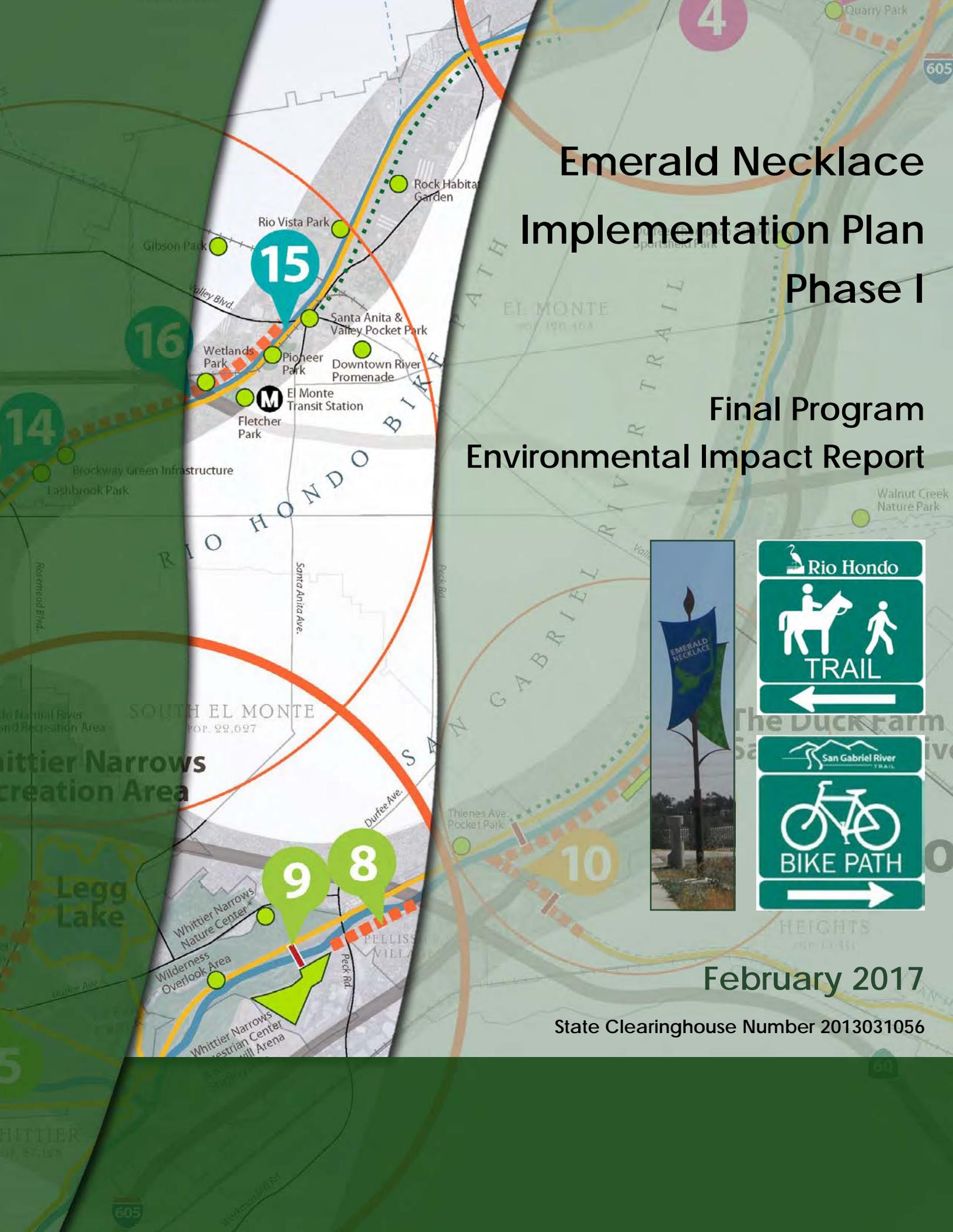


Emerald Necklace Implementation Plan Phase I

Final Program Environmental Impact Report



February 2017

State Clearinghouse Number 2013031056

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I

FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

February 2017

State Clearinghouse Number 2013031056

Prepared for:



**Watershed Conservation Authority
100 North Old San Gabriel Canyon Road
Azusa, California 91702**

Prepared by:



**215 North 5th Street
Redlands, California 92374**

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**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT**

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SECTION 1.0

INTRODUCTION

1.1 FINAL ENVIRONMENTAL IMPACT REPORT ORGANIZATION

The Draft Program Environmental Impact Report (PEIR) for the Emerald Necklace Implementation Plan – Phase I (Proposed Project) was circulated for public and agency review and comment from October 19, 2016 to December 2, 2016. According to the California Environmental Quality Act (CEQA) Guideline Section 15132, a Final EIR must be prepared and must include a list of persons, agencies, and organizations commenting on the Draft EIR; copies of the comments received during public review of the Draft EIR; and the Lead Agency's response to those comments.

As required by Section 15132 of the CEQA Guidelines, this Final PEIR responds to comments regarding significant environmental issues and concerns raised in the public and agency review process. This document provides responses to comments on significant environmental issues, describes the disposition of the issues, and explains the Draft PEIR analysis by either supporting Draft PEIR conclusions or providing clarifying information, as appropriate.

This Final PEIR is organized as follows:

- ◆ **Section 1** provides a discussion of the purpose of the Final PEIR and discusses the structure of this document;
- ◆ **Section 2** lists the agencies, organizations, and individuals that commented on the contents of the Draft PEIR;
- ◆ **Section 3** includes the comments received on the Draft PEIR and the responses to those comments;
- ◆ **Section 4** provides revisions to the Draft PEIR (Errata); and
- ◆ **Section 5** provides the Mitigation Monitoring and Reporting Program (MMRP) prepared consistent with CEQA requirements.

This Final PEIR incorporates by reference the Draft PEIR and technical appendices. These documents, and other information contained in the environmental record, constitute the Final PEIR for the Proposed Project.

1.2 SUMMARY OF DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT COMMENT PERIOD

The Draft PEIR and Notice of Availability (NOA) were distributed for review and comment to a mailing list of 64 recipients including cities, stakeholders, local agencies, the State Clearinghouse, and other interested parties for a 45-day public and agency review period from October 19, 2016 to December 2, 2016. The NOA was also filed at

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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the Los Angeles County Clerk, and posted online at: www.wca.ca.gov/emerald_necklace_greening_and_trails. The Draft PEIR and NOA were also available for review at the Watershed Conservation Authority (WCA) office, El Monte Library, and on the WCA website listed above. The NOA was also published in the following newspapers:

- ◆ San Gabriel Valley Tribune, legal notice, October 19, 2016

One public meeting was held during the public comment period. The public meeting took place on October 26, 2016 at the Bassett Park Community Room, which was attended by approximately 25 people. A presentation was held to provide an opportunity for the public to learn more about the Proposed Project as a result of scoping comments, the results of the analysis in the Draft PEIR, and their opportunities to comment on the analysis in the Draft PEIR.

SECTION 2.0

LIST OF COMMENTORS

A list of public agencies, organizations, and individuals that provided comments on the Draft PEIR is presented below in Table 2-1. Each comment letter has been assigned a numerical designation. Each comment within each letter has been assigned an additional numerical designation so that each comment can be cross-referenced with an individual response. These letters, and the responses to comments, are in Section 3 of this Final PEIR.

**Table 2-1
List of Comment Letters**

LETTER NUMBER	SENDER	DATE RECEIVED
Letter 1	David Diaz	10/26/2016
Letter 2	Amy Wong	10/26/2016
Letter 3	Jackson Lam	10/26/2016
Letter 4	Andrew Yip	10/26/2016
Letter 5	Gabrielino-San Gabriel Band of Mission Indians	11/7/2016
Letter 6	San Gabriel Valley Council of Governments	11/23/2016
Letter 7	County of Los Angeles Fire Department	11/23/2016
Letter 8	Native American Heritage Commission	11/23/2016
Letter 9	California Department of Transportation (Caltrans)	12/2/2016
Letter 10	California Department of Fish and Wildlife	12/2/2016
Letter 11	Sierra Club	12/2/2016
Letter 12	Save Our Community	12/2/2016
Letter 13	Governor's Office of Planning and Research State Clearinghouse and Planning Unit	12/8/2016

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SECTION 3.0

RESPONSES TO COMMENTS

This section includes the letters received during the public and agency review period on the Draft PEIR, followed by responses to the comments in the letters. Revisions to the Draft PEIR are included in Section 4 of this Final PEIR. The responses are organized as listed in Table 2-1.

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Letter 1 - David Diaz



Emerald Necklace
Implementation Plan – Phase I

COMMENTS: Draft Program Environmental Impact Report

Please use this page to submit your comments on the information presented in the Draft Program Environmental Impact Report (PEIR) prepared for the Emerald Necklace Implementation Plan – Phase I Project. Your comments are an important part of the CEQA process. When making your comments, please be as specific as possible.

Name David Diaz
Address 10930 Central Ave So. El Monte 91733
Street City Zip Code
E-mail david@goddayone.org

Comments:

For more space, please use the reverse side of this sheet. *Please write legibly.* All comments must be received by **December 2, 2016** to be considered in the Final PEIR.

Please use reflective (glow in the dark) paint for striping of Rio Honda & SG River. Also consider placing emergency call boxes along the Rio Honda & SG River. Tri lingual wayfinding signage - - connections from local parks.

1-1

Comments can also be submitted to:

Rob Romanek, Project Manager
Watershed Conservation Authority
100 North Old San Gabriel Canyon Road
Azusa, California 91702

E-mail: rromanek@wca.ca.gov
Phone: (626) 815-1019
Fax: (626) 815-1269

Responses to Letter 1 – David Diaz

Response to Comment 1-1:

Comment requests the use of reflective paint for striping of the Rio Hondo and San Gabriel River trails, placement of emergency call boxes, tri-lingual wayfinding signage, and connections from local parks. The comment has been noted. As discussed in Section 2.0 Project Description of the Draft PEIR, the proposed trails would be designed and constructed per the County of Los Angeles Trails Manual. The proposed Class 1 Bikeways (bike paths) would be designed and constructed per Appendix F (Design Guidelines) of the County of Los Angeles Bicycle Master Plan. Safety and regulatory signage, as well as other appropriate trail signage, would be included as part of the Proposed Project to the specifications of the County of Los Angeles Trails Manual and the County of Los Angeles Bicycle Master Plan. Emerald Necklace wayfinding and signage would follow the County of Los Angeles Department of Public Works Emerald Necklace Signage Guidelines.

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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Letter 2 - Amy Wong



Emerald Necklace
Implementation Plan – Phase I

COMMENTS: Draft Program Environmental Impact Report

Please use this page to submit your comments on the information presented in the Draft Program Environmental Impact Report (PEIR) prepared for the Emerald Necklace Implementation Plan – Phase I Project. Your comments are an important part of the CEQA process. When making your comments, please be as specific as possible.

Name Amy Wong
Address 3310 Sante Avenue El Monte CA 91733
Street City Zip Code
E-mail amy@sangabrielmountains.org

Comments:

For more space, please use the reverse side of this sheet. *Please write legibly.* All comments must be received by **December 2, 2016** to be considered in the Final PEIR.

I love all the projects - please complete them all! we need multi-use trails & paths for our communities here in the San Gabriel valley & a complete network of connectivity for the entire Emerald Necklace. Close the quarry clapp! I live near the Rio Honda Pines and need the Emerald Necklace to have safe lighting to prevent dangerous activities (or at least bright/reflective striping on the pavement). Also, please be mindful of the homeless population that lives down there.

2-1

Comments can also be submitted to:

Rob Romanek, Project Manager
Watershed Conservation Authority
100 North Old San Gabriel Canyon Road
Azusa, California 91702

E-mail: romanek@wca.ca.gov
Phone: (626) 815-1019
Fax: (626) 815-1269

Responses to Letter 2 – Amy Wong

Response to Comment 2-1:

This comment expresses support for the Proposed Project and states the need to have lighting for safety and to prevent dangerous activities along the trails. The comment also requests that the Proposed Project be mindful of the homeless population that lives along the rivers. Comment has been noted. As discussed in Section 2.0 Project Description of the Draft PEIR, the proposed trails would be designed and constructed per the County of Los Angeles Trails Manual. Proposed Class 1 Bikeways (bike paths) would be designed and constructed per Appendix F (Design Guidelines) of the County of Los Angeles Bicycle Master Plan. Specific lighting needs would be determined during the detailed design phase of each project.

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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Letter 3 - Jackson Lam



Emerald Necklace
Implementation Plan – Phase I

COMMENTS: Draft Program Environmental Impact Report

Please use this page to submit your comments on the information presented in the Draft Program Environmental Impact Report (PEIR) prepared for the Emerald Necklace Implementation Plan – Phase I Project. Your comments are an important part of the CEQA process. When making your comments, please be as specific as possible.

Name Jackson Lam

Address 12340 Elliott Ave El Monte 91732
Street City Zip Code

E-mail _____

Comments:

For more space, please use the reverse side of this sheet. *Please write legibly.* All comments must be received by **December 2, 2016** to be considered in the Final PEIR.

This is great! We need to complete these projects.
Of particular priority should be San Jose Creek
bridge and closing the clasp on the north end.
Whittier Narrows needs much more signage. And
we need to get better lighting along the whole
river

3-1

Comments can also be submitted to:

Rob Romanek, Project Manager
Watershed Conservation Authority
100 North Old San Gabriel Canyon Road
Azusa, California 91702

E-mail: rromanek@wca.ca.gov
Phone: (626) 815-1019
Fax: (626) 815-1269

Responses to Letter 3 – Jackson Lam

Response to Comment 3-1:

This comment expresses support for the Proposed Project and states that priority should be given to the San Jose Creek bridge and closing the Quarry Clasp. The comment also states that the Emerald Necklace needs more signage and better lighting along the river. Comment has been noted. As discussed in Section 2.0 Project Description of the Draft PEIR, the proposed trails would be designed and constructed per the County of Los Angeles Trails Manual. Proposed Class 1 Bikeways (bike paths) would be designed and constructed per Appendix F (Design Guidelines) of the County of Los Angeles Bicycle Master Plan. Safety and regulatory signage, as well as other appropriate trail signage, would be included as part of the Proposed Project to the specifications of the County of Los Angeles Trails Manual and the County of Los Angeles Bicycle Master Plan. Specific lighting needs would be determined during the detailed design phase of each project.

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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Letter 4 - Andrew Yip



Emerald Necklace
Implementation Plan – Phase I

COMMENTS: Draft Program Environmental Impact Report

Please use this page to submit your comments on the information presented in the Draft Program Environmental Impact Report (PEIR) prepared for the Emerald Necklace Implementation Plan – Phase I Project. Your comments are an important part of the CEQA process. When making your comments, please be as specific as possible.

Name Andrew Yip
Address 1102 Jansoni Avenue San Gabriel 91745
Street City Zip Code
E-mail Andrew@kite.sgo.org

Comments:

For more space, please use the reverse side of this sheet. *Please write legibly.* All comments must be received by **December 2, 2016** to be considered in the Final PEIR.

Great projects. Especially the San Jose Acute bridge near Workman Hills Rd. Please consider lighting in high use areas. Also, please close the Quarry clasp. We need safe connections for the trails.

4-1

Comments can also be submitted to:

Rob Romanek, Project Manager
Watershed Conservation Authority
100 North Old San Gabriel Canyon Road
Azusa, California 91702

E-mail: rromanek@wca.ca.gov
Phone: (626) 815-1019
Fax: (626) 815-1269

Responses to Letter 4 – Andrew Yip

Response to Comment 4-1:

This comment expresses support for the Proposed Project and states that priority should be given to the San Jose Creek bridge and requests that the Proposed Project consider lighting in light use areas. The comment also states that the Quarry Clasp should be closed. Comment has been noted. As discussed in Section 2.0 Project Description of the Draft PEIR, the proposed trails would be designed and constructed per the County of Los Angeles Trails Manual. Proposed Class 1 Bikeways (bike paths) would be designed and constructed per Appendix F (Design Guidelines) of the County of Los Angeles Bicycle Master Plan. Safety and regulatory signage, as well as other appropriate trail signage, would be included as part of the Proposed Project to the specifications of the County of Los Angeles Trails Manual and the County of Los Angeles Bicycle Master Plan. Specific lighting needs would be determined during the detailed design phase of each project.

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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Letter 5 - Gabrielino-San Gabriel Band of Mission Indians

TO: Rob Romenak, RMC & Watershed Conservation Authority
Jan Sandgren, Withers and Sandgren

FROM: Carrie Sutkin, Urban Assessment Planners
Transcribing a phone call from a stakeholder who was unable to attend the public meeting at Bassett Park.

DATE: Monday November 7, 2016

On Thursday 11/3/2016 around noon: I received a call from Anthony Morales who I had called and left a detailed message a week earlier. He explained he was unable to attend the community meeting due to travel and had concerns about the Emerald Necklace Project he first heard about in 2012. He would like a copy of the written material presented at the public meeting please and he would like to remain on the EIR mailing list.

Please mail to:
Anthony Morales
Gabrielino-San Gabriel Band of Mission Indians
P.O. Box 693
San Gabriel CA 91778

Mr. Morales is concerned about the cultural impact of any construction of the emerald 16 projects, because any one of them might disturb the original paths, and riverbeds, of buried artifacts. They were waterways that were inhabited by his ancestors, native American and Mexican people who lived along the rivers in settlements, dating back to possibly 16th, 17th, 18th and 19th centuries. He would hope that the public agencies involved, would contact the California Archeological Information Center, at CSU Fullerton to review the historical survey of known native people's hamlets, Rancherias and settlements in the Region (Rio Hondo, San Gabriel River, Whittier Narrows) and to include that map in the final EIR.

5-1

He is concerned that environmental and cultural impacts be mitigated. The kind of work that is most disruptive is: trenching, landscape construction activities which put buried native American artifacts at risk. He recommends that they be protected, i.e. left in place, and that interpretive didactic signage in Spanish, the native language and English be added to the final project prior to completion.

5-2

Please add this comment to the DEIR testimony and written record on the project and keep him updated as to the progress of adding these mitigations.

Cc: chiefrbwide@aol.com
Anthony Morales
Gabrielino-San Gabriel Band of Mission Indians
P.O. Box 693
San Gabriel CA 91778

Responses to Letter 5 – Gabrielino-San Gabriel Band of Mission Indians

Response to Comment 5-1:

The comment expresses concern about the impact that the construction of the Proposed Project would have on cultural resources in the project area. As discussed in Section 3.5.4 of the Draft PEIR, the analyses determined that there would be potential impacts to unknown cultural resources in areas that are currently unpaved and/or do not contain ornamental vegetation from construction of the Proposed Project. Therefore, Mitigation Measures CR-1 (cultural resources survey) and CR-2 (archaeological and Native American monitoring) would be implemented for applicable projects to reduce impacts to a less than significant level.

The comment also states that the project proponent should contact the California Archaeological Information Center at California State University, Fullerton (CSU Fullerton) to review the historical survey of known native people's hamlets, Rancherias, and settlements in the region and to include a map in the Final EIR. As stated on page 3.5-5 of the Draft PEIR, a cultural resources records search was conducted on April 16, 2013 at the South Central Coastal Information Center (SCCIC) located at CSU Fullerton. An updated records search was also conducted on July 12, 2016. A map of the search results cannot be included in the Final PEIR because the records are confidential.

Response to Comment 5-2:

This comment restates the concern that the Proposed Project could result in impacts to buried Native American artifacts. The comments states that artifacts should be protected (left in place) and that interpretive didactic signage in Spanish, the native language, and English be added. As discussed in the response to Comment 5-1 above, Mitigation Measures CR-1 and CR-2 would be implemented for applicable projects to reduce impacts to unknown buried cultural resources to a less than significant level.

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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Letter 6 - San Gabriel Valley Council of Governments

OFFICERS
President
Gene Murahito
1st Vice President
Kevin Stapleton
2nd Vice President
Cynthia Sternquist
3rd Vice President
Margaret Clark

November 21, 2016

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WATERSHED CONSERVATION
AUTHORITY

Rob Romanek, Project Manager
Watershed Conservation Authority
100 N. Old San Gabriel Canyon
Road Azusa, CA 91702

MEMBERS
Alhambra
Arcadia
Azusa
Baldwin Park
Bradbury
Claremont
Covina
Diamond Bar
Duarte
El Monte
Glendora
Industry
Irwindale
La Cañada Flintridge
La Paz
La Verne
Munrovia
Montebello
Monterey Park
Pasadena
Pomona
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San Dimas
San Gabriel
San Marino
Sierra Madre
South El Monte
South Pasadena
Temple City
Walnut
West Covina
First District, LA County
Unincorporated Communities
Fourth District, LA County
Unincorporated Communities
Fifth District, LA County
Unincorporated Communities
SGV Water Districts

**RE: EMERALD NECKLACE DRAFT ENVIRONMENTAL IMPACT REPORT
(DEIR)**

Dear Mr. Romanek:

The SGVCOG is writing this letter in support of the projects included in the Emerald Necklace DEIR. The DEIR outlines the development of fifteen (15) projects to provide improved regional network of linear greenways, parks, and multi-use trail as well as provide educational benefits. The proposed projects would close gaps in this regional recreational trails network and increase safe access to hundreds of thousands of people in surrounding communities.

6-1

If you have any questions or require further information, please do not hesitate to contact our office at (626) 457-1800 or sgv@sgvcog.org.

Sincerely,

Philip A. Hawkey
Executive Director
San Gabriel Valley Council of Governments

San Gabriel Valley Council of Governments
1000 South Fremont Avenue, Unit #42 ♦ Alhambra, California 91803

Responses to Letter 6 – San Gabriel Valley Council of Governments

Response to Comment 6-1:

This comment expresses support for the Proposed Project. This comment is noted.

