

FINAL Mitigation Monitoring and Reporting Program

Port of Los Angeles Channel Deepening Project

Supplemental Environmental Impact Statement / Environmental Impact Report (SEIS/SEIR)

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Section 1

Mitigation Monitoring and Reporting Program

Introduction

Assembly Bill 3180 (AB 3180) codified in Section 21081.6 of the California Public Resources Code, became effective January 1, 1989, and requires a Lead or Responsible Agency to adopt a mitigation monitoring and reporting program (MMRP) when approving or carrying out a project. The purpose of this program is to ensure that when an environmental document, either an EIR or a negative declaration, identifies measures to reduce potential adverse environmental impacts to less-than-significant levels that those measures are implemented as detailed in the environmental document. As the CEQA lead agency for the Port of Los Angeles Channel Deepening Project, and pursuant to AB 3180, the Los Angeles Harbor Department (LAHD) is responsible for implementation of this MMRP.

A Supplemental Environmental Impact Statement/Environmental Impact Report (SEIS/SEIR) has been prepared for the project that addresses the potential environmental impacts, and where appropriate, recommends measures to mitigate these impacts. As such, this MMRP is required to ensure that adopted mitigation measures are successfully implemented and a monitoring strategy was prepared for each mitigation measure identified in the Channel Deepening Project. Once the Board of Harbor Commissioners adopts the MMRP, the applicable LAHD division(s) will incorporate the mitigation monitoring/reporting requirements in the appropriate permits (i.e., engineering specifications, engineering construction permits, real estate entitlements, and/or coastal development permits). Therefore, in accordance with the aforementioned requirements, this document lists each mitigation measure, describes the methods for implementation and verification, and identifies the responsible party or parties as detailed below in the MMRP Implementation section.

Project Overview

Introduction and Project Overview

This section describes the proposed Project for the Channel Deepening Project SEIS/SEIR. The SEIS/SEIR analyzes the construction and operation of the proposed Project. The proposed Project provides approximately 3.0 million cubic yards (mcy) of additional capacity for disposal of dredged material associated with completing the Channel Deepening Project. The proposed Project includes disposal of approximately 1.025 mcy of dredge material to complete channel deepening, 0.675 mcy to complete deepening berths, and 0.815 mcy to remove surcharge on Southwest Slip. The 3.0 mcy capacity described above includes the volume of material dredged, plus additional capacity related to

dredging practices and material disposal behavior. The estimated completion date of construction is 2011.

The proposed Project would be designed to optimize beneficial use of dredge material remaining to be disposed from the Channel Deepening Project. This SEIS/SEIR analyzes potential impacts of using disposal sites within the inner and outer harbors and the open ocean to provide additional capacity for disposal of dredged material associated with completing the Channel Deepening Project.

Major elements of the proposed Project include: a new 5-acre landfill at the Northwest Slip, a new 8-acre confined disposal facility (CDF) at Berths 243-245, a 50-acre expansion of the Cabrillo Shallow Water Habitat, and ocean disposal of remaining sediments.

Project History

Construction of the Channel Deepening Project began in September 2002. Over the next five years, several changes to the Channel Deepening Project were required as a result of revised bathymetric data, the occurrence of shoaling and settlement of material, design changes, the need to dispose of surcharge, the opportunity to remove and confine contaminated dredge material, and other design and construction modifications. These project changes were analyzed and documented in three separate Supplemental Environmental Assessments (EAs) prepared by USACE in 2002, 2003, and 2004. As a result of these developments, the total volume to be disposed after the 2004 Supplemental EA was approximately 12.7 mcy.

The Channel Deepening Project construction contractor has completed placement of dredge material in all of the approved project disposal areas, including: Southwest Slip Areas 1 and 2; the CSWH; Pier 400 Submerged Material Storage Site; Pier 300 Expansion; and the Eelgrass Restoration Area adjacent to Pier 300. The total volume of material dredged is approximately 12.7 mcy, which also includes approximately 2.0 mcy of sand mining for construction of the Pier 300 Expansion Site, which was backfilled with material from channel dredging that was less suitable for creating a landfill. A detailed summary of construction activity and progress is included in Appendix A of the SEIS/SEIR.

Project Objectives

Los Angeles Harbor Department operates the Port under legal mandates under the Port of Los Angeles Tidelands Trust (Los Angeles City Charter, Article VI, Sec. 601) and the Coastal Act (PRC Div 20 Section 30700 *et seq.*), which identify the Port and its facilities as a primary economic/coastal resource of the state and an essential element of the national maritime industry for promotion of commerce, navigation, fisheries and harbor operations. According to the Tidelands Trust, Port-related activities should be water dependent and should give highest priority to navigation and shipping, as well as provide necessary support and access facilities for accommodating the demands of foreign and domestic waterborne commerce.

The overall project purpose for the proposed Project (referred to as Alternative 1 in the SEIS/SEIR) is to provide approximately 3.0 million cubic yards (mcy) of additional disposal capacity for the dredge material to complete the Channel Deepening Project and to beneficially reuse the dredge material in the Port of Los Angeles and optimize disposal of the dredge material in accordance with the objectives defined in Chapter 2 of this SEIS/SEIR. This purpose would be accomplished through the use of approximately 2.2 mcy of dredge material to construct a 5-acre land area at the Northwest Slip, an 8-acre confined disposal facility (CDF) for contaminated sediments at Berths 243-245, and a 50-acre expansion of the Cabrillo Shallow Water Habitat (CSWH). The remaining 0.8 mcy of material would be disposed at ocean disposal site LA-2.

The LAHD's overall objective for the proposed Project is threefold: (1) Complete the Channel Deepening Project for dredging of navigation channels and berthing areas up to the depth of -53 feet MLLW; (2) Provide disposal capacity for placement of approximately 3.0 mcy of remaining dredge materials; and (3) Provide disposal capacity for placement of contaminated dredge materials unsuitable for open water disposal through construction of a CDF.

The remaining material needed to be dredged to complete the Channel Deepening Project presents an opportunity for using the dredge material as construction material to enhance terminal efficiency and safety and/or environmental enhancement. The present needs and opportunities for immediate use of the dredge material at the Port are:

- Creation of an additional 5 acres of land at the Northwest Slip to enhance terminal efficiency and safety;
- Expansion of the Cabrillo Shallow Water Habitat (CSWH) to enhance shallow water habitat in the outer harbor area;
- Placement of contaminated dredged material associated with the Channel Deepening Project at Berths 243-245 to create a CDF.

Existing Conditions

Regional Context

The Port consists of 28 miles of waterfront, approximately 300 commercial berths, and 7,500 acres of land and water. The Port is administered under the California Tidelands Trust Act of 1911 by the LAHD. The LAHD is chartered to develop and operate the Port to benefit maritime uses, and it functions as a landlord by leasing Port properties to more than 300 tenants. The Port contains 27 major cargo terminals, including facilities to handle automobiles, containers, dry bulk products, liquid bulk products and cruise ships as well as extensive transportation infrastructure for cargo movement by truck and rail. The Port accommodates commercial fishing, canneries, shipyards, and boat repair yards; provides slips for 6,000 pleasure craft, sport fishing boats, and charter vessels; and supports community and educational facilities such as a public swimming beach, the Boy/Girl Scout Camp, the Cabrillo Marine Aquarium, and the Maritime Museum.

