CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION DETERMINATION FORM (rev. 05/2020)

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Project Information

DIST-CO-RTE: 12-ORA-OC/LA **PM/PM:** N/A

EA: NA **Federal-Aid Project Number:** ATPL 5955(112)

Project Description

The description of the proposed project presented in the FSTIP and FTIP is "The Coyote Creek Class I Bikeway Segments O, P, Q - From La Mirada Boulevard and continuing south to the confluence of North and East Coyote Creek Flood Channel." The proposed project would construct and operate an approximately 2.7-mile Class I bikeway (Segment O – 1.1 miles, Segment P – 0.6 mile, and Segment Q – 1.0 mile long) along Coyote Creek within the cities of Cerritos, Buena Park and La Mirada that would connect a larger network of bikeways called the OC Loop. The proposed project would be located along the northwest Orange County/southwest Los Angeles County border. The project would create new paved bikeways on disturbed flood control rights-of-way along Coyote Creek and includes building Pedestrian/Cyclist bridge structures, undercrossings, and at-grade crossings to connect bikeways that do not currently connect. Additionally, the project will require utility relocations, permanent BMPs, lighting, signage/striping, and safety fencing. Continued on the Continuation Sheet…

Caltrans CEQA Determination (Check one)

☒ **Not Applicable** – Caltrans is not the CEQA Lead Agency
☐ **Not Applicable** – Caltrans has prepared an IS or EIR under CEQA

Based on an examination of this proposal and supporting information, the project is:
☐ **Exempt by Statute.** (PRC 21080[b]; 14 CCR 15260 et seq.)
☐ **Categorically Exempt. Class** Enter class. (PRC 21084; 14 CCR 15300 et seq.)
  ☐ No exceptions apply that would bar the use of a categorical exemption (PRC 21084 and 14 CCR 15300.2). See the SER Chapter 34 for exceptions.
☐ **Covered by the Common Sense Exemption**. This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (14 CCR 15061[b][3].)

Senior Environmental Planner or Environmental Branch Chief

N/A		
Print Name	Signature	Date

Project Manager

N/A		
Print Name	Signature	Date

Caltrans NEPA Determination (Check one)

Caltrans has determined that this project has no significant impacts on the environment as defined by NEPA, and that there are no unusual circumstances as described in 23 CFR 771.117(b). See SER Chapter 30 for unusual circumstances. As such, the project is categorically excluded from the requirements to prepare an EA or EIS under NEPA and is included under the following:

☒ **23 USC 326:** Caltrans has been assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to 23 USC 326 and the Memorandum of Understanding dated April 18, 2019, executed between FHWA and Caltrans. Caltrans has determined that the project is a Categorical Exclusion under:

- ☒ **23 CFR 771.117(c): activity (c)(3)**
- ☐ **23 CFR 771.117(d): activity (d)(Enter activity number)**
- ☐ **Activity Enter activity number listed in Appendix A of the MOU between FHWA and Caltrans**

☐ **23 USC 327:** Based on an examination of this proposal and supporting information, Caltrans has determined that the project is a Categorical Exclusion under 23 USC 327. The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated December 23, 2016 and executed by FHWA and Caltrans.

Senior Environmental Planner or Environmental Branch Chief

Charles Baker	Charles Baker	2/25/2021
Print Name	Signature	Date

Project Manager/ DLA Engineer

Tifini Tran		2/25/2021
Print Name	Signature	Date

Date of Categorical Exclusion Checklist completion: 2/24/21
Date of Environmental Commitment Record or equivalent: 2/24/21

Continuation sheet:

OC Loop Segments O, P, Q (proposed project) Class I Bikeway is a component of a 66-mile regional bikeway corridor called the OC Loop.

Need

Areas along the OC Loop corridor that are open for bicycle traffic are in poor condition and the bikeway surface is not marked clearly. Bicycle traffic at the junction of the Coyote Creek Bikeway and the San Gabriel River Bikeway does not continue along the Coyote Creek Bikeway. In some areas, the bikeway is improved on one bank, while in other areas it is improved on both sides. Bicyclists can find themselves at the end of a bikeway facing a heavily used arterial highway with a high speed limit. In addition, there may be no traffic signals to facilitate crossing, a raised median may prohibit crossing, and no suitable way to use the roadway bridge to ride across the creek to reach the bikeway on the opposite bank.

