

Mitigation Monitoring and Reporting Program
for the

Paseo Del Mar Permanent Restoration Project

State Clearinghouse No. 2016101016



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

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TRANSMITTAL NO. 4

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 certification of the Paseo Del Mar Permanent Restoration Project (proposed project) Final Environmental Impact Report (EIR). 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 II

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. 2016101016

Paseo Del Mar Permanent Restoration Project
Final Environmental Impact Report

Mitigation Measure	Time Frame for Implementation	Responsible Agency	Monitoring Party	Monitoring Period
Biological Resources				
<p>BIO-A: Follow-up focused surveys for special-status plant species and wildlife species shall be completed by a qualified biologist. Focused surveys conducted within the project area between April and June shall be required in order to capture the blooming period of special-status plant species and allow further evaluation regarding their presence or absence within the project site. Additionally, current drought conditions likely affect blooming success of special-status plant species and they may not bloom and be as visible as in non-drought periods. Focused surveys for wildlife species identified to potentially occur within the BSA shall be required to determine their presence or absence, and aid in determining whether impacts to special-status wildlife species would occur. In the event focused surveys locate special-status species, BMPs shall be required to reduce impacts and shall be determined through coordination with USFWS and/or CDFW, depending on the species status.</p>	Prior to construction	BOE	Qualified Biologist	Ongoing as needed prior to construction; April through June for special-status plant species
<p>BIO-B: Pre-construction surveys within potentially suitable habitats for species with a potential to occur on-site, as well as nesting birds during the bird breeding season (February 15 through September 1) shall be conducted by a qualified biologist prior to project construction. Specifically, pre-construction surveys shall be conducted for the following species:</p> <p>Coastal California Gnatcatcher: Impacts to coastal California gnatcatcher shall be avoided by conducting pre-construction surveys for the species to determine the current distribution of gnatcatchers in the project area in accordance with USFWS Coastal California Gnatcatcher Presence/Absence Survey Guidelines, February 28, 1997. Since this species has been detected during surveys of the project site, a qualified biologist shall identify the boundaries of the pair's territory and no construction</p>	Prior to construction	BOE	Qualified Biologist	Ongoing as needed prior to construction as outlined in the mitigation measure for each species

Mitigation Measure	Time Frame for Implementation	Responsible Agency	Monitoring Party	Monitoring Period
<p>within 500 feet of the territory would occur. If it is not feasible to maintain a buffer of 500 feet from an active gnatcatcher nest territory, construction activities within or near these areas shall be performed outside of the breeding and nesting season (coastal California gnatcatcher breeding/nesting season is approximately February 15 through August 30), or BOE shall conduct a FESA Section 10 Consultation with USFWS to determine alternative actions.</p> <p><u>Nesting Birds:</u> Clearing of vegetation and construction activities shall occur outside of the peak bird nesting season (from September 1 through February 14) to avoid impacts to nesting birds. However, if construction must occur between February 15th and August 31st, the following measures shall be implemented:</p> <ul style="list-style-type: none"> • Within three days of the scheduled start of construction activity, a pre-construction survey shall be conducted by a qualified biologist to determine the presence or absence of active nests within, or adjacent to, the project site. • If no breeding or nesting activities are detected within 500 feet of the proposed work and any staging areas, construction activities may proceed. • If bird breeding/nesting activity is confirmed, work activities within 250 feet (or 300 feet for raptors, 500 feet for fully protected species, or a linear distance appropriate for the species approved by the project biologist) of any active nest shall be delayed until the young birds have fledged and left the nest. A work area buffer zone around any active nests shall be demarcated, indicating where work may not occur. Project activities may resume in this area once the project biologist has determined that the nest(s) is no longer active. <p><u>Bats:</u> Within 30 days of project construction, a qualified biologist shall conduct a pre-construction survey to identify if roosting bats are present on-site. If special-status bat species are found, the following measures shall be implemented:</p> <ul style="list-style-type: none"> • If active nursery roosts are found (typically between April 15 and August 1) a work exclusion area of 500 feet shall be 				

