

MITIGATION MONITORING AND REPORTING PROGRAM

Van Norman Complex Routine Operation and
Maintenance Program

PREPARED BY



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1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a public agency adopting a Mitigated Negative Declaration take affirmative steps to determine that approved mitigation measures are implemented subsequent to project approval. This Mitigation Monitoring and Reporting Program has been developed in compliance with CEQA to ensure that the Los Angeles Department of Water and Power (LADWP), as lead agency, implements the mitigation measures and the avoidance and minimization measures identified within the Van Norman Complex Routine Operation and Maintenance Program Initial Study and Mitigated Negative Declaration.

This Mitigation and Monitoring Program includes the following information:

- A list of mitigation measures and avoidance and minimization measures;
- The party responsible for implementing or monitoring the mitigation measures and avoidance and minimization measures;
- The timing for implementation of the mitigation measures and avoidance and minimization measures; and
- The date of completion of monitoring the mitigation measures and avoidance and minimization measures.

LADWP will adopt this Mitigation Monitoring and Reporting Program, or an equally effective program, if it approves the proposed Van Norman Complex Routine Operation and Maintenance Program (project).

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2 MITIGATION MONITORING AND REPORTING PROGRAM

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AMM-BIO-1	<p>Resource Protection Designated Biologist. A Designated Biologist shall monitor all ground or vegetation disturbing activities within the drainage channels and basins in the VNC. The Designated Biologist shall be knowledgeable and experienced in the biology and natural history of local fish and wildlife resources and able to identify those resources present at the VNC. The Designated Biologist shall work with the construction manager to halt or redirect any activity to order any reasonable measure to avoid or minimize impacts to fish and wildlife resources. Leave Wildlife Unharmed. The Designated Biologist shall be present during all vegetation-removal and rough grading activities to monitor for non-listed, special-status, and/or common ground-dwelling vertebrates encountered in the path of project-related activities. The Designated Biologist shall make every effort to relocate the species out of harm's way to the extent feasible by doing one of the following:</p> <ol style="list-style-type: none"> 1) Utilize shovel, rake, or similar hand tool to gently re-direct the animal out of work area; 2) Install silt fence or other exclusionary fencing to prevent species from re-entering disturbance area; or 3) If the Designated Biologist has the appropriate handling permits, he/she may capture/relocate species to appropriate habitat outside the disturbance area. <p>The Designated Biologist shall work with the construction manager to temporarily halt or redirect construction activities until the species is determined to be out of harm's way. Any</p>	<p>Prior to and during project work</p> <p>Biological Resources</p>	<p>Los Angeles Department of Water and Power</p>		

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	<p>exclusionary devices shall be checked by a biological monitor on a weekly basis to check/ensure continued exclusionary device effectiveness.</p> <p>Bird Breeding/Nesting Period. LADWP shall make every effort to conduct project activities outside of the bird breeding/nesting season from February 1 to September 15 to avoid impacts to breeding/nesting birds. If work cannot be avoided, then the Designated Biologist shall conduct two focused surveys for breeding/nesting birds no earlier than 3 days prior to the beginning of project-related activities. If any nests are found, the Designated Biologist shall implement a default 300 foot minimum avoidance buffer for all passerine birds and 500 foot minimum avoidance buffer for all raptor species. The breeding habitat/nest site shall be fenced and/or flagged in all directions, and this area shall not be disturbed until the nest becomes inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, and the young will no longer be impacted by the project.</p> <p>Preconstruction Surveys. The Designated Biologist shall conduct a pre-construction general biological survey for species of concern, including western spadefoot toad, likely to be found in the area or using the area to forage during the proposed construction activities. The surveys shall be conducted within one week prior to start of work. Survey limits shall be determined by the Designated Biologist and shall include all areas within the project footprint. Should any species of concern be found, the LADWP shall develop and implement a plan for the protection of these species.</p>					
AMM-BIO-2	<p>Habitat Protection Demarcate Work Area Boundary. In consultation with the Designated Biologist, LADWP shall demarcate the outer</p>	During project work	Los Angeles Department of Water and Power			

