

DRAFT MITIGATION MONITORING AND REPORTING PROGRAM
Transportation Enhancement and ADA Improvements for
Dapplegray School at Palos Verdes Drive North

SCH No. 2023040182



LEAD AGENCY:

City of Rolling Hills Estates

4045 Palos Verdes Drive North
Rolling Hills Estates, Ca 90274
Telephone 310.377.1577 • Fax 310.377.4468
www.RHE.city

David Wahba
Public Works Director
(310) 377-1577 ext. 103

Prepared by:

WILLDAN ENGINEERING

13191 Crossroads Parkway North, Suite 405
Industry, CA 91746
Contact: Mr. Salvador Lopez
slopez@willdan.com

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This Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Transportation Enhancement and ADA Improvements for Dapplegray School at Palos Verdes Drive North Project in compliance with Section 21081.6 of the Public Resources Code and Section 15097 of the CEQA Guidelines, which is required for all projects where an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND) has been prepared. Section 21081.6 of the Public Resources Code states: "...the [lead] agency shall adopt a reporting or monitoring program from the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment... [and the program] shall be designed to ensure compliance during project implementation." The primary purpose of this MMRP is to ensure that the mitigation measures identified in the MND are implemented, thereby minimizing identified environmental effects. The City of Rolling Hills Estates is the Lead Agency for the proposed project.

The MMRP for the proposed project will be in place through all phases of project implementation. The Public Works Department shall be responsible for managing and assigning the MMRP activities to its staff, other City departments, consultants, and/or contractors. The Public Works Department will also ensure that mitigation monitoring is documented through reports and that deficiencies are promptly corrected. The designated environmental monitor (e.g., Public Works Director, building inspector, project contractor, certified professionals, etc., depending on the provisions specified below) will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to remedy problems. The MMRP lists mitigation measures according to the same numbering system contained in the MND sections. Each mitigation measure is categorized by topic, with an accompanying discussion of the following:

- The implementation phase of the project during which the mitigation measure should be monitored (i.e., Operation, Construction, or Pre-construction activities);
- The responsible enforcement authority for monitoring implementation of mitigation measure(s) (i.e., Public Works Director, City building inspector, certified professional, etc.); and
- The reporting procedure used to verify compliance (i.e., issuance of permit, report on monitoring activities, etc.).

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| <p>AES-1: To reduce the aesthetic and glare impacts of the project’s retaining walls, the City shall incorporate one or more of the following measures into the wall design for all retaining walls that face PVDN, except for Wall No. 4 (measures may be combined to accomplish the effect of adding varied form, color, and shape to the wall faces). All finished concrete shall be sealed with an anti-graffiti coating in addition to manufacturer-recommended sealers. This list of measures is not intended to limit potential design solutions, and other measures may be selected by the City provided that they are proven to accomplish the goals of aesthetic improvement and glare reduction.</p> <ul style="list-style-type: none"> A. Construct walls using in-form molds to provide surface texture simulating rock outcrops, laid brick, stacked stone, or other pattern that provides substantial relief to the finished surface. B. Apply vertical concrete overlay to the exposed finished wall surfaces to provide surface texture as described in (A) above. C. Apply natural or simulated stone overlay to the exposed finished wall surfaces to provide surface texture as described in (A) above. D. Within six months of project completion, the City shall commission a mural project to decorate all exposed wall faces. The mural project shall be scheduled for completion within one year of commissioning. E. Incorporate planting pockets along all retaining walls that face PVDN and accompanying tamper-resistant irrigation devices (emitters, bubblers, etc.) into the project design, and specify appropriate clinging vine plant material, including but not limited to creeping fig (<i>Ficus pumila</i>), catclaw vine (<i>Macfadyena unguis-cati</i>), or Boston ivy (<i>Parthenocissus tricuspidata</i>). Planting pockets shall be spaced according to the recommendation of a registered landscape architect or master gardener to ensure a minimum of 80% wall coverage at plant maturity. | <p>Bid Preparation Plan Check Construction</p> | <p>Public Works Director</p> | <p>The Public Works Director or designee shall determine compliance with this measure.</p> | |