Mitigation Measure	Time Frame for Implementation	Responsible Agency	Monitoring Party	Monitoring Period
<p>identified in the field, and construction activities shall be rescheduled to occur after juvenile bats are able to forage independently.</p> <ul style="list-style-type: none"> • If sensitive bat species are present but there is not an active roost, a Memorandum of Understanding (MOU) with CDFW shall be obtained in order to remove the animals prior to construction. Alternate habitat shall be provided if bats are to be excluded from maternity roosts. A roost with comparable spatial and thermal characteristics shall be constructed as directed by a qualified biologist. In the event that adult bats need to be handled and relocated, a qualified biologist shall prepare and implement a relocation plan subject to approval by CDFW that includes relocating all bats found on-site to an alternate suitable habitat. • If bat roosts are found outside the breeding season, openings to these roosts shall be blocked after the bats have emerged for their night-time feeding to prevent the bats from reentering. The bats would be temporarily forced to find other roosting areas and other structures in the area. • While a visual assessment of bat roost habitat does not require a permit, handling of bats for removal requires two permits from CDFW; a Scientific Collecting Permit (SCP) and an MOU. The MOU describes the type of surveys, methods, and species proposed, and purpose of bat captures. Applicants must show that they possess experience with trapping and handling bats before they are issued a MOU. Such experience is usually accumulated by working with a licensed bat worker under their permits, and demonstrating the necessary skills and abilities to CDFW. • Prior to the start of construction, a qualified biologist shall be designated to monitor construction activities and advise construction personnel of the potential biological issues associated with project construction. The biological monitor shall attend weekly construction meetings and provide on-site direction for addressing habitat- or species-specific issues as they are encountered during construction. If as a 				

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<p>result of pre-construction surveys the biologist establishes exclusion zones around trees or buildings to protect nesting birds or roosting bats, the biological monitor shall advise the construction crews of those areas and of the importance of respecting and maintaining those zones.</p> <ul style="list-style-type: none"> Due to local and California Health Department restrictions, no direct contact by workers with any bat species is allowed. The project biologist, who would oversee exclusion or removal efforts, shall be contacted immediately should any bats be identified within the project's footprint. If construction is to occur in phases or over an extended period of time, multiple pre-construction surveys may be required to address seasonal bat migrants and the potential influx of new arrivals. <p><u>Special-Status Wildlife Species:</u> A pre-construction clearance survey shall be conducted before any construction activities occur. A qualified biologist shall conduct pre-construction surveys within and adjacent to the project's construction limits no more than three days prior to the commencement of construction activities to identify any potential impacts to special-status wildlife species, if present. It is anticipated that the pre-construction survey shall focus on special-status species with a potential to occur in the BSA.</p> <p>Special-status species observed shall be relocated outside of the project site by a qualified biologist, or they shall be avoided and allowed to leave of their own volition. Following the survey, a Wildlife Survey Report shall be prepared detailing the results of the field survey, including potential BMPs, if deemed necessary. Any observations of federally threatened or endangered species shall be reported to BOE, and if further directed by BOE, to USFWS and/or CDFW.</p> <p><u>Special-Status Plant Species:</u> A focused rare plant survey shall be conducted during the appropriate time of year for detection of special-status species (early March through June) by a qualified botanist in accordance with USFWS and CDFW survey guidelines. Following the rare plant surveys, a Rare Plant Survey Report shall be prepared detailing the results of the field surveys, including</p>				