Purpose

The proposed project is listed as an "Active Transportation Program" project in the 2019 FTIP (SCAG, 2018). The Active Transportation Program was created by Senate Bill 99 to encourage increased use of active modes of transportation, such as walking and biking, and consolidated various transportation programs into a single program. The goals of the Active Transportation Program include, but are not limited to, increasing the proportion of trips accomplished by walking and biking, increasing the safety and mobility of non-motorized users, advancing efforts of regional agencies to achieve greenhouse gas reduction goals, enhancing public health, and providing a broad spectrum of projects to benefit many types of users including disadvantaged communities.

The proposed project would close an existing bikeway gap along the OC Loop with a Class I bikeway/path physically separated from vehicular traffic. As an alternative mode of transportation, the proposed project would also increase the use of active transportation travel modes, enhance safety and mobility for non-motorized users, advance efforts to achieve greenhouse gas reduction goals, improve access and maintenance to the flood control channel, and enhance public health. In addition, the proposed project is a safety and mobility enhancement for the County of Orange. The proposed project has the following objectives:

- To further establish the OC Loop as a significant regional recreational and alternative transportation facility resource.
- To facilitate increases in the public's use of active transportation travel modes.
- To enhance the safety and mobility for non-motorized users.
- To advance efforts to achieve greenhouse gas reduction goals.
- To improve the maintenance of, and access to, the flood control channel.
- To enhance public health via the facilitation of increased public use of active transportation travel modes.
- To serve as a viable contributor to County policies and physical improvements designed to promote safety and mobility enhancement.
- To accurately serve its stated purpose in various adopted County/OCTA policy and planning documents including the 2008 Coyote Creek Bikeway Master Plan (Rivers and Mountains Conservancy and Trails4All), 2009 OCTA Commuter Bikeway Strategic Plan, 2012 OCTA/County of Orange Fourth District Bikeways Strategy

Report, 2014 County of Orange General Plan, and the 2015 OC Loop Gap Feasibility Study.

Location

The southern terminus of the alignment would be located at the existing Coyote Creek Bikeway (in the City of Cerritos) at the confluence of the north and east forks of the Coyote Creek Flood Control Channel. As presented on Figure 3.1-3, the alignment of the proposed project trends in a northeast direction for approximately 2.7 miles, where it connects to Segment R of the Coyote Creek Bikeway at La Mirada Boulevard in the City of Buena Park.

Limits

The proposed project primarily lies within the Coyote Creek Flood Control Channel on the Orange County and Los Angeles County border. In Los Angeles County, the project is located within the City of Cerritos and La Mirada. In Orange County, the project is located in the City of Buena Park.

Right-of-Way Requirements

The proposed project would not require acquisition of rights-of-way or require relocation of residences or businesses. However, the project would require three permanent easements (one in Segment P and two in Segment Q):

- A permanent driveway easement for access to the Flood Control Channel at Trojan Way may be required. The Los Angeles County Flood Control District maintenance access driveway that Caltrans constructed needs to be reconnected after the bike path is constructed. However, because of the difference in grade between the access driveway and the proposed bikeway, this reconstructed driveway may be as steep as 15 percent. Therefore, if the grade cannot be achieved, then a permanent access easement would need to be obtained from the property owner so that the Los Angeles Flood Control District could use the property owner's driveway to access the flood control channel when needed.
- Along the north side (1) and south side (2) of La Mirada Boulevard between the Coyote Creek Channel and the shopping center driveway at Village Circle Way, the contractor would "clear & grub" from the back of curb to the privacy wall on the north side and from the back/curb to the retaining wall along the south side. Any surface-evident utilities would remain in place and a 10-foot-wide combined pedestrian/Class I bikeway would be constructed on both sides. Approximately 12 feet (or less) of new permanent easement is required on both sides of La Mirada Blvd behind existing sidewalk.

The right-of-way and agency permits, approvals, and/or agreements required for the project are listed in **Table 1** below:

Table 1
PERMITS AND APPROVALS

Federal	
Agency	**Required Permit and/or Agreements**
U.S. Army Corps of Engineers (USACE)	• 404 Dredge and Fill permit • 408 Authorization to Alter a "Civil Works" project
State	
Agency	**Required Permit and/or Agreements**
Caltrans	• Construction and Encroachment permit
California Department of Fish and Wildlife (CDFW)	• 1602 Streambed Alteration Agreement
California Public Utilities Commission (CPUC)	• Approval of GO-88b permits at all three railroad crossings
Metrolink/Southern California Regional Rail Authority (SCRRA)	• Plan specification and estimate (PS&E) review and approval
State Water Resources Control Board (SWRCB)	• 401 Water Quality Certification
Regional	
Agency	**Required Permit and/or Agreements**
Los Angeles County Flood Control District (LACFCD)	• Construction and Encroachment permit
Orange County Flood Control District (OCFD)	• Construction and Encroachment permit
Los Angeles Regional Water Quality Control Board (LARWQCB)	• 401 Water Quality Certification
Santa Ana Regional Water Quality Control Board (SARWQCB)	• 401 Water Quality Certification
Local	
Agency	**Required Permit and/or Agreements**
Orange County Public Works	• Construction permit
City of Cerritos	• Construction and Encroachment permit
City of Buena Park	• Construction and Encroachment permit
City of La Mirada	• Construction and Encroachment permit
Railroads and Utilities	
Agency	**Required Permit and/or Agreements**
Union Pacific (UP) Railroad and California Public Utilities Commission	• CPUC new grade crossing permits and Construction & Maintenance (C&M) Agreements
Burlington Northern and Santa Fe (BNSF) Railway and California Public Utilities Commission	• CPUC new grade crossing permits and Construction & Maintenance (C&M) Agreements • Plan specification and estimate (PS&E) review and approval
Chevron, AT&T & SCE	• Agreement for Removal/Relocation
Kinder-Morgan & U.S. Navy	• Agreement for Removal

The following environmental commitments will serve as the Environmental Commitments Record for this project.

The project will include, as applicable, standardized features included as part of the project description (http://www.dot.ca.gov/des/oe/construction-contract-standards.html). Standardized features (such as Best Management Practices [BMPs]) are those features that are generally applied to most or all Department projects. These standardized or pre-existing features allow little discretion regarding their implementation and are not specific to the circumstances of a particular project. In addition to the standard measures implemented with this project, the following avoidance and minimization measures apply:

Aesthetics

MM AES-1: During project construction the project applicant shall place construction staging areas as far as possible away from adjacent residences so as to minimize to the maximum extent possible any potential lighting and/or glare impacts to nearby residences or businesses. The lighting used during project construction shall consist of the minimum amount of light necessary for safety and security on the project site.

Biological Resources

MM BIO-1: Qualified Biologist/Biological Monitor.
Although the project is being constructed on an existing dirt/asphalt maintenance path with no vegetation (with minor exception of 280 feet of La Mirada Blvd),if required by forthcoming regulatory agency authorizations, a focused biological monitor shall be onsite to monitor activities at locations that result in the clearing or grading of areas (initial vegetation removal and grading activities) known to contain or potentially contain native wildlife (i.e., coyotes, American crows, common ravens, etc.), special status species (such as the coastal whiptail), as well as grading, excavation, and/or other ground-disturbing activities in jurisdictional areas to ensure that effects do not exceed the limits of grading and to minimize the likelihood of inadvertent impacts to special status species and protected trees. Where appropriate, the biological monitor will mark/flag the limits of sensitive areas (such as active bird nests/sensitive bird habitat) to restrict project activities near the areas. These restricted areas will be monitored to protect the species during construction. The biological monitor will ensure that all biological mitigation measures, BMPs, avoidance and protection measures described in the relevant project permits, approvals, licenses, and environmental reports are in place and are adhered to. Monitoring will cease when the sensitive habitats and jurisdictional areas have been cleared or affected. All observations of special-status species will be documented and mapped in monitoring logs. Monitoring logs will be completed for each day of monitoring. All special-status species recordings will be submitted to the CNDDB.
The biological monitor will have the authority to temporarily halt all construction activities and all non-emergency actions if sensitive areas and special-status species are identified and will be directly affected by project activities. The monitor will notify the County to notify the appropriate resource agency and consult if needed. If needed, and if possible, the biological monitor will relocate the individual outside of the work area where it will not be harmed. Work can continue at the location if Orange County Public Works (OCPW) and the consulted resource agency determine that the activity will not result in impacts to the species.
The biological monitor will notify the project proponent, who will notify the appropriate agencies if a dead or injured protected special-status species is located within the project site. Written notification must be made within 15 days of the date and time of the finding or incident (if known) and must include; location of the carcass, a photograph, cause of death (if known), and other pertinent information.

