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Mitigation, Monitoring, and Reporting Program

# Spane Park Stormwater Capture Project

SCH No. 2023070443

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*Prepared for:*

**CITY OF PARMOUNT**

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The California Environmental Quality Act (CEQA) requires that public agencies adopting a Mitigated Negative Declaration (MND) take affirmative steps to determine that approved mitigation measures and project design features are implemented subsequent to project approval. The lead or responsible agency must adopt a monitoring and reporting program for the mitigation measures incorporated into a project or included as conditions of approval. The program must be designed to ensure compliance with the MND during project implementation (Public Resources Code, Section 20181.6; CEQA Guidelines, Section 15074(d)).

This Mitigation, Monitoring, and Reporting Program (MMRP) will be used by the City of Paramount (City) to track compliance with adopted mitigation measures associated with the implementation of the proposed Spane Park Stormwater Capture Project (project). The City, as Lead Agency pursuant to CEQA, will ensure that all mitigation measures identified for the project are carried out in accordance with the adopted MMRP.

This MMRP consists of a checklist (Table 1) that identifies the project design features and mitigation measures, organized by environmental impact category discussed in the MND. The table identifies the mitigation monitoring and reporting requirements, including the timing of verification (e.g., prior to, during, or after construction) and the party responsible for implementing the measure. Space is provided for sign-off following completion/implementation of the mitigation measure.

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Table 1. Mitigation Monitoring and Reporting Program

Design Feature or Mitigation Measure	Design Feature or Mitigation Measure	Timing of Verification			Responsible Party	Completed		Comments
		Pre Const	During Const	Post Const		Initials	Date	
Air Quality								
Mitigation Measure AQ-1	<b>Fugitive Dust During Construction.</b> The City shall water exposed soil during construction three times daily. The City shall also replace ground cover of area disturbed during construction.		X		City of Paramount			
Mitigation Measure AQ-2	<b>Require Use of Tier 4 Off-Road Equipment During Construction.</b> Prior to the commencement of construction activities for the project, the Applicant shall require its construction contractor to demonstrate that all 75-horsepower or greater diesel-powered equipment is powered with California Air Resources Board–certified Tier 4 Final engines.  An exemption from this requirement may be granted if (1) the City documents that equipment with Tier 4 Final engines is not reasonably available and (2) the required corresponding reductions in criteria air pollutant emissions can be achieved for the project from other combinations of construction equipment. Before an exemption may be granted, the City’s construction contractor shall (1) demonstrate that at least two construction fleet owners/operators in the County of Los Angeles were contacted and that those owners/operators confirmed Tier 4 equipment could not be located within the County of Los Angeles during the desired construction schedule and (2) the proposed replacement equipment has been evaluated using California Emissions Estimator Model or other industry standard emission estimation method and documentation provided to the City to confirm that necessary project-generated emissions reductions are achieved.	X	X		City of Paramount			
Biological Resources								
Mitigation Measure BIO-1a	<b>Nesting Bird Avoidance.</b> Project construction shall be conducted in compliance with the conditions set forth in the Migratory Bird Treaty Act and California Fish and Game Code to protect active bird/raptor nests. Vegetation removal shall occur during the non-breeding season for nesting birds and nesting raptors (October 1–January 31) to avoid impacts to nesting birds and raptors. If the project requires that work be initiated during the breeding season for nesting birds (March 1–September 30) and nesting raptors (February 1–June 30), in order to avoid direct impacts on active nests, a preconstruction survey shall be conducted in the study area by qualified biologists for nesting birds and/or raptors within 3 days prior to project activities. If the biologist does not find any active nests within or immediately adjacent to the impact areas, the vegetation clearing/construction work shall be allowed to proceed.	X			City of Paramount			