Project Site

As shown in Figure 2-1, the Northwest Slip and Berths 243-245 disposal sites are located within the Inner Harbor of the Port and the CSWH disposal site is located in the Outer Harbor of the Port. As shown in Figure 2-2 LA-2 is located approximately 5.8 miles south-southwest of the entrance to Los Angeles Harbor on the outer continental shelf margin. Each disposal area is summarized below.

Northwest Slip. This disposal site consists of a 5-acre water area located directly adjacent to the existing Berths 136-139 at the TraPac terminal. .

Berths 243-245. This disposal area consists of an 8-acre water area comprised of two slips at the former Southwest Marine Shipyard facility. The slips at Berths 243-245 contain contaminated sediments from past shipyard operations. No tenant currently occupies the site.

CSWH Expansion Area. This disposal area consists of a 50-acre deep water area located directly north of the existing CSWH.

LA-2. The LA-2 site is approved by the U.S. Environmental Protection Agency for disposal of up to 1.0 mcy of clean dredged material annually. The depth of this site ranges from approximately - 360 ft MLLW to - 1,115 ft MLLW.

Proposed Project

The proposed Project consists of disposing approximately 3.0 mcy of dredged material to complete the Channel Deepening Project. The dredged material would be disposed at three sites within the inner and outer harbors as well as at an USEPA approved ocean disposal site. Disposal volumes and construction activities for each disposal site are described below. The Project results in new land at the Northwest Slip, a CDF at Berths 243-245 for disposal and capping of contaminated and other sediments, and approximately 50 acres of new shallow water habitat.

Berths 243-245. The Berths 243-245, which consists of two open water slips covering approximately 8 acres, was part of the former Southwest Marine Shipyard site. The slips at Berths 243-245 contain contaminated sediments from past shipyard operations. This alternative includes creating a CDF for the existing contaminated materials within Berths 243-245, as well as for placement of contaminated dredge material associated with completing the Channel Deepening Project. Approximately 0.368 mcy of dredge material would be disposed at this site, including: 0.080 mcy of contaminated sediments from the Channel Deepening Project and 0.288 mcy of clean sediments from the Channel Deepening Project. Approximately 0.18 mcy of clean dredge material would be placed as surcharge on the completed CDF to an approximate elevation of +30 feet MLLW. This volume of material is a result of the dredging that would be required for construction of the dikes at the Northwest Slip (0.05 mcy), Berths 243-245 (0.09 mcy), and the CSWH (0.04 mcy) disposal sites (i.e., because dike dredging material required for these sites would be placed in its respective disposal site, a corresponding volume of dredge material from the Channel Deepening Project would effectively be displaced). The total volume of Channel Deepening Project material that would be displaced from these three disposal sites would be available to be placed as surcharge on Berths 243-245. Over time, the material would densify; however, the timeframe for densification is unknown. Therefore, the surcharge material would remain in place until post project geotechnical investigation/ monitoring determines the fill has been consolidated.

Northwest Slip. A new 5-acre landfill would be constructed with approximately 0.128 mcy of dredge material from the Channel Deepening Project. Construction of a 5-acre landfill at the Northwest Slip would allow realignment of the wharf roadway which would facilitate safer and more efficient truck and equipment movement. The additional area would also allow additional wheeled operations to occur for container movement instead of the less efficient Rubber Tired Gantry (RTG) operation.

CSWH Expansion. Approximately 1.700 mcy of dredge material would be used to raise the existing sea bottom, which ranges between -40 feet to -50 feet MLLW, up to a new elevation of -15 feet MLLW, creating approximately 50 acres of shallow water habitat. The additional expansion of the CSWH would increase the value of habitat in the outer harbor area. The increased value could be credited towards the POLA mitigation bank in accordance with existing Memoranda of Understanding (MOU).

LA-2. Based on present estimates, approximately 0.804 mcy of material would remain after using the above disposal sites. This material would be disposed at the approved LA-2 ocean disposal site, located 5.8 miles south-southwest of the entrance to Los Angeles Harbor.

Construction

The proposed Project would be constructed immediately after completion of the NEPA/CEQA process and approvals by POLA and USACE. It is estimated that construction could resume in October 2009 using the newly approved disposal areas, and is expected to occur 24 hours a day, seven days a week, and take approximately 22 months to complete. Construction details for each disposal site are presented below.

Berths 243-245 CDF. Construction would begin with demolition of the abandoned wharf structures within the slips. The dike trench dredging would take place by clamshell dredge and the dredged material would be placed in the CDF disposal site. Rock dike construction by barge and derrick barge crane would continue to -12 feet MLLW and sediments would be placed into the fill area, initially via bottom dump barge and then hydraulically as the fill area became too shallow to allow access via barge. As the sediment accumulates in the fill area, the dike walls would be increased in height until they broke the surface of the water. Weirs would then be used to drain the remaining water from the fill area. CDF construction would be consistent with the 401 WQC and/or waste discharge requirements for the project.

Approximately 0.090 mcy of sediment would be dredged to an elevation of approximately -58 feet MLLW for the foundation of the containment dike. This material would be used as fill within the Berths 243-245 disposal site. The capacity of this site is approximately 0.368 mcy. About 270,000 tons of quarry run rock and 20,000 tons of rock revetments would be utilized for the construction of the dike. The rock dike would be constructed to an interim elevation (approximately -20 feet MLLW to -15 feet MLLW.) This interim rock dike would provide containment of the fill while still allowing hull clearance for bottom dump scows to place the contaminated material in the deepest area of the fill (approximately -47 feet MLLW.)

Subsequent to construction of the dike, approximately 0.080 mcy of contaminated dredge material would be disposed so contaminated sediments would not be dispersed in the open water. After disposal of contaminated material, the rock dike would be constructed to a final elevation of +11 feet MLLW. Approximately 0.198 mcy of clean dredged material would be disposed on top of the contaminated material. Approximately 0.180 mcy of clean dredge material would be deposited on the completed CDF as surcharge to an approximate elevation of +30 feet MLLW to promote densification of deposited dredge material. Bulldozers would be used for final grading of the surcharge. A surface cover layer of sand would be placed on the site. A contaminated sediment management plan would be developed in cooperation with the CSTF and other State and Federal agencies prior to moving and disposing of the contaminated sediments.

Northwest Slip. Construction of the Northwest Slip disposal site would begin by dredging approximately 0.050 mcy of material by clamshell dredge to create a foundation trench at an approximate elevation of -52 to -55 feet MLLW, for structural stability of the dike. This material would be placed within the fill footprint prior to the construction of the dike. Construction of the dike would require approximately 350,000 tons of quarry run rock and 25,000 tons of rock revetment which would be placed by derrick barge crane. Upon completion of the containment dike, approximately 0.078 mcy of dredge material from the Berth 100 surcharge would be disposed by clamshell to an elevation of +11 feet MLLW for a total disposal volume of 0.128 mcy. This site does

not require surcharge for densification because fill material for the Northwest Slip is coarse grained sand which densifies on its own, as opposed to the finer materials that would be placed in Berths 243-245.

