

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

PROJECT NO. R2014-03733-(5) / TENTATIVE TRACT MAP NO. 073310 / ENV NO. 201400300 - DRAFT

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.1	Biological Resources	<p>Special-Status Roosting Bats - To avoid the direct loss of bats that could result from disturbance to trees or structures that may provide maternity roost habitat (e.g., in cavities or under loose bark) or structures that contain a hibernating bat colony, the following steps shall be taken:</p>	Pre-construction special-status roosting bat survey	Prior to issuance of a grading permit.	Owner/applicant	Regional Planning (DRP)
		<p>a) To the extent feasible, demolition or disturbance to suitable bat roosting habitat shall be scheduled between October 1 and February 28, outside of the maternity roosting season.</p>				
		<p>b) If trees must be encroached during the maternity season (March 1 to September 30), or structures must be removed at any time of the year, a qualified bat specialist shall conduct a pre-construction survey to identify those trees or structures proposed for disturbance that could provide hibernacula or nursery colony roosting habitat for bats.</p>				
		<p>c) Each tree or structure identified as potentially supporting an active maternity roost and each structure potentially supporting a hibernating colony shall be closely inspected by the bat specialist no greater than seven (7) days prior to tree disturbance to more precisely determine the presence or absence of roosting bats.</p>				

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		<p>d) If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year, it is preferable to bring down trees or structures in a controlled manner using heavy machinery. In order to ensure the optimum warning for any roosting bats that may still be present, the trees or structures shall be nudged lightly two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. Trees or structures may then be pushed to the ground slowly under the supervision of a bat specialist. Felled trees shall remain in place until they are inspected by a bat specialist. Trees that are known to be bat roosts shall not be sawn up or mulched immediately. A period of at least 48 hours shall elapse prior to such operations to allow bats to escape. Bats shall be allowed to escape prior to demolition of buildings. This may be accomplished by placing one way exclusionary devices into areas where bats are entering a building that allow bats to exit but not enter the building.</p>				
		<p>e) Maternity season lasts from March 1 to September 30. Trees or structures determined to be maternity roosts shall be left in place until the end of the maternity season. A structure containing a hibernating colony shall be left in place until a qualified biologist determines that the bats are no longer hibernating.</p>				

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		f) The bat specialist shall document all demolition monitoring activities and prepare a summary report to the Los Angeles County (County) upon completion of tree disturbance or building demolition activities. If Townsend's big-eared bat is detected during pre-construction surveys, all construction-related activity shall be halted immediately and California Department of Fish & Wildlife (CDFW) shall be notified. Work may only resume subsequent to CDFW approval.				
4.2	Biological Resources	Bat Relocation —If confirmed occupied or formerly occupied bat roosting habitat is destroyed, artificial bat roosts of comparable size and quality shall be constructed and maintained at a suitable undisturbed area. The design and location of the artificial bat roosts shall be determined by the bat specialist in consultation with CDFW.	Bat Relocation and monitoring	Prior to issuance of a grading permit.	Owner/applicant	Regional Planning
		a) In exceptional circumstances, such as when roosts cannot be avoided and bats cannot be evicted by non-invasive means, it may be necessary to capture and transfer the bats to appropriate natural or artificial bat roosting habitat in the surrounding area. Bats raising young or hibernating shall not be captured and relocated. Capture and relocation shall be performed by the bat specialist in coordination with CDFW, and shall be subject to approval by Los Angeles County Department of Regional Planning (DRP) and CDFW.				
		b) A monitoring plan shall be prepared for the replacement roosts, which shall include performance standards for the use of the replacement roosts by the displaced species, as well as provisions to prevent harassment, predation, and disease of relocated bats.				

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		c) Annual reports detailing the success of roost replacement and bat relocation shall be prepared and submitted to DRP and CDFW for five years following relocation or until performance standards are met, whichever period is longer.				
4.3	Biological Resources	Proposed project activities (including, but not limited to, staging and disturbances to native and nonnative vegetation, structures, and substrates) should occur outside of the avian breeding season which generally runs from February 1 – August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs. Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86), and includes take of eggs or young resulting from disturbances which cause abandonment of active nests. Depending on the avian species present, a qualified biologist may determine that a change in the breeding season dates is warranted.	Breeding Bird Survey	Prior to issuance of a grading permit.	Owner/applicant	Regional Planning

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		<p>If avoidance of the avian breeding season is not feasible, a qualified biologist with experience in conducting breeding bird surveys shall conduct weekly bird surveys beginning thirty days prior to the initiation of project activities, to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 500 feet of the disturbance area. The surveys should continue on a weekly basis with the last survey being conducted no more than three (3) days prior to the initiation of project activities. If a protected native bird is found, the project proponent should delay all project activities within 300 feet of on- and off-site suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys in order to locate any nests. If an active nest is located, project activities within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing should be used to demarcate the inside boundary of the buffer of 300 feet (or 500 feet) between the project activities and the nest. Project personnel, including all contractors working on site, should be instructed on the sensitivity of the area. The project proponent should provide the Department of Regional Planning the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.</p>				