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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Letter 7 - County of Los Angeles Fire Department



COUNTY OF LOS ANGELES

FIRE DEPARTMENT
1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294



DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

November 21, 2016

Robert Romanek, Project Manager
Watershed Conservation Authority
Planning Section
100 N. Old San Gabriel Canyon Road
Azusa, CA 91702

Dear Mr. Robert Romanek:

NOTICE OF AVAILABILITY OF A DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT, "EMERALD NECKLACE IMPLEMENTATION PLAN- PHASE I," IT INCLUDES 15 PROJECTS THAT WOULD CLOSE GAPS IN THIS REGIONAL RECREATIONAL TRAILS NETWORK AND INCREASE ACCESS TO THE TRAILS TO HUNDREDS OF THOUSANDS OF PEOPLE IN THE PROJECT AREA, SAN GABRIEL VALLEY, FFER 201600175

The notice of availability of a draft program environmental impact report has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department.

The following are their comments:

PLANNING DIVISION:

We have no comments.

LAND DEVELOPMENT UNIT:

1. Specific fire and life safety requirements for the construction phase will be addressed at the building fire plan check. There may be additional fire and life safety requirements during this time.

7-1

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA HABRA	LYNWOOD	PICO RIVERA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA MIRADA	MALIBU	POMONA	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LAKEWOOD	NORWALK	ROLLING HILLS	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	WALNUT
BELL GARDENS	COMMERCE	GLENDCORA	IRWINDALE	LAWDALE	PALOS VERDES ESTATES	ROSEMEAD	WEST HOLLYWOOD
BELLFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA-FLINTRIDGE	LOMITA	PARAMOUNT	SAN DIMAS	WESTLAKE VILLAGE
						SANTA CLARITA	WHITTIER

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Robert Romanek, Project Manager
November 21, 2016
Page 2

2. Every building constructed shall be accessible to Fire Department apparatus by way of access roadways, with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.
3. The maximum allowable grade shall not exceed 15% except where topography makes it impractical to keep within such grade. In such cases, an absolute maximum of 20% will be allowed for up to 150 feet in distance. The average maximum allowed grade, including topographical difficulties, shall be no more than 17%. Grade breaks shall not exceed 10% in ten feet.
4. Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in-length and at the end of all cul-de-sacs.
5. All access devices and gates shall meet the following requirements:
 - a) Any single gated opening used for ingress and egress shall be a minimum of 26 feet in-width, clear-to-sky.
 - b) Any divided gate opening (when each gate is used for a single direction of travel i.e., ingress or egress) shall be a minimum width of 20 feet clear-to-sky.
 - c) Gates and/or control devices shall be positioned a minimum of 50 feet from a public right-of-way, and shall be provided with a turnaround having a minimum of 32 feet of turning radius. If an intercom system is used, the 50 feet shall be measured from the right-of-way to the intercom control device.
 - d) All limited access devices shall be of a type approved by the Fire Department.
 - e) Gate plans shall be submitted to the Fire Department, prior to installation. These plans shall show all locations, widths and details of the proposed gates.
6. All proposals for traffic calming measures (speed humps/bumps/cushions, traffic circles, roundabouts, etc.) shall be submitted to the Fire Department for review, prior to implementation.

**7-1
cont.**

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Robert Romanek, Project Manager
November 21, 2016
Page 3

7. Provide three sets of alternate route (detour) plans, with a tentative schedule of planned closures, prior to the beginning of construction. Complete architectural/ structural plans are not necessary.
8. Disruptions to water service shall be coordinated with the County of Los Angeles Fire Department and alternate water sources shall be provided for fire protection during such disruptions.

7-1
cont.

The County of Los Angeles Fire Department, Land Development Unit appreciates the opportunity to comment on this project.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed.

7-2

HEALTH HAZARDOUS MATERIALS DIVISION:

The Health Hazardous Materials Division of the Los Angeles County Fire Department has no comment regarding the project at this time.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



KEVIN T. JOHNSON, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

KTJ:ac

Responses to Letter 7 – County of Los Angeles Fire Department

Response to Comment 7-1:

This comment lists the County of Los Angeles Fire Department's fire, life safety, and access requirements. During design of each project fire, life safety, and access requirements will be adhered to. The County of Los Angeles Fire Department has review and approval authority over project plans ensuring all requirements are met.

Response to Comment 7-2:

This comment states that the Fire Department Forestry Division also has statutory responsibilities regarding erosion control, watershed management, rare and endangered species, vegetation, fuel modification, archaeological and cultural resources, and the County Oak Tree Ordinance. Impacts to these resources are included in the Draft PEIR in Sections 3.4 Biological Resources, 3.5 Cultural and Paleontological Resources, 3.8 Hazards and Hazardous Materials, and 3.9 Hydrology and Water Quality.

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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Letter 8 - Native American Heritage Commission

STATE OF CALIFORNIA
NATIVE AMERICAN HERITAGE COMMISSION
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710
Fax (916) 373-5471
Email: nahc@nahc.ca.gov
Website: <http://www.nahc.ca.gov>
Twitter: @CA_NAHC

Edmund G. Brown Jr., Governor



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16-1296
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WATERSHED CONSERVATION
AUTHORITY

November 23, 2016

Rob Romanek
Watershed Conservation Authority
100 North Old San Gabriel Canyon Road
Azusa, CA 91702

sent via e-mail:
rromanek@wca.ca.gov

Re: SCH#2013031056, Emerald Necklace Implementation Plan – Phase I Project, Communities of Arcadia, El Monte, South El Monte, Whittier, and East Los Angeles; Los Angeles County, California

Dear Mr. Romanek:

The Native American Heritage Commission (NAHC) has reviewed the Draft Environmental Impact Report prepared for the project referenced above. The review included the Project Description/Introduction, the Executive Summary, and the Cultural Resources Survey Report prepared by ECORP Consulting, Inc. for the Watershed Conservation Authority. We have the following concerns:

- There is no documentation of contact or consultation by the lead agency as required under SB-18 and/or AB-52 with Native American tribes traditionally and culturally affiliated to the project area, or that mitigation measures were developed in consultation with the tribes. Contact with consultants for the purposes of conducting cultural resources assessments is not formal government-to-government consultation. **8-1**
- The authority to stop work is given to the archaeological monitor only in Mitigation Measure CR-1. The onsite Tribal Monitor should also be able to stop work if they determine cultural resources have been discovered. **8-2**
- There is problematic language in Mitigation Measure CR-2. While data recovery may be appropriate for archaeological resources, that is not always the case for Tribal Cultural Resources. The wording delegates the authority to authorize data recovery only to the archaeologist. **8-3**

The California Environmental Quality Act (CEQA)¹, specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.² If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared.³ In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE). **8-4**

CEQA was amended in 2014 by Assembly Bill 52. (AB 52).⁴ **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** AB 52 created a separate category for "tribal cultural resources"⁵, that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment."⁶ Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.⁷ Your project may also be subject to **Senate Bill 18 (SB 18)** (Burton, Chapter 905, Statutes of 2004), Government Code 65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. **Both SB 18 and AB 52 have tribal consultation requirements.** Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966⁸ may also apply. **8-5**

¹ Pub. Resources Code § 21000 et seq.

² Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b); CEQA Guidelines Section 15064.5 (b)

³ Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd (a)(1); CEQA Guidelines § 15064 (a)(1)

⁴ Government Code 65352.3

⁵ Pub. Resources Code § 21074

⁶ Pub. Resources Code § 21084.2

⁷ Pub. Resources Code § 21084.3 (a)

⁸ 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT**

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

**8-5
cont.**

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

Please contact me at gayle.totton@nahc.ca.gov or call (916) 373-3710 if you have any questions.

Sincerely,



Gayle Totton, B.S., M.A., Ph.D
Associate Governmental Project Analyst

Attachment

cc: State Clearinghouse

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

Pertinent Statutory Information:

Under AB 52:

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.

A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project,⁹ and **prior to the release of a negative declaration, mitigated negative declaration or environmental impact report**. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18).¹⁰

The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects.¹¹

1. The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency.¹²

With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process **shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10**. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.¹³

If a project may have a significant impact on a tribal cultural resource, **the lead agency's environmental document shall discuss** both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.¹⁴

Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.¹⁵

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 **shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program**, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.¹⁶

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, **the lead agency shall consider feasible mitigation** pursuant to Public Resources Code section 21084.3 (b).¹⁷

An environmental impact report **may not be certified**, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

⁹ Pub. Resources Code § 21080.3.1, subs. (d) and (e)

¹⁰ Pub. Resources Code § 21080.3.1 (b)

¹¹ Pub. Resources Code § 21080.3.2 (a)

¹² Pub. Resources Code § 21080.3.2 (a)

¹³ Pub. Resources Code § 21082.3 (c)(1)

¹⁴ Pub. Resources Code § 21082.3 (b)

¹⁵ Pub. Resources Code § 21080.3.2 (b)

¹⁶ Pub. Resources Code § 21082.3 (a)

¹⁷ Pub. Resources Code § 21082.3 (e)

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days.¹⁸
This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:

Government Code § 65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of "preserving or mitigating impacts to places, features, and objects described § 5097.9 and § 5091.993 of the Public Resources Code that are located within the city or county's jurisdiction. Government Code § 65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

- SB 18 applies to **local governments** and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf
- **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.**¹⁹
- **There is no Statutory Time Limit on Tribal Consultation under the law.**
- **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research,²⁰ the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction.²¹
- **Conclusion Tribal Consultation:** Consultation should be concluded at the point in which:
 - The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.²²

NAHC Recommendations for Cultural Resources Assessments:

- Contact the NAHC for:
 - A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
 - The request form can be found at <http://nahc.ca.gov/resources/forms/>.
- Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - If part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have been already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

¹⁸ Pub. Resources Code § 21082.3 (d)

¹⁹ (Gov. Code § 65352.3 (a)(2)).

²⁰ pursuant to Gov. Code section 65040.2,

²¹ (Gov. Code § 65352.3 (b)).

²² (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I

FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- o Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- o Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
- o Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- o Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.²³
- o Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.²⁴

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- o Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.²⁵ In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- o Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- o Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

²³ (Civ. Code § 815.3 (c)).

²⁴ (Pub. Resources Code § 5097.991).

²⁵ per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).

Responses to Letter 8 – Native American Heritage Commission

Response to Comment 8-1:

Comment states that there is no documentation of contact or consultation by the lead agency as required under SB-18 and/or AB-52 with Native American tribes traditionally and culturally affiliated to the project area.

SB-18 requires cities and counties to contact and consult with California Native American tribes prior to amending or adopting any general plan or specific plan, or designating land as open space. The Proposed Project is not a general plan or specific plan nor would it amend a general plan. The Proposed Project would also not designate land as open space. Therefore, SB-18 does not apply to the Proposed Project.

AB-52 applies to any project for which a Notice of Preparation (NOP) or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015. As detailed in Section 1.3 of the Draft PEIR, the NOP for the Proposed Project was filed on March 20, 2013. Therefore, AB-52 does not apply to the Proposed Project.

Response to Comment 8-2:

Comment states Mitigation Measure CR-1 only gives the authority to stop work to the archaeological monitor and that the onsite Tribal Monitor should also be able to stop work. The comment incorrectly refers to CR-1 instead of CR-2. Mitigation Measure CR-2 will be updated to also give the Tribal Monitor the authority to stop work. Please refer to the corresponding addition to Mitigation Measure CR-2 of the Draft PEIR that has been made as part of Section 4, Errata, of this Final PEIR to further address these issues.

Response to Comment 8-3:

This comment states that there is problematic language in Mitigation Measure CR-2 regarding data recovery of archaeological resources which may not be appropriate for Tribal Cultural Resources. The archaeologist will work in conjunction with the Tribal Cultural Monitor to determine if data recovery of Tribal Cultural Resources is appropriate. The mitigation measure will be updated to reflect this. The comment also states that Mitigation Measure CR-2 delegates the authority for data recovery to the archaeologist. Mitigation CR-2 will be updated to also delegate the authority for data recovery to the Tribal Cultural Monitor. Please refer to the corresponding addition to Mitigation Measure CR-2 of the Draft PEIR that has been made as part of Section 4, Errata, of this Final PEIR to further address this issue.

Response to Comment 8-4:

Comment states that in order to determine whether a project will cause a significant adverse change in the significance of a historical resource a lead agency needs to determine whether there are historical resources within the area of project effect (APE). Because this is a programmatic EIR, only sensitive areas where significant cultural resources (historical resources as defined by CEQA) might be encountered have been identified. Historical resources, if present, will be identified in the project-specific environmental documents that will be prepared

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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prior to initiating specific projects. APE stands for Area of Potential Effects and is a term used in Section 106 (federal) projects. The CEQA term is project study area. Project study areas will be defined during the final design of each project.

Response to Comment 8-5:

Comment states the need to comply with AB-52, SB-18, and Section 106 of the National Historic Preservation Act if the project is subject to NEPA. As discussed in the response to comment 8-1, AB-52 and SB-18 do not apply to the Proposed Project. The Proposed Project is also not subject to NEPA because no federal permits or funding are needed for the Proposed Project; therefore, Section 106 does not apply.

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

Letter 9 - Caltrans

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 7-OFFICE OF REGIONAL PLANNING
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 897-9140
FAX (213) 897-1337
www.dot.ca.gov

RECEIVED
16-1338
DEC 02 2016
WATERSHED CONSERVATION
AUTHORITY



December 2, 2016

Mr. Rob Romanek
Watershed Conservation Authority
100 North Old San Gabriel Canyon Road
Azusa, CA 91702

RE: Emerald Necklace Implementation
Plan – Phase I
SCH# 2013031056
GTS#07-LA-2016-00238 DEIR

Dear Mr. Romanek:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project is a 17-mile interconnected network of bikeways, multi-use trails, parks and greenways along the San Gabriel River and the Rio Hondo. Phase I involves projects that would close gaps in the regional trails network and improve trail access.

Based on the information received, Caltrans has the following comments:

In Appendix G-Traffic, page 13 of 63, the speed limit on Rosemead Boulevard should 50 on both directions. | 9-1

When considering innovative bicycle infrastructure, the Lead Agency could consult resources such as the National Association of Transportation Officials' (NACTO) Urban Bikeway Design Guide, or FHWA Separated Bike Lane Planning and Design Guide, to assist in the design process. Caltrans formally endorsed the NACTO Guide in 2014 and the FHWA released its guide in 2015. Note the State's Highway Design Manual now contains provisions for protected bike lanes under "Design Information Bulletin Number 89: Class IV Bikeway Guidance (Separated Bikeways / Cycle Tracks)." | 9-2

If you have any questions or concerns regarding these comments, please contact project coordinator, Severin Martinez at (213) 897-0067 or severin.martinez@dot.ca.gov and refer to GTS# 07-LA-2016-00238.

Sincerely,

DIANNA WATSON
Branch Chief, Community Planning & LD IGR Review

cc: Scott Morgan, State Clearinghouse

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Responses to Letter 9 – Caltrans

Response to Comment 9-1:

Comment states that the Exhibit 2 of Appendix G – Traffic Study incorrectly lists the speed limit of Rosemead Boulevard. The correct speed limit should be 50 miles per hour (mph) in both directions. Appendix G – Traffic Study will be updated.

Response to Comment 9-2:

Comment states that the Lead Agency should consult the National Association of Transportation Officials' (NACTO) Urban Bikeway Design Guide or the Federal Highway Administration (FHWA) Separated Bike Lane Planning and Design Guide to assist in the design process. The comment has been noted.

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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Letter 10 - California Department of Fish and Wildlife



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



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WATERSHED CONSERVATION
AUTHORITY

December 2, 2016

Mr. Rob Romanek
Watershed Conservation Authority
100 North Old San Gabriel Canyon Road
Azusa, CA 91702
Email: rromanek@rcsa.ca.gov

Dear Mr. Romanek:

Emerald Necklace Implementation Plan - Phase 1 (PROJECT)
DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT (DPEIR)
SCH# 2013031056

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a DPEIR from the Watershed Conservation Authority for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹ CDFW also previously submitted comments in response to the Notice of Preparation of the DPEIR for the Project.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 *et seq.*) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*), or state-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish and Game Code §1900 *et seq.*) related authorization as provided by the Fish and Game Code will be required.

¹ CEQA is codified in the California Public Resources Code in section 21000 *et seq.* The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Conserving California's Wildlife Since 1870

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Mr. Rob Romanek
Watershed Conservation Authority
December 2, 2016
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PROJECT DESCRIPTION SUMMARY

Proponent: Watershed Conservation Authority (WCA)

Objective: The objective of the Project is to construct a proposed 17-mile interconnected network of bikeways, multi-use trails, parks, and greenways. The Project includes 15 projects that would close gaps within an existing regional recreational trail network and increase public access to the trails in the Project area. Project construction and use may have potential adverse impacts to special status biological resources.

Adoption of the Project does not constitute a commitment to any specific project details, construction schedule, or funding priority. Rather, the implementation Project describes a program of potential development for the Project area. The funding, scheduling, and detail for each project would be subject to individual approval by the WCA. Therefore, the EIR for the Emerald Necklace Implementation Plan – Phase I is a Program EIR, which evaluates at a program level the environmental effects that would result from the development of the sixteen projects.

Other than the No Project Alternative, the PDEIR describes potential alternatives composed of a combination of 44 projects that were evaluated; however, the 15 projects that were selected and compose the Project best met the criteria of the Project goals. The remaining 29 projects would have similar project characteristics and impacts and would not substantially reduce or eliminate significant adverse impacts.

Location: Components of the Project area are located along the Rio Hondo and the San Gabriel Rivers within Los Angeles County. The approximate boundaries of the Emerald Necklace are Peck Road Water Conservation Park in the north and Whittier Narrows Recreation Area in the south. The east and west boundaries of the Emerald Necklace are bounded by the San Gabriel River and Rio Hondo River, respectively.

Timeframe: Some aspects of the project are projected to be completed by 2034.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist WCA in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

I. Environmental Setting and Related Impact Shortcoming

COMMENT #1:

Executive Summary, Introduction, Page ES-1, ES-42

Issue: The PDEIR states on Page ES-1. "The Proposed Project includes fifteen (15) projects that would close gaps in the Emerald Necklace's regional trails network and increase access to the trails to hundreds of thousands of people in the project area." Page ES-42 states. "Each policing entity would be responsible for patrolling their respective geographic region encompassed within the project area."

CDFW is concerned that existing designated and undesignated publically accessible open space within dense urban areas pose a significant challenge to maintaining the persistence of natural

10-1

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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Mr. Rob Romanek
Watershed Conservation Authority
December 2, 2016
Page 3 of 8

ecosystem function within these areas, especially within riparian and other areas that support a high biological diversity and special status species. The Department recognizes and supports existing and proposed conservation investments within the watershed. However the Department continues to witness the ongoing degradation of habitat in the Project area and other densely populated areas in California where best intended efforts enacted to curb habitat disturbances and public safety risk may not be sufficiently enforced because of lack of resource or other higher priorities. The Project will likely greatly contribute to these problems and ultimately result in the continued degradation of the watershed unless sufficiently addressed in the PEIR's direction given to subsequent proposed projects.

Specific impact: The Project may result in the direct and cumulative loss of hydrologic function, degradation and loss of vegetation and associated biological resources within and adjacent to the Project area.

Why impact would occur: The Project will facilitated greater access by hundreds of thousands of people into the Project area resulting in: increased wildfire ignition sources; increased illegal encampments and other unauthorized activities that result in wildlife poaching and other human induced stresses to wildlife; removing or disturbing vegetation; damming of streams to create unauthorized swimming areas or to trap aquatic species for consumption; pollution of streams from human waste and washing clothing; trash dumping; introductions of exotic pests; and increased disturbances to plants and wildlife from pets accompanying or abandoned by people having greater access to the Project area for these purposes.

Evidence impact would be significant: Deferring enforcement of laws protective of biological resources within natural open space areas by funding-strapped law enforcement agencies may not avoid or mitigated for the Project's potential substantial adverse impacts on special status species and other wildlife targeted for protection in the Project area. For example, it has been frequently observed by the Department that leash laws and illegal camping restrictions are often ignored by the public and under enforced by entities entrusted to enforce such laws because of a lack of resources allocated to do so, resulting in costly remedial actions later. The Project may therefore continue to result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS. The Project may also continue to result in removal, filling, hydrological interruption, or other means on wetlands, and drainages) or waters of the United States, as defined by Section 404 of the federal Clean Water Act or California Fish and Game Code § 1600, et seq.

Recommended Potentially Feasible Mitigation Measure

Mitigation Measure: The Department recommends that the Project estimate how much it will cost to effectively patrol and enforce laws that are protective of resources within the Project area. Funding considerations should include but not be limited to add policing and public education outreach costs to assure compliance with laws pertaining to: pets accompanying trail patrons; abandoned pets; illegal dumping; introduction of ignition source; and illegal camping. Once WCA has an understanding of the true costs of protecting watershed values from Project related adverse impacts to biological resources, any funding shortcomings to feasibly manage the Project should be followed up by measures to secure such long-term funding before projects constructed under the DPEIR are granted approval to start construction.

**10-1
cont.**

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT**

Mr. Rob Romanek
Watershed Conservation Authority
December 2, 2016
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II. Mitigation Measure or Alternative and Related Impact Shortcoming

COMMENT #1

Executive Summary, Table ES-3, Page ES-16

Issue: Mitigation Measure B-1 describes mitigation for potential Project adverse impacts to two special status plant species with potential for occurring on the Project site based upon a literature search and a 2016 reconnaissance level field assessment.