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| <p>AQ-1 Asphalt Odor Suppression. Asphalt odor-suppression additives shall be required for all on-site hot-mix asphalt applications. Project engineering specifications shall incorporate additive specifications. This requirement shall be placed in all engineering notes sections on project plans.</p> | <p>Bid Preparation Plan Check Construction</p> | <p>Public Works Director</p> | <p>The Public Works Director or designee shall determine compliance with this measure.</p> | <p>This measure reduces odors from asphalt application and curing.</p> |
| <p>BIO-1: Migratory Birds/MBTA Compliance. All construction activities shall comply with the federal Migratory Bird Treaty Act of 1918 (MBTA) and California Fish and Game Code Sections 3503, 3511 and 3513. The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests and prohibits the take of any migratory bird, their eggs, parts, and nests. Compliance with the MBTA shall be accomplished by completing the following:</p> <ul style="list-style-type: none"> A. Vegetation removal should optimally be conducted between September 1 and January 31. B. If vegetation removal and construction activities near tree canopy (or shrub cover that will be retained) will take place inside the peak nesting season (between February 1 and August 31), the City shall engage a qualified biologist to (1) perform a pre-construction survey to identify any active nesting locations within 72 hours before vegetation removal and construction activities begin and (2) to monitor construction activities if nests are discovered (Biological Monitor). C. If the biologist does not find any active nests during the pre-construction survey, construction work may proceed, and no monitoring shall be required. The biologist conducting the survey shall document a negative survey (no nests observed) with a report indicating that no impacts to active avian nests will occur. | <p>Pre-construction</p> | <p>Public Works Director</p> | <p>The designated biologist shall submit a pre-construction survey report to the Public Works Director within 14 days of construction start date.</p> <p>Measures BIO-1 C-F explain additional reporting procedures.</p> | |

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| <p>D. If the biologist finds an active nest within the pre-construction survey area, the biologist shall map its location on an aerial photograph and shall determine whether the nest may be impacted. If so, the biologist shall delineate an appropriate buffer zone around the nest on the map and in the field. The size of the buffer shall be determined by the biologist and shall be based on the nesting species, its sensitivity to disturbance, expected types of disturbance, and location in relation to the construction activities. These buffers are typically 300 feet from the nests of non-listed species and 500 feet from the nests of raptors and listed species, and are subject to CDFW discretion.</p> <p>E. Only construction activities that have been approved by the Biological Monitor, if any, shall take place within the buffer zone until the nest is vacated. The Biological Monitor shall supervise construction activities near active nests to ensure that no inadvertent impacts on these nests occur.</p> <p>F. Results of the pre-construction survey and any subsequent monitoring reports shall be provided to the City. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of young birds.</p> | | | | |
| <p>BIO-2: Monarch Butterfly Survey. If vegetation removal will occur inside the peak overwintering season (between September 16th and March 14th), the City shall engage a qualified biologist to conduct a pre-construction survey within 72 hours prior to construction activities to ensure no overwintering populations of monarch are located within the proposed project footprint.</p> <p>A. If the biologist does not find an overwintering population, the construction work may proceed as specified in Mitigation Measure BIO-1 above. The biologist conducting the clearance survey shall document a negative survey with a report indicating that no impacts to monarch overwintering populations shall occur.</p> <p>B. If the biologist observes an overwintering population of monarchs within the project footprint, the biologist shall notify the City, and no construction activities shall proceed until butterflies have vacated the site.</p> | <p>Pre-construction if construction set to begin between February 1 and August 31.</p> | <p>Public Works Director</p> | <p>The designated biologist shall submit indicated reports to the Public Works Director as specified in the mitigation measure.</p> <p>No long-term overwintering habitat management plan is required if no monarchs are found roosting/overwintering in the project footprint.</p> | |

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| <p>C. The biologist shall prepare a long-term Monarch Butterfly Overwintering Habitat Management Plan to restore overwintering habitat in the project vicinity. The City shall begin plan implementation within one year of project completion.</p> | | | | |
| <p>BIO-3: LSA Agreement Notification and Compliance: Prior to preparing construction bid documents, the City shall notify the California Department of Fish and Wildlife Lake and Streambed Alteration Program about the project using the process outlined on the LSA webpage of the CDFW website. If the CDFW requires an Agreement, including measures to avoid and/or repair damage to the ephemeral streambed, the City shall implement those measures as directed. CDFW mitigation measures shall be included in the construction contract bid documents. If the CDFW does not require an Agreement, no further action is required.</p> | <p>Pre-bid preparation Bid Preparation Plan Check Construction</p> | <p>Public Works Director</p> | <p>Reporting procedure shall be as described in mitigation text.</p> | |
| <p>CUL-1 Pre-construction Briefing. Prior to the commencement of grading or demolition of subsurface structures, a professional archaeologist who meets U.S. Secretary of the Interior’s Professional Qualifications and Standards, shall conduct a brief archaeological and paleontological informational session for construction personnel. The training session may consist of an in-person meeting, such as a tailgate training, accompanied by a written handout describing: (1) how to identify archaeological and paleontological resources that may be encountered during earth-moving activities and (2) the procedures to be followed in such an event, including contact information for the appropriate entities if archaeological or paleontological resources are discovered.</p> | <p>Construction bid documents Pre-construction Site Preparation Construction</p> | <p>Public Works Director</p> | <p>Construction supervisor shall notify the Public Works Director after stopping work in the vicinity of the find, place a temporary barrier around the area and caution workers to avoid the area of the find.</p> | <p>See also Mitigation Measures TCR-1 and TCR-2 below.</p> |