CSWH Expansion. Construction of the CSWH Expansion would begin with the construction of a dike to elevation -15 feet MLLW. Initially, approximately 0.04 mcy of sediment would be dredged to an approximate elevation of -55 feet MLLW to create a foundation to stabilize the containment dike. This material would be disposed within the CSWH fill in addition to approximately 1.66 mcy of Channel Deepening dredge material for a total disposal volume of 1.70 mcy. Approximately 550,000 tons of quarry run would be used for the construction of the dike to elevation -15 feet MLLW. Fine grained fill would then be pumped into the site by pipeline to an approximate elevation of -17 feet MLLW. Once completed, coarse grain cover would be placed by clamshell to the final elevation of -15 feet MLLW. As per coordination with NOAA Fisheries, prior to construction, a construction monitoring plan will be developed to identify dredge areas to be utilized for construction. In addition, prior to construction a post-construction investigation program will be developed to evaluate the success of the site as shallow water habitat.

Ocean Disposal. Sediments would be clamshelled into barges and then transported and disposed directly to LA-2 by clamshell dredge. Disposal of 0.8 mcy of material would require approximately 400 barge trips to LA-2. Disposal of material at LA-2 and LA-3 would be consistent with the USEPA regulations for managing ocean dumping in accordance with the Marine Protection, Research, and Sanctuaries Act.

Relationship to Existing Plans

A primary objective of the planning process for the Project is to ensure that the criteria and guidelines of relevant and officially adopted plans and policies are defined and met. The following discussion addresses the relationship of the Project with these officially adopted plans.

Table 2. Applicable Statutes, Plans, Policies, and Other Regulatory Requirements

Applicable Ruling	Description
California Coastal Act of 1976	<p>The Coastal Act (PRC Div. 20 Section 30700 et seq.) identifies the Port of Los Angeles and its facilities as a “primary economic and coastal resources of the state, and an essential element of the national maritime industry (PRC Section 30701). The Port is responsible for modernizing and construction necessary facilities to accommodate deep-draft vessels and to accommodate the demands of foreign and domestic waterborne commerce and other traditional and water dependent and related facilities in order to preclude the necessity for developing new ports elsewhere in the state (Sections 30007.5 and 30701 (b)). The Act also establishes that the highest priority for any water or land area use within the jurisdiction of the Port of Los Angeles shall be for developments which are completely dependent on such harbor water areas and/or harbor land areas for their operations (Sections 30001.5 (d), 30255 and 31260). The Coastal Act further provides that the Port should “Give highest priority to the use of existing land space within harbors for port purposes, including, but not limited to, navigational facilities, shipping industries, and necessary support and access facilities.” (Section 30708 (c)).</p> <p>Under the California Coastal Act, water areas may be diked, filled, or dredged when consistent with a certified port master plan only for specific purposes, including: (1) Construction, deepening, widening, lengthening, or maintenance of ship channel approaches, ship channels, turning basins, berthing areas, and facilities that are required for the safety and the accommodation of commerce and vessels to be served by port facilities; and (2) New or expanded facilities or waterfront land for port-related facilities.</p> <p>In accordance with provisions of the Coastal Act, the Port has a certified Master Plan which provides the Port with Coastal Development Permit authority for actions/developments consistent with that Master Plan. Items inconsistent such as new fills in water would require a Master Plan Amendment through the Coastal Commission. The proposed project is consistent with the Plan’s provisions.</p>
Coastal Zone Management Act (CZMA)	<p>Section 307 of the Coastal Zone Management Act (CZMA) requires that all federal agencies with activities directly affecting the coastal zone, or with development projects within that zone, comply with the state coastal acts (in this case, the California Coastal Act of 1976) to ensure that those activities or projects are consistent, to the maximum extent practicable. The California Coastal Commission will use this SEIS/SEIR when considering whether to find the proposed Project consistent with the Coastal Act, and the USACE will use that approval as a demonstration that the proposed Project is in compliance with the CZMA.</p>
Port of Los Angeles Port Master Plan	<p>The Port of Los Angeles Master Plan (PMP) LAHD 1980) provides for the development, expansion, and alteration of the Port (both short-term and long-term) for commerce, navigation, fisheries, Port-dependent activities, and general public recreation. Those objectives are consistent with the provisions of the California Coastal Act (1976), the Charter of the City of Los Angeles, and applicable federal, state, and municipal laws and regulations. The proposed project is consistent with the PMP and would therefore not require an amendment to the Plan.</p>

Table 2. Applicable Statutes, Plans, Policies, and Other Regulatory Requirements

Applicable Ruling	Description
California Coastal Plan	Under provisions of the California Coastal Act, the Port of Los Angeles Master Plan is incorporated into the Local Coastal Program of the City of Los Angeles. The LAHD has coastal development permit authority for activities in the Main Channel. Therefore, if the proposed Project would be consistent with the Port of Los Angeles Master Plan, the proposed Project would also be considered consistent with the Local Coastal Program. As described below, the proposed project is consistent with the Port Master Plan and is therefore also consistent with the California Coastal Plan.
California Tidelands Trust Act, 1911	Submerged lands and tidelands within the Port of Los Angeles, which are under the Common Law Public Trust, were legislatively granted to the City of Los Angeles pursuant to Chapter 656, Statutes of 1911 as amended. Those properties are held in trust by the City and administered by the City's Harbor Department to promote and develop commerce, navigation and fisheries, and other uses of statewide interest and benefit, including but not limited to, commercial, industrial, and transportation uses, public buildings and public recreational facilities, wildlife habitat, and open space. The LAHD would fund the proposed project with trust revenues.
Port of Los Angeles Sustainable Construction Guidelines	The Port has developed the Port of Los Angeles Sustainable Construction Guidelines , which was approved by the Los Angeles and Long Beach Boards of Harbor Commissioners on in 2008. The Sustainable Construction Guidelines focuses on reducing diesel particulate matter (DPM), NO _x , SO _x , and GHGs from construction. The Sustainable Construction Guidelines include measures implemented largely through the CEQA/NEPA process and construction contract specifications at the Port.. The proposed project includes air quality control measures outlined in the Sustainable Construction Guidelines ,as mitigation that will be imposed via construction contract specifications. .
Port of Los Angeles Strategic Plan	The Port of Los Angeles Strategic Plan (LAHD 2007) identifies the Port's mission and provides eleven strategic objectives for the next five years. The mission includes promotion of "grow green" philosophy combined with fiduciary responsibility and promotion of global trade. The eleven strategic objectives include, minimization of land use conflicts, maximizing the efficiency and the capacity of current and future facilities, addressing needed infrastructure requirements, maintaining financial self-sufficiency, raising environment standards and enhancing public health, promoting emerging and environmentally-friendly cargo movement technology and energy sources, provide for safe and efficient operations and homeland security, strengthen local community relations and developing more and higher quality jobs. The proposed project is consistent with the Strategic Plan because it would help to maximize the efficiency and capacity of the Port by allowing larger vessels to access Port terminals, therefore resulting in lower air quality emissions per volume of throughput at the Port.
Port of Los Angeles Risk Management Plan	The Risk Management Plan, an amendment to the Port of Los Angeles Master Plan, was adopted in 1983, per requirements of the California Coastal Commission. The purpose of the Risk Management Plan is to provide siting criteria relative to vulnerable resources and the handling and storage of potentially hazardous cargo such as crude oil, petroleum products, and chemicals. The Risk Management Plan provides guidance for future development of the Port to minimize or eliminate the hazards to vulnerable resources from accidental releases (LAHD, 1983). The proposed Project design is consistent with the Risk Management Plan.