B-1 describes that prior to ground disturbance activities, focused surveys will be conducted for the state and federally endangered Nevin's Barberry (*Berberis nevinii*) and federal candidate for listing Brand's Phacelia (*Phacelia stellaris*).

The Department is concerned that the Project's survey focus and mitigation program sets an overly narrow guideline that covers only two species and may miss additional species within the Project impact area which may not be adequately avoided or mitigated for as a consequence.

Specific impact: Project induced native plant population declines or local extirpation of special status plant species may result from immediate death or injury, habitat fragmentation, alteration of soil chemical and physical makeup, increased competition with exotic invasive weeds, and reduce photosynthesis and reproductive capacity. The effects of these impacts would be permanent or occur over several years.

Why impact would occur: Impacts to botanical resources could occur from Project construction and maintenance activities that result in vegetation crushing, trimming or removal. Significantly greater human intrusion brought into areas by the Project may also result in associated disturbances and trespass into adjacent habitats. Erosion, crushing and compaction or excavation of soil will also occur from construction, maintenance and other Project related activities as well as Project introduction of exotic invasive species.

Evidence impact would be significant: Botanical surveys that are overly focused on species based upon reconnaissance level surveys, literature searches and assumed known range limitations do not maximize detection and may overlook the presence or actual density of some special status plant species on the Project site. Take of special status plant species including state and federal listed species may occur without adequate detection, avoidance and mitigation measures. The Project focuses only on state and federal listed plant species. CEQA provides protection not only for CESA listed and candidate species, but for any species including: California Species of Special Concern (SSC) which can be shown to meet the criteria for State-listing; and plants designated as 1A, 1B and 2 of the California Native Plant Society Inventory of Rare and Endangered Vascular Plants of California, which consist of plants that, in a majority of cases, would qualify for listing (CEQA Guidelines Sections 15380 (d), 15065 (a)). Therefore, the Project may continue to result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

Recommended Potentially Feasible Mitigation Measures

Mitigation Measure #1: To guide subsequent mitigation activities directed by the Project for subsequent projects that will undergo further project specific CEQA review by the WCA, the Department recommends that the Final PEIR condition: thorough, recent, floristic-based assessments of special status plants and natural communities, following the Department's

10-2

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (see <http://www.dfg.ca.gov/habcon/plan/>); floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at subsequent Project sites and within the neighboring vicinity. *The Manual of California Vegetation*, second edition, should also be used to inform this mapping and assessment (Sawyer et al. 2008). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions

**10-2
cont.**

Mitigation Measure #2: The Department recommends the WCA include in the analysis of subsequent projects directed by the Project; how appropriate Project avoidance, minimization and mitigation measures will avoid, or reduce direct and indirect impacts to special status plant species. For direct unavoidable impacts to special status botanical resources, mitigation could include acquisition and protection in perpetuity of suitable occupied habitat for impacted species and could including the payment of in lieu fees to a CDFW approved mitigation bank.

COMMENT # 2

Executive Summary, Table ES-3, Page ES-20 and Appendix C

Issue: Mitigation Measures listed in table ES-3 propose habitat assessments and focused surveys, and specific mitigation measures for yellow-billed cuckoo (*Coccyzus americanus occidentalis*), southwestern willow flycatcher (*Empidonax traillii*), least Bell's vireo (*Vireo bellii pusillus*), and western burrowing owl (*Athene cunicularia*) because Project activity areas were described in the PDEIR to support fair habitat for these species. Appendix C lists several Project sites as supporting fair habitat for special status species including but not limited to western pond turtle (*Emys marmorata*), western spadefoot toad (*Spea hammondi*), and two-striped garter snake (*Thamnophis hammondi*). The Department is concerned that the PEIR does not propose further habitat assessments, focused surveys, avoidance and mitigation measures for other special status species not included in Table ES-3.

Specific impact: The Project may result in reduced reproductive capacity, population declines or local extirpation of special status species.

10-3

Why impact would occur: Project grading and maintenance activities will result in vegetation removal and other disturbances. The introduction of thousands of additional humans and associated pets, ignition sources and illegal camping into/near sensitive habitats could result in direct mortality, habitat degradation and additional stress to wildlife populations.

Evidence impact would be significant: CEQA provides protection not only for CESA listed and candidate species, but for any species including: California Species of Special Concern (SSC) which can be shown to meet the criteria for State-listing (CEQA Guidelines Sections 15380 (d), 15065 (a)). Therefore, minus avoidance and mitigation measures the Project may continue to result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

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Recommended Potentially Feasible Mitigation Measure

Mitigation Measure #1: Focused surveys should be conducted for special status wildlife species prior to initiating disturbances within Project activity areas described in the DEIR. The focused surveys should be conducted within habitat described in the PDEIR as supporting at least fair habitat for special status wildlife species. For direct unavoidable impacts to special status wildlife, mitigation could include acquisition and protection in perpetuity of suitable occupied habitat for impacted species and could including the payment of in lieu fees to a CDFW approved mitigation bank.

**10-3
cont.**

Mitigation Measure #2: The Department recommends that the introduction of pets and other human related disturbances including added ignition sources such as smoking and illegal camping be discouraged in the Project Area. If WCA determines that pets will be allowed into the Project area, the Department recommends that they be kept on leash and that a leash law is strictly enforced.

COMMENT #3

Executive Summary, Table ES-3, Mitigation Measure E-6, Page ES 22

Issue: Mitigation Measure E-6 describes burrowing owl assessment and mitigation measures and states. "Prior to ground disturbing activities within the burrowing owl breeding season (March 1 through August 31), a habitat assessment and pre-construction burrowing owl survey will be conducted by a qualified biologist within suitable habitat within the Project footprint and a 500-foot buffer surrounding the footprint for Projects 1, 2, 5, 7, 8, 9, 10, 11, 12, and 13. A qualified biologist must have at least one year of experience conducting burrowing owl surveys. The assessment and pre-construction survey shall conform to the California Department of Fish and Game (CDFG) Report on Burrowing Owl Mitigation (CDFG 2012). If burrowing owls are located during the survey, and may be impacted by the Projects 1, 2, 5, 7, 8, 9, 10, 11, 12, and 13 then measures to avoid the a burrowing owl will be developed prior to any ground disturbance that might affect the owl or it is burrows, as determined by a qualified biologist. At a minimum a burrowing owl mitigation plan shall be prepared to be submitted to the WCA and the CDFW for review and approval. The approved plan shall be implemented prior to the ground disturbance activities that may affect this species."

10-4

The Department is concerned that the survey provisions for burrowing owl as described in E-6 do not include survey efforts conducted during the wintering season. Burrowing owl may occur year round in the Project area and could be adversely impacted by Project activities at any time of year.

Specific impact: The Project may result in direct mortality, injury, reduced reproductive capacity, population declines or local extirpation of burrowing owl.

Why impact would occur: Impacts to burrowing owl could result from Project construction activities that involve clearing vegetation, grading, and other disturbances to the ground such as stockpiling, or excavation activities that could crush occupied burrows. Increased introduction of thousands of additional humans and their pets into occupied burrowing owl habitat will effectively diminish or eliminate said habitat for burrowing owl.

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Evidence impact would be significant: CEQA provides protection not only for CESA listed and candidate species, but for any species including: California Species of Special Concern (SSC) which can be shown to meet the criteria for State-listing (CEQA Guidelines Sections 15380 (d), 15065 (a)). Therefore, minus comprehensive survey, avoidance and mitigation measures for burrowing owl the Project may continue to result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

**10-4
cont.**

Recommended Potentially Feasible Mitigation Measures

Mitigation Measure #1: The Project should condition that subsequent Project activities comply with the full survey and mitigation guidelines described in CDFW Report on Burrowing Owl Mitigation as cited in the PDEIR.

Mitigation Measure #2: See Mitigation Measure for Alternative and Related Impact Shortcoming, Comment #1, Mitigation Measure #2 above.

III. Comments and/or other Recommendations

Salvage of Wildlife. As a condition of Project approval before construction permits are issued, CDFW recommends that a qualified biological monitor be present before and during initial grubbing and grading operations to salvage wildlife species that may be killed or injured by Project implementation. Any dens for American badger (*Taxidea taxus*), grey fox (*Urocyon cinereoargenteus*) or coyote (*Canis latrans*) should be thoroughly inspected by a qualified biologist and avoided when occupied (including during the pupping season). Many other wildlife species will also utilize fossorial mammal den sites. Any such den sites should be inspected and not disturbed until confirmed unoccupied by wildlife species. Salvaged wildlife of low mobility should be removed and placed onto adjacent habitat out of harm's way. Grubbing and grading should be done so as to avoid islands of habitat where wildlife may take refuge and later be injured or killed by Project equipment. Grubbing and grading should start from the center of the Project site and proceed outward towards off-site adjacent habitat where wildlife may safely escape.

10-5

Fencing. Where fencing is used on the Project site, all hollow fence posts should be capped to prevent birds and other wildlife from entering and becoming entrapped. Open bolt holes on metal fence posts can entrap raptors alighting upon the top of the post. These holes should be sealed near the top to prevent raptor mortality.

10-6

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link:

10-7

http://www.dfg.ca.gov/bio/geodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: http://www.dfg.ca.gov/bio/geodata/cnddb/plants_and_animals.asp.

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FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

10-8

CONCLUSION

CDFW appreciates the opportunity to comment on the DPEIR to assist WCA in identifying and mitigating Project impacts on biological resources.

For any questions regarding this letter or further coordination, please contact Scott Harris, Environmental Scientist, at (805) 644-6305 or scott.p.harris@wildlife.ca.gov.

Sincerely,

Betty J. Courtney

Betty J. Courtney
Environmental Program Manager I

ec: Ms. Betty Courtney, CDFW, Santa Clarita
Ms. Erinn Wilson, CDFW, Los Alamitos
Mr. Scott Harris, CDFW, Ventura
Ms. Kelly Schmoker, CDFW, Mission Viejo
Mr. Andrew Valand, CDFW, Los Alamitos
Ms. Victoria Chau, CDFW, Los Alamitos

cc: Office of Planning and Research, State Clearinghouse, Sacramento

References:

Sawyer, J. O., Keeler-Wolf, T., and Evens J.M. 2008. A manual of California Vegetation, 2nd ed. ISBN 978-0-943460-49-9.

Responses to Letter 10 – California Department of Fish and Wildlife

Response to Comment 10-1:

The comment expresses concern about the increased access to the Emerald Necklace area due to the trail construction and the subsequent impact that the construction of the Proposed Project would have on biological resources in the project area. The comment quotes the Executive Summary of Draft PEIR that the Project would open up the area to hundreds of thousands of people. As discussed in Section 3.10.7 of the Draft PEIR, the analyses determined that the current uses within the area would continue and would not increase in intensity to the point where a significant impact would be created. Mitigation Measures for biological resources (B-1 through B-8) would be implemented for applicable projects to reduce project-related impacts to a less than significant level. Also, although the Executive Summary cites the area as potentially being accessible to hundreds of thousands of people this number represents the number of people within communities with near access to the area. The actual number of people using the trail system at any given time is expected to be only a small fraction of the total number of people who could access it.

The comment further identifies a direct and cumulative loss of hydrologic function and vegetation within and near the project area. According to the analysis in the Draft PEIR, Section 3.9.4, earth-moving activities associated with construction were identified as the greatest risk for adverse impacts to local hydrology and water quality. These impacts are addressed by the requirement for individual storm water plans and best management practices (BMPs) for each project. The Draft PEIR further states that the Proposed Project would not significantly alter drainage patterns in the area. However, cumulative impacts due to the Proposed Project and other planned projects in the area would be reduced to a level below significance through implementation of regional drainage plans, proper landscaping design and maintenance methods, adherence to waste disposal requirements, and implementation of NPDES BMPs. Where an individual project would directly impact a water channel, and thus potentially directly impact channel hydrology, the project must first obtain regulatory permits for that impact (Mitigation Measure B-7). Vegetation losses expected within the project area are associated with direct impacts due to trail construction. Most of the vegetation to be impacted is considered non-native habitat, and has been analyzed as not representing a significant impact. Where native vegetation communities are present, and are either directly or indirectly impacted, Mitigation Measures B-1 to B-8 would mitigate potentially adverse effects.

The comment also cites observations of increasing habitat degradation within the area under current enforcement levels. According to the Draft PEIR, Section 3.12 (subsections 3.12.1.5 and 3.12.4), a concerted patrol effort for the Emerald Necklace came about in early 2015 during the initiation of the Emerald Necklace Task Force. The patrol effort was led by Lieutenant Geoffrey Deedrick (Lieutenant of the Homeless Services Team) with the Los Angeles County Sheriff's Department. The patrol team utilized deputies from the Homeless Services Team and from surrounding municipalities on their patrol effort. Since then, the Emerald Necklace Task Force has been reinstated as the San Gabriel and Rio Hondo Riverways Task Force. Currently this task force is in charge of and maintains a presence along the Emerald Necklace through outreach efforts with homeless services and the cleaning up of abandoned homeless encampments located in the riverbed. The San Gabriel River and Rio Hondo Riverways Task Force would continue to provide patrol services to the Emerald Necklace as needed.

Response to Comment 10-2:

This comment states that Mitigation Measure B-1 may be overly narrow in its scope and may miss additional plant species that could occur within the project impact area that are not formally listed but that could qualify for protection under CEQA. The concern is that direct and indirect impacts may occur to additional plant species other than those identified in the mitigation measure. As part of the Draft PEIR, biologists conducted a habitat assessment of the project area for a total of 58 plant species that were identified from public databases as having potential to occur based on range. Many of the species identified could be ruled out based on lack of habitat, especially where such habitat was obviously absent (for instance, limestone outcrops). The vegetation within the project areas is dominated by disturbed habitats that have been disturbed for a long period of time. Impacts to rare plant species within most of the project area, therefore, are not anticipated. The native plant communities that are present occur primarily within stream channels (riparian habitats) and patches near the Quarry Clasp area (coastal sage scrub). These native plant communities contain the highest potential to support rare plant species and they are the focus of Mitigation Measure B-1 for the rare plants.

We concur that there is low potential for additional plant species present that are not formally listed but are listed as California Species of Special Concern or as CNPS list species. However, we also believe that Mitigation Measure B-1 would require biologists surveying during the blooming period for most of these rare plant species. If another plant species were present, the biologists would observe the species and record it. However, because of the potential need for mitigation for these additional species not included within the mitigation measure, the text of Mitigation Measure B-1 was updated. Please refer to the corresponding addition to Mitigation Measure B-1 of the Draft PEIR made as part of Section 4, Errata, of this Final PEIR.

Response to Comment 10-3:

This comment identifies three additional animal species that are sensitive at the state level, but are not afforded specific mitigation measures within the Draft PEIR. These species include the western pond turtle (*Emys marmorata*), western spadefoot toad (*Spea hammondi*), and two-striped garter snake (*Thamnophis hammondi*). The analysis within the Biological Resources Technical Report (Appendix C) of the Draft PEIR concluded that the potential for these species to occur within the project area was low because only fair habitat occurred. The three species also have not been recorded within the project area previously.

However, we concur that because there is low potential for these additional animal species to be present a mitigation measure should be added to cover them for projects that directly impact their potential habitats, specifically where bridges are proposed in Projects 9 and 10 or within upland areas immediately adjacent to riparian areas (Project 12). Because of the potential need for mitigation for these additional species, three new mitigation measures (B-9, B-10, and B-11) have been added to the Draft PEIR. Please refer to the corresponding changes and additions to the Draft PEIR that have been made as part of Section 4, Errata, of this Final PEIR.

Response to Comment 10-4:

This comment states that Mitigation Measure B-6 should be expanded to include pre-construction surveys for burrowing owls within the project area during the owl wintering season. According to the results of biological surveys of the project area, no burrowing owls or potential burrowing owl burrows were observed within the project area. Most of the project areas are heavily compacted, cement paths, dirt roads, or gravel surfaces that are not suitable for burrowing. The primary concern for burrowing owl impacts analyzed within the Draft PEIR came from indirect impacts to owls adjacent to the project areas, in areas that contain more suitable burrowing habitat. Although we concur burrowing owls have moderate potential to be present during the wintering season, they are not considered to be as vulnerable to construction-related impacts during that time of year due to not having eggs or young. Although indirect impacts to burrows may occur, direct impacts to burrowing owls are not anticipated to occur. Owls within burrows adjacent to the project area are expected to temporarily relocate during nearby construction activities if they are disturbed. This type of non-breeding season temporary relocation would not constitute a significant impact.

Response to Comment 10-5:

This comment states that burrowing mammal species, and other fossorial species, may be present within project areas and could be subject to impacts during grading activities. The comment recommends biological monitoring to identify such burrows and relocate species of low mobility during construction activities. Further it is stated that grading activities may isolate animals that are attempting to escape from construction areas where they may be injured or killed by equipment.

Grading is not required for many aspects of the Proposed Project, where existing cement or gravel paths occur and impacts are minimal. For other areas, standard grading practices would be used for the development of each project. Most projects entail linear disturbance areas that would be graded systematically, parallel to trail alignments and should automatically flush fossorial animals. For the proposed Quarry Clasp Park, the only non-linear feature, standard grading practices would entail a similar systematic grading that would allow animal species to escape. Additionally, most project areas also contain adjacent disturbed habitats or native habitats similar to what is being impacted and that would provide animals with an area to escape to safely. It is acknowledged, however, that some slow-moving or fossorial species may be lost during the initial project grading activities. The analysis within the Draft PEIR considered these impacts in light of the CEQA standards for significance and identified significant impacts, and mitigation, where such impacts were considered to occur.

Response to Comment 10-6:

This comment states that open fence posts should be capped to prevent bird access. We concur that some bird species, such as the ash-throated flycatcher (*Myiarchus cinerascens*), are especially attracted to open fence posts and vulnerable to perishing if they are present. No fencing of this nature is currently planned as part of the Proposed Project.

Response to Comment 10-7:

This comment is a reminder that California Natural Diversity Data Base (CNDDB) forms must be submitted for special status species and natural communities detected during project surveys. We acknowledge this comment and are aware of the standard practice, and will provide forms when needed for these species and habitats.

Response to Comment 10-8:

This comment is a reminder that filing fees are necessary for the Project, as proposed. We acknowledge the need for payment of these fees and the project proponent will provide them as required under state law.

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Letter 11- Sierra Club

3435 Wilshire Boulevard
Suite 660



(213) 387-4287 phone

(213) 387-5383 fax

RECEIVED

16-1339

DEC 02 2016

WATERSHED CONSERVATION
AUTHORITY

Comments: Emerald Necklace Implementation Plan—Phase 1

The San Gabriel Valley Task Force, Angeles Chapter of Sierra Club respectfully submits the following comments concerning the Emerald Necklace Implementation Plan-Phase 1. The San Gabriel Valley Task Force was organized by the Angeles Chapter of the Sierra Club in 1999 to work with San Gabriel Valley cities, Los Angeles County and political leaders to seek ways to create a more livable environment for valley residents while preserving or improving natural resources. The concept of the Emerald Necklace originated with this Task Force and was promoted through work of Jeff Yann and the Sierra Club staff. Thus we are pleased to see plans have now been advanced that will guide progress in the implementation in the future. We are sad that Jeff Yann did not live to see parts of this plan advanced.

We have reviewed this document and are impressed with the detail presented and the planning that has been completed for the 16 projects selected at priority projects. We applaud the use of Class I and Class IV bike-trails and multi-use trails that will provide safe travel routes for pedestrians, bicyclists, and equestrian use. The use of a native plant palette will provide a beneficial improvement of habitat along the 17-mile loop as well as conserve water when established. Any opportunity to provide shade will be welcome by all users during the hot summer periods. Removal of exotics must be done wherever possible, particularly in the El Bosque area. We applaud the connections that are planned throughout the project areas.

We are especially happy to see the planned connection across the Clasp Area—a long-time problem area. The inclusion of a park/trailhead, a signalized crossing from the Peck Water Conservation Park, and the trails through this residential/industrial area will allow easier access to both river trails and safer access as well.

Although expensive projects, we hope a high priority will be placed on construction of the three bridges: (1) the Pellissier Bridge, (2) across San Jose Creek from north to south, and (3) spanning the San Gabriel River near the Duck Farm. These projects will allow critical connections from east to west across the San Gabriel River and north and south across San Jose Creek to local existing and proposed trails. In addition, although not part of this project, we hope extension of multi-use or separated trails will extend the San Jose Creek Trail to the newly approved Puente Hills Landfill.

Improvements in the Alhambra Wash Area will be welcome. We understand from discussions at the public meeting in October that there is a trail along the Wash that will allow public entrance to the oasis through the adjacent golf course. We hope this is the case. If not, an attempt should be made to develop an unobstructed way for visitors into this incredible place for birdwatching and enjoyment of nature.

The Multi-Use Trail from San Jose Creek to the Duck Farm on the San Gabriel River will complement the development in the Duck Farm and connectivity to other parts of the Emerald Necklace.

Sincerely,

Joan Licari, D.Env.
Chair, San Gabriel Valley Task Force
Angeles Chapter of Sierra Club

11-1

Responses to Letter 11 – Sierra Club

Response to Comment 11-1:

This comment expresses support for the Proposed Project. This comment is noted.