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	<p>perimeter of the work area to prevent damage to adjacent habitat and to provide visual orientation to its limits. Marking shall be in place during all periods of operation. All persons employed or otherwise working on the project site shall be instructed about the restrictions that the marking represents. LADWP shall remove all temporary flagging, fencing, and/or barriers from the project site and vicinity of the stream upon completion of project activities.</p> <p>Hours of Operation and Lighting. LADWP's maintenance and construction activities shall take place during daylight hours only. No night work or lights are authorized.</p>					
AMM-BIO-3	<p>Placement of In-stream Structures Stranded Aquatic Life. When water is present, the Designated Biologist shall check daily for stranded aquatic life until the water level no longer support aquatic organisms. All reasonable efforts shall be made to capture and move all stranded aquatic life observed in the dewatered areas. Capture methods may include fish landing nets, dip nets, buckets and by hand. Captured aquatic life shall be released immediately in the closest body of water adjacent to the work site.</p> <p>Unauthorized Materials. Any materials placed in seasonally dry portions of a stream that could be washed downstream or could be deleterious to aquatic life shall be removed prior to inundation by high flows.</p> <p>Excavation Spoils. No castings or spoil from the excavation operations shall be placed on the stream side of the Project site. Spoil storage sites shall not be located within a stream, where spoils can be washed back into a stream, or where it will cover aquatic or riparian vegetation.</p>	During project work	Los Angeles Department of Water and Power			
AMM-BIO-4	<p>Turbidity and Siltation</p>	During project work	Los Angeles Department of Water and Power			

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	<p>Erosion Control Measures. LADWP shall utilize erosion control measures as specified in the Storm Water Pollution Plan (SWPPP) or Best Management Plan (BMP) prepared by LADWP's Wastewater group Qualified Stormwater Developer (QSD) throughout all phases of operation where sediment runoff from exposed slopes threatens to enter a river, stream, or lake. Any type of erosion control blanket or other product should not use plastic and shall be weed-free to the extent possible. If netting is to be used, it should be flexible (e.g., "soft" hemp) so that snakes or other animals do not become trapped in the netting.</p> <p>Sediment and Runoff Control. Sediment from project-related activities shall not be placed in seasonally dry portions of the stream where it might likely be washed into the stream or inundated by high flows, or where it is likely to have a negative impact on emergent native vegetation, or where it is likely to have a negative impact on native trees. Preparation shall be made so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.</p> <p>Contaminated Site Water. Water containing mud, silt, or other pollutants from equipment washing or other activities, shall not be allowed to enter a flowing stream, dry ephemeral stream or into storm drains. Such water shall be settled, filtered, or otherwise treated prior to discharge back into the water body.</p> <p>Minimize Turbidity and Siltation. LADWP shall take precautions to minimize turbidity/siltation during construction and post-construction periods as specified in the SWPPP or BMP Plan. Precautions should include, but are not limited to: pre-construction planning to identify site-specific turbidity and siltation minimization measures and best management erosion</p>					

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AMM-BIO-5	<p>control practices; best management erosion control practices during project activity; and settling, filtering, or otherwise treating silty and turbid water prior to discharge into a stream or storm drain.</p> <p>Equipment and Access Staging and Vehicle Storage. Staging/storage areas for equipment and materials shall be located outside of the stream in an area specified in the SWPPP or BMP Plan.</p>	During project work	Los Angeles Department of Water and Power			
AMM-BIO-6	<p>Pollution, Litter, and Cleanup Operating Equipment and Vehicle Leaks. Any equipment or vehicles driven and/or operated within or adjacent to the ephemeral drainage shall be checked and maintained daily to prevent leaks of materials that could be deleterious to aquatic and terrestrial life or riparian habitat. All refueling and maintenance of equipment and vehicles shall be at least 150 feet from any aquatic habitat, wetland area, water body, or ephemeral drainages. Stationary equipment such as motors, pumps, generators, and welders, located within or adjacent to the stream, lake or ephemeral drainage shall have measures in place to prevent any leaks or seeps from entering the waterway. Stationary heavy equipment shall have suitable containment to handle a catastrophic spill/leak. Clean up equipment such as extra boom, absorbent pads, skimmers, shall be accessible during the project-related activities.</p> <p>Pollutants and Debris. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, construction waste, cement or concrete or washings thereof, asphalt, paint, oil or other petroleum products or any other substances which could be hazardous to aquatic life, or other organic or earthen material from any logging, construction, or other associated Project-related activity shall be allowed to contaminate the soil and/or enter into or placed where</p>	During project work	Los Angeles Department of Water and Power			

