

MITIGATION MONITORING PROGRAM

In compliance with the requirements of Public Resources Code (PRC) Section 21081.6 and California Environmental Quality Act (CEQA) Guidelines Section 15097, this Mitigation Monitoring Program (MMP) describes the procedures that will be followed to implement the mitigation measures and Best Management Practices (BMPs) identified in the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the Los Angeles River Phase IV Bike Path Project (proposed Project). The intent of this MMP is to establish the following:

- (1) Verify satisfaction of the required mitigation measures and BMPs identified in the IS/MND;
- (2) Provide a methodology to document implementation of the required mitigation measures and BMPs;
- (3) Provide a record of the monitoring program;
- (4) Identify monitoring responsibility;
- (5) Establish administrative procedures for the clearance of mitigation measures and BMPs;
- (6) Establish the frequency and duration of monitoring; and
- (7) Utilize existing review processes wherever feasible.

The City of Los Angeles, Department of Public Works, Bureau of Engineering (BOE), as the Lead Agency under CEQA, is responsible for overseeing and enforcing implementation of the MMP which shall be carried out, as shown in **Table 1** for mitigation measures and in **Table 2** for BMPs.

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TABLE 1: MITIGATION MEASURES				
Mitigation Measure	Timing/Phasing	Responsible Party	Enforcement/ Monitoring Party	Action(s) Indicating Compliance
<p>Mitigation Measure MM-BIO-1: The City shall provide replacement trees on-site and within other suitable locations in accordance with RAP Policy, and shall establish a tree monitoring program to be managed by a qualified arborist in coordination with and to the satisfaction of RAP on behalf of LADOT. The quantity of replacement trees shall be commensurate with RAP Policy and shall mitigate a cumulative total of 299.4 inches of removed Ordinance trees. It is at LA RAP's discretion to determine replacement tree trunk sizes and species palette to be used as replacement plantings. The monitoring program shall cover all phases of construction including: pre-construction, active construction, and post-construction, and shall comply with the Department of Urban Forestry's establishment period of up to three (3) years. During this period, LADOT shall monitor tree watering schedules depending on the season and the soil types, maintain an 18-inch circumference around the trunk base of each tree free of sod, pull vegetation by hand, and remove tree ties and tree stake after 1-3 years, as determined by a qualified arborist. Fertilizers or weed killers shall not be used near the newly planted trees. If any encroached trees fail during construction or post-construction they shall be mitigated at the applicable rate per RAP Policy.</p>	Construction/ Ongoing maintenance up to 3 Years After Construction	LADOT	BOE/RAP/ City of LA	Regular inspections of tree plantings by RAP arborist or designee
<p>Mitigation Measure MM-NOI-1: Temporary mobile noise barriers shall be installed along the northern Project boundary ensuring that the Los Angeles Equestrian Center, the Bette Davis Park, and the Mariposa Bridge equine users and residences further northwest of the bridge and the southern Project boundary are protected from both sight and sound from construction. The barrier will be made of sound blanket, plywood or other solid material capable of reducing on-site construction noise levels by at least 9 dBA when measured from the outside of the barrier and is at minimum 8 feet tall. In addition, all applicable construction equipment and vehicles shall be fitted with proper/improved mufflers which will provide a reduction in construction noise levels by 6 dBA and for the construction equipment to have vibration dampers or any other best available noise control technology. It will be impermissible for a construction vehicle to have a muffler that is not in good condition or no muffler. Truck beds and staging areas will have rubber mats as a preventative measure to reduce loud instantaneous noises. Furthermore, given that construction would occur within 500 feet from a sensitive receptor within the City of Los Angeles as well as to those in other jurisdictions the revised construction activity timeline will be used:</p> <ul style="list-style-type: none"> Construction, alteration, movement, enlargement, replacement, repair, equipment, maintenance, removal and demolition work within 	Throughout Construction	LADOT/ Contractor	BOE/City of LA	Site inspections to verify presence of noise barriers