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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Letter 12 - Save Our Community

Robert Romanek

From: James Fournoy <saveourcommunitysgv@gmail.com>
 Sent: Friday, December 02, 2016 1:15 PM
 To: Robert Romanek
 Subject: Comments on the Emerald Necklace draft



Rob Romanek, Project Manager
 Watershed Conservation Authority
 100 N. Old San Gabriel Canyon Road
 Azusa, California 91702

From Save Our Community
 James Fournoy Secretary
 8655 landis view lane
 Rosemead CA 91770

- San Jose Creek area
 There is a regional need for a surface street across the 605 and San Gabriel River. Some Mention a Rush Street Extension to Workman Mill Road- Is there a way to coordinate on this (let the traffic people pay for this expensive bridge or Measure M) 12-1
- The Gold line wishes to terminate near the intersection of Durfee and Rush
 There is a push to have the Metro Gold line cross 605/San Gabriel River (to service Landfill Park and for Park and Ride on the East side) 12-2
 Push this project and incorporate Multi Use Trail- Essentially extending Durfee across the river/ 605
- On the San Gabriel Blvd Class I project I believe the bridge is County not CalTrans. If County objects to narrowing the lanes the path could be run down to stream level and cross under the bridge 12-3
 On both sides of San Gabriel there are oil interests
 given the congestion on EB San Gabriel elimination of a traffic lane is unacceptable
- Figure 6 we have no idea where this is supposed to be 12-4
 Figure 9 There needs to be 3 traffic lanes from Lincoln to Rosemead, one right turn only at Rosemead and two through to Durfee you may need to eliminate any bike lanes on the S side of San Gabriel Lincoln to Rosemead and us the new on on the North
- P62 which side of San Gabriel requires a retaining wall? 12-5
- Page 67 project 7 12-6
 This is on Army Corps property- SCE is incidental LA County administers- don't let SCE pull your chain
 A signal on Rosemead is not going to be popular when there is already a signal at San Gabriel/ Durfee
 looks like this project would be useful for those coming south on the Rio Hondo Trail
 A trail up the East side of Rosemead from Durfee to Legg lake might be more useful
- Project 8 12-7
 needs to be coordinated with Gold Line
 do not see a need for both a peck road bridge project and a new bridge

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Bridge over San Jose Creek must be designed for four lanes of vehicle traffic even if only build for multi use	12-8
Alhambra WASH All invasive arundo and palms etc to be removed	12-9
It is unclear where the project terminates to the south- Muscatel Ave on S side of the 60?? is there any parking there or on the McAfee property? Will there be access from Landis View Ln/ Muscatel on the North side of the 60?	12-10
A trail on the East side of the Rio Hondo could connect with the existing trail from the Legg Lake Model Airplane area S to the Bosque It is unclear how you get across the river S of the 60	12-11
The dirt/ horse trail from the 60 to San Gabriel on the W side is not suitable for bikes (as in shown in your photo Fig 4) and is impassible at river level in the area of the gondola (the clay cliffs there are historic Indian pottery sources) Historically the trail ascended the bluff (actually a Whittier Fault Scarp) at the SCE ROW THIS IS AN HISTORIC TRAIL used up to the early 1900's for wagons (Lela M Darlington) . There were still wagon ruts in the 60's.	12-11

Responses to Letter 12 – Save Our Community

Response to Comment 12-1:

Comment states that there is a need for a surface street across Interstate 605 (I-605) and the San Gabriel River. The comment is noted. The Proposed Project would include two bridges over the San Gabriel River (Projects 9 and 10).

Response to Comment 12-2:

Comment states that the Proposed Project should support the Gold Line extension that is currently in the planning stages and to incorporate multi-use trails with future Gold Line stations. The comment is noted. As each specific project is designed, connections to transit facilities would be evaluated and integrated as appropriate and feasible.

Response to Comment 12-3:

Comment is regarding Project 6, Class IV Bikeway from El Bosque del Rio Hondo to Lincoln Avenue on San Gabriel Boulevard. The comment states that if the County objects to narrowing the lanes the path could run down to stream level and cross under the bridge. The comment also states that given the congestion on the eastbound San Gabriel Boulevard elimination of a traffic lane is unacceptable. Project 6 does not propose to eliminate a traffic lane. In order to add the Class IV Bikeway the center median would be shifted and the width of traffic lanes would be reduced, as detailed on Figure 6.3 on page 2-37 of the Draft PEIR. The potential lane elimination being referenced by the comment is not part of the Proposed Project. It is under consideration by the Los Angeles County Department of Public Works' San Gabriel Bikeway Improvement Project.

Response to Comment 12-4:

Commenter is unclear as to the location of Figure 6. Figure 6 is located on the north side of San Gabriel Boulevard where the existing Rio Hondo Bicycle Path meets the San Gabriel Boulevard just west of Rosemead Boulevard.

Comment also states that there needs to be three traffic lanes on the eastbound San Gabriel Boulevard from Lincoln Avenue to Durfee Avenue (one right turn only at Rosemead Boulevard and two through lanes to Durfee Avenue). The comment states that the project may need to eliminate bike lanes on the south side of San Gabriel Boulevard from Lincoln Avenue to Rosemead Boulevard. The commenter is referring to Project 6. Project 6 is not proposing any bike lanes on the south side of San Gabriel Boulevard. As detailed in the Draft PEIR on pages 2-35 to 2-37, Project 6 would extend the existing Class I bicycle path on the north side of San Gabriel Boulevard from the end of the northern section of the Rio Hondo Bicycle Path to Lincoln Avenue.

Response to Comment 12-5:

Comment asks which side of San Gabriel Boulevard requires a retaining wall. A retaining wall would be required on the north side of San Gabriel Boulevard near the intersection with Lincoln Avenue.

Response to Comment 12-6:

Comment states that Project 7 is on United States Army Corps of Engineers (USACE) property and raised concerns about a signal on Rosemead Boulevard. Comment is noted.

Response to Comment 12-7:

Comment states that Project 8 needs to be coordinated with the Gold Line. Comment is noted. The comment also states that there is no need for both a Peck Road Bridge Project and a new bridge. Project 8 does not include a new bridge. Project 8 would create a hardened pedestrian trail that connects to an ADA accessible ramp on the northeast side of the Peck Road Bridge. The Peck Road Bridge Project is not part of the Proposed Project.

Response to Comment 12-8:

Comment states that the bridge over San Jose Creek must be designed for four lanes of vehicle traffic even if it is only built for multi-use. Comment is noted.

Response to Comment 12-9:

Comment states that that all invasive arundo and palms need to be removed from the Alhambra Wash. Comment is noted. Project 12 (Westside Multi-Use Trail) would include non-native plant eradication as stated in the Draft PEIR on pages 2-53 and 2-55.

Response to Comment 12-10:

The commenter is unclear where Project 12 terminates. Project 12 terminates at the south side of SR-60. There will be no parking on the McAfee property and no access from Landis View Lane/Muscatel Avenue.

Response to Comment 12-11:

Comment states that a trail on the east side of the Rio Hondo could connect with the existing trail from the Legg Lake model airplane area south to the Bosque. Comment is noted. The commenter also states that it is unclear how trail patrons would get across the Rio Hondo south of SR-60. The Proposed Project is not proposing any connections from the Westside Multi-Use Trail to the existing Rio Hondo Bike Path located on the eastside of the Rio Hondo.

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

Letter 13 - Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

December 5, 2016

RECEIVED

16-1361
DEC 08 2016

WATERSHED CONSERVATION
AUTHORITY

Rob Romanek
Watershed Conservation Authority
100 North Old San Gabriel Canyon Road
Azusa, CA 91702

Subject: Emerald Necklace Implementation Plan - Phase I
SCH#: 2013031056

Dear Rob Romanek:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on December 2, 2016, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

13-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT**

**Document Details Report
State Clearinghouse Data Base**

SCH# 2013031056
Project Title Emerald Necklace Implementation Plan - Phase I
Lead Agency Watershed Conservation Authority

Type EIR Draft EIR

Description The Emerald Necklace is a 17-mile interconnected network of bikeways, multi-use trails, parks, and greenways along the San Gabriel River and the Rio Hondo. The Emerald Necklace Implementation Plan Phase I includes sixteen projects that would close gaps in the trails network and increase access to people in the project area. The projects are located in four general areas along the Emerald Necklace which include the Quarry Clasp, Whittier Narrows, San Jose Creek, and Westside. The Quarry Clasp includes four projects (Projects 1-4) that would close the trail loop at the northern point of the necklace by connecting the San Gabriel River and the Rio Hondo. The Whittier Narrows area includes five projects (Projects 5-9) that would connect the Emerald Necklace Trail to the Whittier Narrows park resources at the southern side of the trail loop. These five projects would improve circulation in the Whittier Narrows area allowing access to pedestrians and bicyclists to all park areas currently inaccessible without a car. The San Jose Creek area would include two projects (projects 10 and 11) that would improve access to the Emerald Necklace for the communities on the east side of the San Gabriel River. The Westside area would include five projects (projects 12-16) that would create a continuous loop around the Emerald Necklace for equestrians and improved recreational potential for all user groups. Projects 12-16 would also improve access to the Emerald Necklace for the communities on the west side of the Rio Hondo.

Lead Agency Contact

Name Rob Romanek
Agency Watershed Conservation Authority
Phone 626 815 1019 **Fax**
email
Address 100 North Old San Gabriel Canyon Road
City Azusa **State** CA **Zip** 91702

Project Location

County Los Angeles
City
Region
Lat / Long 34° 4' 7" N / 118° 1' 39" W
Cross Streets Valley Blvd., Garvey Avenue, Lower Azusa Road, Peck Road, Durfee Avenue
Parcel No. Multi-jurisdictional
Township 1S **Range** 11W **Section** 20 **Base** SBB&M

Proximity to:

Highways I-10, I-605, SR-60
Airports El Monte Airport
Railways UPRR
Waterways San Gabriel River, Rio Hondo, San Jose Creek
Schools multiple schools
Land Use Multi-jurisdictional

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Aesthetic/Visual

Note: Blank in data fields result from insufficient information provided by local agency.

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT**

**Document Details Report
State Clearinghouse Data Base**

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 7; Regional Water Quality Control Board, Region 4; Native American Heritage Commission; Public Utilities Commission

Date Received 10/19/2016 **Start of Review** 10/19/2016 **End of Review** 12/02/2016

Note: Blanks in data fields result from insufficient information provided by lead agency.

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 7-OFFICE OF REGIONAL PLANNING
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 897-9140
FAX (213) 897-1337
www.dot.ca.gov

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Serious Drought.
Serious drought.
Help save water!

Governor's Office of Planning & Research

December 2, 2016

DEC 02 2016

Mr. Rob Romanek
Watershed Conservation Authority
100 North Old San Gabriel Canyon Road
Azusa, CA 91702

STATE CLEARINGHOUSE

RE: Emerald Necklace Implementation
Plan – Phase I
SCH# 2013031056
GTS#07-LA-2016-00238 DEIR

Dear Mr. Romanek:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project is a 17-mile interconnected network of bikeways, multi-use trails, parks and greenways along the San Gabriel River and the Rio Hondo. Phase I involves projects that would close gaps in the regional trails network and improve trail access.

Based on the information received, Caltrans has the following comments:

In Appendix G-Traffic, page 13 of 63, the speed limit on Rosemead Boulevard should 50 on both directions.

When considering innovative bicycle infrastructure, the Lead Agency could consult resources such as the National Association of Transportation Officials' (NACTO) Urban Bikeway Design Guide, or FHWA Separated Bike Lane Planning and Design Guide, to assist in the design process. Caltrans formally endorsed the NACTO Guide in 2014 and the FHWA released its guide in 2015. Note the State's Highway Design Manual now contains provisions for protected bike lanes under "Design Information Bulletin Number 89: Class IV Bikeway Guidance (Separated Bikeways / Cycle Tracks)."

13-2

If you have any questions or concerns regarding these comments, please contact project coordinator, Severin Martinez at (213) 897-0067 or severin.martinez@dot.ca.gov and refer to GTS# 07-LA-2016-00238.

Sincerely,

DIANNA WATSON
Branch Chief, Community Planning & LD IGR Review

cc: Scott Morgan, State Clearinghouse

"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



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E*

December 2, 2016

Mr. Rob Romanek
Watershed Conservation Authority
100 North Old San Gabriel Canyon Road
Azusa, CA 91702
Email: rromanek@rca.ca.gov

Governor's Office of Planning & Research
DEC 02 2016
STATE CLEARINGHOUSE

Dear Mr. Romanek:

Emerald Necklace Implementation Plan - Phase 1 (PROJECT)
DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT (DPEIR)
SCH# 2013031056

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a DPEIR from the Watershed Conservation Authority for the Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹ CDFW also previously submitted comments in response to the Notice of Preparation of the DPEIR for the Project.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

13-3

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), or state-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish and Game Code § 1900 et seq.) related authorization as provided by the Fish and Game Code will be required.

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Conserving California's Wildlife Since 1870

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT**

Mr. Rob Romanek
Watershed Conservation Authority
December 2, 2016
Page 2 of 8

PROJECT DESCRIPTION SUMMARY

Proponent: Watershed Conservation Authority (WCA)

Objective: The objective of the Project is to construct a proposed 17-mile interconnected network of bikeways, multi-use trails, parks, and greenways. The Project includes 15 projects that would close gaps within an existing regional recreational trail network and increase public access to the trails in the Project area. Project construction and use may have potential adverse impacts to special status biological resources.

Adoption of the Project does not constitute a commitment to any specific project details, construction schedule, or funding priority. Rather, the implementation Project describes a program of potential development for the Project area. The funding, scheduling, and detail for each project would be subject to individual approval by the WCA. Therefore, the EIR for the Emerald Necklace Implementation Plan – Phase I is a Program EIR, which evaluates at a program level the environmental effects that would result from the development of the sixteen projects.

Other than the No Project Alternative, the PDEIR describes potential alternatives composed of a combination of 44 projects that were evaluated; however, the 15 projects that were selected and compose the Project best met the criteria of the Project goals. The remaining 29 projects would have similar project characteristics and impacts and would not substantially reduce or eliminate significant adverse impacts.

Location: Components of the Project area are located along the Rio Hondo and the San Gabriel Rivers within Los Angeles County. The approximate boundaries of the Emerald Necklace are Peck Road Water Conservation Park in the north and Whittier Narrows Recreation Area in the south. The east and west boundaries of the Emerald Necklace are bounded by the San Gabriel River and Rio Hondo River, respectively.

Timeframe: Some aspects of the project are projected to be completed by 2034.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist WCA in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

I. Environmental Setting and Related Impact Shortcoming

COMMENT #1:

Executive Summary, Introduction, Page ES-1, ES-42

Issue: The PDEIR states on Page ES-1. "The Proposed Project includes fifteen (15) projects that would close gaps in the Emerald Necklace's regional trails network and increase access to the trails to hundreds of thousands of people in the project area." Page ES-42 states. "Each policing entity would be responsible for patrolling their respective geographic region encompassed within the project area."

CDFW is concerned that existing designated and undesignated publically accessible open space within dense urban areas pose a significant challenge to maintaining the persistence of natural

**13-3
Cont.**

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT**

Mr. Rob Romanek
Watershed Conservation Authority
December 2, 2016
Page 3 of 8

ecosystem function within these areas, especially within riparian and other areas that support a high biological diversity and special status species. The Department recognizes and supports existing and proposed conservation investments within the watershed. However the Department continues to witness the ongoing degradation of habitat in the Project area and other densely populated areas in California where best intended efforts enacted to curb habitat disturbances and public safety risk may not be sufficiently enforced because of lack of resource or other higher priorities. The Project will likely greatly contribute to these problems and ultimately result in the continued degradation of the watershed unless sufficiently addressed in the PEIR's direction given to subsequent proposed projects.

Specific impact: The Project may result in the direct and cumulative loss of hydrologic function, degradation and loss of vegetation and associated biological resources within and adjacent to the Project area.

Why impact would occur: The Project will facilitated greater access by hundreds of thousands of people into the Project area resulting in: increased wildfire ignition sources; increased illegal encampments and other unauthorized activities that result in wildlife poaching and other human induced stresses to wildlife; removing or disturbing vegetation; damming of streams to create unauthorized swimming areas or to trap aquatic species for consumption; pollution of streams from human waste and washing clothing; trash dumping; introductions of exotic pests; and increased disturbances to plants and wildlife from pets accompanying or abandoned by people having greater access to the Project area for these purposes.

Evidence impact would be significant: Deferring enforcement of laws protective of biological resources within natural open space areas by funding-strapped law enforcement agencies may not avoid or mitigated for the Project's potential substantial adverse impacts on special status species and other wildlife targeted for protection in the Project area. For example, it has been frequently observed by the Department that leash laws and illegal camping restrictions are often ignored by the public and under enforced by entities entrusted to enforce such laws because of a lack of resources allocated to do so, resulting in costly remedial actions later. The Project may therefore continue to result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS. The Project may also continue to result in removal, filling, hydrological interruption, or other means on wetlands, and drainage(s) or waters of the United States, as defined by Section 404 of the federal Clean Water Act or California Fish and Game Code § 1600, et seq.

**13-3
Cont.**

Recommended Potentially Feasible Mitigation Measure

Mitigation Measure: The Department recommends that the Project estimate how much it will cost to effectively patrol and enforce laws that are protective of resources within the Project area. Funding considerations should include but not be limited to add policing and public education outreach costs to assure compliance with laws pertaining to: pets accompanying trail patrons; abandoned pets; illegal dumping; introduction of ignition source; and illegal camping. Once WCA has an understanding of the true costs of protecting watershed values from Project related adverse impacts to biological resources, any funding shortcomings to feasibly manage the Project should be followed up by measures to secure such long-term funding before projects constructed under the DPEIR are granted approval to start construction.

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT**

Mr. Rob Romanek
Watershed Conservation Authority
December 2, 2016
Page 4 of 8

II. Mitigation Measure or Alternative and Related Impact Shortcoming

COMMENT #1

Executive Summary, Table ES-3, Page ES-16

Issue: Mitigation Measure B-1 describes mitigation for potential Project adverse impacts to two special status plant species with potential for occurring on the Project site based upon a literature search and a 2016 reconnaissance level field assessment.

B-1 describes that prior to ground disturbance activities, focused surveys will be conducted for the state and federally endangered Nevin's Barberry (*Berberis nevinii*) and federal candidate for listing Brand's Phacelia (*Phacelia stellar*).

The Department is concerned that the Project's survey focus and mitigation program sets an overly narrow guideline that covers only two species and may miss additional species within the Project impact area which may not be adequately avoided or mitigated for as a consequence.

Specific impact: Project induced native plant population declines or local extirpation of special status plant species may result from immediate death or injury, habitat fragmentation, alteration of soil chemical and physical makeup, increased competition with exotic invasive weeds, and reduce photosynthesis and reproductive capacity. The effects of these impacts would be permanent or occur over several years.

Why impact would occur: Impacts to botanical resources could occur from Project construction and maintenance activities that result in vegetation crushing, trimming or removal. Significantly greater human intrusion brought into areas by the Project may also result in associated disturbances and trespass into adjacent habitats. Erosion, crushing and compaction or excavation of soil will also occur from construction, maintenance and other Project related activities as well as Project introduction of exotic invasive species.

Evidence impact would be significant: Botanical surveys that are overly focused on species based upon reconnaissance level surveys, literature searches and assumed known range limitations do not maximize detection and may overlook the presence or actual density of some special status plant species on the Project site. Take of special status plant species including state and federal listed species may occur without adequate detection, avoidance and mitigation measures. The Project focuses only on state and federal listed plant species. CEQA provides protection not only for CESA listed and candidate species, but for any species including: California Species of Special Concern (SSC) which can be shown to meet the criteria for State-listing; and plants designated as 1A, 1B and 2 of the California Native Plant Society Inventory of Rare and Endangered Vascular Plants of California, which consist of plants that, in a majority of cases, would qualify for listing (CEQA Guidelines Sections 15380 (d), 15065 (a)). Therefore, the Project may continue to result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

Recommended Potentially Feasible Mitigation Measures

Mitigation Measure #1: To guide subsequent mitigation activities directed by the Project for subsequent projects that will undergo further project specific CEQA review by the WCA, the Department recommends that the Final PEIR condition: thorough, recent, floristic-based assessments of special status plants and natural communities, following the Department's

**13-3
Cont.**

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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Mr. Rob Romanek
Watershed Conservation Authority
December 2, 2016
Page 5 of 8

Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (see <http://www.dfg.ca.gov/habcon/plant/>); floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at subsequent Project sites and within the neighboring vicinity. *The Manual of California Vegetation*, second edition, should also be used to inform this mapping and assessment (Sawyer et al. 2008). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions

Mitigation Measure #2: The Department recommends the WCA include in the analysis of subsequent projects directed by the Project; how appropriate Project avoidance, minimization and mitigation measures will avoid, or reduce direct and indirect impacts to special status plant species. For direct unavoidable impacts to special status botanical resources, mitigation could include acquisition and protection in perpetuity of suitable occupied habitat for impacted species and could include the payment of in lieu fees to a CDFW approved mitigation bank.

COMMENT # 2

Executive Summary, Table ES-3, Page ES-20 and Appendix C

Issue: Mitigation Measures listed in table ES-3 propose habitat assessments and focused surveys, and specific mitigation measures for yellow-billed cuckoo (*Coccyzus americanus occidentalis*), southwestern willow flycatcher (*Empidonax traillii*), least Bell's vireo (*Vireo bellii pusillus*), and western burrowing owl (*Athene cunicularia*) because Project activity areas were described in the PDEIR to support fair habitat for these species. Appendix C lists several Project sites as supporting fair habitat for special status species including but not limited to western pond turtle (*Emys marmorata*), western spadefoot toad (*Spea hammondi*), and two-striped garter snake (*Thamnophis hammondi*). The Department is concerned that the PEIR does not propose further habitat assessments, focused surveys, avoidance and mitigation measures for other special status species not included in Table ES-3.