Table 2. Applicable Statutes, Plans, Policies, and Other Regulatory Requirements

Applicable Ruling	Description
City of Los Angeles General Plan – Port of Los Angeles Plan	The Port of Los Angeles Plan is part of the General Plan for the City of Los Angeles (City of Los Angeles, 1982a). This plan provides a 20-year official guide to the continued development and operation of the Port. It is designed to be consistent with the Port of Los Angeles Master Plan discussed above. Because the proposed Project would be consistent with the Port of Los Angeles Master Plan following the amendment, it would also be consistent with the goals of the General Plan.
City of Los Angeles – San Pedro Community Plan	The San Pedro Community Plan (City of Los Angeles 1982b) serves as a basis for future development of the community. It is also the land use plan portion of the City’s Local Coastal Program for San Pedro. The Port of Los Angeles, although it is contiguous to San Pedro, is not part of the San Pedro Community Plan area. However, the San Pedro Community Plan does make recommendations regarding the Port, particularly for areas adjacent to commercial and residential areas of San Pedro. Although the proposed project site is not contiguous with San Pedro the proposed project would be consistent with these recommendations as the Port has taken into consideration the residential and commercial communities of San Pedro during project development through the scoping process.
City of Los Angeles General Plan—Air Quality Element	The City of Los Angeles General Plan has an Air Quality Element (City of Los Angeles 1992) that contains general goals, objectives, and policies related to improving air quality in the region. Policy 5.1.1 relates directly to the Port and requires improvements in harbor operations and facilities to reduce emissions. The LAHD is actively planning for and implementing such improvements. The proposed project is consistent with the Air Quality Element in that it incorporates CAAP measures to reduce air quality impacts.
Water Quality Control Plan – Los Angeles River Basin	The Water Quality Control Plan for the Los Angeles River Basin (Region 4) was adopted by the Regional Water Quality Control Board, Los Angeles Region (RWQCB) in 1978 and updated in 1994 (RWQCB 1994a, 1994b). The Basin Plan designates beneficial uses of the basin’s water resources. The Basin Plan describes water quality objectives, implementation plans, and surveillance programs to protect or restore designated beneficial uses. The proposed project would be operated in conformance with objectives of the Water Quality Control Plan because it would be required by the lease to comply with the General Industrial permit for storm water.
Water Quality Control Policy – Enclosed Bays and Estuaries of California	In 1974, the State Water Resources Control Board (SWRCB) adopted a water quality control policy that provides principles and guidelines to prevent degradation and to protect the beneficial uses of waters of enclosed bays and estuaries (SWRCB 1974). Los Angeles Harbor is considered to be an enclosed bay under this policy. Activities, such as the discharge of effluent, thermal wastes, radiological waste, dredge materials, and other materials that adversely affect beneficial uses of the bay and estuarine waters are addressed. Waste discharge requirements developed by the RWQCB, among other requirements, must be consistent with this policy. The proposed project would be constructed and operated in conformance with objectives of the Water Quality Control Policy through controls on construction activities (dredging and fill, wharf demolition).

Table 2. Applicable Statutes, Plans, Policies, and Other Regulatory Requirements

Applicable Ruling	Description
Air Quality Management Plan	<p>The federal Clean Air Act (CAA) and its subsequent amendments establish the National Ambient Air Quality Standards (NAAQS) and delegate the enforcement of these standards to the states. In areas that exceed the NAAQS, the CAA requires states to prepare a State Implementation Plan (SIP) that details how the NAAQS will be achieved within mandated time frames. The CAA identifies emission reduction goals and compliance dates based on the severity of the ambient air quality standard violation within an area. The California Clean Air Act (CCAA) outlines a program to attain the more stringent California Ambient Air Quality Standards (CAAQS) for O₃, NO₂, SO₂, and CO by the earliest practical date. The Lewis Air Quality Act of 1976 established the South Coast Air Quality Management District (SCAQMD), created SCAQMD jurisdiction over the four-county South Coast Air Basin, and mandated a planning process requiring preparation of an Air Quality Management Plan (AQMP). The 2007 AQMP proposes emission reduction strategies that will enable the South Coast Air Basin to achieve the national and most state ambient air quality standards within the mandated time frames. Construction equipment associated with the proposed Project 1 would comply with the mobile source control measures and clean fuel programs requirements of the AQMP and the SCAQMD rules and regulations. Therefore, consistency with these assumptions would ensure that the proposed Project would not conflict with or obstruct implementation of this plan</p>
AB 32	<p>On September 27, 2006, Governor Schwarzenegger signed AB 32, the Global Warming Solutions Act. The Act caps California’s greenhouse gas emissions at 1990 levels by 2020. This legislation represents the first enforceable statewide program in the United States to cap all GHG emissions from major industries that includes penalties for noncompliance. It requires the State Air Resources Board to establish a program for statewide greenhouse gas emissions reporting and to monitor and enforce compliance with this program. The proposed Project’s consistency with AB 32 cannot be accurately evaluated until the Air Resources Board establishes its program. However, the proposed Project does include measures, such as use of electric dredgers, to reduce GHG emissions.</p>
Southern California Association of Governments Regional Plans	<p>Southern California Association of Governments (SCAG) is responsible for developing regional plans for transportation management, growth, and land use, as well as developing the growth factors used in forecasting air emissions within the South Coast Air Basin. SCAG has developed a Growth Management Plan (GMP), a Regional Housing Needs Assessment, a Regional Mobility Plan (RMP), and in cooperation with the SCAQMD, the AQMPs. The proposed Project would not generate population migration into the area or create a demand for new housing units, and thus would be consistent with these plans.</p>
Congestion Management Plan	<p>The Congestion Management Program (CMP) is a state-mandated program intended as the analytical basis for transportation decisions made through the State Transportation Improvement Program process (LACMTA, 1993). The CMP was developed to: (1) link land use, transportation, and air quality decisions; (2) develop a partnership among transportation decision makers on devising appropriate transportation solutions that include all modes of travel; and (3) propose transportation projects that are eligible to compete for state gas tax funds. The CMP includes a Land Use Analysis Program, which requires local jurisdictions to analyze the impacts of land use decisions on the regional transportation system. For development projects, an EIR is required based on local determination and must incorporate a Transportation Impact Analysis into the EIR. This EIR does include a transportation impact analysis and thus is consistent with the CMP.</p>