PUBLIC WORKS - BUREAU OF ENGINEERING

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the project site shall only be allowed between the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and between the hours of 9:00 a.m. to 5:00 p.m. on Saturdays, with no construction activity being allowed on Sundays or on federal holidays.				
<p>Mitigation Measure MM-TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities</p> <p>A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.</p> <p>B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity. Should the Tribe decide that they no longer wish to provide a monitor or enter into a contracting agreement, or be unable to provide a monitor, work may commence without a Tribal monitor from the Kizh Nation.</p> <p>C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.</p>	Prior to Construction/ During Ground Disturbing Activities	LADOT/ Tribal Representative(s)	BOE/ Tribal Monitor(s)	Executed Monitoring Agreement(s) with Tribe(s)/ Monitoring Logs

PUBLIC WORKS - BUREAU OF ENGINEERING

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D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.				
Mitigation Measure MM-TCR-2: Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial) A. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.	During Ground Disturbing Activities	LADOT/ Contractor/ Tribal Representative(s)	BOE/ Tribal Monitor(s)	Assessment by Tribal Archaeologist and/or Monitors; recovery of TCR materials, if applicable
Mitigation Measure MM-TCR-3: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute. B. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed. C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).	During Ground Disturbing Activities	LADOT/ Contractor/ Tribal Representative(s)	BOE/ Tribal Monitor(s)/County Coroner	Assessment by Tribal Archaeologist and/or Monitors; Coroner Confirmation; recovery of TCR materials, if applicable

PUBLIC WORKS - BUREAU OF ENGINEERING

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<p>D. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.</p> <p>E. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.</p>				

TABLE 2: BEST MANAGEMENT PRACTICES

Best Management Practice	Timing/Phasing	Responsible Party	Enforcement/ Monitoring Party	Action(s) Indicating Compliance
<p>BMP-AQ-1: The proposed Project would implement Rule 403 fugitive dust control measures required by the South Coast Air Quality Management District (SCAQMD), which requires reasonable precautions to be taken to prevent visible particulate matter from being airborne, under normal wind conditions, beyond the property from which the emission originates. Reasonable precautions include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Application of water on dirt roads, material stockpiles, and other surfaces that can give rise to airborne dusts; and • Maintenance of roadways in a clean condition to prevent track-out 	Throughout Construction	LADOT/ Contractor	BOE/City of LA	Site inspections to verify compliance
<p>BMP-AQ-2: The proposed Project would implement Rule 402 measures required by the SCAQMD, which prohibits the discharge from any source whatsoever, such quantities of air contaminants or other materials that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health, or safety of any such persons or the public or that cause or have a natural tendency to cause injury or damage to business or property.</p>	Throughout Construction	LADOT/ Contractor	BOE/City of LA	Site inspections to verify compliance
<p>BMP-BIO-1: The Contractor will implement the following Best Management Practices during construction to protect any adjacent habitat for special-status species and resources.</p>	Prior to and As Needed Throughout Construction	LADOT/ Contractor/ Project Biologist	BOE/ Project Biologist/City of LA	Training logs; Site inspections to verify compliance

PUBLIC WORKS - BUREAU OF ENGINEERING

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<ul style="list-style-type: none"> • Environmental Training. Prior to Project implementation, a Workers Environmental Awareness Program (WEAP) should be prepared and presented to construction crews regarding the potential for nesting birds and other special-status wildlife species to occur onsite during construction activities. The WEAP training should concentrate on the proper identification of sensitive resources while in the field, suggested strategies in avoiding impact to sensitive resources, and proper reporting methods for field crews if sensitive resources are observed during construction activities. • Limits of Disturbance. Prior to Project implementation, construction crews should be made aware of the limits of disturbance within the fenced Project site. During construction, all construction activities will remain within the limits of disturbance. Travel to and from the Project site will also be confined to existing roads. Construction activities should also be restricted to daylight hours. • On-Site Overnight Storage. All construction pipes, culverts, or similar structures that are stored at a construction site for one or more overnight periods should be covered or thoroughly inspected for birds and other wildlife before the pipe is subsequently buried, capped, or otherwise used or moved. 				
<p>BMP-BIO-2: To avoid impacts to nesting birds protected under the federal Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGF) resulting from construction activities that may occur during the nesting season, the following will be implemented:</p> <p>Construction activities, including tree removal shall occur outside of the nesting season (generally February 1 through September 30). If construction activities must occur within this time period, the following measures shall be employed:</p> <ul style="list-style-type: none"> • A pre-construction nesting survey shall be conducted by a qualified biologist within 7 days (168 hours) prior to the start of construction activities to determine whether active nests are present within or within 500 feet of the construction zone. All nests found shall be recorded. 	Prior to and Throughout Construction	LADOT/ Contractor/ Project Biologist	BOE/ Project Biologist/City of LA	Survey report(s); Site inspections

