

## **SECTION 10.0 – MITIGATION MONITORING AND REPORTING PROGRAM**

Public Resources Code, Section 21081.6 (Assembly Bill 3180) requires that mitigation measures identified in environmental review documents prepared in accordance with California Environmental Quality Act (CEQA) are implemented after a project is approved. Therefore, this Mitigation Monitoring and Reporting Program (MMRP) has been prepared to ensure compliance with the adopted mitigation measures during the pre-sediment removal, sediment removal, and reservoir management phases of the Devil's Gate Sediment Removal and Management Project (Project).

LACFCD is the agency responsible for implementation of the mitigation measures identified in the EIR. This MMRP provides LACFCD with a convenient mechanism for quickly reviewing all the mitigation measures including the ability to focus on select information such as timing. LACDPW is carrying out the Project on behalf of LACFCD. The MMRP includes the following information for each mitigation measure:

- The phase of the project during which the required mitigation measure must be implemented;
- The phase of the project during which the required mitigation measure must be monitored;
- The enforcement agency; and
- The monitoring agency.

The MMRP includes a checklist to be used during the mitigation monitoring period. The checklist will verify the name of the monitor, the date of the monitoring activity, and any related remarks for each mitigation measure.

MITIGATION MONITORING AND REPORTING PROGRAM							
Devil's Gate Reservoir Sediment Removal and Management Project							
Mitigation Measure	Implementation Phase*	Monitoring Phase*	Enforcement Agency	Level of Significance After Mitigation	Verification of Compliance		
					Initial	Date	Remarks
<b>AIR QUALITY</b>							
<b>MM AQ-1:</b> LACFCD shall require all construction contractors during the sediment removal phase of the Proposed Project to use only sediment removal dump trucks that meet the EPA's emission standards for Model Year 2007 or later.	Final Plans and Specifications; Pre-Sediment Removal; Sediment Removal; Reservoir Management	Sediment Removal; Reservoir Management	Los Angeles County Flood Control District	Less than significant			
<b>MM AQ-2:</b> LACFCD shall require all construction contractors during the sediment removal phase of the Proposed Project to use off-road equipment that meets, at a minimum, EPA's emission standards for Tier 3 equipment.	Final Plans and Specifications; Pre-Sediment Removal; Sediment Removal; Reservoir Management	Sediment Removal; Reservoir Management	Los Angeles County Flood Control District	Less than significant			
<b>BIOLOGICAL RESOURCES</b>							
<b>MM BIO – 1:</b> A qualified biological monitor shall be present during initial ground- or vegetation-disturbing project-related activities to provide measures and monitor for wildlife in harm's way. This includes initial ground- or vegetation-disturbing project-related activities at the annual start of each year of sediment removal or maintenance activities. Following initial project-related activities, a qualified monitoring biologist shall be present as necessary to maintain the implemented protection measures and monitor for additional species in harm's way. These protection measures shall include, as appropriate: redirecting wildlife, identifying areas that may require exclusionary devices (e.g., fencing), or capturing and relocating wildlife outside the work area. Any captured species shall be relocated to adjacent appropriate habitat that is contiguous to adjacent habitat and not impacted by project-related disturbance activities.	Pre-Sediment Removal; Sediment Removal; Reservoir Management	Pre-Sediment Removal; Sediment Removal; Reservoir Management	Los Angeles County Flood Control District	Less than significant			
<b>MM BIO – 2:</b> Within 90 days prior to ground-disturbing activities, a sensitive species educational briefing shall be conducted by a qualified biologist for construction personnel. The biologist will identify all sensitive resources that may be encountered onsite, and construction personnel will be instructed to avoid and report any sightings of sensitive species to LACFCD or the monitoring biologist. Educational briefings shall be repeated annually for the duration of the sediment removal.	Final Plans and Specifications; Pre-Sediment Removal; Sediment Removal; Reservoir Management	Pre-Sediment Removal; Sediment Removal; Reservoir Management	Los Angeles County Flood Control District	Less than significant			
<b>MM BIO – 3:</b> Within 90 days prior to ground-disturbing activities, a preconstruction survey shall be conducted by a qualified biologist for the presence of any sensitive species in harm's way, including coast range newt, the southwestern pond turtle, and the two-striped garter snake. If sensitive species are observed in harm's way, the qualified biologist will develop and implement appropriate protection measures for that species. These protection measures shall include, as appropriate: redirecting the species, constructing exclusionary devices (e.g., fencing), or capturing and relocating wildlife outside the work area. Preconstruction surveys shall be repeated annually for the duration of the sediment removal. Observations of special status species made during these surveys shall be recorded onto a CNDDDB field data sheet and submitted to CDFW for inclusion into the CNDDDB.	Pre-Sediment Removal; Sediment Removal; Reservoir Management	Pre-Sediment Removal; Sediment Removal; Reservoir Management	Los Angeles County Flood Control District	Less than significant			