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potential BMPs, if necessary. Further consultation with resource agencies shall be necessary if special-status species are observed during focused surveys.				
BIO-C: Erosion control measures, which would control surface runoff, erosion, and sedimentation outside of the project footprint, shall be implemented.	During construction	BOE	Qualified Biologist	Ongoing during construction
BIO-D: The construction contractor(s) will be informed regarding the biological constraints of this project. Project limits shall be clearly marked on project maps provided to the construction contractor(s) and areas outside of the project limits shall be designated as “no construction” zones.	Prior to construction	BOE	Qualified Biologist	Ongoing during construction
BIO-E: Employees shall strictly limit their activities, vehicles, equipment, and construction materials to the designated construction limits, staging areas, and routes between the construction limits and staging areas. The project area shall be kept as clean of debris as possible to avoid attracting predators of sensitive wildlife. All food-related trash items shall be enclosed in sealed containers and regularly removed from the site.	During construction	BOE	Qualified Biologist	Ongoing during construction
BIO-F: Pets of project personnel shall not be allowed on the project site to ensure they will not affect wildlife through harassment or predation in adjacent natural habitats.	During construction	BOE	Qualified Biologist	Ongoing during construction
BIO-G: Earth-disturbing activities associated with the project shall be minimized and existing root systems shall be left intact to the extent possible. In areas that do not require excavation, vegetation shall be trampled instead of completely removed.	During construction	BOE	Qualified Biologist	Ongoing during construction
BIO-H: During vegetation removal, unnecessary damage to ground burrows, holes, and tunnels, which provide shelter for many small animals (snakes, lizards, toads, rodents, and squirrels), shall be avoided.	During construction	BOE	Qualified Biologist	During vegetation removal
BIO-I: During construction, no wildlife, including rattlesnakes, shall be harmed except to prevent serious injury or death.	During construction	BOE	Qualified Biologist	Ongoing during construction
BIO-J: In order to avoid unnecessary impacts, should any non-listed species be found within the project site, a qualified biologist shall relocate them outside of the project site or they shall be avoided and allowed to leave of their own volition.	During construction	BOE	Qualified Biologist	Ongoing during construction

Mitigation Measure	Time Frame for Implementation	Responsible Agency	Monitoring Party	Monitoring Period
BIO-K: A qualified biological monitor shall be on-site during initial vegetation removal and earth disturbance activities and on a basis that, the exact timing and extent of which, may be determined during consultation with the regulatory agencies.	During construction	BOE	Qualified Biological Monitor	During initial vegetation removal
BIO-L: No holes shall be left open overnight, on weekends, or when work is not being accomplished in the immediate area. A covering shall be placed over the post-hole to prevent animals from falling into the hole and not being able to escape. Prior to placing the cover over the post-hole, check to make sure no animals are in the post-hole.	During construction	BOE	Qualified Biologist	Ongoing during construction
BIO-M: Should any federal or state listed plant species or wildlife species be found within the project site, all construction in the immediate area shall cease and BOE shall be notified, and if directed, the applicable federal or state agency shall also be notified (USFWS or CDFW). Work in other areas of the project site may continue until this area has been evaluated.	During construction	BOE	Qualified Biologist	Ongoing during construction
Cultural Resources				
CR-A: Because the potential to encounter archaeological resources exists for this project, full-time archaeological and Native American monitoring shall occur during all ground-disturbing activities. A cultural resources monitoring and mitigation plan (CRMMP) shall be developed in order to outline monitoring protocols. The CRMMP shall identify key personnel and describe coordination, monitoring, and reporting responsibilities. Monitoring shall be completed by, or under the direction of, an archaeologist who meets Secretary of the Interior's Standards. The archaeological monitor shall have the authority to redirect construction equipment in the event that potential archaeological resources are encountered. If archaeological resources are encountered, work in the vicinity of the discovery shall halt until appropriate treatment or further investigation of the resource is determined by a qualified archaeologist in accordance with the provisions of CEQA Guidelines Section 15064.5.	Prior to and during construction	BOE	Qualified Archaeologist; Native American Monitor	Ongoing during construction