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	<p>it may be washed by rainfall or runoff into, any stream/channel/culvert/ditch. Any of these materials, placed within or where they may enter a stream/channel/culvert/ditch, by LADWP or any party working under contract, or with the permission of LADWP, shall be removed immediately. When Project-related activities are completed, any excess materials or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream.</p> <p>Pollution Compliance. LADWP shall comply with all litter and pollution laws. All contractors, subcontractors and employees shall also obey these laws and it shall be the responsibility of the LADWP to ensure compliance.</p> <p>Trash Receptacles. LADWP shall install and use fully covered trash receptacles with secure lids (wildlife proof) that contain all food, food scrapes, food wrappers, beverage containers and other miscellaneous trash generated by work force personnel. Following construction, all trash and construction debris shall be removed from the project site.</p> <p>Remove Temporary Flagging, Fencing, and Barriers. LADWP shall remove all temporary flagging, fencing, and/or barriers from the project site and vicinity of the stream upon completion of project activities.</p>					
AMM-BIO-7	<p>Exotic Species Removal and Control LADWP shall also perform exotic species removal and control as defined by the following measures.</p> <p>Remove Invasive Vegetation by Hand. Whenever practicable, invasive species shall be removed by hand or by hand-operated power tools rather than by chemical means. Where chemical control of non-native vegetation is deemed necessary within the bed, bank, or channel of the stream and there is a possibility that the herbicides could contact water, LADWP shall employ only</p>	During project work	Los Angeles Department of Water and Power			

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	<p>those herbicides that are approved for aquatic use. If surfactants are required, they should be restricted to non-ionic chemicals that are approved for aquatic use. All herbicide use conditions for mixing, application and clean-up shall conform to all applicable federal, State, and local regulations. Any application of herbicide shall be done by a licensed or certified applicator in accordance with all applicable, federal, state, and local. Herbicides shall be used only for selective treatment of non-native vegetation identified as invasive by California Invasive Plant Council.</p> <p>Invasive Plant Control/Eradication. To minimize the spread of invasive plant species to uninfested areas within and outside of the project site, LADWP shall implement control and eradication activities prior to the initiation of ground-disturbing activities. LADWP shall utilize: control and eradication methods that are specific to the target species, avoid the spread and proliferation of other invasive plant species, and minimize damage to and/or removal of native plant species. All nonnative and invasive plants controlled or eradicated at the project site shall be removed and disposed of in a manner that prevents the introduction and establishment of those species to new areas.</p> <p>Invasive Species. LADWP shall conduct project activities in a manner that prevents the introduction, transfer, and spread of invasive species, including plants, animals, and microbes (e.g., algae, fungi, parasites, bacteria, etc.), from one project site and/or watershed to another. Prevention Best Management Practices (BMPs) and guidelines for invasive plants can be found on the California Invasive Plant Council's website at: http://www.cal-ipc.org/ip/prevention/index.php and for invasive mussels and aquatic species can be found at the Stop Aquatic Hitchhikers website: http://www.protectyourwaters.net/.</p>					

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	<p>Inspection of Project Equipment. LADWP shall inspect all vehicles, tools, waders and boots, and other project-related equipment and remove all visible soil/mud, plant materials, and animal remnants prior to entering and exiting the stream and/or between each use in different watersheds.</p> <p>Decontamination of Project Equipment. LADWP shall decontaminate all tools, waders and boots, and other equipment that will enter the streambed and make contact with water or wetted soils prior to entering and after exiting the stream. If decontamination for aquatic invasive animal species is applicable, LADWP shall decontaminate project gear and equipment utilizing one of three methods: drying, using a hot water soak, or freezing, as appropriate to the type of gear or equipment. For all methods, LADWP should begin the decontamination process by thoroughly scrubbing equipment, paying close attention to small crevices such as boot laces, seams, net corners, etc., with a stiff-bristled brush to remove all organisms. To decontaminate by drying, LADWP should allow equipment to dry thoroughly (i.e., until there is a complete absence of water), preferably in the sun, for a minimum of 48 hours. To decontaminate using a hot water soak, LADWP shall immerse equipment in 140°F or hotter water and soak for a minimum of 5 minutes. To decontaminate by freezing, LADWP shall place equipment in a freezer 32°F or colder for a minimum of 8 hours. Repeat decontamination is required only if the equipment and clothing is removed from the site, used within a different watersheds, and returned to the project site.</p> <p>Decontamination of Vehicles and Equipment. If decontamination for aquatic invasive animal species is applicable, LADWP shall decontaminate vehicles and other project-related equipment too large to immerse in a hot water bath by pressure washing with hot water a minimum of 140°F at</p>				