Specific impact: The Project may result in reduced reproductive capacity, population declines or local extirpation of special status species.

Why impact would occur: Project grading and maintenance activities will result in vegetation removal and other disturbances. The introduction of thousands of additional humans and associated pets, ignition sources and illegal camping into/near sensitive habitats could result in direct mortality, habitat degradation and additional stress to wildlife populations.

Evidence impact would be significant: CEQA provides protection not only for CESA listed and candidate species, but for any species including: California Species of Special Concern (SSC) which can be shown to meet the criteria for State-listing (CEQA Guidelines Sections 15380 (d), 15065 (a)). Therefore, minus avoidance and mitigation measures the Project may continue to result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

13-3
Cont.

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT**

Mr. Rob Romanek
Watershed Conservation Authority
December 2, 2016
Page 6 of 8

Recommended Potentially Feasible Mitigation Measure

Mitigation Measure #1: Focused surveys should be conducted for special status wildlife species prior to initiating disturbances within Project activity areas described in the DEIR. The focused surveys should be conducted within habitat described in the PDEIR as supporting at least fair habitat for special status wildlife species. For direct unavoidable impacts to special status wildlife, mitigation could include acquisition and protection in perpetuity of suitable occupied habitat for impacted species and could including the payment of in lieu fees to a CDFW approved mitigation bank.

Mitigation Measure #2: The Department recommends that the introduction of pets and other human related disturbances including added ignition sources such as smoking and illegal camping be discouraged in the Project Area. If WCA determines that pets will be allowed into the Project area, the Department recommends that they be kept on leash and that a leash law is strictly enforced.

COMMENT #3

Executive Summary, Table ES-3, Mitigation Measure E-6, Page ES 22

Issue: Mitigation Measure E-6 describes burrowing owl assessment and mitigation measures and states. "Prior to ground disturbing activities within the burrowing owl breeding season (March 1 through August 31), a habitat assessment and pre-construction burrowing owl survey will be conducted by a qualified biologist within suitable habitat within the Project footprint and a 500-foot buffer surrounding the footprint for Projects 1, 2, 5, 7, 8, 9, 10, 11, 12, and 13. A qualified biologist must have at least one year of experience conducting burrowing owl surveys. The assessment and pre-construction survey shall conform to the California Department of Fish and Game (CDFG) Report on Burrowing Owl Mitigation (CDFG 2012). If burrowing owls are located during the survey, and may be impacted by the Projects 1, 2, 5, 7, 8, 9, 10, 11, 12, and 13 then measures to avoid the a burrowing owl will be developed prior to any ground disturbance that might affect the owl or its burrows, as determined by a qualified biologist. At a minimum a burrowing owl mitigation plan shall be prepared to be submitted to the WCA and the CDFW for review and approval. The approved plan shall be implemented prior to the ground disturbance activities that may affect this species."

The Department is concerned that the survey provisions for burrowing owl as described in E-6 do not include survey efforts conducted during the wintering season. Burrowing owl may occur year round in the Project area and could be adversely impacted by Project activities at any time of year.

Specific impact: The Project may result in direct mortality, injury, reduced reproductive capacity, population declines or local extirpation of burrowing owl.

Why impact would occur: Impacts to burrowing owl could result from Project construction activities that involve clearing vegetation, grading, and other disturbances to the ground such as stockpiling, or excavation activities that could crush occupied burrows. Increased introduction of thousands of additional humans and their pets into occupied burrowing owl habitat will effectively diminish or eliminate said habitat for burrowing owl.

**13-3
Cont.**

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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Mr. Rob Romanek
Watershed Conservation Authority
December 2, 2016
Page 7 of 8

Evidence impact would be significant: CEQA provides protection not only for CESA listed and candidate species, but for any species including: California Species of Special Concern (SSC) which can be shown to meet the criteria for State-listing (CEQA Guidelines Sections 15380 (d), 15065 (a)). Therefore, minus comprehensive survey, avoidance and mitigation measures for burrowing owl the Project may continue to result in a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

Recommended Potentially Feasible Mitigation Measures

Mitigation Measure #1: The Project should condition that subsequent Project activities comply with the full survey and mitigation guidelines described in CDFW Report on Burrowing Owl Mitigation as cited in the PDEIR.

Mitigation Measure #2: See Mitigation Measure for Alternative and Related Impact Shortcoming, Comment #1, Mitigation Measure #2 above.

III. Comments and/or other Recommendations

Salvage of Wildlife. As a condition of Project approval before construction permits are issued, CDFW recommends that a qualified biological monitor be present before and during initial grubbing and grading operations to salvage wildlife species that may be killed or injured by Project implementation. Any dens for American badger (*Taxidea taxus*), grey fox (*Urocyon cinereoargenteus*) or coyote (*Canis latrans*) should be thoroughly inspected by a qualified biologist and avoided when occupied (including during the pupping season). Many other wildlife species will also utilize fossorial mammal den sites. Any such den sites should be inspected and not disturbed until confirmed unoccupied by wildlife species. Salvaged wildlife of low mobility should be removed and placed onto adjacent habitat out of harm's way. Grubbing and grading should be done so as to avoid islands of habitat where wildlife may take refuge and later be injured or killed by Project equipment. Grubbing and grading should start from the center of the Project site and proceed outward towards off-site adjacent habitat where wildlife may safely escape.

Fencing. Where fencing is used on the Project site, all hollow fence posts should be capped to prevent birds and other wildlife from entering and becoming entrapped. Open bolt holes on metal fence posts can entrap raptors alighting upon the top of the post. These holes should be sealed near the top to prevent raptor mortality.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link:
http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link:
http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

**13-3
Cont.**

EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT

Mr. Rob Romanek
Watershed Conservation Authority
December 2, 2016
Page 8 of 8

FILING FEES

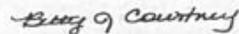
The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the DPEIR to assist WCA in identifying and mitigating Project impacts on biological resources.

For any questions regarding this letter or further coordination, please contact Scott Harris, Environmental Scientist, at (805) 644-6305 or scott.p.harris@wildlife.ca.gov.

Sincerely,



Betty J. Courtney
Environmental Program Manager I

ec: Ms. Betty Courtney, CDFW, Santa Clarita
Ms. Erinn Wilson, CDFW, Los Alamitos
Mr. Scott Harris, CDFW, Ventura
Ms. Kelly Schmoker, CDFW, Mission Viejo
Mr. Andrew Valand, CDFW, Los Alamitos
Ms. Victoria Chau, CDFW, Los Alamitos

cc: Office of Planning and Research, State Clearinghouse, Sacramento

References:

Sawyer, J. O., Keeler-Wolf, T., and Evens J.M. 2008. A manual of California Vegetation, 2nd ed. ISBN 978-0-943460-49-9.

13-3
Cont.

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STATE OF CALIFORNIA
NATIVE AMERICAN HERITAGE COMMISSION
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710
Fax (916) 373-5471
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Website: <http://www.nahc.ca.gov>
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Edmund G. Brown Jr., Governor



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@*

Governor's Office of Planning & Research

November 23, 2016

NOV 23 2016

STATE CLEARINGHOUSE

Rob Romanek
Watershed Conservation Authority
100 North Old San Gabriel Canyon Road
Azusa, CA 91702

sent via e-mail:
rromanek@wca.ca.gov

Re: SCH#2013031056, Emerald Necklace Implementation Plan – Phase I Project, Communities of Arcadia, El Monte, South El Monte, Whittier, and East Los Angeles; Los Angeles County, California

Dear Mr. Romanek:

The Native American Heritage Commission (NAHC) has reviewed the Draft Environmental Impact Report prepared for the project referenced above. The review included the Project Description/Introduction, the Executive Summary, and the Cultural Resources Survey Report prepared by ECORP Consulting, Inc. for the Watershed Conservation Authority. We have the following concerns:

- There is no documentation of contact or consultation by the lead agency as required under SB-18 and/or AB-52 with Native American tribes traditionally and culturally affiliated to the project area, or that mitigation measures were developed in consultation with the tribes. Contact with consultants for the purposes of conducting cultural resources assessments is not formal government-to-government consultation.
- The authority to stop work is given to the archaeological monitor only in Mitigation Measure CR-1. The onsite Tribal Monitor should also be able to stop work if they determine cultural resources have been discovered.
- There is problematic language in Mitigation Measure CR-2. While data recovery may be appropriate for archaeological resources, that is not always the case for Tribal Cultural Resources. The wording delegates the authority to authorize data recovery only to the archaeologist.

13-4
Cont.

The California Environmental Quality Act (CEQA)¹, specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.² If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared.³ In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended in 2014 by Assembly Bill 52. (AB 52).⁴ AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015. AB 52 created a separate category for "tribal cultural resources"⁵, that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment."⁶ Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.⁷ Your project may also be subject to Senate Bill 18 (SB 18) (Burton, Chapter 905, Statutes of 2004), Government Code 65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. Both SB 18 and AB 52 have tribal consultation requirements. Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966⁸ may also apply.

¹ Pub. Resources Code § 21000 et seq.

² Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b); CEQA Guidelines Section 15064.5 (b)

³ Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1); CEQA Guidelines § 15064 (a)(1)

⁴ Government Code 65352.3

⁵ Pub. Resources Code § 21074

⁶ Pub. Resources Code § 21084.2

⁷ Pub. Resources Code § 21084.3 (a)

⁸ 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.

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Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>. Additional information regarding AB 52 can be found online at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

Please contact me at gayle.totton@nahc.ca.gov or call (916) 373-3710 if you have any questions.

Sincerely,



Gayle Totton, B.S., M.A., Ph.D
Associate Governmental Project Analyst

Attachment

cc: State Clearinghouse

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Cont.

**EMERALD NECKLACE IMPLEMENTATION PLAN – PHASE I
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Pertinent Statutory Information:

Under AB 52:

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.

A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.⁹ and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18).¹⁰

The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects.¹¹
1. The following topics are discretionary topics of consultation:
- a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency.¹²

With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.¹³

If a project may have a significant impact on a tribal cultural resource, the **lead agency's environmental document shall discuss both of the following:**

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.¹⁴

Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.¹⁵

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.¹⁶

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the **lead agency shall consider feasible mitigation** pursuant to Public Resources Code section 21084.3 (b).¹⁷

An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

⁹ Pub. Resources Code § 21080.3.1, subs. (d) and (e)

¹⁰ Pub. Resources Code § 21080.3.1 (b)

¹¹ Pub. Resources Code § 21080.3.2 (a)

¹² Pub. Resources Code § 21080.3.2 (a)

¹³ Pub. Resources Code § 21082.3 (c)(1)

¹⁴ Pub. Resources Code § 21082.3 (b)

¹⁵ Pub. Resources Code § 21080.3.2 (b)

¹⁶ Pub. Resources Code § 21082.3 (a)

¹⁷ Pub. Resources Code § 21082.3 (e)

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- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days.¹⁸
This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:

Government Code § 65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of "preserving or mitigating impacts to places, features, and objects described § 5097.9 and § 5091.993 of the Public Resources Code that are located within the city or county's jurisdiction. Government Code § 65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

- SB 18 applies to local governments and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf
- **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.¹⁹
- **There is no Statutory Time Limit on Tribal Consultation under the law.**
- **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research,²⁰ the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction.²¹
- **Conclusion Tribal Consultation:** Consultation should be concluded at the point in which:
 - The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.²²

NAHC Recommendations for Cultural Resources Assessments:

- Contact the NAHC for:
 - A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
 - The request form can be found at <http://nahc.ca.gov/resources/forms/>.
- Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - If part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have been already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

¹⁸ Pub. Resources Code § 21082.3 (d)

¹⁹ (Gov. Code § 65352.3 (a)(2)).

²⁰ pursuant to Gov. Code section 65040.2,

²¹ (Gov. Code § 65352.3 (b)).

²² (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

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Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- o Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- o Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
- o Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- o Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.²³
- o Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.²⁴

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- o Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.²⁵ In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- o Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- o Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

**13-4
Cont.**

²³ (Civ. Code § 815.3 (c)).

²⁴ (Pub. Resources Code § 5097.991).

²⁵ per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).

**Responses to Letter 13 – Governor’s Office of Planning and Research
State Clearinghouse and Planning Unit**

Response to Comment 13-1:

This comment acknowledges that the State requirement for review of environmental documents has been satisfied. No response is necessary.

Response to Comment 13-2:

Please refer to the response to Letter 9 of this Final PEIR.

Response to Comment 13-3:

Please refer to the response to Letter 10 of this Final PEIR.

Response to Comment 13-4:

Please refer to the response to Letter 8 of this Final PEIR.

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SECTION 4.0

REVISIONS TO THE DRAFT PEIR

4.1 INTRODUCTION

Evaluation of the comments submitted on the Draft PEIR impact analysis determined that the comments received did not require additional evaluation or changes to the conclusions reached, or alternatives to the Proposed Project. Changes or clarifications to the Draft PEIR were made in response to some of the comments to the Draft PEIR.

These changes and clarifications are provided in this section of the Final PEIR as errata to the text in the Draft PEIR. Changes in text are identified by ~~strikeout~~ where text is removed and by underline where text is added. None of the changes contain significant new information that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Proposed Project or a feasible way to mitigate or avoid such an effect. All of the information added to the Final PEIR merely clarifies, amplifies, or makes insignificant modifications in the Draft PEIR. Therefore, recirculation of the Draft PEIR is not required (see CEQA Guidelines Section 15088.5).

4.2 DRAFT PEIR ERRATA

1. The third sentence of the first paragraph on Page 2-22 of the Draft PEIR has been revised as follows:

The northern and eastern park boundaries would feature both a 10-foot wide multi-use trail and a 12-foot wide, asphalted and striped Class I bicycle trail (Figure 1.3). The multi-use trail would be designed and constructed per the County of Los Angeles Trails Manual. The Class I bicycle path would be designed and constructed per the California Department of Transportation (Caltrans) Highway Design Manual standards, ~~and~~ American Association of State Highway and Transportation Officials (AASHTO) guidelines, and Appendix F (Design Guidelines) of the County of Los Angeles Bicycle Master Plan. Fencing would include approximately 2,300 lineal feet of 6-foot tubular steel with two 16-foot wide decorative gates to control park access and two 16-foot wide service gates. Wayfinding, regulatory, and new park entry monument signage would be located adjacent to the entry parking lot.

2. The second sentence of the third paragraph on Page 2-26 of the Draft PEIR has been revised as follows:

The multi-use trail utilized by riders and hikers would be designed to the specifications of the County of Los Angeles Trails Manual. The Class I bicycle path and the Class IV bikeway would be designed to Caltrans Highway Design Manual standards, ~~and~~ AASHTO guidelines, and Appendix F (Design Guidelines) of the County of Los Angeles Bicycle Master Plan. ~~The Class I bicycle path and the Class IV bikeway would and~~ include safety measure such as stop signs, striping, and speed calming measures. The crossing

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(Project 3) would be coordinated with existing and planned traffic signal synchronization improvements administered by the County of Los Angeles Department of Public Works (DPW).

3. The second sentence of the second paragraph on page 2-28 of the Draft PEIR has been revised as follows:

The multi-use trail would be designed and constructed per the County of Los Angeles Trails Manual. The Class I bicycle path would be designed and constructed per the Caltrans Highway Design Manual standards, ~~and~~ AASHTO guidelines, and Appendix F (Design Guidelines) of the County of Los Angeles Bicycle Master Plan.

4. The fourth sentence of the first paragraph on page 2-35 of the Draft PEIR has been revised as follows:

The intent of this project is to fill in the missing gap between the northern and southern portions of the Rio Hondo Class I bicycle path with a Class IV bikeway. Specifically, this project would extend the existing Class I bicycle path on the north side of San Gabriel Boulevard from the end of the northern section of the Rio Hondo Bicycle Path to Lincoln Avenue (Figures 6.1 and 6.2). To gain the width necessary for the new Class IV bikeway, all traffic lanes would be reduced and the center raised median relocated to allow an expansion of the north sidewalk. The Class IV bikeway would be designed to Caltrans Highway Design Manual standards, AASHTO guidelines, the MUTCD guidelines, Appendix F (Design Guidelines) of the County of Los Angeles Bicycle Master Plan, and other applicable requirements.

5. The third sentence of the first paragraph on page 2-39 of the Draft PEIR has been revised as follows:

Project 7 has three components that would connect the northern section of the Rio Hondo Class I bicycle path directly to the Legg Lake recreation area parking lot (Figure 7.1). The first project component would develop an approximately half-mile long Class I bicycle path located on the north side of the Southern California Edison (SCE) transmission line corridor to connect the Rio Hondo Bike Path to Rosemead Boulevard. The 12-foot wide asphalt bicycle path would be designed to Caltrans Highway Design Manual standards, ~~and~~ AASHTO guidelines, and Appendix F (Design Guidelines) of the County of Los Angeles Bicycle Master Plan.

6. **Mitigation Measure CR-2**, listed on pages ES-26 and 3.5-18 of the Draft PEIR, has been revised as follows:

CR-2: All ground-disturbing activities below previously disturbed areas necessary for construction of Projects 6 and 7 shall be monitored by an archaeological monitor and a Native American monitor from a Gabrielino group, as recommended by the cultural resources survey report (CR-1). The archaeological monitor and the Native American monitor shall have the power to temporarily halt or divert equipment to allow for recording and

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evaluation of any encountered resources. If evaluated as eligible for the California Register of Historical Resources (CRHR) and determined eligible by the Watershed Conservation Authority, the archaeological site must be avoided and preserved. If this is not feasible, an archeological data recovery program shall be developed and implemented by a qualified archaeologist in consultation with the Native American monitor. The data recovery report shall be submitted to the South Central Coastal Information Center.

- 7. Mitigation Measure B-1**, listed on pages ES-16 and 3.4-19 of the Draft PEIR, has been revised as follows:

B-1: Conduct Focused Rare Plant Surveys.

Nevin's Barberry

Prior to ground disturbing construction activities (e.g. grading, vegetation removal) for Projects 7, 9, 10, and 12 a focused rare plant survey for Nevin's Barberry shall be conducted. Because this plant is a shrub species that is obvious at any time of the year, the survey may be conducted during any season.

Brand's Phacelia

Prior to ground disturbing construction activities (e.g. grading, vegetation removal) for Projects 2, 7, 8, 9, 10, 11, and 12 a focused rare plant survey for Brand's phacelia shall be conducted. The survey shall take place during the blooming period for Brand's phacelia (March through June). Biologists will use a nearby population as a reference, if feasible, to verify that the target rare plant is blooming at the time of the survey.

Additional Rare Plant Species

During surveys for the aforementioned plant species, prior to ground disturbing construction activities (e.g. grading, vegetation removal) for Projects 2, 7, 8, 9, 10, 11, and 12, biologists shall also seek and identify plant species that are listed as California Species of Special Concern or listed as CNPS List 1A, 1B, or 2.

If sensitive plant species are not found during the surveys, then no further mitigation is required. In the event a listed plant is discovered onsite, the location and numbers of the species shall be recorded by a qualified biologist. The California Department of Fish and Wildlife (CDFW), United States Fish and Wildlife Service (USFWS) and Watershed Conservation Authority (WCA) shall be formally notified and consulted regarding the presence of either the federal and/or state listed or candidate species onsite.

If the plant can be avoided by construction, a Preservation and Management Plan for the species found will be prepared and shall include, but not be limited to, the following:

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- 1) Provision of protective fencing or buffers between development and any listed plant that may be found onsite as required by CDFW or USFWS. This buffer zone shall be designated with appropriate fencing to exclude construction vehicles and public access, but not wildlife access;
- 2) The size of the buffer depends upon the use of the immediately adjacent lands, and includes consideration of the plant's ecological requirements (e.g., sunlight, moisture, shade tolerance, edaphic physical and chemical characteristics) that are identified by a qualified plant ecologist and/or botanist. At minimum, the buffer shall be at least ten feet and demarcated by fencing that is installed with the assistance of a qualified plant ecologist. A smaller buffer may be established, provided there are adequate measures in place to avoid the take of the species, with the approval of the USFWS and/or CDFW;
- 3) Stormwater runoff, irrigation runoff, and other drainage from developed areas shall not pass through areas populated by the listed species;
- 4) Listed species areas shall not be artificially shaded by structures or landscaping within the adjacent development areas;
- 5) Pesticide use shall not be permitted within listed plants areas;
- 6) The WCA will be responsible for monitoring the listed plant areas during construction and after project completion to ensure avoidance.