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<p><b>MM BIO – 4:</b> LACFCD, in consultation with a qualified biologist, will employ bird exclusionary measures (e.g., mylar flagging) prior to the start of bird breeding season to prevent birds nesting within established boundaries of the project. Prior to commencement of sediment removal activities within bird breeding season (March 1-August 31), a preconstruction bird nesting survey shall be conducted by a qualified biologist for the presence of any nesting bird within 300 feet of the construction work area. The surveys shall be conducted 30 days prior to the disturbance of suitable nesting habitat by a qualified biologist with experience in conducting nesting bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work. Preconstruction surveys shall be repeated annually for the duration of the sediment removal.</p> <p>If an active nest is found, the qualified biologist will develop and implement appropriate protection measures for that nest. These protection measures shall include, as appropriate, construction of exclusionary devices (e.g., netting) or avoidance buffers. The biologist shall have the discretion to adjust the buffer area as appropriate based on the proposed construction activity, the bird species involved, and the status of the nest and nesting activity; but shall be no less than 30 feet. Work in the buffer area can resume once the nest is determined to be inactive by the monitoring biologist.</p>	Final Plans and Specifications; Pre-Sediment Removal; Sediment Removal; Reservoir Management	Pre-Sediment Removal; Sediment Removal; Reservoir Management	Los Angeles County Flood Control District	Less than significant			

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<p><b>MM BIO – 5:</b> Within 30 days prior to commencement of vegetation or structure removal activities, a preconstruction bat survey shall be conducted by a qualified biologist for the presence of any roosting bats. Acoustic recognition technology shall be used if feasible and appropriate. If either a bat maternity roost or hibernacula (structures used by bats for hibernation) are present, a qualified biologist will develop and implement appropriate protection measures for that maternity roost or hibernacula. These protection measures shall include, as appropriate: safely evicting non-breeding bat hibernacula, establishment of avoidance buffers, or replacement of roosts at a suitable location. These measures shall also include as appropriate:</p> <ul style="list-style-type: none"> <li>To the extent feasible, trees that have been identified as roosting sites shall be removed or relocated between October 1 and February 28.</li> <li>When trees must be removed during the maternity roost season (March 1 to September 30), a qualified bat specialist shall conduct a preconstruction survey to identify those trees proposed for disturbance that could provide hibernacula or nursery colony roosting habitat for bats.</li> <li>Trees identified as potentially supporting an active nursery roost shall be inspected by a qualified biologist no greater than 7 days prior to tree disturbance to determine presence or absence of roosting bats.</li> <li>Trees determined to support active maternity roosts will be left in place until the end of the maternity season (September 30).</li> <li>If bats are not detected in a tree, but the qualified biologist determined that roosting bats may still be present, trees shall be removed as follows: <ul style="list-style-type: none"> <li>Pushing the tree down with heavy machinery instead of felling the tree with a chainsaw</li> <li>First pushing the tree lightly 2 to 3 times with a pause of 30 seconds in between each nudge to allow bats to become active, and then pushing the tree to the ground slowly.</li> <li>Allowing the tree to remain in place for 24 to 48 hours until inspected by the qualified biologist for presence or absence of roosting bats.</li> </ul> </li> <li>The qualified biologist shall document all bat survey, monitoring, and protection measure activities and prepare a summary report for LACFCD.</li> </ul>	Final Plans and Specifications; Pre-Sediment Removal; Sediment Removal; Reservoir Management	Pre-Sediment Removal; Sediment Removal; Reservoir Management	Los Angeles County Flood Control District	Less than significant			
<p><b>MM BIO – 6:</b> Riversidean Alluvial Fan Sage Scrub habitat shall be restored and/or enhanced at a 1:1 ratio by acreage. Areas shall be mapped using aerial photographs.</p>	Reservoir Management	Reservoir Management	Los Angeles County Flood Control District	Less than significant			
<p><b>MM BIO – 7:</b> Within 90 days prior to ground-disturbing activities, a qualified biologist shall conduct a tree survey within the project footprint, to identify trees that will be removed or potentially affected by the Proposed Project and trees that can be avoided. LACFCD will replace trees that cannot be avoided. The replacement is expected to be up to 1:1 by acreage. The biological monitor shall implement measures to protect the root zone of oak trees that may be impacted immediately adjacent to the project site and along access roads.</p>	Pre-Sediment Removal; Sediment Removal; Reservoir Management	Pre-Sediment Removal; Sediment Removal; Reservoir Management	Los Angeles County Flood Control District	Less than significant			

