropriate measures will be developed and implemented to avoid impacts on these wildlife species, in consultation with appropriate resources agencies as applicable. | Pre-construction | BOE | Qualified Biologist | 48 hours prior to construction activities; repeated if construction activities are suspended for at least 5 days |
| BIO-5: If construction is scheduled to begin during bird nesting season (typically February 15 to September 1), construction in | During construction | BOE | Qualified Biologist | Ongoing during construction |

| Mitigation Measure | Time Frame for Implementation | Responsible Agency | Monitoring Party | Monitoring Period |
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| areas with trees or vegetation that may provide nesting habitat for birds and raptors will be reduced to the maximum extent feasible. | | | | within bird nesting season |
| BIO-6: Trimming and removal of vegetation and trees will be minimized and performed outside of the nesting season (typically September 2 to February 14) to the extent feasible. | During construction | BOE | Qualified Biologist | Ongoing during construction |
| BIO-7: In the event that trimming, or removal of vegetation and trees must be conducted during the nesting season, nesting bird surveys will be conducted by a qualified biologist no more than 48 hours prior to trimming or clearing activities to determine if nesting birds are within the affected vegetation. Nesting bird surveys will be repeated if trimming or removal activities are suspended for five days or more. | During construction | BOE | Qualified Biologist | 48 hours prior to trimming or clearing activities; repeated if these activities are suspended for at least 5 days |
| BIO-8: In the event construction is scheduled during bird nesting season, nesting bird surveys will be completed no more than 48 hours prior to construction to determine if nesting birds, raptors, or active nests are in or within 500 feet of the construction area. Surveys will be repeated if construction activities are suspended for five days or more. | Pre-construction | BOE | Qualified Biologist | 48 hours prior to construction activities (if construction occurs during bird nesting season; repeated if these activities are suspended for at least 5 days |
| BIO-9: In the event nesting birds or raptors are found within 500 feet of the construction area, appropriate buffers (typically up to 300 feet for songbirds and up to 500 feet for raptors) will be implemented, in coordination with the CDFW, to ensure that nesting birds and active nests are not harmed. Buffers will include fencing or other barriers around the nests to prevent any access to these areas and would remain in place until birds have fledged and/or the nest is no longer active, as determined through coordination with the CDFW. | During construction | BOE | Qualified Biologist | Ongoing during construction |
| BIO-10: At least 30 days prior to construction, surveys will be conducted by a qualified biologist on all trees within 100 feet of the construction area, to identify the presence of bats and any active or potential bat-roosting cavities. During the non-breeding and active | Pre-construction | BOE | Qualified Biologist | At least 30 days prior to construction |

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| season (typically late fall), bats will be safely evicted from these areas, if feasible, under the direction of a qualified biologist. | | | | |
| BIO-11: Once it has been determined that all roosting bats have been safely evicted from roosting cavities, exclusionary devices will be installed and maintained to prevent bats from roosting in these cavities prior to and during construction. | Pre-construction and during construction | BOE | Qualified Biologist | Pre-construction and ongoing during construction |
| BIO-12: Pre-construction bat surveys will be conducted by a qualified bat specialist no more than seven days prior to the removal of any trees within the BSA to confirm that exclusionary measures have been successful and there are no bats within the construction area. If no roosting bats are detected, no further surveys are required provided the tree removal is completed within seven days. If removal is delayed more than seven days from the survey date, additional surveys will be conducted no more than seven days prior to tree removal to ensure that no bats have moved into the area. Surveys and exclusion measures are expected to prevent maternal colonies from becoming established in the BSA. In the event that a maternal colony of bats is found, the CDFW will be consulted, and no work will be conducted within 100 feet of the maternal roosting site until the maternal season is over or the bats have left the site, or as otherwise directed by the CDFW. The site will be designated as a sensitive area and protected as such until the bats have left the site. No clearing and grubbing will be authorized adjacent to the roosting site. Combustion equipment, such as generators, pumps, and vehicles, will not to be parked nor operated under or adjacent to the roosting site. Construction personnel will not be authorized to enter areas beneath the colony, especially during the evening exodus. | Pre-construction and during construction | BOE | Qualified Bat Specialist | Within seven days prior to tree removal activities and ongoing during construction |
| BIO-13: A biological monitor will be on-site during tree removal in the event that all bats were not able to be excluded from the trees to be removed. | During construction | BOE | Qualified Biological Monitor | Ongoing during tree removal activities |
| Cultural Resources | | | | |
| CUL-1: A paleontological monitor shall be present to observe ground disturbing activities in the project area. The monitor shall work under the direct supervision of a qualified paleontologist (B.S./B.A. in geology, or related discipline with an emphasis in | During construction | BOE | Qualified Paleontological Monitor | Ongoing during ground-disturbing activities |