MM BIO-2: Worker Environmental Awareness Program
If required by forthcoming regulatory agency authorizations, prior to project construction activities, a qualified biologist will prepare and conduct a Worker Environmental Awareness Program (WEAP) training that will describe the biological constraints of the project. All personnel who will work within the project site will attend the WEAP prior to performing any work. The WEAP should cover the results of any pre construction surveys, jurisdictional area locations, and sensitive biological resources (such as coastal whiptail) potentially present on the site. In addition, the training should cover restrictions, avoidance and protection measures, mitigation measures, and

individual responsibilities associated with the project, including measures provided within the forthcoming regulatory permits. The program will include the steps to take if workers encounter a sensitive wildlife species (i.e., notifying the biological monitor or the construction foreman, who will then notify the biological monitor). Training materials will be language-appropriate for all construction personnel. Upon completion of the WEAP, workers will sign a form stating that they attended the program, understand all protection measures, and will abide by all the rules of the WEAP. A record of all trained personnel will be kept with the construction foreman onsite. If new construction personnel are added to the project later, the construction foreman will ensure that new personnel receive training before they start working. The biologist will prepare and provide written hard copies of the WEAP and photos of the sensitive biological resources to the construction foreman.

MM BIO-3: Project Limits and Designated Areas
To avoid impacts to environmentally sensitive areas (ESAs), if any are later identified, surrounding habitats and wildlife, OCPW and/or its assigned contractor will implement the following measures prior to project construction and commencement of any ground disturbing activities or vegetation removal.

- Project footprint will be set at the minimum size to accomplish necessary work, resulting in minimal impacts to sensitive biological resources. • Specifications for the project boundary, limits of grading, project-related parking, storage areas, laydown sites, and equipment storage areas will be mapped and clearly marked in the field with temporary fencing, signs, stakes, flags, rope, cord, or other appropriate markers. All markers will be maintained until the completion of activities in that area.
- To minimize the amount of disturbance, the construction/laydown areas, parking areas, staging areas, storage areas, spoil areas, and equipment access areas will be restricted to designated areas. Designated areas will comprise existing disturbed areas (parking lots, access roads, graded areas, etc.) to the extent possible.
- Project related work limits will be defined and work crews will be restricted to designated work areas. Disturbance beyond the actual construction zone will be prohibited without site-specific surveys. If sensitive biological resources are detected in an area to be affected, then appropriate measures would be implemented to avoid effects (i.e., flag and avoid, erect orange construction fencing, biological monitor present during work, etc.). However, if avoidance is not possible and the sensitive biological resources will be directly affected by project activities, the biologist will mark and/or stake the site(s) and map the individuals on an aerial map and with a GPS unit. The biologist will then contact the appropriate resource agencies to develop additional avoidance, minimization and/or mitigation measures prior to commencing project activities.
- ESAs will be identified, mapped, clearly marked in the field, and avoided to the maximum extent practicable in order to avoid and minimize effects to sensitive biological resources.
- Existing roads will be utilized wherever possible to avoid unnecessary impacts. Project related vehicle traffic will be restricted to established roads, staging areas, and parking areas. Travel outside construction zones will be prohibited.

Monitoring would occur periodically during the length of construction activities to ensure project limits, designated areas (parking, storage, etc.), and ESAs are still clearly marked.

MM BIO-4: General Vegetation Avoidance and Protection Measures
OCPW, or its assigned contractor, would implement the following general avoidance and protection measures to protect vegetation, to the extent practical.

- Although no vegetation was noted along bikeway route efforts would be made to minimize vegetation removal. Cleared or trimmed vegetation and woody debris would be disposed of in a legal manner at an approved disposal site.
- If any invasive species are subsequently discovered within the temporary disturbance areas they would be controlled to the maximum extent feasible using hand pulling or hand tool removal methods only. Limiting control methods to hand pulling or hand tools would further protect the surrounding habitat.
- To minimize the transfer of exotic weed seed, vehicles and all equipment would be washed before first use at the project site. This includes wheels, undercarriages, bumpers and all parts of the vehicle. In addition, all tools such as chain saws, hand clippers, pruners, etc. would also be washed. All washing would take place where rinse water is collected and disposed of in either a sanitary sewer or a landfill. Contractors, subcontractors, employees, and site visitors would be prohibited from collecting plants.

MM BIO-5: Nesting Bird Surveys
To be in compliance with the MBTA and the California Fish and Game Code, and to avoid and reduce direct and indirect impacts to migratory non-game breeding birds, and their nests, young, and eggs, the following measures should be implemented.