If the plant cannot be avoided by construction, the CDFW and/or USFWS will be consulted. The following steps will be needed:

- 1) For direct impacts to the federal-listed and state-listed Nevin's barberry, the CDFW will be consulted regarding the potential need for a permit under the CESA and the USFWS will be consulted for the potential need for a permit under the ESA. Mitigation for the impact will be developed through this process and could include payment of in-lieu fee, preservation of another population of the plant, transplantation, or creation of a preserve.
 - 2) For direct impacts to plants that are candidate species for listing (Brand's phacelia), the USFWS will be consulted for the potential need for a permit under the ESA. Mitigation for the impact will be developed through this process and could include payment of in-lieu fee, preservation of another population of the plant, transplantation, or creation of a preserve.
- 8.** The following text was added to Section 3.4.1.3, Table 3.4-3, on page 3.4-5 of the Draft PEIR:

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Table 3.4-3 Special-Status Animals by Project Area

ANIMAL SPECIES	PROJECT AREAS POTENTIAL FOR LISTED ANIMALS															
	QUARRY CLASP			WHITTIER NARROWS					SAN JOSE CREEK		WESTSIDE					
	1	2	3	5	6	7	8	9	10	11	12	13	14	15	16	
Santa Ana sucker	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Coastal California gnatcatcher	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Western yellow-billed cuckoo	A	A	A	A	A	A	L	L	M	A	L	A	A	A	A	
Southwestern willow flycatcher	A	A	A	A	A	A	L	L	L	A	L	A	A	A	A	
Least Bell's vireo	A	A	A	A	A	A	M	M	L	A	M	A	A	A	A	
Arroyo toad	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Bank swallow	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Red-legged frog	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Mountain yellow-legged frog	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Peregrine falcon	L	L	A	A	A	A	A	A	A	A	A	A	A	A	A	
Swainson's hawk	L	L	A	A	A	A	A	A	A	A	A	A	A	A	A	
Burrowing owl	L	L	A	L	A	L	L	L	L	L	L	L	A	A	A	
<u>Western Pond Turtle</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>L</u>	<u>L</u>	<u>A</u>	<u>L</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	
<u>Western Spadefoot Toad</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>M</u>	<u>M</u>	<u>A</u>	<u>M</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	
<u>Two-striped Garter Snake</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>M</u>	<u>M</u>	<u>A</u>	<u>M</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	

A=Assumed Absent, L=Low, M=Moderate, H=High

9. The following text was added to page 3.4-7 of the Draft PEIR below the discussion of burrowing owl.

Western Pond Turtle. This aquatic species' habitat includes streams, lakes, drainage ditches with perennial ponding areas, and both vegetative and structural elements. Western pond turtles are fairly shy species, remaining underwater or in thick vegetation most of the time. They are mostly observed while basking on floating or partially submerged logs or rocks within ponds. The upper San Gabriel River, upstream from the Proposed Project, supports many habitat areas for this species. Most of the streams within the Proposed Project are less ideal as habitat for this species because they have been channelized and lack many of the structural elements common to this species habitats. Because the San Jose Project Area includes two bridge crossings, and because the Whittier Narrows and Westside project areas contain suitable riparian habitat, the species is considered potentially present within those project areas.

Western Spadefoot Toad. This species' habitat includes primarily vernal pools and other seasonal waters for breeding. Surrounding habitats include grassland, scrub, and chaparral. Adult spadefoot toads remain underground during most of the year.

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particularly during hot summer months, encapsulated by a secreted, gelatinous shield that holds in moisture. After spring rains, the adults emerge to breed in shallow ponds. Tadpoles grow into juvenile toads very quickly, often within two or three weeks time, after which they burrow into mud cracks or other similar shelter. Although no vernal pools were present in the Proposed Project, there were riverine areas present that support seasonal waters. Because the San Jose Project Area includes two bridge crossings, and because the Whittier Narrows and Westside project areas contain suitable riparian habitat, the species is considered potentially present within those project areas.

Two-striped Garter Snake. This species' habitat includes riparian corridors, seasonal ponds, vernal pools, and other aquatic areas. They feed on tadpoles and other aquatic life. Two-striped garter snakes are cryptic in their coloration, serving as protection from predators. They are good swimmers, cruising aquatic habitats for prey while remaining mostly submerged. Although no vernal pools were present in the Proposed Project, there were riverine areas present that support seasonal waters. Because the San Jose Project Area includes two bridge crossings, and because the Whittier Narrows and Westside project areas contain suitable riparian habitat, the species is considered potentially present within those project areas.

10. The following text was changed in Section 3.4.4.1 on page 3.4-14 of the Draft PEIR:

Impacts to Listed and Special-Status Wildlife Species

The literature search documented 59 special-status wildlife species in the vicinity of the Proposed Project. The project areas were evaluated for suitable habitat to support any of the special-status wildlife species. The following ~~42~~ 15 special-status wildlife species are those with a potential or that otherwise pose a constraint to the Proposed Project (ECORP 2016a). No sensitive wildlife species were detected within the project areas or in adjacent survey buffer areas during the biological resources assessment (ECORP 2016a).

11. The following text was added to page 3.4-16 of the Draft PEIR below the discussion of burrowing owl.

Western Pond Turtle. There is a low potential for this species to occur within the project areas of Projects 9, 10, and 12. Construction activities associated with Projects 9, 10, and 12 may result in direct impacts to this species from the loss of individuals or habitat or indirect impacts from increase in noise, dust, and human activity. With the implementation of Mitigation Measure B-9 for Projects 9, 10, and 12, these impacts would be less than significant.

Western Spadefoot Toad. There is a moderate potential for this species to occur within the project areas of Projects 9, 10, and 12. Construction activities associated with Projects 9, 10, and 12 may result in direct impacts to this species from the loss of individuals or habitat or indirect impacts from increase in noise, dust, and human activity. With the implementation of Mitigation Measure B-10 for Projects 9, 10, and 12, these impacts would be less than significant.

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Two-striped Garter Snake. There is a moderate potential for this species to occur within the project areas of Projects 9, 10, and 12. Construction activities associated with Projects 9, 10, and 12 may result in direct impacts to this species from the loss of individuals or habitat or indirect impacts from increase in noise, dust, and human activity. With the implementation of Mitigation Measure B-11 for Projects 9, 10, and 12, these impacts would be less than significant.

12.Mitigation Measures B-9, B-10, and B-11 have been added to Section 3.4.5 on page 3.4-23 to the Draft PEIR:

B-9: Conduct a habitat assessment for Western Pond Turtle.

A habitat assessment shall be conducted for Projects 9, 10, and 12 a year prior to planned ground disturbing activities. If the habitat assessment determines that suitable habitat for western pond turtle is present and would be directly impacted by Projects 9, 10, or 12 then the California Department of Fish and Wildlife (CDFW) shall be consulted in order to develop mitigation for the species. Mitigation may consist of acquisition and protection in perpetuity of occupied habitat for the species or payment of in-lieu fees for habitat protection to a CDFW-approved entity.

B-10: Conduct a habitat assessment for Western Spadefoot Toad.

A habitat assessment shall be conducted for Projects 9, 10, and 12 a year prior to planned ground disturbing activities. If the habitat assessment determines that suitable habitat for western spadefoot toad is present and would be directly impacted by Projects 9, 10, or 12 then the California Department of Fish and Wildlife (CDFW) shall be consulted in order to develop mitigation for the species. Mitigation may consist of acquisition and protection in perpetuity of occupied habitat for the species or payment of in-lieu fees for habitat protection to a CDFW-approved entity.

B-11: Conduct a habitat assessment for Two-striped Garter Snake.

A habitat assessment shall be conducted for Projects 9, 10, and 12 a year prior to planned ground disturbing activities. If the habitat assessment determines that suitable habitat for two-striped garter snake is present and would be directly impacted by Projects 9, 10, or 12 then the California Department of Fish and Wildlife (CDFW) shall be consulted in order to develop mitigation for the species. Mitigation may consist of acquisition and protection in perpetuity of occupied habitat for the species or payment of in-lieu fees for habitat protection to a CDFW-approved entity.

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SECTION 5.0

MITIGATION MONITORING AND REPORTING PROGRAM

In accordance with CEQA, a Program Environmental Impact Report (PEIR) that identified adverse impacts related to the construction and operation of the Emerald Necklace Implementation Plan – Phase I was prepared. The PEIR identified mitigation measures that would reduce or eliminate these impacts.

Section 21081.6 of the Public Resources Code and Sections 15091(d) and 15097 of the State CEQA Guidelines require public agencies to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. A Mitigation Monitoring and Reporting Program (MMRP) is required for the Proposed Project, because the PEIR identified potentially significant adverse impacts related to implementation of the Proposed Project, and mitigation measures have been identified to mitigate these impacts. Adoption of the MMRP will occur along with approval of the Proposed Project.

5.1 PURPOSE OF THE MITIGATION MONITORING AND REPORTING PROGRAM

This MMRP (Table 5-1) has been prepared to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction and operation of the Proposed Project, as required. The MMRP may be modified by the WCA during project implementation, as necessary, in response to changing conditions or other project refinements. The MMRP table has been prepared to assist the responsible parties in implementing the MMRP. This table identifies the category of significant environmental impact(s), individual mitigation measures, monitoring and mitigation timing, responsible person/agency for implementing the measure, monitoring and reporting procedure, and notation space to confirm implementation of the mitigation measures. The numbering of the mitigation measures follows the numbering sequence in the PEIR.

5.2 ROLES AND RESPONSIBILITIES

The WCA, as Lead Agency, is responsible for oversight of compliance of the mitigation measures in the MMRP.

5.3 MITIGATION MONITORING AND REPORTING PROGRAM

The column categories identified in the MMRP table (Table 5-1) are described below.

- **Mitigation Measure** – This column lists the mitigation measures by number.

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- **Responsible for Implementation** – This column identifies the entity responsible for complying with the requirements of the mitigation measure, and provides space for verification initials and date.
- **Timing of Implementation** – This column lists the timing of each activity, and the frequency/schedule of monitoring for each activity.
- **Monitoring Agency** – This column lists any agencies with which the Lead Agency may coordinate for implementation of the mitigation measure.
- **Date Completed** – This column is to be dated and initialed by the Lead Agency representative once the mitigation measure has been completed.

5.4 MITIGATION MEASURE MATRIX

Table 5-2 lists each mitigation measure and what project it applies to.

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**TABLE 5-1
MITIGATION MONITORING AND REPORTING PROGRAM
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MITIGATION MEASURES	RESPONSIBLE FOR IMPLEMENTATION	TIMING OF IMPLEMENTATION	MONITORING AGENCY	DATE COMPLETED
AESTHETICS				
<p>A-1: Project structures shall be designed to reduce visual contrast with the project's surroundings by repeating forms, colors, lines and textures of the project's location. This can be achieved by using materials and color schemes that blend with the natural landscape and vegetation.</p>	<ul style="list-style-type: none"> Watershed Conservation Authority (WCA) 	<p>During the design phase of each individual project.</p>	<ul style="list-style-type: none"> Watershed Conservation Authority (WCA) 	<hr/> <p>Initials</p> <hr/> <p>Date</p>
BIOLOGICAL RESOURCES				
<p>B-1: Conduct Focused Rare Plant Surveys.</p> <p><u><i>Nevin's Barberry</i></u></p> <p>Prior to ground disturbing construction activities (e.g. grading, vegetation removal) for Projects 7, 9, 10, and 12 a focused rare plant survey for Nevin's Barberry shall be conducted. Because this plant is a shrub species that is obvious at any time of the year, the survey may be conducted during any season.</p> <p><u><i>Brand's Phacelia</i></u></p> <p>Prior to ground disturbing construction activities (e.g. grading, vegetation removal) for Projects 2, 7, 8, 9, 10, 11, and 12 a focused rare plant survey for Brand's phacelia shall be conducted. The survey shall take place during the blooming period for Brand's phacelia (March through June). Biologists will use a nearby population as a reference, if feasible, to verify that the target rare plant is blooming at the time of the survey.</p> <p><u><i>Additional Rare Plant Species</i></u></p> <p>During surveys for the aforementioned plant species, prior to</p>	<ul style="list-style-type: none"> Watershed Conservation Authority (WCA) Qualified Plant Ecologist/Biologist 	<p>Preconstruction surveys shall be conducted prior to issuance of grading permits for each individual project.</p>	<ul style="list-style-type: none"> Watershed Conservation Authority (WCA) California Department of Fish and Wildlife (CDFW) United States Fish and Wildlife Service (USFWS) 	<hr/> <p>Initials</p> <hr/> <p>Date</p>

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MITIGATION MEASURES	RESPONSIBLE FOR IMPLEMENTATION	TIMING OF IMPLEMENTATION	MONITORING AGENCY	DATE COMPLETED
<p>ground disturbing construction activities (e.g. grading, vegetation removal) for Projects 2, 7, 8, 9, 10, 11, and 12, biologists shall also seek and identify plant species that are listed as California Species of Special Concern or listed as CNPS List 1A, 1B, or 2.</p> <p>If sensitive plant species are not found during the surveys, then no further mitigation is required. In the event a listed plant is discovered onsite, the location and numbers of the species shall be recorded by a qualified biologist. The California Department of Fish and Wildlife (CDFW), United States Fish and Wildlife Service (USFWS) and Watershed Conservation Authority (WCA) shall be formally notified and consulted regarding the presence of either the federal and/or state listed or candidate species onsite.</p> <p>If the plant can be avoided by construction, a Preservation and Management Plan for the species found will be prepared and shall include, but not be limited to, the following:</p> <ol style="list-style-type: none"> 1) Provision of protective fencing or buffers between development and any listed plant that may be found onsite as required by CDFW or USFWS. This buffer zone shall be designated with appropriate fencing to exclude construction vehicles and public access, but not wildlife access; 2) The size of the buffer depends upon the use of the immediately adjacent lands, and includes consideration of the plant's ecological requirements (e.g., sunlight, moisture, shade tolerance, edaphic physical and chemical characteristics) that are identified by a qualified plant ecologist and/or botanist. At minimum, the buffer shall be at least ten feet and demarcated by fencing that is installed with the assistance of a qualified plant ecologist. A smaller buffer may be established, provided there are adequate measures in 				

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MITIGATION MEASURES	RESPONSIBLE FOR IMPLEMENTATION	TIMING OF IMPLEMENTATION	MONITORING AGENCY	DATE COMPLETED
<p>place to avoid the take of the species, with the approval of the USFWS and/or CDFW;</p> <p>3) Stormwater runoff, irrigation runoff, and other drainage from developed areas shall not pass through areas populated by the listed species;</p> <p>4) Listed species areas shall not be artificially shaded by structures or landscaping within the adjacent development areas;</p> <p>5) Pesticide use shall not be permitted within listed plants areas;</p> <p>6) The WCA will be responsible for monitoring the listed plant areas during construction and after project completion to ensure avoidance.</p> <p>If the plant cannot be avoided by construction, the CDFW and/or USFWS will be consulted. The following steps will be needed:</p> <p>1) For direct impacts to the federal-listed and state-listed Nevin’s barberry, the CDFW will be consulted regarding the potential need for a permit under the CESA and the USFWS will be consulted for the potential need for a permit under the ESA. Mitigation for the impact will be developed through this process and could include payment of in-lieu fee, preservation of another population of the plant, transplantation, or creation of a preserve.</p> <p>2) For direct impacts to plants that are candidate species for listing (Brand’s phacelia), the USFWS will be consulted for the potential need for a permit under the ESA. Mitigation for the impact will be developed through this process and could include payment of in-lieu fee, preservation of another population of the plant, transplantation, or creation of a preserve.</p>				

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MITIGATION MEASURES	RESPONSIBLE FOR IMPLEMENTATION	TIMING OF IMPLEMENTATION	MONITORING AGENCY	DATE COMPLETED
<p>B-2: Conduct nesting bird surveys to ensure that there would be not significant impacts to nesting birds and no violation of the Migratory Bird Treaty Act.</p> <p>If activities with the potential to destroy nests or cause birds to abandon nests are scheduled to occur during the bird breeding season (February 1 – August 31), a pre-construction nesting bird survey shall be conducted by a qualified biologist within the footprint for all Projects and within a buffer of 500 feet of the Project limits. A qualified biologist is one having at least one year of nesting bird survey experience. The survey area shall include all potential bird nesting areas, including grasslands, scrub habitat, woodlands, and isolated trees that are within 500 feet of ground disturbance and vegetation clearing activities. The survey shall be conducted within the nesting season and no more than 30 days prior to commencement of ground disturbance activities.</p> <p>If active bird nests are found, the qualified biologist will recommend measures to avoid impacts to the nest while it is active. At a minimum the nest itself will be protected while it is active and a no-disturbance buffer will be established around the nest to protect it from indirect Project effects due to noise and dust. Recommended buffers are 500 feet for raptors and sensitive species and 300 feet for all other birds. The biologist can adjust the buffer limits based on the setting, topography, exposure of the nest to adverse effects, and other factors. Direct removal of the nest and construction activities within the buffer zone will be avoided until the nest is deemed no longer active by the qualified biologist.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Qualified Ecologist/Biologist 	<p>Preconstruction surveys shall be conducted no more than 30 days before ground disturbing and vegetation clearing activities if they are to occur during the bird breeding season (February 1 – August 31).</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • California Department of Fish and Wildlife (CDFW) • United States Fish and Wildlife Service (USFWS) 	<hr/> <p>Initials</p> <hr/> <p>Date</p>

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MITIGATION MEASURES	RESPONSIBLE FOR IMPLEMENTATION	TIMING OF IMPLEMENTATION	MONITORING AGENCY	DATE COMPLETED
<p>B-3: Conduct a habitat assessment for Western Yellow-billed Cuckoo.</p> <p>A habitat assessment shall be conducted for Projects 9, 10, and 12 a year prior to planned ground disturbing activities. If the habitat assessment determines that suitable habitat for western yellow-billed cuckoo is present and would be directly impacted by Projects 9, 10, or 12 then a United States Fish and Wildlife (USFWS) protocol survey shall be conducted to ensure compliance with federal and state Endangered Species Acts (ESA and CESA). The survey period for western yellow-billed cuckoo extends from June 15 to August 15, consisting of four surveys. If western yellow-billed cuckoo are located during the survey, and their occupied habitat may be impacted by the Project, a request for take authorization must be submitted, processed, and approved with the USFWS and California Department of Fish and Wildlife (CDFW) prior to the ground disturbance activities that may affect this species. This will involve a consultation process under the ESA and CESA.</p>	<ul style="list-style-type: none"> Watershed Conservation Authority (WCA) Qualified Biologist 	<p>A year prior to planned ground disturbing activities for Projects 9, 10, and 12.</p>	<ul style="list-style-type: none"> Watershed Conservation Authority (WCA) California Department of Fish and Wildlife (CDFW) United States Fish and Wildlife Service (USFWS) 	<p>_____</p> <p>Initials</p> <p>_____</p> <p>Date</p>
<p>B-4: Conduct a habitat assessment for Southwestern Willow Flycatcher.</p> <p>A habitat assessment shall be conducted for Projects 9, 10, and 12 within a year prior to ground disturbing activities. If the habitat assessment determines that suitable habitat for the southwestern willow flycatcher is present and would be directly impacted by Projects 9, 10, or 12 then United States Fish and Wildlife (USFWS) protocol surveys shall be conducted to ensure compliance with federal and state Endangered Species Acts (ESA and CESA). The survey period for southwestern willow flycatcher extends from May 15 to July 17, consisting of five surveys. If southwestern willow flycatcher are located during the survey, and their occupied habitat may be impacted by a Project, a request for take authorization must be submitted, processed, and approved with the USFWS and California Department of Fish and Wildlife (CDFW) prior to the ground disturbing activities that</p>	<ul style="list-style-type: none"> Watershed Conservation Authority (WCA) Qualified Biologist 	<p>A year prior to planned ground disturbing activities for Projects 9, 10, and 12.</p>	<ul style="list-style-type: none"> Watershed Conservation Authority (WCA) California Department of Fish and Wildlife (CDFW) United States Fish and Wildlife Service (USFWS) 	<p>_____</p> <p>Initials</p> <p>_____</p> <p>Date</p>

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MITIGATION MEASURES	RESPONSIBLE FOR IMPLEMENTATION	TIMING OF IMPLEMENTATION	MONITORING AGENCY	DATE COMPLETED
<p>may affect this species. This will involve a consultation process under the ESA and CESA.</p>				
<p>B-5: Conduct a habitat assessment for Least Bell's Vireo.</p> <p>A habitat assessment shall be conducted for Projects 9, 10, and 12 within a year prior to proposed ground disturbing activities. If the habitat assessment determines that suitable habitat for the least Bell's vireo is present and would be directly impacted by Projects 9, 10, or 12 then United States Fish and Wildlife (USFWS) protocol surveys shall be conducted to ensure compliance with federal and state endangered species acts (ESA and CESA). The survey period for least Bell's vireo extends from April 10 to July 31, consisting of eight surveys. If least Bell's vireo are located during the survey, and their occupied habitat may be impacted by the Project, a request for take authorization must be submitted, processed, and approved with the USFWS and California Department of Fish and Wildlife (CDFW) prior to the ground disturbance activities that may affect this species. This will involve a consultation process under the ESA and CESA.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Qualified Biologist 	<p>A year prior to planned ground disturbing activities for Projects 9, 10, and 12.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • California Department of Fish and Wildlife (CDFW) • United States Fish and Wildlife Service (USFWS) 	<hr/> <p>Initials</p> <hr/> <p>Date</p>
<p>B-6: Conduct a habitat assessment and pre-construction survey for burrowing owls.</p> <p>Prior to ground disturbing activities within the burrowing owl breeding season (March 1 through August 31), a habitat assessment and pre-construction burrowing owl survey will be conducted by a qualified biologist within suitable habitat within the Project footprint and a 500-foot buffer surrounding the footprint for Projects 1, 2, 5, 7, 8, 9, 10, 11, and/or 12. A qualified biologist must have at least one year of experience conducting burrowing owl surveys. The assessment and pre-construction survey shall conform to the California Department of Fish and Game (CDFG) Report on Burrowing Owl Mitigation (CDFG 2012). If burrowing owls are located during the survey, and may be impacted by the Projects 1, 2,</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Qualified Biologist 	<p>The habitat assessment and preconstruction surveys shall be conducted prior to ground disturbing activities planned for Projects 1, 2, 5, 7, 8, 9, 10, 11, and/or 12 if they are to occur during the burrowing owl breeding season (March 1 – August 31).</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • California Department of Fish and Wildlife (CDFW) 	<hr/> <p>Initials</p> <hr/> <p>Date</p>