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		<p>If the biological monitor determines that a narrower buffer between the project activities and observed active nests is warranted, he/she should submit a written explanation as to why (e.g., species-specific information; ambient conditions and birds' habituation to them; and the terrain, vegetation, and birds' lines of sight between the project activities and the nest and foraging areas) to the Department of Regional Planning and, upon request, the CDFW. Based on the submitted information, the Department of Regional Planning (and the CDFW, if the CDFW requests) will determine whether to allow a narrower buffer.</p>				
		<p>The biological monitor shall be present on site during all grubbing and clearing of vegetation to ensure that these activities remain within the project footprint (i.e., outside the demarcated buffer) and that the flagging/stakes/fencing is being maintained, and to minimize the likelihood that active nests are abandoned or fail due to project activities. The biological monitor shall send weekly monitoring reports to the Department of Regional Planning during the grubbing and clearing of vegetation, and shall notify the Department of Regional Planning immediately if project activities damage active avian nests.</p>				
4.4	Biological Resources	<p>Prior to the issuance of a grading permit, temporary chainlink fencing, not less than four (4) feet in height, shall be installed to secure the protected zone of all remaining oak trees on site proposed for encroachment. The fencing shall be installed prior to grading and shall not be removed without approval of the County Forester.</p>	Construction-related oak tree protective measures	Prior to issuance of a grading permit.	Owner/applicant	Regional Planning

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4.5	Biological Resources	Prior to the issuance of a grading permit, the consulting arborist shall submit a letter to Regional Planning and Fire Department that he/she has been retained by the permittee to perform or supervise the work, and that he/she agrees to report to the Director of Regional Planning and the County Forester. The arborist shall also submit a written report on permit compliance upon completion of the work required by the Oak Tree Permit.	Retention of project arborist	Prior to issuance of a grading permit.	Owner/applicant	Regional Planning
5.1	Cultural Resources	Prior to commencement of any grading activity on site, the owner/applicant shall provide written evidence to the Director of Regional Planning, or designee that a qualified archaeologist has been retained. In the event that field personnel encounter buried cultural materials, work in the immediate vicinity of the find should cease and a qualified archaeologist should be retained to assess the significance of the find. The qualified archaeologist shall have the authority to stop or divert construction excavation as necessary. If the qualified archaeologist finds that any cultural resources present meet eligibility requirements for listing on the California Register or the National Register, plans for the treatment, evaluation, and mitigation of impacts to the find would need to occur.	Provide written evidence to the Director of Regional Planning or designee that a qualified archaeologist has been retained.	Prior to issuance of a grading permit.	Owner/applicant	Regional Planning
5.2	Cultural Resources	Prior to commencement of any grading activity on site, the owner/applicant shall provide written evidence to the Director of Regional Planning, or designee that a qualified paleontologist has been retained and either the paleontologist, or a representative, shall be onsite if excavations penetrate the bedrock formations.	Provide written evidence to the Director of Regional Planning or designee that a qualified paleontologist has been retained.	Prior to issuance of a grading permit.	Owner/applicant	Regional Planning

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5.3	Cultural Resources	If human remains are encountered during excavation activities, all work shall halt and the County Coroner shall be notified (California Public Resources Code §5097.98). The Coroner will determine whether the remains are of forensic interest. If the Coroner, with the aid of the County-approved Archaeologist, determines that the remains are prehistoric, s/he will contact the Native American Heritage Commission (NAHC). The NAHC shall be responsible for designating the most likely descendant (MLD), who will be responsible for the ultimate disposition of the remains, as required by Section 7050.5 of the California Health and Safety Code. The MLD shall make his/her recommendation within 48 hours of being granted access to the site. The MLD's recommendation shall be followed if feasible, and may include scientific removal and non-destructive analysis of the human remains and any items associated with Native American burials (California Health and Safety Code §7050.5). If the landowner rejects the MLD's recommendations, the landowner shall rebury the remains with appropriate dignity on the property in a location that will not be subject to further subsurface disturbance (California Public Resources Code §5097.98).	If human remains are encountered during excavation activities, all work shall halt and the County Coroner shall be notified.	During grading activities or ground disturbance.	Owner/applicant	County Coroner, NAHC, Regional Planning, or designee
10	Hydrology and Water Quality	Prior to the construction of the pool, show compliance of the County's guidelines and requirements for vector control, and best practices for mosquito abatement.	Submittal of a vector control and/or mosquito abatement plan.	Prior to issuance of a building permit.	Owner/applicant	Regional Planning

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19	Tribal Cultural Resources	Prior to commencement of any ground-disturbing activities, the services of a tribal monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation shall be retained and be present on-site during the construction phases that involve any ground disturbing activities.	Provide written evidence to the Director of Regional Planning or designee that a tribal monitor from the Gabrieleno Band of Mission Indians-Kizh Nation or designee approved by the Kizh Nation has been retained. Provide a log and compliance report of the monitoring requirements.	Prior to issuance of a grading permit.	Owner/applicant	Regional Planning or designee
20	Mitigation Compliance	As a means of ensuring compliance of all above mitigation measures, the owner/applicant and subsequent owner(s) are responsible for submitting an annual mitigation compliance report to the Department of Regional Planning for review and replenishing the mitigation monitoring account if necessary until such time as all mitigation measures have been implemented and completed.	Submittal and approval of annual mitigation compliance report. Replenishment of mitigation monitoring account as required.	Yearly and as required until all measures are completed.	Owner/applicant	Regional Planning
* In the "#" column, the number before the decimal corresponds with the chapter number in the initial study.						