- Project activities that will remove or disturb potential nest sites should be scheduled outside the nesting bird season, if feasible. The nesting bird nesting season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Raptors are known to begin nesting early in the year. The raptor nesting bird season begins January 31.
- If project activities that will remove or disturb potential nest sites cannot be avoided during January 31 through September 15, a qualified biologist will conduct a pre-construction survey for breeding bird activity or active nests within the limits of project disturbance up to seven days prior to mobilization, staging and other disturbances. A lapse of no more than seven days should occur between nesting bird surveys.
- If no breeding bird activity or active nests are observed during the pre-construction survey(s), or if they are observed and will not be affected, then project activities may begin and no further nesting bird monitoring will be required.
- If an active bird nest is located during the pre-construction survey and potentially will be affected, a no-activity buffer zone will be delineated on maps and marked by fencing, stakes, flagging, or other means up to 500 feet for special-status avian species and raptors, or up to 100 feet for non-special status avian species. Materials used to demarcate the nests will be removed as soon as work is complete or the fledglings have left the nest. The biologist will determine the appropriate size of the buffer zone based on the type of activities planned near the nest and bird species because some bird species are more tolerant than others to noise and other disturbances. Buffer zones will not be disturbed until a qualified biologist determines that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be affected by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. After the nesting cycle, project activities may begin within the buffer zone.
- If special-status bird species, such as the Least Bell's Vireo, are observed within the project site during the pre-construction surveys, then a qualified biologist will delineate individual species' nesting territories, and notify the appropriate resource agency to: (1) determine if additional or focused protocol surveys are necessary; and (2) select suitable mitigation measures. Project activities may not begin within the area until concurrence is received from the appropriate resource agencies.

MM BIO-6: General Wildlife Avoidance and Protection Measures

The project site contains habitats which can support some wildlife species. Although not much wildlife has been observed utilizing this urban area (please see section 4.4.2 for full list) during the two field surveys, including bats at Stage Road and the Coastal Whiptail, OCPW, or its contractor, would implement the following general avoidance and protection measures to protect wildlife, to the extent practical.

- To minimize construction-related mortalities of nocturnally active species such as mammals and snakes, it is recommended that all work be conducted during daylight hours. If nighttime work is required, the Qualified Biologist will assess the construction area to determine if there are any biological concerns for nighttime work. Nighttime work (and use of artificial lighting) would not be permitted unless specifically authorized by the wildlife agencies. If required, night lighting would be directed away from the preserved open space areas. All unnecessary lights would be turned off at night to avoid attracting wildlife such as insects, migratory birds, and bats.
- If any wildlife is encountered during project activities, it will be allowed to freely leave the area unharmed.
- Wildlife would not be disturbed, captured, harassed, or handled. Fishing would be prohibited at the project site. Animal nests, burrows and dens would not be disturbed without prior survey and authorization from a qualified biologist.
- Active nests cannot be removed or disturbed. Nests can be removed or disturbed if determined inactive by a qualified biologist.
- To avoid impacts to wildlife, OCPW, or its contractor, would comply with all litter and pollution laws and would institute a litter control program throughout project construction. All contractors, subcontractors, and employees would adhere to this program. Trash and food items would be disposed of promptly in predator-proof containers with resealing lids, or will be removed off the site each day. These covered trash receptacles would be placed at each designated work site and the contents would be properly disposed at least once a week. Trash removal would reduce the attractiveness of the area to opportunistic predators such as common ravens (Corvus corax), northern raccoons (Procyon lotor), Virginia opossums (Didelphis virginiana), and coyotes (Canis latrans).
- Contractors, subcontractors, employees, and site visitors would be prohibited from feeding wildlife and collecting wildlife.
- To avoid the potential for mortality and harassment of wildlife, all non security-related firearms, weapons, and domestic dogs would be prohibited from the project site.
- All pitfalls (trenches, holes, bores, detention basins, and other excavations) greater than two feet deep would be completely covered at the end of each work day, or escape ramps provided.

MM BIO-7: Pre-Construction Survey for Coastal Whiptail

- Preconstruction surveys for this species shall be conducted by the project's assigned biological monitor or a qualified biologist immediately prior to initiation of excavation and/or daily work involving earth-moving activities. Survey will be done within 300 feet of where it was observed (disturbed area immediately east of 15250 Desman Road, La Mirada, CA).
- If the coastal whiptail does not leave the project site on its own, it should be coaxed to move out of harm's way, outside of the project area, using an object to "steer" it away from the project site, such as a snake stick or piece of plywood. Relocation out of harm's way of the coastal whiptail shall only be conducted by the project's assigned biological monitor or a qualified biologist prior to any site preparation.