PUBLIC WORKS - BUREAU OF ENGINEERING

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<ul style="list-style-type: none"> A minimum 300-foot no-work buffer shall be established around any active passerine bird nest. A minimum 500-foot no-work buffer shall be established around any active raptor nest. The qualified biologist shall monitor the nest on a weekly basis, and construction activities within 300 feet of an active nest of any passerine bird or within 500 feet of an active nest of any raptor shall be postponed until the biologist determines that the nest is no longer active. However, the standard 300/500 foot no-disturbance buffer distance may be adjusted (including increases or reductions to the buffer) by a qualified biologist on a case-by-case basis taking into consideration the location, type, duration and timing, and severity of work, distance of nest from work area, surrounding vegetation and line-of-sight between the nest and work areas (also taking into account existing ambient conditions from human activity within the line of sight), the influence of other environmental factors, and species' site specific level of habituation to the disturbance. If the qualified biologist determines nesting activities may fail as a result of work activities, the biologist shall immediately inform the construction manager and all Project work shall cease (except access along established roadways) within the recommended no-disturbance buffer until the biologist determines the adults and young are no longer reliant on the nest site. Buffers will be delineated on-site with bright flagging, for easy identification by Project staff. The on-site construction supervisor and operator staff will be notified of the nest and the buffer limits and instructed of the sensitivity of the area to ensure the buffer is maintained. A summary of preconstruction surveys and methodologies employed, monitoring efforts, and any no-disturbance buffers that were installed shall be documented in a report by the qualified biologist at the conclusion of each nesting season. 				
BMP-BIO-3: Wildlife Signage. Interpretive signage will be installed to educate the public on LA River wildlife and habitat.	Prior to Operation	LADOT/ Contractor	BOE/City of LA	Site inspections to verify signage is in place
BMP-BIO-4: Where appropriate, as determined by a qualified biologist, Project fencing would be designed to provide some opportunities to allow native wildlife to crawl through to access the River.	Design and Construction	LADOT/ Contractor/ Project Biologist	BOE/ Project Biologist/City of LA	Construction Specifications contained in bid

PUBLIC WORKS - BUREAU OF ENGINEERING

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				documents; Site inspection(s) to confirm implementation
<p>BMP-CUL-1: Due to the potential to encounter archaeological resources within the Project Site, the City will use a qualified archaeological monitor, working under the supervision of a qualified archaeological Principal Investigator during ground disturbing activities. The monitor will conduct worker training prior to the initiation for ground-disturbing activities in order to inform workers of the types of resources that may be encountered and advise them of the proper handling of such resources. The archaeological monitor will have the authority to redirect construction equipment in the event potential archaeological resources are encountered. In the event archaeological resources are encountered, the County will be notified immediately and work in the vicinity of the discovery will halt within 50 feet of the discovery until appropriate treatment of the resource, will be determined by the qualified archaeological Principal Investigator in accordance with the provisions of CEQA.</p> <p>Should the resources require it, a treatment plan will be prepared, which will compile existing information, and provide research themes and treatment approaches in order to avoid or mitigate significant impacts to potentially significant archaeological resources as determined to possibly within the project area. The plan will be implemented by the qualified archaeologist in consultation with the City that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource.</p> <p>The treatment plan shall include measures regarding the curation of the recovered resources that may include curation at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. Pre-Contact or Native American resources materials determined to be sacred will be reburied if determined feasible. Non-sacred items or if not feasible to be reburied, will be offered to local tribes if they can provide suitable curation for such items. If no institution or the Tribes accept the resources, they may be donated to a local school or historical society in the area for educational purposes.</p>	Prior to and Throughout Construction	LADOT/ Contractor/ Project Archaeologist	BOE/ Project Archaeologist/ City of LA	Treatment Plan(s); Monitoring Report(s)