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MITIGATION MEASURES	RESPONSIBLE FOR IMPLEMENTATION	TIMING OF IMPLEMENTATION	MONITORING AGENCY	DATE COMPLETED
<p>5, 7, 8, 9, 10, 11, and/or 12 then measures to avoid the a burrowing owl will be developed prior to any ground disturbance that might affect the owl or it is burrows, as determined by a qualified biologist. At a minimum a burrowing owl mitigation plan shall be prepared to be submitted to the Watershed Conservation Authority (WCA) and the California Department of Fish and Wildlife (CDFW) for review and approval. The approved plan shall be implemented prior to the ground disturbance activities that may affect this species.</p>				
<p>B-7: Conduct a jurisdictional delineation and prepare regulatory permit applications.</p> <p>Due to the potential of Projects 7, 9, 10, and 12 to affect potentially jurisdictional features of the Rio Hondo, San Gabriel River, and San Jose Creek or tributaries thereto, a jurisdictional delineation shall be conducted within each of these project areas prior to the implementation of each Project to determine the extent of jurisdiction present and the extent to which a Project footprint affects jurisdictional resources. If such resources are planned to be impacted by a Project, then regulatory permits will be required for that Project by submitting applications to the United States Army Corps of Engineers (USACE) for a Section 404 Clean Water Act (CWA) Permit, to the California Department of Fish and Wildlife (CDFW) for a Section 1600 Streambed Alteration Agreement, and to the Regional Water Quality Control Board (RWQCB) for a Section 401 Water Quality Certification. Once the permits have been issued, the impacts to jurisdictional features can occur.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) 	<p>Prior to implementation of Projects 7, 9, 10, and 12.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • United States Army Corps of Engineers (USACE) • California Department of Fish and Wildlife (CDFW) • Regional Water Quality Control Board (RWQCB) 	<p>_____</p> <p>Initials</p> <p>_____</p> <p>Date</p>
<p>B-8: Protection of oak trees.</p> <p>An oak tree survey and report shall be conducted by an oak tree consultant, as deemed acceptable by the Los Angeles County Director of Regional Planning and County Forester & Fire Warden, to document the trees being proposed to be</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) 	<p>Prior to issuance of grading permits for Projects 7, 9, 10, and 12.</p>	<ul style="list-style-type: none"> • County of Los Angeles Department of Parks and Recreation (DPR) • County of Los Angeles Department of 	<p>_____</p> <p>Initials</p> <p>_____</p> <p>Date</p>

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MITIGATION MEASURES	RESPONSIBLE FOR IMPLEMENTATION	TIMING OF IMPLEMENTATION	MONITORING AGENCY	DATE COMPLETED
<p>impacted for Projects 7, 9, 10, and 12. An oak tree permit is required prior to cutting, destroying, removing, relocating, inflicting damage, or encroaching into the protected zone of any oak trees with a dbh of eight inches or more. All protection and replacement measures shall be consistent with the Los Angeles County Oak Tree Ordinance.</p>			<p>Regional Planning (DRP)</p> <ul style="list-style-type: none"> County of Los Angeles Forester & Fire Warden 	
<p>B-9: Conduct a habitat assessment for Western Pond Turtle.</p> <p>A habitat assessment shall be conducted for Projects 9, 10, and 12 a year prior to planned ground disturbing activities. If the habitat assessment determines that suitable habitat for western pond turtle is present and would be directly impacted by Projects 9, 10, or 12 then the California Department of Fish and Wildlife (CDFW) shall be consulted in order to develop mitigation for the species. Mitigation may consist of acquisition and protection in perpetuity of occupied habitat for the species or payment of in-lieu fees for habitat protection to a CDFW-approved entity.</p>	<ul style="list-style-type: none"> Watershed Conservation Authority (WCA) Qualified Biologist 	<p>A year prior to planned ground disturbing activities for Projects 9, 10, and 12.</p>	<ul style="list-style-type: none"> Watershed Conservation Authority (WCA) California Department of Fish and Wildlife (CDFW) 	<p>_____</p> <p>Initials</p> <p>_____</p> <p>Date</p>
<p>B-10: Conduct a habitat assessment for Western Spadefoot Toad.</p> <p>A habitat assessment shall be conducted for Projects 9, 10, and 12 a year prior to planned ground disturbing activities. If the habitat assessment determines that suitable habitat for western spadefoot toad is present and would be directly impacted by Projects 9, 10, or 12 then the California Department of Fish and Wildlife (CDFW) shall be consulted in order to develop mitigation for the species. Mitigation may consist of acquisition and protection in perpetuity of occupied habitat for the species or payment of in-lieu fees for habitat protection to a CDFW-approved entity.</p>	<ul style="list-style-type: none"> Watershed Conservation Authority (WCA) Qualified Biologist 	<p>A year prior to planned ground disturbing activities for Projects 9, 10, and 12.</p>	<ul style="list-style-type: none"> Watershed Conservation Authority (WCA) California Department of Fish and Wildlife (CDFW) 	<p>_____</p> <p>Initials</p> <p>_____</p> <p>Date</p>

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MITIGATION MEASURES	RESPONSIBLE FOR IMPLEMENTATION	TIMING OF IMPLEMENTATION	MONITORING AGENCY	DATE COMPLETED
<p>B-11: Conduct a habitat assessment for Two-striped Garter Snake.</p> <p>A habitat assessment shall be conducted for Projects 9, 10, and 12 a year prior to planned ground disturbing activities. If the habitat assessment determines that suitable habitat for two-striped garter snake is present and would be directly impacted by Projects 9, 10, or 12 then the California Department of Fish and Wildlife (CDFW) shall be consulted in order to develop mitigation for the species. Mitigation may consist of acquisition and protection in perpetuity of occupied habitat for the species or payment of in-lieu fees for habitat protection to a CDFW-approved entity.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Qualified Biologist 	<p>A year prior to planned ground disturbing activities for Projects 9, 10, and 12.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • California Department of Fish and Wildlife (CDFW) 	<hr/> <p>Initials</p> <hr/> <p>Date</p>
CULTURAL AND PALEONTOLOGICAL RESOURCES				
<p>CR-1: All projects resulting in ground disturbing activities in areas that are unpaved and/or lack ornamental vegetation shall be surveyed by qualified archaeologists and the results shall be provided in subsequent environmental documents that will be prepared for the individual projects of the Emerald Necklace Implementation Plan – Phase I (Projects 1, 2, 6, 7, 8, 9, 10, 11, and 12). If cultural resources are identified as a result of the surveys, they shall be evaluated using California Register of Historical Resources eligibility criteria to determine whether they are Historical Resources for the purposes of CEQA. An impacts analysis shall be carried out for identified Historical Resources and mitigation measures shall be provided for Historical Resources that will be significantly impacted. The results of the evaluation and the impacts analysis, as well as the mitigation measures, shall be provided in the specific environmental document written for the project.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Qualified Archeologist 	<p>Shall occur during the preparation of subsequent environmental documents for Projects 1, 2, 6, 7, 8, 9, 10, 11, and 12.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) 	<hr/> <p>Initials</p> <hr/> <p>Date</p>
<p>CR-2: All ground-disturbing activities below previously disturbed areas necessary for construction of Projects 6 and 7 shall be monitored by an archaeological monitor and a Native American monitor from a Gabrielino group, as recommended by the cultural resources survey report (CR-1). The</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Qualified Archeologist 	<p>The archaeological and Native American monitor stop work clause shall be included in the bid specifications.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Gabrielino-San Gabriel 	<hr/> <p>Initials</p> <hr/> <p>Date</p>

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MITIGATION MEASURES	RESPONSIBLE FOR IMPLEMENTATION	TIMING OF IMPLEMENTATION	MONITORING AGENCY	DATE COMPLETED
<p>archaeological monitor and the Native American monitor shall have the power to temporarily halt or divert equipment to allow for recording and evaluation of any encountered resources. If evaluated as eligible for the California Register of Historical Resources (CRHR) and determined eligible by the Watershed Conservation Authority, the archaeological site must be avoided and preserved. If this is not feasible, an archeological data recovery program shall be developed and implemented by a qualified archaeologist in consultation with the Native American monitor. The data recovery report shall be submitted to the South Central Coastal Information Center.</p>	<ul style="list-style-type: none"> • Native American Monitor • Construction Manager 	<p>Shall be implemented during ground disturbing activities for Projects 6 and 7.</p>	<p>Band of Mission Indians</p>	
<p>CR-3: If human remains of any kind are found during construction activities, all activities must cease immediately and the Los Angeles County Coroner must be notified, as required by state law (Section 7050.5 of Health and Safety Code). If the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission (NAHC). The NAHC will then identify the most likely descendant(s) (MLD) to be consulted regarding treatment and/or reburial of the remains (Section 5097.98 of the Public Resources Code). Work may resume once the MLD's recommendations have been implemented or the remains have been reburied by the landowner if no agreement can be reached with the MLD (Section 5097.98 of the Public Resources Code).</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Construction Manager • Los Angeles County Coroner 	<p>Shall be implemented if human remains are discovered during construction.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Native American Heritage Commission (NAHC) 	<p>_____ Initials</p> <p>_____ Date</p>
<p>CR-4: A qualified vertebrate paleontologist shall monitor deep excavations that extend into the older Quaternary deposits, as well as any excavations in the exposures of older Quaternary Alluvium or in the exposures of the Fernando formation in the Whittier Narrows area (Projects 6, 7, and 9) and the San Jose Creek area (Project 10). Sediment samples shall be collected and processed to determine the small fossil potential in the project area. The monitor will be equipped to recover fossils and sediment samples during excavation and will have the authority to temporarily halt or divert equipment to allow for recovery of large or numerous fossils. If the final</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Qualified Paleontological Monitor 	<p>Shall be implemented during deep excavations that extend into the older Quaternary deposits, as well as any excavations in the exposures of older Quaternary Alluvium or in the exposures of the Fernando formation for Projects 6, 7, 9, and 10.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) 	<p>_____ Initials</p> <p>_____ Date</p>

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<p>engineering design of Projects 6 and 7 determine that the older Quaternary alluvium deposits would not be disturbed then paleontological monitoring would not be necessary for Project 6 and 7.</p> <p>Any fossils recovered during monitoring shall be prepared to a point of identification and preservation and be deposited in an accredited and permanent scientific institution. A report detailing the findings with an appended itemized inventory of identified specimens shall be prepared. The report and inventory shall be submitted to the Watershed Conservation Authority and the scientific institution where the fossils are deposited. When the Watershed Conservation Authority receives the report, inventory, and verification of acceptance of the specimens by the scientific institution, mitigation will be complete.</p>				
GEOLOGY AND SOILS				
<p>G-1: A qualified geotechnical firm shall conduct site specific geotechnical investigations during the design of projects that contain a structural component such as bridges and foundations (Projects 1, 3, 6, 7, 9, 10, 13, 14, 15, and 16). The geotechnical firm shall review the site and grading plans for each project that contains a structural component as the Emerald Necklace is implemented and comment further on the geotechnical aspects of the project. Geotechnical investigations shall disclose the geological conditions of project sites and recommend the appropriate measures to be incorporated into the design and construction of each project.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Qualified Geotechnical Firm 	<p>Shall be implemented during the design of each project that contains a structural component (Projects 1, 3, 6, 7, 9, 10, 13, 14, 15, and 16).</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) 	<p>_____</p> <p>Initials</p> <p>_____</p> <p>Date</p>
HAZARDS AND HAZARDOUS MATERIALS				
<p>HM-1: Prior to any lane closures, the Watershed Conservation Authority (or its contractor) shall prepare a Traffic Control Plan to ensure proper access to residences and businesses by emergency vehicles during construction and to maintain traffic flow.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Construction Manager 	<p>Shall be implemented prior to any lane closure.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Affected Local Jurisdictions 	<p>_____</p> <p>Initials</p> <p>_____</p> <p>Date</p>

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HYDROLOGY AND WATER QUALITY				
<p>H-1: Prior to ground disturbing activities or any activity affecting federal or state waters, the Watershed Conservation Authority (WCA) shall submit for approval to the State Water Resources Control Board, a Notice of Intent (NOI) to be covered under a National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activity (General Permit) in compliance with Section 402 of the Clean Water Act. As part of the General Permit, the WCA shall prepare a Storm Water Pollution Prevention Plan (SWPPP) which will: (1) require implementation of Best Management Practices (BMPs) so as to prevent a net increase in sediment load in stormwater discharges relative to preconstruction levels; (2) prohibit discharges of stormwater or non-stormwater at levels which would cause or contribute to an exceedance of any applicable water quality standard contained in the regional basin plan; (3) discuss in detail the BMPs for the project related to control of sediment and erosion, non sediment pollutants, and potential pollutants in non-stormwater discharges; (4) describe post-construction BMPs for the project; (5) explain the monitoring and maintenance program for the project's BMPs; (6) require reporting of violations to the RWQCB; and (7) list the parties responsible for SWPPP implementation and BMP maintenance both during and after construction. Upon acceptance of the NOI by the State Board, the WCA shall implement the SWPPP and will modify the SWPPP as directed by the Storm Water Permit.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) 	<p>Prior to ground disturbing activities that would affect federal or state waters.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • State Water Resources Control Board 	<p>_____</p> <p>Initials</p> <p>_____</p> <p>Date</p>
NOISE				
<p>N-1: Prior to approval of grading plans and/or issuance of building permits, plans shall include a note indicating that noise-generating project construction activities shall only occur between the hours of 7:00 a.m. to 7:00 p.m. on weekdays, with no activity allowed on Sundays or holidays. The project construction supervisor shall ensure compliance</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Construction Manager 	<p>Prior to issuance of grading permits. Shall be included in the bid specifications.</p>	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) 	<p>_____</p> <p>Initials</p> <p>_____</p> <p>Date</p>

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with the note and the County shall conduct periodic inspection at its discretion.				
N-2: Prior to Proposed Project construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest to the project site.	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Construction Manager 	Prior to issuance of grading permits. Shall be included in the bid specifications.	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) 	<hr/> Initials <hr/> Date
N-3: The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the project site throughout the project construction period.	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Construction Manager 	Shall be included in the bid specifications. During construction.	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) 	<hr/> Initials <hr/> Date
N-4: The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. to 7:00 p.m. on weekdays, with no activity allowed on Sundays or holidays). The contractor shall prepare a haul route exhibit and shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise.	<ul style="list-style-type: none"> • Watershed Conservation Authority (WCA) • Construction Manager 	Shall be included in the bid specifications. During construction.	Watershed Conservation Authority (WCA)	<hr/> Initials <hr/> Date

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**TABLE 5-2
MITIGATION MEASURE MATRIX
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MITIGATION MEASURES	PROJECT AREA/PROJECT NUMBER
AESTHETICS	
<p>A-1: Project structures shall be designed to reduce visual contrast with the project's surroundings by repeating forms, colors, lines and textures of the project's location. This can be achieved by using materials and color schemes that blend with the natural landscape and vegetation.</p>	<p>Whittier Narrows 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections</p>
BIOLOGICAL RESOURCES	
<p>B-1: Conduct Focused Rare Plant Surveys.</p> <p><u><i>Nevin's Barberry</i></u></p> <p>Prior to ground disturbing construction activities (e.g. grading, vegetation removal) for Projects 7, 9, 10, and 12 a focused rare plant survey for Nevin's Barberry shall be conducted. Because this plant is a shrub species that is obvious at any time of the year, the survey may be conducted during any season.</p> <p><u><i>Brand's Phacelia</i></u></p> <p>Prior to ground disturbing construction activities (e.g. grading, vegetation removal) for Projects 2, 7, 8, 9, 10, 11, and 12 a focused rare plant survey for Brand's phacelia shall be conducted. The survey shall take place during the blooming period for Brand's phacelia (March through June). Biologists will use a nearby population as a reference, if feasible, to verify that the target rare plant is blooming at the time of the survey.</p> <p><u><i>Additional Rare Plant Species</i></u></p> <p>During surveys for the aforementioned plant species, prior to ground disturbing construction activities (e.g. grading, vegetation removal) for Projects 2, 7, 8, 9, 10,</p>	<p>Quarry Clasp 2. Quarry Clasp Multi-Use Trail and Bicycle Paths</p> <p>Whittier Narrows 7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement 8. Pellissier Village Multi-Use Trail from State Route 60 to Peck Road Bridge 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections 11. Multi-Use Trail from San Jose Creek to the Duck Farm on the San Gabriel River</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center</p>

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<p>11, and 12, biologists shall also seek and identify plant species that are listed as California Species of Special Concern or listed as CNPS List 1A, 1B, or 2.</p> <p>If sensitive plant species are not found during the surveys, then no further mitigation is required. In the event a listed plant is discovered onsite, the location and numbers of the species shall be recorded by a qualified biologist. The California Department of Fish and Wildlife (CDFW), United States Fish and Wildlife Service (USFWS) and Watershed Conservation Authority (WCA) shall be formally notified and consulted regarding the presence of either the federal and/or state listed or candidate species onsite.</p> <p>If the plant can be avoided by construction, a Preservation and Management Plan for the species found will be prepared and shall include, but not be limited to, the following:</p> <ol style="list-style-type: none"> 1) Provision of protective fencing or buffers between development and any listed plant that may be found onsite as required by CDFW or USFWS. This buffer zone shall be designated with appropriate fencing to exclude construction vehicles and public access, but not wildlife access; 2) The size of the buffer depends upon the use of the immediately adjacent lands, and includes consideration of the plant's ecological requirements (e.g., sunlight, moisture, shade tolerance, edaphic physical and chemical characteristics) that are identified by a qualified plant ecologist and/or botanist. At minimum, the buffer shall be at least ten feet and demarcated by fencing that is installed with the assistance of a qualified plant ecologist. A smaller buffer may be established, provided there are adequate measures in place to avoid the take of the species, with the approval of the USFWS and/or CDFW; 3) Stormwater runoff, irrigation runoff, and other drainage from developed areas shall not pass through areas populated by the listed species; 4) Listed species areas shall not be artificially shaded by structures or landscaping within the adjacent development areas; 	

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<p>5) Pesticide use shall not be permitted within listed plants areas;</p> <p>6) The WCA will be responsible for monitoring the listed plant areas during construction and after project completion to ensure avoidance.</p> <p>If the plant cannot be avoided by construction, the CDFW and/or USFWS will be consulted. The following steps will be needed:</p> <p>1) For direct impacts to the federal-listed and state-listed Nevin’s barberry, the CDFW will be consulted regarding the potential need for a permit under the CESA and the USFWS will be consulted for the potential need for a permit under the ESA. Mitigation for the impact will be developed through this process and could include payment of in-lieu fee, preservation of another population of the plant, transplantation, or creation of a preserve.</p> <p>2) For direct impacts to plants that are candidate species for listing (Brand’s phacelia), the USFWS will be consulted for the potential need for a permit under the ESA. Mitigation for the impact will be developed through this process and could include payment of in-lieu fee, preservation of another population of the plant, transplantation, or creation of a preserve.</p>	
<p>B-2: Conduct nesting bird surveys to ensure that there would be not significant impacts to nesting birds and no violation of the Migratory Bird Treaty Act.</p> <p>If activities with the potential to destroy nests or cause birds to abandon nests are scheduled to occur during the bird breeding season (February 1 – August 31), a pre-construction nesting bird survey shall be conducted by a qualified biologist within the footprint for all Projects and within a buffer of 500 feet of the Project limits. A qualified biologist is one having at least one year of nesting bird survey experience. The survey area shall include all potential bird nesting areas, including grasslands, scrub habitat, woodlands, and isolated trees that are within 500 feet of ground disturbance and vegetation clearing activities. The survey shall be conducted within the nesting season and no more than 30 days prior to commencement of ground disturbance activities.</p>	<p>Quarry Clasp</p> <ol style="list-style-type: none"> 1. Quarry Clasp Park Development 2. Quarry Clasp Multi-Use Trail and Bicycle Paths 3. Peck Road Signalized Crossing <p>Whittier Narrows</p> <ol style="list-style-type: none"> 5. Class I Bicycle Path on Rosemead Boulevard to Legg Lake 6. Class IV Bikeway from El Bosque del Rio Hondo to Lincoln Avenue on San Gabriel Boulevard 7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement 8. Pellissier Village Multi-Use Trail from State Route 60 to Peck Road Bridge 9. Pellissier Bridge at Blackwill Arena Staging Area

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<p>If active bird nests are found, the qualified biologist will recommend measures to avoid impacts to the nest while it is active. At a minimum the nest itself will be protected while it is active and a no-disturbance buffer will be established around the nest to protect it from indirect Project effects due to noise and dust. Recommended buffers are 500 feet for raptors and sensitive species and 300 feet for all other birds. The biologist can adjust the buffer limits based on the setting, topography, exposure of the nest to adverse effects, and other factors. Direct removal of the nest and construction activities within the buffer zone will be avoided until the nest is deemed no longer active by the qualified biologist.</p>	<p>San Jose Creek 10. Multi-Use Trail and Bridge Connections 11. Multi-Use Trail from San Jose Creek to the Duck Farm on the San Gabriel River</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center 13. Rosemead Boulevard Access Ramp 14. Rosemead Boulevard Underpass 15. Multi-Use Trail from Rosemead Boulevard to Valley Boulevard 16. Interstate 10 Freeway Underpass Improvements</p>
<p>B-3: Conduct a habitat assessment for Western Yellow-billed Cuckoo.</p> <p>A habitat assessment shall be conducted for Projects 9, 10, and 12 a year prior to planned ground disturbing activities. If the habitat assessment determines that suitable habitat for western yellow-billed cuckoo is present and would be directly impacted by Projects 9, 10, or 12 then a United States Fish and Wildlife (USFWS) protocol survey shall be conducted to ensure compliance with federal and state Endangered Species Acts (ESA and CESA). The survey period for western yellow-billed cuckoo extends from June 15 to August 15, consisting of four surveys. If western yellow-billed cuckoo are located during the survey, and their occupied habitat may be impacted by the Project, a request for take authorization must be submitted, processed, and approved with the USFWS and California Department of Fish and Wildlife (CDFW) prior to the ground disturbance activities that may affect this species. This will involve a consultation process under the ESA and CESA.</p>	<p>Whittier Narrows 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center</p>
<p>B-4: Conduct a habitat assessment for Southwestern Willow Flycatcher.</p> <p>A habitat assessment shall be conducted for Projects 9, 10, and 12 within a year prior to ground disturbing activities. If the habitat assessment determines that suitable habitat for the southwestern willow flycatcher is present and would be directly impacted by Projects 9, 10, or 12 then United States Fish and Wildlife (USFWS) protocol surveys shall be conducted to ensure compliance with federal and state Endangered Species Acts (ESA and CESA). The survey period for</p>	<p>Whittier Narrows 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center</p>