Mitigation Measure	Time Frame for Implementation	Responsible Agency	Monitoring Party	Monitoring Period
Geology and Soils				
GEO-A: The stability of the project area shall be confirmed during final design and prior to construction.	Prior to construction	BOE	BOE Geotechnical Engineering	During Final Design review
GEO-B: The stability of the bluff supporting the road and the project area shall be enhanced through the use of anchors or similar engineering methods.	During construction	BOE	BOE Geotechnical Engineering	Ongoing during construction
GEO-C: To prevent caving, Caltrans Standard Specifications and Special Provisions shall be used during the installation of any CIDH piles at the project site.	During construction	BOE	BOE Geotechnical Engineering	Ongoing during installation of CIDH piles
GEO-D: CIDH piles shall require construction using the wet methods as it is assumed that the bottom of the drilled holes would be below groundwater.	During construction	BOE	BOE Geotechnical Engineering	Ongoing during installation of CIDH piles
GEO-E: If temporary casing is used, provisions and installation methods in Section 49-3.02, "Drilled Holes" of the Caltrans Standard Specifications shall be followed. Casing must be removed after placement of concrete to allow mobilization of the estimated skin friction capacity.	During construction	BOE	BOE Geotechnical Engineering	Ongoing during installation of CIDH piles
GEO-F: Final Project Plans and Specifications shall be reviewed prior to construction to confirm that the full intent of the recommendations presented in the Foundation Report has been applied to the design and that the recommendations presented are applicable to the final scope of the project. Following review of Plans and Specifications, sufficient and timely observations during construction shall be performed to correlate findings of the investigation with actual subsurface conditions exposed during the construction. Observation and testing by a qualified geotechnical consultant shall be performed during construction.	Prior to and during construction	BOE	BOE Geotechnical Engineering	During Final Design review and ongoing during construction
GEO-G: If contamination is observed in soil cuttings during construction, the excavated soils shall be removed and disposed of properly in accordance with appropriate environmental protocols.	During construction	BOE	BOE Geotechnical Engineering	Ongoing during construction
GEO-H: If the piling center-to-center spacing is less than 3 pile diameters, the construction contractor shall not drill holes or drive casing for an adjacent pile until 24 hours have elapsed after concrete placement in the preceding pile and prequalification test results for the concrete mix design show that the concrete would attain at least 1,800 pounds per square inch (psi) compressive strength at the time of drilling or driving.	During construction	BOE	BOE Geotechnical Engineering	Ongoing during installation of piles

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GEO-I: The construction contractor shall be made aware that utility lines are known to be immediately adjacent to the project alignment. These utility lines may be non-yielding and their tolerance of soil movement during excavation may be low. Consequently, the Contractor shall notify and coordinate with the Underground Services Alert and to obtain all available as-built utility plans before any proposed earthwork commences. All active or inactive utilities within the construction limits shall be identified for relocation, abandonment, or protection prior to grading. Any pipelines greater than 2 inches in diameter to be abandoned in-place shall be filled with sand/cement slurry after their locations are reviewed and approved by the Resident Engineer.	Prior to and during construction	BOE	BOE Geotechnical Engineering	During Final Design review and ongoing as needed during construction
GEO-J: During CIDH pile excavations, erosion and surficial sloughing may occur. Excavations during wet seasons shall require erosion protection.	During construction	BOE	BOE Geotechnical Engineering	Ongoing during CIDH pile excavations
GEO-K: Based on subsurface exploration, the subsurface materials to be excavated are fill and alluvium consisting of both granular and cohesive materials, and sedimentary bedrock. Conventional earth moving equipment (dozers, scrapers, etc.) shall excavate the artificial fill and native soil units. Excavation of some of the more competent bedrock units shall require special excavators or backhoes.	During construction	BOE	BOE Geotechnical Engineering	Ongoing during construction
GEO-L: Prior to any site work and excavations, conditions of existing structures and improvements shall be surveyed and photo-documented.	Prior to construction	BOE	BOE Geotechnical Engineering	Ongoing as needed prior to construction
GEO-M: Suitable material is that which is free from contamination, organics or deleterious materials and is appropriate for planned use. The on-site material is suitable except for the top 2 feet, which may contain asphalt and other debris. Existing artificial fill and native soils and some of the bedrock units are expected to be suitable for reuse as structure backfill.	During construction	BOE	BOE Geotechnical Engineering	Ongoing as needed during construction
GEO-N: Groundwater control shall be required, if necessary. It may be necessary to "dewater" the excavation, which is the removal of water from the excavation by gravity drainage, sump pumping, or other similar means. The construction contractor shall be responsible for groundwater control.	During construction	BOE	BOE Geotechnical Engineering	Ongoing as needed during construction