MM BIO-8: Bat Mitigation
The measures below will be used to avoid, minimize or reduce impacts to special status bats that may be impacted by construction activities.

MM BIO-8a – Safety Measure, Standard Operating Procedures
Safety Measure, Standard Operating Procedures: A safety measure concerning the presence of bats within the Coyote Creek channel should be included in the Standard Operating Procedures by the contractor for the onsite construction crews. The safety measure should include precautions for working within 150 feet of any bridge with bat colonies, for the safety of the crews. The safety measure should disclose potential risk of disease from bat bites/scratches and inhalation of guano; requirements for use of Personal Protective Equipment; and responsibilities and actions of crews if a negative interaction with a bat is reported. Although negative interactions with bats are extremely rare, guidance for the contractor and construction crews is recommended.

- Every effort should be made to avoid displacement of the special-status bats during the construction phase.
- If work cannot occur simultaneously with the presence of special-status bats, due to safety hazard for the crew or the bats, the animals may require exclusionary method prior to construction, within 150 feet of bat occupied structures.
- If an exclusionary method is required, OCPW, or its contractor, will prepare a Bat Exclusion and Monitoring Plan (BEMP), for review and approval by CDFW. The BEMP, will detail alternate habitat to be provided if bats are to be excluded from maternity roosts. A roost with comparable spatial and thermal characteristics will be constructed as directed by a project biologist. (see MM BIO-8c, below)
- Saw cutting, jackhammering, piledriving, or similar activities within 150 feet of structures occupied by maternal bat roosts (colonies) should not occur without prior consultation with CDFW. Maternal roosts are typically present between May 1 and August 31.
- Avoid jackhammering, piledriving, or similar activities within 150 feet of the maternal roost until all young bats have left the roost, or as determined by a project biologist, or through consultation with CDFW.
- If special-status bats are present, but there is not an active maternity roost, a consultation with the CDFW will be entered into to determine the approved best management practices, without directly impacting the bat colony.
- Daytime search for bats and bat sign in and around identified habitat.

MM BIO-8b - Pre-construction Bat Survey

- Pre-Construction Bat Survey: Within 30 days before construction, a project biologist who is qualified to survey for special-status bats will conduct pre-construction surveys for presence of roosting bat colonies (including the western mastiff bat). If roosting bat colonies or special-status bat species are present, the following should be implemented:
- Preconstruction Survey Methods. Bat species with potential to occur in the project area employ varied roost strategies, from solitary roosting in foliage of trees to colonial roosting in trees and artificial structures, such as buildings and bridges. Daily and seasonal variations in habitat use are common. To obtain the highest likelihood of detection, preconstruction bat surveys will include these components.
- Identification of potential roosting habitat within project area.
- Evening emergence surveys at potential day-roost sites, using night-vision goggles and/or active full-spectrum acoustic monitoring where species identification is sought.

- Passive full-spectrum acoustic monitoring and analysis to detect bat use of the area from dusk to dawn over multiple nights.
- Additional onsite night surveys as needed following passive acoustic detection of special status bats to determine nature of bat use of the structure in question (e.g., use of structure as night roost between foraging bouts).
- Qualified biologists will have knowledge of the natural history of the species that could occur in the project area and experience using full-spectrum acoustic equipment. During surveys, biologists will avoid unnecessary disturbance of occupied roosts.
- Note that preconstruction surveys are triggered only if the project requires construction activities producing unusually loud activities or activities causing shaking or vibration of the bridge, generally resulting from saw cutting, jackhammering, piledriving, or similar activities (within 150 feet of the bat colony).

BIO-8c Bat Exclusion and Monitoring Plan

- Bat Exclusion and Monitoring Plan: If project plans are altered and high-vibration or sound activities (such as saw cutting, jackhammering and pile driving) will occur during the pupping season, within 150 feet of roosting bat colonies, including special-status bats (e.g. Western Mastiff Bat), the bat biologist will determine if the project is likely to cause the failure of maternal (breeding) colonies. To avoid impacts maternal bat colonies a BEMP would be prepared for implementation during the construction phase of the project.
- The BEMP would provide project-specific measures for noise attenuation devices, acoustic and visual monitoring during high-vibration and sound activities (such as saw cutting, jackhammering, and pile driving), visual disturbance buffers, and the installation of bat exclusion devices to safely and humanely evict bats outside of the maternity season, in the event they are needed.
- If the BEMP is necessary, consultation with the CDFW would occur to finalize preparation of the BEMP for inclusion in the Streambed Alteration
- Agreement under Section 1600-1616 of the Fish and Game Code. Each SAA usually contains a section titled Measures to Protect Fish and Wildlife Resources, for which this plan would be incorporated.
- Note that the BEMP is triggered only if the project requires high-vibration and sound activities causing shaking or vibration of the bridge, generally resulting from saw cutting, jackhammering, pile driving, or similar activities (within 150 feet of the bat colony).