Table 2. Applicable Statutes, Plans, Policies, and Other Regulatory Requirements

Applicable Ruling	Description
Water Quality Regulations	The Rivers and Harbors Act of 1899, Section 10; federal Water Pollution Control Act (as amended by the Clean Water Act of 1977), Section 404; California Hazardous Waste Control Act; State Water Resources Control Board, Enclosed Bays and Estuaries Plan; Water Quality Control Plan for the Los Angeles River Basin (Region 4B), adopted by the Regional Water Quality Control Board, Los Angeles Region; and Sections 401 and 402 of the Clean Water Act of 1977.
Air Quality Regulations	Clean Air Act, Title 40 CFR Parts 50 and 51 as amended; Prevention of Significant Deterioration, Titles 40 CFR Part 51.24 and 40 CFR Part 52.21; California Clean Air Act; Air Quality Management Plan of the City of Los Angeles General Plan, Air Quality Element; and SCAQMD Regulations X111 and XV, New Source Review and Rules 212, 401, 403, and 431.2.
Transportation Regulations	California Public Utilities Commission Guidelines; Federal Railroad Administration Guidelines; Federal Highway Administration Guidelines; California Transportation Guidelines; California Administrative Code Section 65302 (f)-Noise Element; City of Long Beach Noise Control Ordinance, No. C-5371; Federal Aid Highway Program Manual 7-7-3; USACE Regulation 1105-2-100; National Environmental Compliance, 91-190; United States Coast Guard Regulations Pertaining to Navigation Safety and Waterfront Facilities; State and Federal Department of Transportation Requirements regarding Track and Rail Transportation of Hazardous Materials; NEPA of 1969 as Amended (Public Law 91-190); and USACE Regulation 1105-2-100, Economic and Environmental Principles and Guidelines for Water and Related Land Resource Implementation Studies.
Biological Resources Protection	Endangered Species Act of 1973, as amended; Marine Mammal Protection Act; Migratory Bird Conservation Act; Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972; California Endangered Species Act; Section 302 of the Marine Protection, Research, and Sanctuaries Act of 1972; United States Fish and Wildlife Act of 1956 (16 USC 742a <i>et seq.</i>); Fish and Wildlife Coordination Act (16 USE 661 <i>et seq.</i>); Magnuson-Stevens Fishery Conservation and Management Act, as amended through 1996; Executive Order 13112, Invasive Species; Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (P.L 01-646), as amended by the National Invasive Species Act of 1996; Ballast Water Management for Control of Nonindigenous Species Act of 1999 (PRC Sections 71200-71271).
Cultural Resources Protection	National Historic Preservation Act of 1966, as amended, and its implementing regulations (36 CFR 800); the Archaeological and Historical Preservation Act and Executive Order 11593 "Protection and Enhancement of the Cultural Environment." In compliance with federal laws, regulations, and other guidelines, the USACE will use this Final SEIS/SEIR to consult with the State Historic Preservation Officer (SHPO) regarding any effect the project may have on cultural resources listed or eligible for listing on the National Register of Historic Places.

Table 2. Applicable Statutes, Plans, Policies, and Other Regulatory Requirements

Applicable Ruling	Description
Environmental Justice	Executive Order 12898 requires that “to the greatest extent practicable, each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations.” California adopted legislation addressing environmental justice in 1999 with the passage of Senate Bill (SB) 115 (Government Code Section 65040.12[c]), which established the Governor’s Office of Planning and Research as the lead agency responsible for implementation of federal and state environmental justice policies in California. SB 115 defines environmental justice as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation and enforcement of environmental laws and policies.” In 2000, the Governor signed the related SB 89 requiring that the Secretary for Environmental Protection convene a Working Group to assist California Environmental Protection Agency (CalEPA) in developing an environmental justice strategy.

Monitoring and Reporting Procedures

Mitigation measures will be implemented via contract modifications to existing construction contracts, which includes development of and Environmental Compliance Plan (ECP) by the contractor. The change order shall be provided to LAHD for review and approval.

This MMRP for the proposed project will be in place through all phases of the project, including design and construction, and will help ensure that project objectives are achieved. The LAHD and US Army Corps of Engineers (USACE) shall be responsible for administering the MMRP and ensuring that all parties comply with its provisions. The LAHD may delegate monitoring activities to staff, consultants, or contractors. The contractor shall submit an ECP for approval prior to commencement of construction activity. . This plan shall document how the contractor intends to comply with all measures applicable to the contract including application of Best Management Practices (BMPs). The LAHD, via the USACE, also will ensure that monitoring is documented through periodic reports and that deficiencies are promptly corrected. The designated environmental monitor will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to rectify problems.

Mitigation Monitoring and Reporting Program Implementation

Pursuant to AB 3180, this MMRP was prepared and is accompanied by the associated report forms utilized to verify compliance with individual mitigation measures. This MMRP identifies each mitigation measure by discipline, the entity (organization) responsible for its implementation, the report/permit/certification required for each measure, and an accompanying LAHD MMRP form used to certify completion. Certain inspections and reports may require preparation by qualified

individuals, and these are specified as needed. The timing and method of verification for each measure is also specified.

Section 2
**Mitigation Monitoring and Reporting Program
Summary**

Table 2-1. Mitigation Monitoring and Reporting Program Summary for the Port of Los Angeles Channel Deepening Project

Mitigation Measure	Timing and Methods	Responsible Parties
Air Quality: Construction		
<p>MM AQ-2.1 Construction Equipment Standards. Prior to and including December 31, 2011</p> <p>All on-site mobile diesel-powered construction equipment greater than 50 Hp, except derrick barges and marine vessels shall meet the Tier 2 emission standards as defined in the USEPA Nonroad Diesel Engine Rule (USEPA 1998). In addition, all construction equipment greater than 50 Hp shall be retrofitted with a CARB-certified Level 3 diesel emissions control device.</p> <p>From January 1, 2012 through December 31, 2014: All off-road diesel-powered construction equipment greater than 50 Hp shall meet Tier-3 emission nonroad emission standards, at a minimum and shall be retrofitted with a CARB-certified Level 3 diesel emissions control device.</p> <p>From January 1, 2015 on: All off-road diesel-powered construction equipment greater than 50 Hp shall meet Tier 4 emission nonroad emission standards, at a minimum and shall be retrofitted with a CARB certified Level 3 diesel emissions control device.</p>	<p>Timing: Throughout all construction phases.</p> <p>Methods: This measure shall be incorporated into the USACE contract specifications via contract modification for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan (ECP) for review and approval by USACE, via LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and the ECP throughout construction phases. Enforcement shall include oversight by the LAHD and USACE project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p> <p>The construction equipment measures shall be met, unless one of the following circumstances exist and the contractor is able to provide proof that any of these circumstances exists:</p> <ol style="list-style-type: none"> 1. A piece of specialized equipment is unavailable in a controlled form, or within the required Tier level, within the state of California, including through a leasing agreement. 2. A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project, but the application process is not yet approved, or the application has been approved, but funds are not yet available. 3. A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment, but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 	<p>Implementation: LAHD/USACE</p> <p>Monitoring and Reporting: Environmental Management Division via USACE</p>