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MM-BIO-1	<p>the point of contact or 155°F at the nozzle. Additionally, LADWP shall flush watercraft engines and all areas that could contain standing water (e.g. storage compartments) for a minimum of 10 minutes. Following the hot water wash, LADWP shall dry all vehicles, watercraft, and other large equipment as thoroughly as possible.</p> <p>Decontamination Sites. If decontamination for aquatic invasive animal species is applicable, LADWP shall perform decontamination of vehicles, watercraft, and other project gear and equipment in a designated location where runoff can be contained and not allowed to pass into drainage areas and other sensitive habitat areas.</p> <p>Removal or disturbance of habitat suitable for least Bell's vireo shall be conducted outside the typical nesting period for this species (approximately March 15 through August 15). Mitigation for permanent impacts to habitat shall be at a ratio of 1:1, or as otherwise determined by applicable resource agency permits. Mitigation shall be a combination of habitat preservation, enhancement, and/or creation through purchase of credits at an approved in-lieu fee program or mitigation bank, or an agency approved permittee responsible mitigation project.</p> <p>Prior to removal or disturbance of suitable and/or occupied least Bell's vireo habitat, and presuming there is risk of "take" under federal or state law, LADWP shall consult with CDFW and USFWS on implementation of this MM-BIO-1 and other minimization and avoid measures as necessary to avoid "take." If "take" is unavoidable, LADWP shall secure the appropriate incidental take authorization or permit under Section 7 of the federal Endangered Species Act and Section 2081 of the California Endangered Species Act. Any measures determined</p>	During project work	Los Angeles Department of Water and Power			

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MM-BIO-2	to be necessary through the Section 7 or Section 2081 shall be implemented. In consultation with the U.S. Army Corps of Engineers, the Regional Water Quality Control Board (RWQCB) and the California Department of Fish and Wildlife (CDFW), LADWP shall acquire the appropriate permits and approvals (i.e., Section 404 permit [U.S. Army Corps of Engineers], Section 401 permit [RWQCB], Streambed Alteration Agreement [CDFW]) to address potential temporary and/or permanent impacts to jurisdictional waters if it is deemed required by any of these agencies. Compensatory mitigation for temporary and/or permanent impacts shall be implemented at a minimum ratio of 1:1 and as mutually agreed upon by the Resource Agencies and LADWP, and would include a combination of preservation, enhancement, and/or creation through purchase of credits at an approved in-lieu fee program or mitigation bank, or an agency-approved permittee responsible mitigation project. Either of these options would result in no net loss of jurisdictional aquatic resources.	Prior to commencement of project work	Los Angeles Department of Water and Power		
Cultural Resources					
MM-CUL-1	A qualified archaeologist shall attend the maintenance activity kick-off meeting to coordinate with the Los Angeles Department of Water and Power (LADWP) and the construction foreman to allow for brief inspection of initial ground disturbance within 50 feet of previously recorded archaeological site boundaries. The goal of this meeting will be to determine if more intensive archaeological monitoring is required.	Prior to project work	Los Angeles Department of Water and Power		
MM-CUL-2	To reduce potential impacts to unanticipated cultural resources during project implementation, all construction personnel should undergo Worker Environmental Awareness Program (WEAP) training to ensure that any unanticipated archaeological discoveries are treated appropriately. The WEAP training will	Prior to project work	Los Angeles Department of Water and Power		

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MM-CUL-3	<p>provide specific details on the kinds of archaeological materials that may be identified during project implementation.</p> <p>In the event that archaeological resources (sites, features, or artifacts) are exposed during the maintenance and operation activities for the proposed project, all activities occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under the California Environmental Quality Act (CEQA) (14 CCR 15064.5(f); California Public Resources Code Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery, may be warranted.</p>	During project work	Los Angeles Department of Water and Power			
MM-GEO-1	<p>In the event that paleontological resources (e.g., fossils) are unearthed during project earthmoving, the area of discovery shall be roped off with a 50-foot radius buffer. A qualified paleontologist shall be retained to assess the find and provide appropriate mitigation. Once documentation and collection of the find is completed, the qualified paleontologist will remove the rope and allow ground disturbance to recommence in the area of the find. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program for the proposed project. The Paleontological Resources Impact Mitigation Program shall be consistent with the 2010 guidelines of the Society of Vertebrate Paleontology.</p>	During project work	Los Angeles Department of Water and Power			
Geology and Soils						
Hazards and Hazardous Materials						