MM BIO-9: Tree Removal Permit

- City of Buena Park Ordinance 12.20.040 states the following:
- “A. Persons desiring to remove any standing or growing trees or shrubbery or any ornament or improvement from a parkway adjacent to property owned or lawfully occupied by such persons shall apply to the director of public works for a permit. The application for such permit shall be in writing and set forth the reasons such removal is desired.
- B. If the director finds upon investigation that the tree, shrub, ornament or improvement desired to be removed constitutes a private nuisance, is not of the type or species designated for such street or for other good cause shown, he or she shall issue a permit allowing such tree, shrub, ornament or improvement to be removed.
- C. The permit for the removal of any tree, shrub, ornament or improvement shall prescribe the method or manner in which such tree, shrub, ornament or improvement shall be removed by the applicant, shall be conditioned upon the fact that all expenses and costs shall be borne by the applicant and shall contain a provision signed by the applicant that the applicant agrees to save, indemnify and keep harmless the city against all liabilities, judgments, costs and expenses which may in any wise accrue against the city in

consequence of the granting of the permit or in consequence of the use or occupancy of any sidewalk, street or other public place or in any other wise by virtue thereof and will in all things strictly comply with the conditions of the permit and of this code, all ordinances, rules and regulations of the city.

- D. The permit for the removal of any tree may require the replanting of another tree after the removal, and, if a replacement is required, the applicant shall deposit a sum
- fixed by the city council for each tree to be replaced before the permit shall be issued. If all the conditions of the permit are not complied with, the deposit required by this section will be forfeited to the city. If the conditions are complied with, the deposit shall be refunded to the applicant.
- E. Any person aggrieved by the refusal of the director to issue a permit for the removal of any tree, shrub, ornament or improvement or by the requirements of such permit may appeal to the city council. The city council shall have the right and authority upon investigation and findings to issue the permit." (Ord. 1505 § 1, 2007)

Cultural

MM CUL-1: Potential historical archaeological resources consisting of eight street bridges, three railroad bridges, and an oil pipeline crossing the Coyote Creek Channel are present within the project site. A qualified archaeologist/architectural historian shall be retained to prepare California Department of Parks and Recreation (DPR) site records and National Register of Historic Places (NRHP) evaluations of these several built features. The archaeologist/architectural historian, upon evaluation of the features and study of the trail construction plans, will determine if there is need for monitoring of these features during construction and if warranted, the archaeologist/architectural historian shall prepare a monitoring plan.

MM CUL-2: If prehistorical and/or historical archaeological resources are discovered during construction, the contractor shall halt construction activities in the immediate area and notify the County. An on call qualified archaeologist shall be notified and afforded the necessary time to recover, analyze, and curate the find(s). The qualified archaeologist shall recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area and afforded the necessary time and funds to recover, analyze, and curate the find(s). Construction activities may continue on other parts of the construction site while evaluation and treatment of historical or unique archaeological resources takes place.

MM CUL-3: If human remains are encountered during project construction, all work shall stop within a 30-foot radius of the discovery and the Orange County Coroner (OCC)will be notified (§ 5097.98 of the Public Resources Code). The OCC will determine whether the remains are recent human origin or older Native American ancestry. If the OCC, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).

Geology and Soils

MM GEO-1: If paleontological resources are uncovered during construction activities, the contractor shall halt construction activities in the immediate area and notify Orange County Public Works. The County's on-call paleontologist shall be notified and afforded the necessary time and funds to recover, analyze, and curate the find(s). Subsequently, a paleontological monitor shall remain onsite for the duration of the ground disturbance to ensure the protection of any other resources that may be in the area.

Hazardous Material

MM HAZ-1: Prior to commencement of project construction, the project applicant shall prepare a soil management plan to identify and manage any contaminated soils and/or subsurface features encountered during the development of the proposed project.