Mitigation Measure	Time Frame for Implementation	Responsible Agency	Monitoring Party	Monitoring Period
<p>GEO-O: The construction contractor shall be responsible for the design and construction of temporary excavation support systems (e.g. shoring or soil nailing) and temporary slopes, as well as the maintenance and monitoring of these works during construction. The construction contractor shall have the appropriate qualified person (competent person) evaluate the soil conditions encountered during excavation to determine permissible temporary slope inclinations and other measures as required by California Occupational Safety and Health Administration (Cal/OSHA).</p>	During construction	BOE	BOE Geotechnical Engineering	Ongoing as needed during construction
<p>GEO-P: Existing infrastructure that is within a 1.5:1 (H:V) line projected up from the bottom edge (toe) of temporary slopes shall be monitored during construction. The construction contractor shall note that the materials encountered in construction excavations could vary significantly across the site. A competent person as defined by Cal/OSHA shall observe and map excavations and assess the stability of temporary slopes and shoring systems.</p>	During construction	BOE	BOE Geotechnical Engineering	Ongoing during construction
Noise				
<p>NOI-A: Construction equipment shall be maintained with effective noise control devices (i.e., mufflers, lagging, and/or motor enclosures).</p>	During construction	BOE	Department of Public Works Contracts Administration Bureau Construction Inspector	Ongoing during construction
<p>NOI-B: Construction equipment shall be properly maintained to prevent additional noise due to worn or improperly maintained parts.</p>	During construction	BOE	Department of Public Works Contracts Administration Bureau Construction Inspector	Ongoing during construction
<p>NOI-C: Quieter equipment shall be used as opposed to noisier equipment (such as rubber-tired equipment rather than metal-tracked equipment).</p>	During construction	BOE	Department of Public Works Contracts Administration Bureau Construction Inspector	Ongoing during construction

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NOI-D: Use of equipment or methods with the greatest peak noise generation potential shall be minimized.	During construction	BOE	Department of Public Works Contracts Administration Bureau Construction Inspector	Ongoing during construction
NOI-E: When possible, on-site electrical sources shall be used to power equipment rather than diesel generators.	During construction	BOE	Department of Public Works Contracts Administration Bureau Construction Inspector	Ongoing during construction
NOI-F: Construction staging areas shall be located away from sensitive uses.	During construction	BOE	Department of Public Works Contracts Administration Bureau Construction Inspector	Ongoing during construction
NOI-G: Flexible sound control curtains shall be placed around all drilling apparatuses and drill rigs.	During construction	BOE	Department of Public Works Contracts Administration Bureau Construction Inspector	Ongoing as needed during construction
NOI-H: A noise disturbance coordinator shall be established. The noise disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall be required to implement reasonable measures such that the complaint is resolved. All notices that are sent to residential units within 500 feet of the construction site and all signs posted at the construction site shall list the telephone number for the noise disturbance coordinator.	During construction	BOE	Department of Public Works Contracts Administration Bureau Construction Inspector	Ongoing during construction

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Paleontological Resources				
<p>PR-A: Prior to the start of construction, a paleontological resources monitoring plan shall be prepared. The plan be implemented by a qualified paleontologist and shall include specific locations and construction activities requiring monitoring, procedures to follow for monitoring and fossil discovery, and a curation agreement with NHM. Due to the prevalence of very high and moderate paleontological potential of the geologic units within the project area, monitoring may be required during earthmoving activities impacting native sediments of Monterey Formation Altamira Shale and Quaternary terrace deposits. Additionally, monitoring of impacts into landslide deposits of both the Altamira Shale and Quaternary terrace deposits may be required, since very high sensitivity (PFYC Class 5) Altamira Shale shallowly underlies terrace deposits, and also because the Altamira Shale units have retained their structure despite the landslide event.</p>	Prior to and during construction	BOE	Qualified Paleontologist	Ongoing as needed during construction
Tribal Cultural Resources				
<p>CR-A: Because the potential to encounter archaeological resources exists for this project, full-time archaeological and Native American monitoring shall occur during all ground-disturbing activities. A cultural resources monitoring and mitigation plan (CRMMP) shall be developed in order to outline monitoring protocols. The CRMMP shall identify key personnel and describe coordination, monitoring, and reporting responsibilities. Monitoring shall be completed by, or under the direction of, an archaeologist who meets Secretary of the Interior's Standards. The archaeological monitor shall have the authority to redirect construction equipment in the event that potential archaeological resources are encountered. If archaeological resources are encountered, work in the vicinity of the discovery shall halt until appropriate treatment or further investigation of the resource is determined by a qualified archaeologist in accordance with the provisions of CEQA Guidelines Section 15064.5.</p>	Prior to and during construction	BOE	Qualified Archaeologist; Native American Monitor	Ongoing during construction

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