PUBLIC WORKS - BUREAU OF ENGINEERING

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At the completion of all ground disturbance, the Qualified Archaeologist shall prepare a final report and appropriate California Department of Parks and Recreation Site Forms at the conclusion of archaeological monitoring. The report shall include a description of resources unearthed, if any, treatment of the resources, results of the artifact processing, analysis, and research, and evaluation of the resources with respect to the California Register of Historical Resources and CEQA. The report and the Site Forms shall be submitted by the archaeologist to the County and the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.				
BMP-CUL-2: If human remains are discovered, work in the immediate vicinity of the discovery will be suspended and the Los Angeles County Coroner contacted. If the remains are deemed Native American in origin, the Coroner will contact the Native American Heritage Commission and identify a Most Likely Descendant pursuant to Public Resources Code Section 5097.98 and California Code of Regulations Section 15064.5. Work may continue on other parts of the Project site while consultation and treatment are conducted.	Throughout Construction	LADOT/ Contractor/ Project Archaeologist	BOE/ Project Archaeologist/ City of LA	Coordination with County Coroner and affiliated Tribe(s), as appropriate
BMP-HAZ-1: The City would ensure that all construction crews have fire-suppression equipment (such as fire extinguishers) on site to respond to the accidental ignition of a fire.	Throughout Construction	LADOT/ Contractor	BOE/City of LA	Site inspections to verify compliance
BMP-WQ-1: The proposed Project would implement erosion control in compliance with the state Construction General Permit that may include, but would not be limited to, the following: <ul style="list-style-type: none"> • Minimizing the extent of disturbed areas and duration of exposure; • Stabilizing and protecting disturbed areas; • Keeping runoff velocities low; • Retaining sediment within the construction area; • Use of silt fences or straw wattles; • Temporary soil stabilization; • Temporary drainage inlet protection; • Temporary water diversion around the immediate work area; and • Minimizing debris from construction vehicles on roads providing construction access. 	Throughout Construction	LADOT/ Contractor	BOE/City of LA	Site inspections to verify compliance

PUBLIC WORKS - BUREAU OF ENGINEERING

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<p>BMP-WQ-2: The following construction-related water quality BMPs from the Los Angeles County Department of Public Works' Construction Site Best Management Practices (BMPs) Manual (2010) would also be implemented, as appropriate, during construction activities:</p> <ul style="list-style-type: none"> • SS-1 Scheduling <ul style="list-style-type: none"> ○ The project will be scheduled to reduce the amount and duration of soil exposed to erosion by wind, rain, runoff, and vehicle tracking. • SC-6 Gravel Bag Berms <ul style="list-style-type: none"> ○ Gravel Bag Berms will be installed along the exposed hillsides near the west side of the project, to break up the sheet flow lengths and prevent sediment discharge into the flood channel • SC-8 Sandbag Barriers <ul style="list-style-type: none"> ○ Sandbags will be installed below the toe of the exposed hillside adjacent to the flood channel as well as the perimeter of the project site to prevent sediment discharge into the flood channel • NS-1 Water Conservation Practices <ul style="list-style-type: none"> ○ Reasonable measures will be taken to prevent water from flowing offsite and into the storm drain system ○ Paved areas will be swept and vacuumed, not washed ○ Vehicles and equipment will not be washed onsite ○ Construction water runoff will be directed to areas where it can infiltrate into the existing ground • NS-3 Paving and Grinding Operations <ul style="list-style-type: none"> ○ Plastic materials will be placed under all asphaltic concrete paving equipment when not in use to prevent drips and spills into the pervious soil material ○ No washing of asphalt equipment will be conducted on-site • NS-8 Vehicle and Equipment Cleaning <ul style="list-style-type: none"> ○ All vehicles/equipment that regularly enter and leave the construction site will be cleaned off-site. 	Throughout Construction	LADOT/ Contractor	BOE/City of LA	Site inspections to verify compliance