Table 2-1. Continued

Mitigation Measure	Timing and Methods	Responsible Parties
	<p>miles of the project has the controlled equipment available for lease.</p>	
<p>MM AQ-2.2: Fleet Modernization for On-Road Trucks.</p> <p>Prior to and including December 31, 2011: All on-road heavy-duty diesel trucks with a gross vehicle weight rating (GVWR) of 19,500 pounds or greater used on-site or to transport materials to and from the site shall comply with USEPA 2004 on road emission standards for PM10 and NOx (0.10 g/bhp-hr PM10 and 2.0 g/bhp-hr NOx).</p> <p>From January 1, 2012 on: All on-road heavy-duty diesel trucks with a gross vehicle weight rating (GVWR) of 19,500 pounds or greater used at the Port of Los Angeles shall comply with EPA 2007 on-road emission standards for PM10 and NOx (0.01 g/bhp-hr and 0.20 g/bhp-hr).</p> <p>All years: Trucks hauling materials such as debris or fill shall be fully covered while in operation off Port property.</p> <p>In addition, all on-road heavy heavy-duty trucks with a GVWR of 19,500 pounds or greater used at the Port of Los Angeles shall be equipped with a CARB verified Level 3 device.</p>	<p>Timing: Throughout all construction phases.</p> <p>Methods: This measure shall be incorporated into the USACE contract specifications via contract modification for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan (ECP) for review and approval by USACE, via LAHD, prior to beginning of any construction activity. The contractor shall adhere to these specifications and the ECP throughout construction phases. Enforcement shall include oversight by the LAHD and USACE project/construction manager or to ensure compliance with contract specifications.</p> <p>The construction equipment measures shall be met, unless one of the following circumstances exist and the contractor is able to provide proof that any of these circumstances exists:</p> <ol style="list-style-type: none"> 1. A piece of specialized equipment is unavailable in a controlled form, or within the required Tier level, within the state of California, including through a leasing agreement. 2. A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project, but the application process is not yet approved, or the application has been approved, but funds are not yet available. 3. A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment, but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 miles of the project has the controlled equipment available for 	<p>Implementation: LAHD/USACE</p> <p>Monitoring and Reporting: Environmental Management Division via USACE</p>

Table 2-1. Continued

Mitigation Measure	Timing and Methods	Responsible Parties
	lease.	

Table 2-1. Continued

Mitigation Measure	Timing and Methods	Responsible Parties
<p>MM AQ-2.3: Electrify Dredge Equipment. All dredging equipment shall be electric where available.</p>	<p>Timing: Throughout all construction phases</p> <p>Methods: This measure shall be incorporated into the USACE contract specifications via contract modification for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan (ECP) for review and approval by USACE, via LAHD, prior to beginning of any construction activity. The contractor shall adhere to these specifications and the ECP throughout construction phases. Enforcement shall include oversight by the LAHD and USACE project/construction manager to ensure compliance with contract specifications.</p>	<p>Implementation: LAHD/USACE</p> <p>Monitoring and Reporting: Environmental Management Division via USACE</p>
<p>MM AQ-2.4: Engine Standards for Harbor Craft Used In Construction. Prior to December 31, 2010, all harbor craft with category 1 or 2 (C1 or C2) marine engines shall achieve a minimum emission reduction equivalent to a USEPA Tier-2 2004 level nonroad marine engine. Subsequent to January 1, 2011, all harbor craft with C1 or C2 marine engines shall utilize USEPA Tier 3 or cleaner engines.</p>	<p>Timing: Throughout all construction phases.</p> <p>Methods: This measure shall be incorporated into the USACE contract specifications via contract modification for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan (ECP) for review and approval by USACE, via LAHD, prior to beginning of any construction activity. The contractor shall adhere to these specifications and the ECP throughout construction phases. Enforcement shall include oversight by the LAHD and USACE project/construction manager to ensure compliance with contract specifications.</p> <p>This mitigation measure shall be met unless one of the following circumstances exists and the contractor is able to provide proof that any of these circumstances exists:</p> <ol style="list-style-type: none"> 1. A piece of specialized equipment is unavailable in a controlled form, or within the required Tier level, within the state of California, including through a leasing agreement. 2. A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project, but the application process is not yet approved, or the application has been approved, but funds are not yet available. 	<p>Implementation: LAHD/USACE</p> <p>Monitoring and Reporting: Environmental Management Division via USACE</p>

Table 2-1. Continued

Mitigation Measure	Timing and Methods	Responsible Parties
	<p>3. A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment, but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 miles of the project has the controlled equipment available for lease.</p>	
<p>MM AQ-2.5: Additional Fugitive Dust Controls</p> <p>The construction contractor shall further reduce fugitive dust emissions to 90 percent from uncontrolled levels. The Project construction contractor shall specify dust-control methods that will achieve this control level in a SCAQMD Rule 403 dust control plan. Their duties shall include holiday and weekend periods when work may not be in progress. Measures to reduce fugitive dust include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Active grading sites shall be watered one additional time per day beyond that required by Rule 403. • Contractors shall apply approved non-toxic chemical soil stabilizers according to manufacturer’s specifications to all inactive construction areas or replace groundcover in disturbed areas (previously graded areas) inactive for ten days or more. • Construction contractors shall provide temporary wind fencing around sites being graded or cleared. • Trucks hauling dirt, sand, or gravel shall be covered or shall maintain at least 2 feet of freeboard in accordance with Section 23114 of the California Vehicle Code. (“Spilling Loads on Highways”). 	<p>Timing: Throughout all construction phases.</p> <p>Methods: This measure shall be incorporated into the USACE contract specifications via contract modification for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan (ECP) for review and approval by USACE, via LAHD, prior to beginning of any construction activity. The contractor shall adhere to these specifications and the ECP throughout construction phases. Enforcement shall include oversight by the LAHD and USACE project/construction manager to ensure compliance with contract specifications.</p>	<p>Implementation: LAHD/USACE</p> <p>Monitoring and Reporting: Environmental Management Division via USACE</p>

Table 2-1. Continued

Mitigation Measure	Timing and Methods	Responsible Parties
<ul style="list-style-type: none"> • Construction contractors shall install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off tires of vehicles and any equipment leaving the construction site. • Pave road and road shoulders. • Require the use of clean-fueled sweepers pursuant to SCAQMD Rule 1186 and Rule 1186.1 certified street sweepers. Sweep streets at the end of each day if visible soil is carried onto paved roads on-site or roads adjacent to the site to reduce fugitive dust emissions. • Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM₁₀ generation. • Traffic speeds on all unpaved roads shall be reduced to 15 mph or less. • Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. • Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the extent practicable. • Require the use of electrified truck spaces for all truck parking or queuing areas if feasible. Alternatively, trucks could be required to turn off if parked or stopped in idle for more than 15 minutes. • The grading contractor shall suspend all soil disturbance activities when winds exceed 25 mph or when visible dust plumes emanate from a site; disturbed areas shall be stabilized if construction is delayed. 		