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MITIGATION MEASURES	PROJECT AREA/PROJECT NUMBER
<p>southwestern willow flycatcher extends from May 15 to July 17, consisting of five surveys. If southwestern willow flycatcher are located during the survey, and their occupied habitat may be impacted by a Project, a request for take authorization must be submitted, processed, and approved with the USFWS and California Department of Fish and Wildlife (CDFW) prior to the ground disturbing activities that may affect this species. This will involve a consultation process under the ESA and CESA.</p>	
<p>B-5: Conduct a habitat assessment for Least Bell’s Vireo.</p> <p>A habitat assessment shall be conducted for Projects 9, 10, and 12 within a year prior to proposed ground disturbing activities. If the habitat assessment determines that suitable habitat for the least Bell’s vireo is present and would be directly impacted by Projects 9, 10, or 12 then United States Fish and Wildlife (USFWS) protocol surveys shall be conducted to ensure compliance with federal and state endangered species acts (ESA and CESA). The survey period for least Bell’s vireo extends from April 10 to July 31, consisting of eight surveys. If least Bell’s vireo are located during the survey, and their occupied habitat may be impacted by the Project, a request for take authorization must be submitted, processed, and approved with the USFWS and California Department of Fish and Wildlife (CDFW) prior to the ground disturbance activities that may affect this species. This will involve a consultation process under the ESA and CESA.</p>	<p>Whittier Narrows 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center</p>
<p>B-6: Conduct a habitat assessment and pre-construction survey for burrowing owls.</p> <p>Prior to ground disturbing activities within the burrowing owl breeding season (March 1 through August 31), a habitat assessment and pre-construction burrowing owl survey will be conducted by a qualified biologist within suitable habitat within the Project footprint and a 500-foot buffer surrounding the footprint for Projects 1, 2, 5, 7, 8, 9, 10, 11, and/or 12. A qualified biologist must have at least one year of experience conducting burrowing owl surveys. The assessment and pre-construction survey shall conform to the California Department of Fish and Game (CDFG) Report on Burrowing Owl Mitigation (CDFG 2012). If burrowing owls are located during the survey, and may be impacted by the Projects 1, 2, 5, 7, 8, 9, 10,</p>	<p>Quarry Clasp 1. Quarry Clasp Park Development 2. Quarry Clasp Multi-Use Trail and Bicycle Paths</p> <p>Whittier Narrows 5. Class I Bicycle Path on Rosemead Boulevard to Legg Lake 7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement 8. Pellissier Village Multi-Use Trail from State Route 60 to Peck Road Bridge 9. Pellissier Bridge at Blackwill Arena Staging Area</p>

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<p>11, and/or 12 then measures to avoid the a burrowing owl will be developed prior to any ground disturbance that might affect the owl or it is burrows, as determined by a qualified biologist. At a minimum a burrowing owl mitigation plan shall be prepared to be submitted to the Watershed Conservation Authority (WCA) and the California Department of Fish and Wildlife (CDFW) for review and approval. The approved plan shall be implemented prior to the ground disturbance activities that may affect this species.</p>	<p>San Jose Creek 10. Multi-Use Trail and Bridge Connections 11. Multi-Use Trail from San Jose Creek to the Duck Farm on the San Gabriel River</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center</p>
<p>B-7: Conduct a jurisdictional delineation and prepare regulatory permit applications.</p> <p>Due to the potential of Projects 7, 9, 10, and 12 to affect potentially jurisdictional features of the Rio Hondo, San Gabriel River, and San Jose Creek or tributaries thereto, a jurisdictional delineation shall be conducted within each of these project areas prior to the implementation of each Project to determine the extent of jurisdiction present and the extent to which a Project footprint affects jurisdictional resources. If such resources are planned to be impacted by a Project, then regulatory permits will be required for that Project by submitting applications to the United States Army Corps of Engineers (USACE) for a Section 404 Clean Water Act (CWA) Permit, to the California Department of Fish and Wildlife (CDFW) for a Section 1600 Streambed Alteration Agreement, and to the Regional Water Quality Control Board (RWQCB) for a Section 401 Water Quality Certification. Once the permits have been issued, the impacts to jurisdictional features can occur.</p>	<p>Whittier Narrows 7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center</p>
<p>B-8: Protection of oak trees.</p> <p>An oak tree survey and report shall be conducted by an oak tree consultant, as deemed acceptable by the Los Angeles County Director of Regional Planning and County Forester & Fire Warden, to document the trees being proposed to be impacted for Projects 7, 9, 10, and 12. An oak tree permit is required prior to cutting, destroying, removing, relocating, inflicting damage, or encroaching into the protected zone of any oak trees with a dbh of eight inches or more. All protection and replacement measures shall be consistent with the Los Angeles County Oak Tree Ordinance.</p>	<p>Whittier Narrows 7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center</p>

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<p>B-9: Conduct a habitat assessment for Western Pond Turtle.</p> <p>A habitat assessment shall be conducted for Projects 9, 10, and 12 a year prior to planned ground disturbing activities. If the habitat assessment determines that suitable habitat for western pond turtle is present and would be directly impacted by Projects 9, 10, or 12 then the California Department of Fish and Wildlife (CDFW) shall be consulted in order to develop mitigation for the species. Mitigation may consist of acquisition and protection in perpetuity of occupied habitat for the species or payment of in-lieu fees for habitat protection to a CDFW-approved entity.</p>	<p>Whittier Narrows 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center</p>
<p>B-10: Conduct a habitat assessment for Western Spadefoot Toad.</p> <p>A habitat assessment shall be conducted for Projects 9, 10, and 12 a year prior to planned ground disturbing activities. If the habitat assessment determines that suitable habitat for western spadefoot toad is present and would be directly impacted by Projects 9, 10, or 12 then the California Department of Fish and Wildlife (CDFW) shall be consulted in order to develop mitigation for the species. Mitigation may consist of acquisition and protection in perpetuity of occupied habitat for the species or payment of in-lieu fees for habitat protection to a CDFW-approved entity.</p>	<p>Whittier Narrows 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center</p>
<p>B-11: Conduct a habitat assessment for Two-striped Garter Snake.</p> <p>A habitat assessment shall be conducted for Projects 9, 10, and 12 a year prior to planned ground disturbing activities. If the habitat assessment determines that suitable habitat for two-striped garter snake is present and would be directly impacted by Projects 9, 10, or 12 then the California Department of Fish and Wildlife (CDFW) shall be consulted in order to develop mitigation for the species. Mitigation may consist of acquisition and protection in perpetuity of occupied habitat for the species or payment of in-lieu fees for habitat protection to a CDFW-approved entity.</p>	<p>Whittier Narrows 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center</p>

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CULTURAL AND PALEONTOLOGICAL RESOURCES	
<p>CR-1: All projects resulting in ground disturbing activities in areas that are unpaved and/or lack ornamental vegetation shall be surveyed by qualified archaeologists and the results shall be provided in subsequent environmental documents that will be prepared for the individual projects of the Emerald Necklace Implementation Plan – Phase I (Projects 1, 2, 6, 7, 8, 9, 10, 11, and 12). If cultural resources are identified as a result of the surveys, they shall be evaluated using California Register of Historical Resources eligibility criteria to determine whether they are Historical Resources for the purposes of CEQA. An impacts analysis shall be carried out for identified Historical Resources and mitigation measures shall be provided for Historical Resources that will be significantly impacted. The results of the evaluation and the impacts analysis, as well as the mitigation measures, shall be provided in the specific environmental document written for the project.</p>	<p>Quarry Clasp 1. Quarry Clasp Park Development 2. Quarry Clasp Multi-Use Trail and Bicycle Paths</p> <p>Whittier Narrows 6. Class IV Bikeway from El Bosque del Rio Hondo to Lincoln Avenue on San Gabriel Boulevard 7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement 8. Pellissier Village Multi-Use Trail from State Route 60 to Peck Road Bridge 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections 11. Multi-Use Trail from San Jose Creek to the Duck Farm on the San Gabriel River</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center</p>
<p>CR-2: All ground-disturbing activities below previously disturbed areas necessary for construction of Projects 6 and 7 shall be monitored by an archaeological monitor and a Native American monitor from a Gabrielino group, as recommended by the cultural resources survey report (CR-1). The archaeological monitor and the Native American monitor shall have the power to temporarily halt or divert equipment to allow for recording and evaluation of any encountered resources. If evaluated as eligible for the California Register of Historical Resources (CRHR) and determined eligible by the Watershed Conservation Authority, the archaeological site must be avoided and preserved. If this is not feasible, an archeological data recovery program shall be developed and implemented by a qualified archaeologist in consultation with the Native American monitor. The data recovery report shall be submitted to the South Central Coastal Information Center.</p>	<p>Whittier Narrows 6. Class IV Bikeway from El Bosque del Rio Hondo to Lincoln Avenue on San Gabriel Boulevard 7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement</p>

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<p>CR-3: If human remains of any kind are found during construction activities, all activities must cease immediately and the Los Angeles County Coroner must be notified, as required by state law (Section 7050.5 of Health and Safety Code). If the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission (NAHC). The NAHC will then identify the most likely descendant(s) (MLD) to be consulted regarding treatment and/or reburial of the remains (Section 5097.98 of the Public Resources Code). Work may resume once the MLD's recommendations have been implemented or the remains have been reburied by the landowner if no agreement can be reached with the MLD (Section 5097.98 of the Public Resources Code).</p>	<p>Quarry Clasp 1. Quarry Clasp Park Development 2. Quarry Clasp Multi-Use Trail and Bicycle Paths</p> <p>Whittier Narrows 6. Class IV Bikeway from El Bosque del Rio Hondo to Lincoln Avenue on San Gabriel Boulevard 7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center</p>
<p>CR-4: A qualified vertebrate paleontologist shall monitor deep excavations that extend into the older Quaternary deposits, as well as any excavations in the exposures of older Quaternary Alluvium or in the exposures of the Fernando formation in the Whittier Narrows area (Projects 6, 7, and 9) and the San Jose Creek area (Project 10). Sediment samples shall be collected and processed to determine the small fossil potential in the project area. The monitor will be equipped to recover fossils and sediment samples during excavation and will have the authority to temporarily halt or divert equipment to allow for recovery of large or numerous fossils. If the final engineering design of Projects 6 and 7 determine that the older Quaternary alluvium deposits would not be disturbed then paleontological monitoring would not be necessary for Project 6 and 7.</p> <p>Any fossils recovered during monitoring shall be prepared to a point of identification and preservation and be deposited in an accredited and permanent scientific institution. A report detailing the findings with an appended itemized inventory of identified specimens shall be prepared. The report and inventory shall be submitted to the Watershed Conservation Authority and the scientific institution where the fossils are deposited. When the Watershed Conservation Authority receives the</p>	<p>Whittier Narrows 6. Class IV Bikeway from El Bosque del Rio Hondo to Lincoln Avenue on San Gabriel Boulevard 7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections</p>

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<p>report, inventory, and verification of acceptance of the specimens by the scientific institution, mitigation will be complete.</p>	
GEOLOGY AND SOILS	
<p>G-1: A qualified geotechnical firm shall conduct site specific geotechnical investigations during the design of projects that contain a structural component such as bridges and foundations (Projects 1, 3, 6, 7, 9, 10, 13, 14, 15, and 16). The geotechnical firm shall review the site and grading plans for each project that contains a structural component as the Emerald Necklace is implemented and comment further on the geotechnical aspects of the project. Geotechnical investigations shall disclose the geological conditions of project sites and recommend the appropriate measures to be incorporated into the design and construction of each project.</p>	<p>Quarry Clasp 1. Quarry Clasp Park Development 3. Peck Road Signalized Crossing</p> <p>Whittier Narrows 6. Class IV Bikeway from El Bosque del Rio Hondo to Lincoln Avenue on San Gabriel Boulevard 7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections</p> <p>Westside 13. Rosemead Boulevard Access Ramp 14. Rosemead Boulevard Underpass 15. Multi-Use Trail from Rosemead Boulevard to Valley Boulevard 16. Interstate 10 Freeway Underpass Improvements</p>
HAZARDS AND HAZARDOUS MATERIALS	
<p>HM-1: Prior to any lane closures, the Watershed Conservation Authority (or its contractor) shall prepare a Traffic Control Plan to ensure proper access to residences and businesses by emergency vehicles during construction and to maintain traffic flow.</p>	<p>Quarry Clasp 1. Quarry Clasp Park Development 2. Quarry Clasp Multi-Use Trail and Bicycle Paths 3. Peck Road Signalized Crossing</p> <p>Whittier Narrows 5. Class I Bicycle Path on Rosemead Boulevard to Legg Lake</p>

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	<p>6. Class IV Bikeway from El Bosque del Rio Hondo to Lincoln Avenue on San Gabriel Boulevard</p> <p>7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement</p> <p>8. Pellissier Village Multi-Use Trail from State Route 60 to Peck Road Bridge</p> <p>9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek</p> <p>10. Multi-Use Trail and Bridge Connections</p> <p>11. Multi-Use Trail from San Jose Creek to the Duck Farm on the San Gabriel River</p> <p>Westside</p> <p>12. Alhambra Wash from State Route 60 to the Garvey Community Center</p> <p>13. Rosemead Boulevard Access Ramp</p> <p>14. Rosemead Boulevard Underpass</p> <p>15. Multi-Use Trail from Rosemead Boulevard to Valley Boulevard</p> <p>16. Interstate 10 Freeway Underpass Improvements</p>
HYDROLOGY AND WATER QUALITY	
<p>H-1: Prior to ground disturbing activities or any activity affecting federal or state waters, the Watershed Conservation Authority (WCA) shall submit for approval to the State Water Resources Control Board, a Notice of Intent (NOI) to be covered under a National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activity (General Permit) in compliance with Section 402 of the Clean Water Act. As part of the General Permit, the WCA shall prepare a Storm Water Pollution Prevention Plan (SWPPP) which will: (1) require implementation of Best Management Practices (BMPs) so as to prevent a net increase in sediment load in stormwater discharges relative to preconstruction levels; (2) prohibit discharges of stormwater or non-stormwater at levels which would cause or contribute to an exceedance of any applicable water quality standard contained in the regional basin plan; (3) discuss in detail the BMPs for the project related to control of sediment and erosion, non sediment pollutants, and potential pollutants in non-stormwater discharges; (4) describe post-construction BMPs for the project; (5) explain the monitoring and maintenance program for the</p>	<p>Quarry Clasp</p> <p>1. Quarry Clasp Park Development</p> <p>2. Quarry Clasp Multi-Use Trail and Bicycle Paths</p> <p>3. Peck Road Signalized Crossing</p> <p>Whittier Narrows</p> <p>5. Class I Bicycle Path on Rosemead Boulevard to Legg Lake</p> <p>6. Class IV Bikeway from El Bosque del Rio Hondo to Lincoln Avenue on San Gabriel Boulevard</p> <p>7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement</p> <p>8. Pellissier Village Multi-Use Trail from State Route 60 to Peck Road Bridge</p> <p>9. Pellissier Bridge at Blackwill Arena Staging Area</p>

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<p>project's BMPs; (6) require reporting of violations to the RWQCB; and (7) list the parties responsible for SWPPP implementation and BMP maintenance both during and after construction. Upon acceptance of the NOI by the State Board, the WCA shall implement the SWPPP and will modify the SWPPP as directed by the Storm Water Permit.</p>	<p>San Jose Creek 10. Multi-Use Trail and Bridge Connections 11. Multi-Use Trail from San Jose Creek to the Duck Farm on the San Gabriel River</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center 13. Rosemead Boulevard Access Ramp 14. Rosemead Boulevard Underpass 15. Multi-Use Trail from Rosemead Boulevard to Valley Boulevard 16. Interstate 10 Freeway Underpass Improvements</p>
NOISE	
<p>N-1: Prior to approval of grading plans and/or issuance of building permits, plans shall include a note indicating that noise-generating project construction activities shall only occur between the hours of 7:00 a.m. to 7:00 p.m. on weekdays, with no activity allowed on Sundays or holidays. The project construction supervisor shall ensure compliance with the note and the County shall conduct periodic inspection at its discretion.</p>	<p>Quarry Clasp 1. Quarry Clasp Park Development 2. Quarry Clasp Multi-Use Trail and Bicycle Paths 3. Peck Road Signalized Crossing</p> <p>Whittier Narrows 5. Class I Bicycle Path on Rosemead Boulevard to Legg Lake 6. Class IV Bikeway from El Bosque del Rio Hondo to Lincoln Avenue on San Gabriel Boulevard 7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement 8. Pellissier Village Multi-Use Trail from State Route 60 to Peck Road Bridge 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections 11. Multi-Use Trail from San Jose Creek to the Duck Farm on the San Gabriel River</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center 13. Rosemead Boulevard Access Ramp</p>

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	14. Rosemead Boulevard Underpass 15. Multi-Use Trail from Rosemead Boulevard to Valley Boulevard 16. Interstate 10 Freeway Underpass Improvements
<p>N-2: Prior to Proposed Project construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest to the project site.</p>	<p>Quarry Clasp</p> <ol style="list-style-type: none"> 1. Quarry Clasp Park Development 2. Quarry Clasp Multi-Use Trail and Bicycle Paths 3. Peck Road Signalized Crossing <p>Whittier Narrows</p> <ol style="list-style-type: none"> 5. Class I Bicycle Path on Rosemead Boulevard to Legg Lake 6. Class IV Bikeway from El Bosque del Rio Hondo to Lincoln Avenue on San Gabriel Boulevard 7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement 8. Pellissier Village Multi-Use Trail from State Route 60 to Peck Road Bridge 9. Pellissier Bridge at Blackwill Arena Staging Area <p>San Jose Creek</p> <ol style="list-style-type: none"> 10. Multi-Use Trail and Bridge Connections 11. Multi-Use Trail from San Jose Creek to the Duck Farm on the San Gabriel River <p>Westside</p> <ol style="list-style-type: none"> 12. Alhambra Wash from State Route 60 to the Garvey Community Center 13. Rosemead Boulevard Access Ramp 14. Rosemead Boulevard Underpass 15. Multi-Use Trail from Rosemead Boulevard to Valley Boulevard 16. Interstate 10 Freeway Underpass Improvements
<p>N-3: The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the project site throughout the project construction period.</p>	<p>Quarry Clasp</p> <ol style="list-style-type: none"> 1. Quarry Clasp Park Development 2. Quarry Clasp Multi-Use Trail and Bicycle Paths 3. Peck Road Signalized Crossing

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	<p>Whittier Narrows 5. Class I Bicycle Path on Rosemead Boulevard to Legg Lake 6. Class IV Bikeway from El Bosque del Rio Hondo to Lincoln Avenue on San Gabriel Boulevard 7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement 8. Pellissier Village Multi-Use Trail from State Route 60 to Peck Road Bridge 9. Pellissier Bridge at Blackwill Arena Staging Area</p> <p>San Jose Creek 10. Multi-Use Trail and Bridge Connections 11. Multi-Use Trail from San Jose Creek to the Duck Farm on the San Gabriel River</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center 13. Rosemead Boulevard Access Ramp 14. Rosemead Boulevard Underpass 15. Multi-Use Trail from Rosemead Boulevard to Valley Boulevard 16. Interstate 10 Freeway Underpass Improvements</p>
<p>N-4: The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. to 7:00 p.m. on weekdays, with no activity allowed on Sundays or holidays). The contractor shall prepare a haul route exhibit and shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise.</p>	<p>Quarry Clasp 1. Quarry Clasp Park Development 2. Quarry Clasp Multi-Use Trail and Bicycle Paths 3. Peck Road Signalized Crossing</p> <p>Whittier Narrows 5. Class I Bicycle Path on Rosemead Boulevard to Legg Lake 6. Class IV Bikeway from El Bosque del Rio Hondo to Lincoln Avenue on San Gabriel Boulevard 7. Class I Bicycle Path from the Rio Hondo to Legg Lake through the Southern California Edison Easement 8. Pellissier Village Multi-Use Trail from State Route 60 to Peck Road Bridge 9. Pellissier Bridge at Blackwill Arena Staging Area</p>

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	<p>San Jose Creek 10. Multi-Use Trail and Bridge Connections 11. Multi-Use Trail from San Jose Creek to the Duck Farm on the San Gabriel River</p> <p>Westside 12. Alhambra Wash from State Route 60 to the Garvey Community Center 13. Rosemead Boulevard Access Ramp 14. Rosemead Boulevard Underpass 15. Multi-Use Trail from Rosemead Boulevard to Valley Boulevard 16. Interstate 10 Freeway Underpass Improvements</p>

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