PUBLIC WORKS - BUREAU OF ENGINEERING

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<ul style="list-style-type: none"> ○ Reasonable measures will be taken to prevent wash or rinse runoff from entering pervious site surfaces and storm drain system • WM-3 Stockpile Management <ul style="list-style-type: none"> ○ Stockpiles will be located a minimum of 50 ft away from concentrated flows of storm water and drainage courses ○ Loose stockpiles materials will be covered at all times when not actively in use ○ Soil stockpiles will be protected with a temporary perimeter sediment barrier • WM-8 Concrete Waste Management <ul style="list-style-type: none"> ○ Concrete washout areas and other washout areas will not discharge or leak onto the underlying soil or to the surrounding storm drain systems. Concrete washout bins will be recommended. 				
<p>BMP-WQ-3: The following water quality protection measures will be implemented during construction:</p> <ul style="list-style-type: none"> • Stationary engines, such as compressors, generators, etc., will have drip pans beneath them to prevent any leakage from entering runoff or receiving waters. • All construction equipment will be inspected for leaks and maintained regularly to avoid soil contamination. Leaks and smears of petroleum products will be wiped clean prior to use. • Spill kits capable of containing hazardous spills will be stored on-site. Any grout waste or spills will be cleaned up immediately and disposed of off-site. Re-fueling of equipment should be conducted at least 50 feet from the ephemeral drainage. • Vehicles will be restricted to existing access roads and approved work areas and will maintain speed limits of no greater than 15 miles per hour on unpaved roads. 	Throughout Construction	LADOT/ Contractor	BOE/City of LA	Site inspections to verify compliance

PUBLIC WORKS - BUREAU OF ENGINEERING

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<ul style="list-style-type: none"> During Project construction activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all spoils, trash, or any debris will be removed off-site to an approved disposal facility or stored appropriately. 				
<p>BMP-WQ-4: Maintenance activities for the proposed bike path and equestrian trail will involve a collaborative effort between various City agencies coordinated by LADOT as the lead agency for Project implementation. LADOT will develop and enter into one or more use agreements with the U.S. Army Corps of Engineers, Los Angeles County Department of Public Works, and other agencies, as appropriate, to maintain all improvements built as part of the Project. Such use agreement(s) would be in place prior to the proposed bike path and equestrian trail being open to the public for use. The activities anticipated to be undertaken by LADOT, or through agreements with other agencies or third-party vendors, as part of long-term operation of the Project include:</p> <ol style="list-style-type: none"> Regular inspections of the bike path and equestrian trail facilities; Periodic clearing of debris and animal waste; Graffiti removal from walls, fences, and signs; Repairing or replacing fencing, signage, and pavement markings as needed; Ongoing landscape maintenance, encompassing tree trimming, staking, shrub and vine pruning, grass and ground cover upkeep (where applicable); Weed and litter control along the Project's entire bikeway and equestrian trail segments; and Tree monitoring for planted and encroached trees (also see Mitigation Measure MM-BIO-1). 	As Needed Throughout Operation	LADOT or Designee (e.g., LA River Rangers)	LADOT/BOE/City of LA	Site inspections to verify compliance

PUBLIC WORKS - BUREAU OF ENGINEERING

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<p>BMP-WQ-5: The operation and maintenance of the proposed Project following the completion of construction activities would at a minimum include the following activities:</p> <ul style="list-style-type: none"> Implementation of Post Construction Best Management Practices and MS4 Public Agency Facility and Activities Program requirements in section VIII.H.1-3.d. in accordance with the Waste Discharge Requirements and National Pollutant Discharge Elimination System (NPDES) Permit For Municipal Separate Storm Sewer System (MS4) Discharges Within The Coastal Watersheds Of Los Angeles And Ventura Counties. This will include – <ul style="list-style-type: none"> Periodic clearing of debris and trash collection BMPs from the entire length of the Project bikeway and equestrian trail segments; maintenance of the path including striping and signage, retaining walls, fencing, and minor landscaping where needed; Removal of animal waste; and Sediment and trash removal, as needed, but at a minimum once per week. 	As Needed Throughout Operation	LADOT or Designee (e.g., LA River Rangers)	LADOT/BOE/City of LA	Site inspections to verify compliance