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Mitigation Measure BIO-1b	<b>Nesting Bird Avoidance.</b> If the biologist finds an active nest within or immediately adjacent to the construction area and determines that the nest may be impacted or breeding activities substantially disrupted, the biologist shall delineate an appropriate buffer zone around the nest depending on the sensitivity of the species and the nature of the construction activity. To protect any nest site, the following restrictions to construction activities shall be required until nests are no longer active, as determined by a qualified biologist: (1) clearing limits shall be established within a buffer around any occupied nest and (2) access and surveying shall be restricted within the buffer of any occupied nest, unless otherwise determined by a qualified biologist. The buffer shall be 100–300 feet for non-raptor nesting birds and 300–500 feet for nesting raptors. Construction can proceed into the buffer when the qualified biologist has determined that the nest is no longer active.		X		City of Paramount			
Cultural Resources								
Mitigation Measure CUL-1	<b>Workers Environmental Awareness Program.</b> Prior to the start of construction activities, all construction personnel and monitors shall be trained regarding identification and treatment protocol for inadvertent discoveries of cultural resources (archaeological and tribal) and human remains. A basic presentation and handout or pamphlet shall be prepared in order to ensure proper identification and treatment of inadvertent discoveries of cultural resources and human remains. The purpose of the Workers Environmental Awareness Program training is to provide specific details on the kinds of materials that may be identified during ground disturbing activities and explain the importance of and legal basis for the protection of human remains and significant cultural resources. Each worker shall also be trained in the proper procedures to follow in the event that cultural resources or human remains are uncovered during ground disturbing activities. These procedures include but are not limited to work curtailment or redirection and the immediate contact of the site supervisor and archaeological monitoring staff.	X			City of Paramount			
Mitigation Measure CUL-2a	<b>Retention of an On-Call Qualified Archaeologist.</b> A qualified archaeologist shall be retained and on-call to respond to and address any inadvertent discoveries identified during project implementation. Additionally, in consideration of the potential to encounter intact cultural deposits beneath fill soils, the qualified archaeologist shall survey the project site once fill soils have been removed to ensure no cultural deposits underlie the fill layer.		X		City of Paramount			

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Mitigation Measure CUL-2b	<b>Retention of an On-Call Qualified Archaeologist.</b> If it is determined, based on the aforementioned survey, that cultural resources are present or may be present and may be impacted during project construction, monitoring may be warranted. Any identified cultural resources shall be assessed and evaluated pursuant to the California Environmental Quality Act. If it is determined that monitoring is warranted, a qualified archaeological principal investigator, meeting the Secretary of the Interior’s Professional Qualification Standards, shall oversee and adjust monitoring efforts as needed (increase, decrease, or discontinue monitoring frequency) based on the observed potential for construction activities to encounter cultural deposits or material. The archaeological monitor will be responsible for maintaining daily monitoring logs.		X		City of Paramount			
Mitigation Measure CUL-3	<b>Inadvertent Discovery Clause.</b> In the event that potential archaeological resources sites, features, or artifacts) are exposed during ground disturbing activities, all construction work occurring within at least 50 feet of the find shall immediately stop and the qualified archaeologist that has been retained on call must be notified immediately to assess 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, the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work (e.g., preparation of an archaeological treatment plan, testing, data recovery, or monitoring) may be warranted if the resource cannot be feasibly avoided. If the discovery is Native American in nature, consultation with and/or monitoring by a tribal representative may be necessary.		X		City of Paramount			
Geology and Soils								
Mitigation Measure GEO-1a	Prior to the commencement of any grading activity on site, the City of Paramount shall retain a Qualified Professional Paleontologist (QPP). A QPP is defined as a person who has a PhD or MS or equivalent in paleontology or closely related field (e.g., sedimentary or stratigraphic geology, evolutionary biology), has a demonstrated knowledge of Southern California paleontology and geology, and has documented experience performing professional paleontological procedures and techniques. The QPP or a Qualified Paleontological Monitor (QPM) shall attend the pre-excavation meetings with representatives of the City and contractors to explain the importance of fossils, the laws protecting fossils, the need for mitigation, the types of fossils that might be discovered during excavation work, and the procedures that should be followed if fossils are discovered. A QPM is defined as an individual with at least 1 year of experience in field identification and collecting of fossil materials.	X			City of Paramount			