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| <p>CUL-2: Treatment and Evaluation of Discovered Resources: If archaeological resources are unearthed during ground-disturbing activities, the ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 50 feet shall be established around the find, where construction activities will not be allowed to continue until a qualified archaeologist or paleontologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside the buffer area. If the archaeologist identifies the find as a tribal cultural resource or suspects it to be a tribal cultural resource, the City shall contact the Native American Heritage Commission (NAHC) to report the discovery and shall contact local Native American tribal representatives as directed by the NAHC. Should the newly discovered artifact(s) be determined to be a tribal cultural resource, Native American construction monitoring will be initiated. The City shall coordinate with the archaeologist and tribal representative(s) to develop an appropriate treatment plan for the resources.</p> | <p>Pre-construction Site Preparation Construction</p> | <p>Public Works Director</p> | <p>Construction supervisor shall notify the Public Works Director after stopping work in the vicinity of the find, place a temporary barrier around the area and caution workers to avoid the area of the find.</p> | <p>See also Mitigation Measures TCR-1 and TCR-2 below.</p> |
| <p>CUL-3: Treatment and Evaluation of Human Remains. As required by California Public Resources Health and Safety Code Section §§ 7050.5-7055, if human remains are encountered during project construction, work shall stop in the vicinity of the find. The City shall immediately notify the County Coroner who will determine whether the remains are of recent human origin or of older Native American lineage. If the latter, the City shall notify the Native American Heritage Commission (NAHC) to report the discovery and shall subsequently notify the most likely descendant (MLD) as directed by the NAHC. The MLD is required to make recommendations for disposition of the remains within 24 hours of his or her notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials, on- or off-site burial, and ritual ceremonies on- or off-site.</p> | <p>Pre-construction Site Preparation Construction</p> | <p>Public Works Director</p> | <p>Construction supervisor shall notify the Public Works Director after stopping work in the vicinity of the find, place a temporary barrier around the area and caution workers to avoid the area of the find.</p> | |

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| <p>GEO-1: Paleontological Resource Protection/Recovery/Curation: Before project excavation begins, the City shall contract with a qualified professional paleontologist to prepare a Paleontological Resource Impact Management Plan (PRIMP), and to implement that plan. At a minimum, the plan shall abide by the Society of Vertebrate Paleontologists (SVP; https://vertpaleo.org/) Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, including monitoring excavation of undisturbed sediment, wet-screening of sand samples, identification of any significant fossils encountered, reporting of the project monitoring and findings, and curation of any significant fossils in a permanent scientific collection.</p> | <p>Construction bid documents Pre-construction Excavation</p> | <p>Public Works Director</p> | <p>Construction supervisor shall notify the Public Works Director after stopping work in the vicinity of the find, place a temporary barrier around the area and caution workers to avoid the area of the find.</p> | <p>The Altamira shale formation underlying the project footprint is known to contain significant marine fossil deposits.</p> |
| <p>TCR-1: If suspect resources with any potential cultural value to a California Native American Tribe are found during ground-disturbing activities into native soils, the City shall contact and retain a Native American monitor, procured by the Gabrieleno/Tongva San Gabriel Band of Mission Indians or consulting Tribe under AB52. During excavation, the Native American monitor shall have the authority to halt any activities adversely impacting tribal resources. If human remains are uncovered, the Los Angeles County Coroner, Native American Heritage Commission, local Native American representatives, and archaeological monitor shall determine the nature of further studies, as warranted in accordance with Public Resource Code 5097.98.</p> | <p>Site Preparation Construction</p> | <p>Public Works Director</p> | <p>Follow steps in mitigation measure and maintain records in project file.</p> | |
| <p>TCR-2: The Lead Agency shall, in good faith, consult with the Gabrieleno/Tongva San Gabriel Band of Mission Indians on the disposition and treatment of any Tribal Cultural Resource encountered during all ground disturbing activities.</p> | <p>Site Preparation Construction</p> | <p>Public Works Director</p> | <p>Follow steps in mitigation measure and maintain records in project file.</p> | |