| Mitigation Measure | Time Frame for Implementation | Responsible Agency | Monitoring Party | Monitoring Period |
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| <p>paleontology and demonstrated experience and competence in paleontological research, fieldwork, reporting, and curation).</p> <ol style="list-style-type: none"> 1. The qualified paleontologist shall be on-site at the pre-construction meeting to discuss monitoring protocols. 2. Paleontological monitoring shall start at full-time. If significant paleontological resources are not observed after two weeks of full-time monitoring, monitoring shall be reduced to part-time or spot checks, as determined by the project paleontologist. 3. The monitor shall be empowered to temporarily halt or redirect grading efforts if paleontological resources are discovered. 4. In the event of a paleontological discovery the monitor shall flag the area and notify the construction crew immediately. No further disturbance in the flagged area shall occur until the qualified paleontologist has cleared the area. 5. In consultation with the qualified paleontologist the monitor shall quickly assess the nature and significance of the find. If the specimen is not significant it shall be quickly removed, and the area cleared. 6. If the discovery is significant the qualified paleontologist shall notify the contractor and the City immediately. 7. In consultation with the City the qualified paleontologist shall develop a plan of mitigation which will likely include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation of the find in a local qualified repository, and preparation of a report summarizing the find. | | | | |
| <p>CUL-2: If archaeological and/or paleontological resources are discovered during construction, a qualified archaeologist/paleontologist shall be retained to assess the nature and significance of the discovery. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the</p> | <p>During construction</p> | <p>BOE</p> | <p>Qualified Archaeologist/ Paleontologist</p> | <p>Ongoing during construction</p> |

| Mitigation Measure | Time Frame for Implementation | Responsible Agency | Monitoring Party | Monitoring Period |
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| <p>County Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.</p> | | | | |
| Hazards and Hazardous Materials | | | | |
| <p>HAZ-1: In accordance with the Los Angeles County Construction Site Best Management Practices Manual, earthmoving activities would require all trucks or vehicles transporting waste and/or hazardous materials to be securely covered to prevent dust and other pollutants from adversely affecting the air quality of the adjacent community.</p> <p>Construction workers will follow all procedures and practices for the proper handling and storage of hazardous materials in a manner that minimizes or eliminates the discharge into the ground, storm drain system, or to watercourses (Los Angeles County, 2010). These materials include hazardous chemicals such as acids, glues, paints, solvents and curing compounds; soil stabilizers, fertilizers, plaster, petroleum products such as fuel, oil, and grease; asphalt and concrete components, pesticides and herbicides, and other materials that may be detrimental if released to the environment. All employees and subcontractors would be trained on the proper delivery and storage practices of these materials, temporary storage areas shall be located away from vehicular traffic, and Material Safety Data Sheets (MSDS) shall be supplied to the Engineer for all materials stored or used on the project.</p> <p>An accurate, up-to-date inventory of all material delivered and stored will be kept, and employees will be trained in emergency spill clean-up procedures when dangerous materials or liquid chemicals are unloaded (Los Angeles County, 2010).</p> | <p>During construction</p> | <p>BOE</p> | <p>Department of Public Works Contracts Administration Bureau Construction Inspector</p> | <p>Ongoing during construction</p> |
| <p>HAZ-2: The contractor(s) should prepare a project-specific Lead Compliance Plan (CCR Title 8, Section 1532.1, the "Lead in Construction" standard) to minimize worker exposure to lead-</p> | <p>Pre-construction and during construction</p> | <p>BOE and construction contractor</p> | <p>Department of Public Works Contracts</p> | <p>Ongoing during construction</p> |

| Mitigation Measure | Time Frame for Implementation | Responsible Agency | Monitoring Party | Monitoring Period |
|---|-------------------------------|--------------------|---|-----------------------------|
| containing soil. The plan should include protocols for environmental and personnel monitoring, requirements for personal protective equipment, and other health and safety protocols and procedures for the handling of lead-containing soil. | | | Administration Bureau Construction Inspector | |
| Tribal Cultural Resources | | | | |
| <p>TCR-1: When projects are proposed in areas where Native American cultural features are likely to be affected, one way to avoid damaging them is to have a Native American monitor/consultant present during ground disturbing work. In sensitive areas, it may also be appropriate to have a monitor/consultant on-site during construction work. A knowledgeable, well-trained Native American monitor/consultant can identify an area that has been used as a village site, gathering area, burial site, etc. and estimate how extensive the site might be. A monitor/consultant can prevent damage to a site by being able to communicate well with others involved in the project, which might involve:</p> <ol style="list-style-type: none"> 1. Requesting excavation work to stop so that new discoveries can be evaluated; 2. Sharing information so that others will understand the cultural importance of the features involved; 3. Ensuring excavation or disturbance of the site is halted and the appropriate State laws are followed when human remains are discovered; 4. Helping to ensure that Native American human remains, and any associated grave items are treated with culturally appropriate dignity, as is intended by State law. <p>By acting as a liaison between Native Americans, archaeologists, developers, contractors, and public agencies, a Native American monitor/consultant can ensure that cultural features are treated appropriately from the Native American point of view (Society for California Archaeology, 2005).</p> | During construction | BOE | Qualified Native American Monitor/Consultant | Ongoing during construction |