Table 2-1. Continued

Mitigation Measure	Timing and Methods	Responsible Parties
<p>MM AQ-2.6: Additional Best Management Practices (BMPs).</p> <p>The following types of measures are required on construction equipment (including on-road trucks), where feasible:</p> <ul style="list-style-type: none"> • Use of diesel oxidation catalysts and catalyzed diesel particulate traps. • Maintain equipment according to manufacturers' specifications. • Restrict idling of construction equipment and on-road heavy-duty trucks to a maximum of 5 minutes when not in use. • Install high-pressure fuel injectors on construction equipment vehicles. • Maintain a minimum buffer zone of 300 meters between truck traffic and sensitive receptors. • Improve traffic flow by signal synchronization. • Enforce truck parking restrictions. • Provide on-site services to minimize truck traffic in or near residential areas, including, but not limited to, the following services: meal or cafeteria services, automated teller machines, etc. • Re-route construction trucks away from congested streets or sensitive receptor areas. • Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site. • Use electric power in favor of diesel power where available. <p>LAHD shall coordinate with USACE to implement a process by which to select additional BMPs to further reduce air emissions during construction. The LAHD, in coordination with USACE, shall determine the BMPs once the contractor identifies and secures a final equipment list.</p>	<p>Timing: Throughout all construction phases.</p> <p>Methods: This measure shall be incorporated into the USACE contract specifications via contract modification for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan (ECP) for review and approval by USACE, via LAHD, prior to beginning of any construction activity. The contractor shall adhere to these specifications and the ECP throughout construction phases. Enforcement shall include oversight by the LAHD and USACE project/construction manager to ensure compliance with contract specifications.</p>	<p>Implementation: LAHD/USACE</p> <p>Monitoring and Reporting: Environmental Management Division via USACE</p>

Table 2-1. Continued

Mitigation Measure	Timing and Methods	Responsible Parties
<p>The final BMPs shall be implemented by including mitigation measures in the Plan and Specifications and in the project stormwater pollution prevention plan (SWPPP). All BMPs shall be incorporated into the plan and specifications that the construction contractor will follow will be monitored by USACE’s Environmental Resources Branch to ensure that mitigation measures are implemented during construction. The final construction equipment list can be determined after selection of the construction contractor. This mitigation is not quantified in this study. The final BMPs shall be monitored by USACE’s Environmental Resources Branch and implemented through USACE’s Engineering Division in the construction contract.</p>		
Biology: Construction		
<p>MM BIO-1: Limit Turbidity Plume.</p> <p>Unless specifically allowed by the USFWS, as appropriate, the LAHD/USACE shall not allow turbidity from the dredge and fill activities to extend over greater than 6.5-acres of shallow (i.e., less than 20 feet [6 m] deep) Outer Harbor waters during the April-to-September nesting season of the California least tern. This requirement shall be monitored as provided for in mitigation measure BIO-2 below and shall be based on visually observed differences between ambient surface water conditions and any dredging turbidity plume.</p>	<p>Timing: During construction of containment dikes and placement of fill while California least terns on Pier 400 (approximately April through August).</p> <p>Methods: This measure shall be incorporated into the USACE contract specifications via contract modification for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan (ECP) for review and approval by USACE, via LAHD, prior to beginning of any construction activity. The contractor shall adhere to these specifications and the ECP throughout construction phases. Enforcement shall include oversight by the LAHD and USACE project/construction manager. LAHD shall arrange for the presence of the monitor during construction activity.</p>	<p>Implementation: LAHD/USACE</p> <p>Monitoring and Reporting: Environmental Management Division via USACE</p>
<p>MM BIO-2: Least Tern Nesting Monitoring.</p> <p>The LAHD/USACE shall provide a qualified California least tern biologist, acceptable to the USFWS and CDFG, as appropriate, to monitor and manage known California least tern colonies foraging in the immediate vicinity of the</p>	<p>Timing: During construction of containment dikes and placement of fill at the Cabrillo Shallow Water Habitat while California least terns on Pier 400 (approximately April through August) and up to one year following construction of the last element of the project.</p> <p>Methods: This measure shall be incorporated into the USACE</p>	<p>Implementation: LAHD/USACE</p> <p>Monitoring and Reporting: Environmental</p>

Table 2-1. Continued

Mitigation Measure	Timing and Methods	Responsible Parties
<p>existing Cabrillo Shallow Water Habitat during the nesting season. This program shall be carried out for up to one year following construction of the last element of the Port of Los Angeles Channel Deepening Project. The biologist shall coordinate with CDFG and USFWS, pursuant to the existing California least tern MOA (LAHD et al., 2006) and shall:</p> <ul style="list-style-type: none"> a) Monitor nesting and fledgling success of the California least tern colony and provide an annual report in the format provided in previous years. b) Provide an education program for construction crews regarding the identity of the California least tern and their nests, restricted areas and activities, actions to be taken if California least tern nesting sites are found outside the designated California least tern nesting sites (e.g., Southwest Slip surcharge area). c) Assist the USFWS and CDFG in predator control, prior to and during the California least tern nesting season during the construction period. d) Visually monitor and report to the USACE field representative and Environmental Resources Branch (ERB) biologist any turbidity from project dredging which extends over greater than 6.5 acres (2.6 ha) of shallow Outer Harbor waters. 	<p>contract plan and specifications to ensure that these commitments are followed during construction. The USACE will coordinate requirements and qualification of the biologist with the USFWS. The construction contractor(s) shall submit an Environmental Compliance Plan (ECP) for review and approval by USACE, via LAHD, prior to the beginning of any construction activity. The contractor shall adhere to these specifications and the ECP throughout construction phases. Enforcement shall include oversight by the LAHD and USACE project/construction manager.</p>	<p>Management Division via USACE</p>
<p>MM BIO-3: Protect Least Tern Nesting Sites. If California least tern nests are found outside of the known least tern colonies during construction, the biologist shall determine the affected area and notify the USACE field representative and Environmental Resources Branch (ERB) biologist, and USACE shall halt work as appropriate. The</p>	<p>Timing: During construction of containment dikes and placement of fill while California least terns on Pier 400 (approximately April through August). Methods: This measure shall be incorporated into the USACE contract specifications via contract modification for all construction work to reduce the impact of construction diesel emissions. The</p>	<p>Implementation: LAHD/USACE Monitoring and Reporting: Environmental Management Division via</p>