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MM-HAZ-1	<p>The Los Angeles Department of Water and Power (LADWP) shall prepare and implement a Hazardous Site Safety Plan for the Yarnell Debris Basin and Lower San Fernando Detention Basin. The Hazardous Site Safety Plan shall include measures to minimize exposure to workers and for the safe excavation, handling, and disposal of hazardous media.</p> <p>Worker exposure to hazardous substances will be minimized through the implementation of a Health and Safety Plan. The project-specific Health and Safety Plan shall be prepared in accordance with the Occupational Safety and Health Administration standards, included in the Hazardous Site Safety Plan, and implemented during excavation and construction-related activities.</p> <p>The Hazardous Site Safety Plan shall also include procedures for the safe management of hazardous media and shall include, at a minimum, the following:</p> <ol style="list-style-type: none"> 1. Identification of known areas with hazardous media of concern 2. Instructions for identification of suspect hazardous media 3. Procedures for temporary cessation of construction activity and evaluation of the level of environmental concern if previously unidentified suspect soils are encountered 4. Procedures for limiting access for properly trained personnel to the contaminated area 5. Procedures for characterizing and managing excavated soils 6. Procedures for proper disposal of hazardous media; disposal would be handled by the LADWP Hazardous Substances Group 	Prior to commencement of project work	Los Angeles Department of Water and Power		

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	7. Procedures for notification and reporting, including internal management and agencies (e.g., local fire department, Certified Unified Program Agency, US Environmental Protection Agency), as needed.				
Tribal Cultural Resources					
MM-TCR-1	To reduce potential impacts to unanticipated tribal cultural resources (TCRs) during project implementation, maintenance personnel shall undergo Worker Environmental Awareness Program (WEAP) training to ensure that any unanticipated TCR discoveries are treated appropriately. The WEAP training will provide specific details on the kinds of Native American cultural resources that may be identified during ground-disturbing activities.	During project work	Los Angeles Department of Water and Power		
MM-TCR-2	While no tribal cultural resources (TCRs) have been identified that may be affected by the project, the following approach for the inadvertent discovery of TCRs has been prepared to ensure there are no impacts to unanticipated resources. Should a potential TCR be encountered during maintenance activities, all work in the immediate vicinity of the discovery (within 50-feet) shall cease, LADWP shall be notified, and a qualified archaeologist meeting Secretary of Interior standards shall assess the find. LADWP will notify Native American tribes consulting under Assembly Bill (AB) 52. If the potential resource is archaeological in nature, appropriate management requirements shall be implemented as outlined in MM-CUL-2.	During project work	Los Angeles Department of Water and Power		
MM-TRC-3	If LADWP determines that the potential resource is a TCR (as defined by PRC, Section 21074), tribes consulting under AB 52 shall be provided a reasonable period of time, typically 5 days from the date that a new discovery is made, to conduct a site visit and make recommendations regarding future ground disturbance activities as well as the treatment and disposition of	During project work	Los Angeles Department of Water and Power		

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MM-TRC-4	<p>any discovered TCRs. Depending on the nature of the resource and tribal recommendations, review by a qualified archaeologist may be required. Implementation of proposed recommendations will be made based on the determination of LADWP that the approach is reasonable and feasible. The preferred mitigation is to avoid impacts to TCRs, but if that is not feasible, a mitigation and treatment plan will be developed in consultation with the consulting tribes. Work on the other areas of the project site outside of the buffered area may continue during this assessment period. All activities shall be conducted in accordance with regulatory requirements.</p> <p>If significant Native American cultural resources are discovered during operations and maintenance and avoidance cannot be ensured, a qualified archaeologist shall be retained to develop a Cultural Resources Treatment Plan, the drafts of which shall be provided to the interested tribe(s) for review and comment. All in-field investigations, assessments, and/or data recovery enacted pursuant to the finalized Treatment Plan shall be monitored by a Native American monitor. LADWP shall, in good faith, consult with the interested tribe(s) on the disposition and treatment of any artifacts or other cultural materials encountered during the project.</p>	During project work	Los Angeles Department of Water and Power			