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Mitigation Measure GEO-1b	The Qualified Professional Paleontologist (QPP), or a Qualified Paleontological Monitor under the direction and supervision of a QPP, shall be on site during original cutting of middle Holocene to Pleistocene-age alluvial deposits. These deposits are anticipated below a depth of 15 feet below the ground surface. Monitoring of the noted geologic unit may be either increased or decreased after the original cutting depending upon if ongoing grading activities would involve cutting into native Pleistocene-age alluvium deposits, as determined by the qualified paleontologist. After 50% of excavations are complete in either an area or rock unit and no fossils of any kind have been discovered, the level of monitoring can be reduced or suspended entirely at the QPP's discretion.		X		City of Paramount			
Mitigation Measure GEO-1c	In the event that well-preserved fossils are discovered, the QPP or QPM shall have the authority to temporarily halt or redirect construction activities in the discovery area to allow recovery in a timely manner. All collected fossil remains shall be cleaned, sorted, cataloged, and deposited in an appropriate paleontological repository as defined by the Society of Vertebrate Paleontology's 2010 Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources at the applicant's expense.		X		City of Paramount			
Mitigation Measure GEO-1d	A Final Monitoring Report (with a map showing fossil site locations) summarizing the results, analyses, and conclusions of the above-described monitoring/recovery program shall be submitted to the project proponent and designated fossil repository (if fossils are recovered) within 3 months of terminating monitoring activities. The final report should emphasize the discovery of any new or rare taxa, or paleoecological or taphonomic significance. A complete set of field notes, geologic maps, and stratigraphic sections and a list of identified specimens must be included in or accompany the final report. This report should be finalized only after all aspects of the mitigation program are completed, including preparation, identification, cataloging, and curatorial inventory. The final report (with any accompanying documents) and repository curation of specimens and samples constitute the goals of a successful paleontological resource mitigation program. Full copies of the final report should be deposited with both the lead agency and the repository institution with the request that all locality data remain confidential and not made available to the general public.			X	City of Paramount			
Hazards and Hazardous Materials								
Mitigation Measure AQ-1	Please refer to Mitigation Measure AQ-1, above.		X		City of Paramount			
Mitigation Measure AQ-2	Please refer to Mitigation Measure AQ-2, above.	X	X		City of Paramount			



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Tribal Cultural Resources								
Mitigation Measure TCR-1a	<b>Retention of a Native American Monitor and Inadvertent Discovery of Tribal Cultural Resources.</b> Prior to the commencement of ground-disturbing activities, the project applicant/lead agency shall retain a Native American monitor from or approved by the Gabrieleño Band of Mission Indians–Kizh Nation (Tribe). The monitor shall be retained prior to the commencement of any ground-disturbing activity for the subject project at all project locations (i.e., on site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). Ground-disturbing activities shall include, but are not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity or the issuance of any permit necessary to commence a ground disturbing activity.	X			City of Paramount			
Mitigation Measure TCR-1b	<b>Retention of a Native American Monitor and Inadvertent Discovery of Tribal Cultural Resources.</b> Although no tribal cultural resources (TCRs) have been identified that may be affected by the project, the following approach for the unanticipated discovery of TCRs has been prepared to reduce potential impacts to unanticipated resources. Management strategies stipulated in Mitigation Measure (MM) CUL-1 through MM-CUL-3 and existing state and local regulations, including California Health and Safety Code Section 7050.5, PRC Section 5097.98, and the California Code of Regulations Title 14 Section 15064.5(e), shall be implemented in the event that project activities encounter cultural resources or human remains. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Native American monitor. The Tribe shall recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe’s sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural, and/or historical purposes. However, this does not include human remains; the protocols to be followed in the event of a discovery of human remains is covered in MM-CUL-3. The Native American monitor shall complete daily monitoring logs that provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, the locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitoring logs shall identify and describe any discovered TCRs, including, but not limited to, Native American cultural and		X	X	City of Paramount			

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	historical artifacts, remains, and places of significance (collectively, tribal cultural resources), as well as any discovered Native American (ancestral) human remains and/or burial goods. Copies of monitoring logs shall be provided to the project applicant/lead agency upon written request to the Tribe. On-site Native American monitoring shall conclude upon the latter of the following (1) written confirmation to the Tribe from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete, or (2) a determination and written notification by the Tribe to the project applicant/lead agency that no future, planned, and/or development/construction phase at the project site possesses the potential to impact TCRs.							

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