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<b>MM BIO – 8:</b> A combination of onsite and offsite habitat restoration, enhancement, and exotic removal shall be implemented by LACFCD at a 1:1 ratio for impacted sensitive habitat and jurisdictional waters. Habitat restoration/enhancement shall include use of willow cuttings and exotic species removal. Non-native, weedy habitats within the basin shall be utilized whenever possible as mitigation sites. This mitigation measure shall be monitored for success for five years following implementation. A report of the monitoring results shall be submitted annually, during the five years following implementation, to resource agencies as required by the Section 401 Certification, Section 404 permit, and a Streambed Alteration Agreement.	Reservoir Management	Reservoir Management	Los Angeles County Flood Control District	Less than significant			
<b>CULTURAL RESOURCES</b>							
<b>MM CUL-1:</b> If sediment removal or reservoir management activities exceed the depth of the historic flood deposits and encounter native sediments, these activities will be monitored by a qualified archaeologist. In the event this occurs and historic or archaeological materials are observed, the excavation in the proximity of the discovery should be diverted until a qualified archaeologist and/or paleontologist evaluates the discovery.	Final Plans and Specifications; Pre-Sediment Removal; Sediment Removal; Reservoir Management	Sediment Removal; Reservoir Management	Los Angeles County Flood Control District	Less than significant			
<b>MM CUL-2:</b> If sediment removal or reservoir management activities exceed the depth of the historic flood deposits and encounter native sediments, these activities will be monitored by a qualified paleontologist. In the event that this occurs and paleontological materials are observed, the excavation in the proximity of the discovery should be diverted until a qualified paleontologist evaluates the discovery.	Final Plans and Specifications; Pre-Sediment Removal; Sediment Removal; Reservoir Management	Sediment Removal; Reservoir Management	Los Angeles County Flood Control District	Less than significant			
<b>MM CUL-3:</b> In the event human remains are discovered, all work in the area must be halted until the County Coroner identifies the remains and makes recommendations regarding their appropriate treatment pursuant to PRC Section 5097.98.	Final Plans and Specifications; Sediment Removal; Reservoir Management	Sediment Removal; Reservoir Management	Los Angeles County Flood Control District	Less than significant			
<b>LAND USE AND PLANNING</b>							
<b>MM LAN-1:</b> Temporary impacts to designated recreational facilities and trails shall be minimized through advance communication and redirection to the nearest facility in the vicinity of the Proposed Project. Prior to completion of final plans and specifications, the LACFCD shall review the plans and specifications to ensure that they contain proper language requiring that signs be posted at the nearby parking lots and trailheads at least one month in advance of sediment removal activities.	Final Plans and Specifications; Pre-Sediment Removal; Sediment Removal; Reservoir Management	Pre-Sediment Removal; Sediment Removal; Reservoir Management	Los Angeles County Flood Control District	Less than significant			
<b>NOISE/VIBRATION</b>							
<b>MM N-1:</b> The LACFCD shall restrict the operation of any off-road construction equipment that is powered by a greater than 200-horsepower engine from operating within 180 feet of any offsite residential structure. Equipment that is not performing any earth-moving activities and is solely operating for entering or leaving the site via the access roads to the reservoir is exempted from this requirement.	Final Plans and Specifications; Pre-Sediment Removal; Sediment Removal; Reservoir Management	Sediment Removal; Reservoir Management	Los Angeles County Flood Control District	Less than significant			

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<b>TRANSPORTATION/TRAFFIC</b>							
<b>MM TRA-1:</b> Proposed Project haul trucks will not deliver to the Vulcan Material Reliance Facility during the PM peak period.	Final Plans and Specifications; Pre-Sediment Removal; Sediment Removal; Reservoir Management	Sediment Removal; Reservoir Management	Los Angeles County Flood Control District	Implementation of mitigation measures would reduce impacts but not to a level of less than significant			
<b>MM TRA-2:</b> Proposed Project haul trucks will not deliver to the Boulevard Pit during the PM peak period.	Final Plans and Specifications; Pre-Sediment Removal; Sediment Removal; Reservoir Management	Sediment Removal; Reservoir Management	Los Angeles County Flood Control District	Implementation of mitigation measures would reduce impacts but not to a level of less than significant			

\*The Implementation and Monitoring phases are broken down into four categories: Final Plans and Specifications; Pre- Sediment Removal; Sediment Removal; and Reservoir Management. "Final Plans and Specifications" indicates that the mitigation measure must be incorporated into the final approved design, plans, and specifications for the project. "Pre- Sediment Removal" refers to measures that are required prior to the start of the sediment removal phase. "Sediment Removal" refers to all aspects of the Sediment Removal phase. "Reservoir Management" refers to all aspects of the Reservoir Management phase.