Table 2-1. Continued

Mitigation Measure	Timing and Methods	Responsible Parties
<p>USACE shall notify the USFWS and CDFG immediately. The USACE will then determine any potential effect to the California least tern and consult with the USFWS pursuant to Section 7 of the ESA as appropriate.</p>	<p>contractor(s) shall submit an Environmental Compliance Plan (ECP) for review and approval by USACE, via LAHD, prior to beginning of any construction activity. The contractor shall adhere to these specifications and the ECP throughout construction phases. Enforcement shall include oversight by the LAHD and USACE project/construction manager or to ensure compliance with contract specifications LAHD/ shall arrange for the presence of the monitor during construction activity.</p>	<p>USACE</p>
<p>MM BIO-4: Transplant Pickleweed.</p> <p>Pickleweed in areas to be filled at the Northwest Slip shall be salvaged prior to filling and replanted at a 1:1 mitigation ratio in suitable habitat in the harbor or off site. A final mitigation plan consistent with USACE habitat mitigation and monitoring guidelines will be prepared prior to permit issuance and the Record of Decision for the Proposed Action.</p>	<p>Timing: Prior to construction.</p> <p>Methods: This measure shall be incorporated into the USACE contract specifications via contract modification for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan (ECP) for review and approval by USACE, via LAHD, prior to beginning of any construction activity. The contractor shall adhere to these specifications and the ECP throughout construction phases. Enforcement shall include oversight by the LAHD and USACE project/construction manager or to ensure compliance with contract specifications. The construction contractor shall instruct construction personnel as part of normal construction procedures.</p>	<p>Implementation: LAHD/USACE</p> <p>Monitoring and Reporting: Environmental Management Division via USACE</p>
<p>MM-BIO-5: Apply Mitigation Credits.</p> <p>The POLA shall offset the loss of marine habitat from the Berths 243-245 disposal site and Northwest Slip site by using existing mitigation credits from the Bolsa Chica Mitigation Bank, in accordance with provisions of the Memorandum of Agreement (MOA) governing its use. The loss of 12.4 acres (5.0 ha) of Inner Harbor habitat from Berths 243-245 and the Northwest Slip would require 6.2 credits (acres) (calculated at 0.5 credits per acre of Inner Harbor habitat lost) from that bank.</p>	<p>Timing: Approximate number of credits shall be reserved and actual number of credits debited after as-built surveys are completed.</p> <p>Methods: This measure shall be incorporated into the USACE contract specifications via contract modification for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan (ECP) for review and approval by USACE, via LAHD, prior to beginning of any construction activity. The contractor shall adhere to these specifications and the ECP throughout construction phases. Enforcement shall include oversight by the LAHD and USACE project/construction manager or to ensure compliance with contract specifications.</p>	<p>Implementation: LAHD/USACE</p> <p>Monitoring and Reporting: Environmental Management Division via USACE</p>
<p>Land Use</p>		

Table 2-1. Continued

Mitigation Measure	Timing and Methods	Responsible Parties
<p>MM LU-1: Advance Notification.</p> <p>Provide advance notification of dredging and disposal operations to affected Port leaseholders. Provide the name and contact information of a Port-employed representative to report conflicts.</p>	<p>Timing: 60 days prior to the start of construction.</p> <p>Methods: This measure shall be incorporated into the USACE contract specifications via contract modification for all construction work. The contractor(s) shall submit an Environmental Compliance Plan (ECP) for review and approval by USACE, via LAHD, prior to beginning of any construction activity. The contractor shall adhere to these specifications and the ECP throughout construction phases. Enforcement shall include oversight by the LAHD and USACE project/construction manager or to ensure compliance with contract specifications. The construction contractor shall instruct construction personnel as part of normal construction procedures.</p>	<p>Implementation: LAHD/USACE</p> <p>Monitoring and Reporting: Environmental Management Division via USACE</p>
<p>MM LU-2: Alternative Sites During Construction.</p> <p>Provide affected Port leaseholders with reasonable alternative sites for their operations for the duration of disposal activities. Ensure relocation of displaced leaseholders to their pre-disposal locations following completion of construction.</p>	<p>Timing: 60 days prior to the start of construction and within 30 days following construction.</p> <p>Methods: This measure shall be incorporated into the USACE contract specifications via contract modification for all construction work. The contractor(s) shall submit an Environmental Compliance Plan (ECP) for review and approval by USACE, via LAHD, prior to beginning of any construction activity. The contractor shall adhere to these specifications and the ECP throughout construction phases. Enforcement shall include oversight by the LAHD and USACE project/construction manager or to ensure compliance with contract specifications. The construction contractor shall instruct construction personnel as part of normal construction procedures.</p>	
<p>Noise: Construction</p>		
<p>MM NOI-1: Temporary Construction Noise Control</p> <p>The Port shall require that the following noise control measures be provided prior to start of proposed demolition and sediment disposal operations at the Berths 243-245 disposal site, and that the measures be implemented throughout proposed demolition and sediment disposal operations.</p>	<p>Timing: Construction: Throughout demolition and sediment placement activities.</p> <p>Future maintenance: Throughout demolition and sediment placement activities.</p> <p>Methods: This measure shall be incorporated into the USACE contract specifications via contract modification for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan (ECP)</p>	<p>Implementation: LAHD/USACE</p> <p>Monitoring and Reporting: Environmental Management Division via USACE</p>

Table 2-1. Continued

Mitigation Measure	Timing and Methods	Responsible Parties
<ul style="list-style-type: none"> • A temporary solid fence or similar barrier at least eight feet in height shall be provided between the construction site and Fire Station No. 111 to minimize short-term, construction-related noise impacts. The noise barrier shall be constructed of one half inch-thick plywood (or other material of comparable thickness) and there shall be no gaps in the barrier. The barrier shall be placed as close to the construction site as possible. • Construction material, equipment and vehicle staging areas shall be located as far from Fire Station No. 111 as practicable. • Portable or stationary equipment, such as but not limited to generators, air compressors and saws, shall be located as far from Fire Station No. 111 as practicable. <p>All construction equipment shall be maintained with engine covers, shields, mufflers and screening as provided by the manufacturer.</p>	<p>for review and approval by USACE, via LAHD, prior to beginning of any construction activity. The contractor shall adhere to these specifications and the ECP throughout construction phases. Enforcement shall include oversight by the LAHD and USACE project/construction manager or to ensure compliance with contract specifications.</p>	
<p>MM NOI-2: Noise Attenuation Measures</p> <p>Sediment disposal activities at the Anchorage Road Soil Storage Site shall not occur within 400 feet of the western boundary of the disposal site. If this is not possible, the environmental monitor shall ensure that a berm of at least ten (10) feet in height is constructed between the western boundary of the disposal site and active disposal operations.</p>	<p>Timing: Construction: Throughout sediment placement activities.</p> <p>Maintenance: Throughout sediment placement activities.</p> <p>Method: This measure shall be incorporated into the USACE contract specifications via contract modification for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan (ECP) for review and approval by USACE, via LAHD, prior to beginning of any construction activity. The contractor shall adhere to these specifications and the ECP throughout construction phases. Enforcement shall include oversight by the LAHD and USACE project/construction manager or to ensure compliance with contract specifications.</p>	<p>Implementation: LAHD/USACE</p> <p>Monitoring and Reporting: Environmental Management Division via USACE</p>

