

# MARSH PARK MITIGATION MONITORING AND REPORTING PROGRAM

## INTRODUCTION

The California Environmental Quality Act (CEQA) requires that agencies adopting Mitigated Negative Declarations (MNDs) take affirmative steps to determine that approved mitigation measures are implemented subsequent to project approval.

Effective January 1, 1989, CEQA was amended to add Section 21081.6, implementing Assembly Bill (AB) 3180. As part of CEQA (state-mandated) environmental review procedures, Section 21081.6 requires a public agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) for assessing and ensuring efficacy of any mitigation measures applied to the proposed project. Specifically, the lead or responsible agency must adopt a reporting or monitoring program for mitigation measures incorporated into a project or imposed as conditions of approval. The program must be designed to ensure compliance during project implementation. As stated in Public Resources Code, Section 21081.6 (a) (1):

“1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.”

AB 3180 provides general guidelines for implementing monitoring and reporting programs. Specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to final approval of the proposal by the responsible decision maker(s). In response to established CEQA requirements and those of (AB) 3180 (Public Resources Code Section 21000 et seq.), the proposed MMRP for Marsh Park shall be submitted for consideration by the decision-makers prior to completion of the environmental review process.

This MMRP will be used by the Mountains Recreation and Conservation Authority (MRCA) to ensure compliance with mitigation measures associated with the project. Mitigation measures were identified in the Mitigated Negative Declaration to ensure compliance with regulatory requirements or to address significant or potentially significant impacts for the following resources:

- Air Quality
- Biological Resources
- Cultural Resources
- Geology
- Hazardous Materials
- Noise
- Solid Waste

These mitigation measures are included in the MMRP. In addition, measures were identified in the MND as having been incorporated into the project. These measures are also included in the MMRP as conditions of approval. For each measure, the MMRP specifies: the implementation responsibility and timing and the monitoring responsibility and timing.

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MITIGATION	IMPLEMENTATION RESPONSIBILITY	TIMING	MONITORING RESPONSIBILITY	TIMING	MITIGATION COMPLETE?
<b>Air Quality</b>					
<p><b>Mitigation 3-1:</b> In order to reduce fugitive dust emissions during construction, the MRCA shall require the construction contractor to:</p> <ul style="list-style-type: none"> <li>• Apply soil stabilizers or moisten inactive areas.</li> <li>• Prepare a high wind dust control plan.</li> <li>• Address previously disturbed areas if subsequent construction is delayed.</li> <li>• Water exposed surfaces as needed to avoid visible dust leaving the construction site (typically 3 times/day).</li> <li>• Cover all stock piles with tarps at the end of each day or as needed.</li> <li>• Provide water spray during loading and unloading of earthen materials.</li> <li>• Minimize in-out traffic from construction zone.</li> </ul>	<p>MRCA</p> <p>Construction Contractor</p>	<p>Construction Contract</p> <p>During Construction</p>	<p>MRCA - Contracts Officer</p> <p>MRCA – Chief of Urban and Watershed Projects</p>	<p>Construction Contract</p> <p>During Construction</p>	
<p><b>Mitigation 3-2:</b> In order to reduce combustion engine emissions and diesel exhaust the MRCA shall require the construction contractor to:</p> <ul style="list-style-type: none"> <li>• Utilize well-tuned off-road construction equipment.</li> <li>• Establish a preference for contractors using upgraded (Tier 3 or better) heavy equipment.</li> <li>• Enforce 5-minute idling limits for both on-road trucks and off-road equipment.</li> </ul>	<p>MRCA</p> <p>Construction Contractor</p>	<p>Construction Contract</p> <p>During Construction</p>	<p>MRCA – Contracts Officer</p> <p>MRCA – Chief of Urban and Watershed Projects</p>	<p>Construction Contract</p> <p>During Construction</p>	
<b>Biological Resources</b>					
<p><b>Mitigation Measure 4-1:</b> To avoid potential significant impacts to nesting birds, including migratory birds and raptors, the following shall be implemented by the MRCA: A qualified biologist shall conduct a pre-construction survey for nesting birds if vegetation removal, demolition, or grading is initiated during the nesting season (which is</p>	<p>MRCA</p>	<p>Pre-Construction</p>	<p>MRCA – Chief of Natural Resources</p>	<p>Prior to Start of Construction</p>	

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<p>generally February 1<sup>st</sup> through August 31<sup>st</sup>). In the event that occupied nests are identified a minimum buffer of 300 feet (500 feet for raptor nests) or as determined by a qualified biologist, shall be maintained during construction, depending on the species and location. The perimeter of the nest-setback zone shall be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A report by the qualified biologist documenting and verifying compliance with the mitigation and with applicable state and federal regulations protecting birds shall be maintained in the project file, and submitted to the City of Los Angeles upon request. In the event that occupied nests are identified on the site, the qualified biologist shall serve as a construction monitor during those periods when construction activities would occur near active nest areas to ensure that no inadvertent impacts on active nests would occur.</p>					
<p><b>Cultural Resources</b></p>					
<p><b>Mitigation 5-1:</b> If archaeological resources are encountered during project construction, all construction activities in the vicinity of the find shall halt until an archeologist certified by the Society of Professional Archeologists examines the site, identifies the archaeological significance of the find, and recommends a course of action. Construction shall not resume until the site archaeologist states in writing that the proposed construction activities will not significantly damage unique archaeological resources. Copies of the archeological survey, study or report shall be submitted to the UCLA Archaeological Information Center.</p>	<p>MRCA  Construction Contractor</p>	<p>Construction Contract  During Construction notify MRCA if resources encountered</p>	<p>MRCA – Contracts Officer  MRCA – Chief of Urban and Watershed Projects</p>	<p>Construction Contract  MRCA if resources encountered</p>	
<p><b>Mitigation 5-2:</b> If paleontological resources are encountered during project construction, all</p>	<p>MRCA</p>	<p>Construction Contract</p>	<p>MRCA – Contracts Officer</p>	<p>Construction Contract</p>	

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<p>construction activities in the vicinity of the find shall halt until a paleontologist meeting the satisfaction of the Natural History Museum of Los Angeles County identifies the paleontological significance of the find, and recommends a course of action. Construction shall not resume until the site paleontologist states in writing that the proposed construction activities will not significantly damage paleontological resources. Copies of the paleontological survey, study or report shall be submitted to the Los Angeles County Natural History Museum.</p>	<p>Construction Contractor</p>	<p>During Construction notify MRCA if resources encountered</p>	<p>MRCA – Chief of Urban and Watershed Projects</p>	<p>MRCA if resources encountered</p>	
<p><b>Mitigation Measure 5-3:</b> If human remains are discovered at the project site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the City of Los Angeles Public Works Department and County coroner shall be immediately notified. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.</p>	<p>MRCA  Construction Contractor</p>	<p>Construction Contract  During Construction notify MRCA if resources encountered</p>	<p>MRCA – Contracts Officer  MRCA – Chief of Urban and Watershed Projects</p>	<p>Construction Contract  MRCA if resources encountered</p>	
<p><b>Geology</b></p>					
<p><b>Mitigation 6-1</b> - The proposed project will adhere to the recommendations of the existing Geotechnical Report for the project (Geotechnical Report Update, Proposed Marsh Park, Los Angeles, California, prepared by GeoLogic Associates, March 15, 2012) as amended by any subsequent project-specific Geotechnical Report.</p>	<p>MRCA  Construction Contractor</p>	<p>Construction Contract  During Construction</p>	<p>MRCA – Contracts Officer  MRCA – Chief of Urban and Watershed Projects</p>	<p>Construction Contract  During Construction</p>	
<p><b>Hazardous Materials</b></p>					
<p><b>Mitigation 7-1:</b> A licensed asbestos abatement contractor shall be retained to remove all ACMs from the project site during the project's</p>	<p>MRCA</p>	<p>Demolition Contract</p>	<p>MRCA – Contracts Officer</p>	<p>Demolition Contract</p>	

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demolition phase.	Demolition Contractor	During Demolition	MRCA – Chief of Urban and Watershed Projects	During Demolition	
<b>Mitigation 7-2:</b> A licensed lead-based paint contractor shall be retained to remove all lead-based paint from the project site during the project’s demolition phase.	MRCA	Demolition Contract	MRCA – Contracts Officer	Demolition Contract	
	Demolition Contractor	During Demolition	MRCA – Chief of Urban and Watershed Projects	During Demolition	
<b>Mitigation 7-3:</b> The MRCA shall require that the demolition contractor treat all fluorescent light fixtures as having suspect PCB ballast, unless specifically labeled “PCB-free,” and shall require disposal of these fixtures as hazardous waste during the project’s demolition phase.	MRCA	Demolition Contract	MRCA – Contracts Officer	Demolition Contract	
	Demolition Contractor	During Demolition	MRCA – Chief of Urban and Watershed Projects	During Demolition	
<b>Mitigation 7-4:</b> The MRCA shall require that demolition contractor dispose of no more than 25 mercury-containing fluorescent lamps per day, or shall contract with a recycling vendor for disposal of the fluorescent light fixtures.	MRCA	Demolition Contract	MRCA – Contracts Officer	Demolition Contract	
	Demolition Contractor	During Demolition	MRCA – Chief of Urban and Watershed Projects	During Demolition	
<b>Mitigation 7-5:</b> Any mold or fungi growth in the “Factory” building shall be abated in conjunction with demolition, by trained workers in respirators and other personal protective equipment, such as gloves and Tyvek-type protective suits	MRCA	Demolition Contract	MRCA – Contracts Officer	Demolition Contract	
	Demolition Contractor	During Demolition	MRCA – Chief of Urban and Watershed Projects	During Demolition	
<b>Mitigation Measure 7-6:</b> Demolition of the buildings shall be conducted in a manner consistent with the recommendations contained in the September 2010 report by SCA Environmental, Inc. entitled “Summary Report: Pre-Demolition Bulk Asbestos and Lead-Based Paint Survey” or	MRCA	Demolition Contract	MRCA – Contracts Officer	Demolition Contract	
	Demolition Contractor	During Demolition	MRCA – Chief of Urban and Watershed Projects	During Demolition	

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applicable subsequent report.					
<b>Noise</b>					
<p><b>Mitigation 12-1:</b> In order to reduce noise during construction, the MRCA shall require the construction contractor to:</p> <ul style="list-style-type: none"> <li>• Comply with the City of Los Angeles Municipal Code, which limits construction activities to the hours of 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. to 6:00 p.m. on any Saturday. Construction is not permitted on any national holiday or on any Sunday.</li> <li>• Ensure that all construction equipment is properly tuned and muffled according to manufacturer’s specifications.</li> <li>• Prohibit use of any powered equipment or powered hand tool that produces a maximum noise level exceeding 75 dBA at a distance of 50 feet unless no means exist to reduce such noise below 75 dBA. If use of such equipment is necessary, a Construction Noise Mitigation plan shall be required to be prepared by the contractor and submitted for review and approval to the MRCA prior to the start of demolition or construction. Components of the plan may include early completion of the perimeter block wall, use of temporary sound curtains or substitution of larger heavy equipment with smaller, quieter machinery.</li> <li>• Locate noisy construction activities whose specific location on the project site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) as far as possible from the nearest noise- and</li> </ul>	<p>MRCA</p> <p>Construction Contractor</p>	<p>Construction Contract</p> <p>During Construction</p>	<p>MRCA – Contracts Officer</p> <p>MRCA – Chief of Urban and Watershed Projects</p>	<p>Construction Contract</p> <p>During Construction</p>	

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<p>vibration- sensitive land uses.</p> <ul style="list-style-type: none"> <li>• Minimize the use of those pieces of construction equipment or construction methods with the greatest peak noise generation. Examples include the use of drills, jackhammers, and pile drivers.</li> <li>• To the degree feasible, schedule construction and demolition activities so as to avoid operating several pieces of equipment simultaneously, which causes high levels of noise.</li> <li>• Comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.</li> <li>• Limit construction truck traffic to truck routes approved by the City of Los Angeles Department of Building and Safety, to avoid residential areas and other sensitive receptors to the extent feasible.</li> <li>• Use power construction equipment with state-of-the art noise shielding and muffling devices.</li> <li>• Comply with the City of Los Angeles Building Regulations Ordinance No. 178048, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code, or any discretionary approval for the project site, and telephone numbers where violations can be</li> </ul>					

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reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public and approved by the City of Los Angeles Department of Building and Safety.					
<b>Mitigation 12-2:</b> Groups with more than 50 planned attendees shall be required to obtain a special events permit from the MRCA. The MRCA shall include in their Special Event Guidelines for Marsh Park a statement that operation of any radio, video, musical instrument or other noise-generating device at a level which is audible beyond 150 feet from the park boundary is prohibited. The reservation form for the event shall identify limitations on number of attendees, event timing and noise control features such as orientation of any voice/music amplification.	MRCA	Operation	MRCA – Deputy Executive Officer	On-going during operation	
<b>Mitigation 12-3</b> -An MRCA staff monitor shall be present for any nighttime event to ensure that the event does not generate noise levels that would disturb the peace, quite and comfort of the neighbors.	MRCA	Operation	MRCA – Deputy Executive Officer	On-going during operation	
<b>Mitigation 12-4</b> – The MRCA shall post a sign on-site which provides a phone number for contacting the agency.	MRCA	Prior to park opening	MRCA – Chief Ranger	On-going during operation	
<b>Solid Waste</b>					
<b>Mitigation Measure 17-1:</b> The MRCA will require as part of its demolition contract, that the demolition contractor comply with the requirements of the City of Los Angeles’s Citywide Construction and Demolition Waste Recycling Ordinance.	MRCA  Demolition Contractor	Demolition Contract  During Demolition	MRCA – Contracts Officer  MRCA – Chief of Urban and Watershed Projects	Demolition Contract  During Demolition	
<b>Condition of Approval</b>					
Special event park use will be subject to MRCA	MRCA	Operation	MRCA – Deputy	On-going	



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<p>Special Event Guidelines for the facility. Special Events of more than 50 persons or events occurring outside of normal park hours will be required to obtain an Event Permit from the MRCA. This requirement is designed to ensure that park parking will not occur in the surrounding neighborhood and to provide the MRCA with notification of events for monitoring purposes. Events larger than 50 persons during normal park hours will be required to have a Parking Management Plan. The threshold for requiring a Parking Management Plan during hours when the park is open for other users is based on an average vehicle occupancy of 1.75 persons and use of the 28 additional spaces, beyond the spaces needed for normal park use, for the special event (<math>28 * 1.75 = 49</math>). If over time it is demonstrated that more or less than 28 spaces are consistently vacant, except during special events, or more parking becomes available, the MRCA may adjust the size of event triggering the need for a Special Events Permit and/or Parking Management Plan during normal park hours. The trigger will be calculated based on the number of spaces consistently available, and average vehicle occupancy of 1.75.</p>			Executive Officer	during operation	