MM HAZ-2: Prior to commencement of project construction, the project applicant shall prepare an aerially deposited lead plan to manage shallow surface soils in proximity to freeways that may be contaminated with lead from vehicle exhaust.

MM HAZ-3: During excavation activities of the areas identified with environmental concerns in the March 23, 2020 Initial Site Assessment Prepared by Citadel EHS for the proposed project, the project applicant shall implement soil monitoring for volatile organic compounds, including the former print shop along Segment P and areas near pipelines in Segment Q.

Noise

MM N-1: At the start of construction near residences or other sensitive receivers, the construction contractor will conduct noise monitoring during construction activities estimated in the noise analysis to result in significant exposures. If the monitored noise levels exceed regulatory noise restrictions or standards, taking into account background noise, then the construction contractor will mitigate noise levels using temporary noise shields, noise barriers or other mitigation measures to preclude complaints and/or comply with those restrictions or standards (see below).

MM N-2: The construction contractor will use the following source controls, except where not physically feasible:

- Use of noise-producing equipment will be limited to the interval from 8:00 a.m. to 5:00 p.m., Monday through Friday unless Saturday work is approved in writing by the appropriate City jurisdiction.
- For all noise producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.
- The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.
- Have only necessary equipment onsite.
- Use manually-adjustable or ambient-sensitive backup alarms

MM N-3: The contractor will use the following path controls, except where not physically feasible:

- Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
- Temporarily enclose localized and stationary noise sources.

- Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.
- Work with the complaining party to find acceptable solutions.

MM N-4: At least two weeks in advance of the start of construction in a new portion of the project, the construction contractor shall notify all noise-sensitive receivers adjacent to the project area. Since relatively few sensitive receivers will be near the construction site, such notices shall take the form of a flyer that can be hand-delivered or affixed to a doorway. The notice shall state specifically where and when construction activities will occur and provide contact information for filing noise complaints with the contractor and the City.

MM N-5: During project construction vibratory rollers shall not be used within 75 feet of a residential property boundary or a structure deemed fragile or one that is under construction.

Public Services

MM PS-1: The project applicant shall require the proposed project to provide fire department and law enforcement vehicles' access to the proposed bikeway with the installation of access/exit gates to provide emergency access along the proposed Segments O, P, and Q of the OC Loop bikeway, including adequate turning radius for emergency vehicles.

MM PS-2: To ensure that homelessness on the trail system is addressed, a separate agreement shall be crafted between the project applicant and the County of Los Angeles, the project applicant and the City of Cerritos, the project applicant and the City of Buena Park and the project applicant and the City of La Mirada that clearly states who is responsible for patrolling the proposed trail and addressing law enforcement and cleanliness/graffiti.

Transportation

MM TRANS-1: The General Contractor shall submit a detailed Construction Management Plan to be reviewed and approved by the County of Orange, the City of Buena Park, the City of Cerritos, and the City of La Mirada. The Construction

- Management Plan shall specify that the Construction Manager will schedule truck traffic and employee shifts to avoid creating trips during the peak traffic periods, as is feasible for construction operations. All measures, including identified truck routes and designated employee parking areas, shall be included in the Construction Management Plan. The Plan shall include but is not limited to the following provisions:
- a) To handle street traffic affected by at-grade construction work on Knott Avenue and Stage Road, and the temporary closure of South Firestone Boulevard, the Construction Management Plan shall specify how traffic will be routed and controlled during the construction phase, including which lane(s) of traffic will be temporarily blocked off for construction work.
- b) Specification of permitted hours for construction-related deliveries and removal of heavy equipment and material.
- c) Specification of where construction workers would park their personal vehicles during project construction with a requirement that at no time shall construction worker vehicles block any driveways. If complaints are received by the project applicant regarding issues with construction worker vehicle parking, the project applicant shall identify alternative parking options for construction workers so as not to interfere with any commercial and residential parking availability;

- d) Identification of how emergency access to and around the project site shall be maintained during project construction.
- e) Specification of haul routes for delivery or removal of heavy and/or oversized equipment or material loads. Where feasible, delivery or removal of oversized equipment or material loads shall be conducted during off-peak traffic periods.
- f) Maintain pedestrian and bicycle connections around the project site; designate safe crossing locations for all pedestrian detours.
- g) Maintain the security of the project site by erecting temporary fencing during the construction phase of the project. Any onsite night lighting used during the construction phase of the project shall be in compliance with lighting requirements of the Cities of Cerritos, La Mirada and Buena Park.
- h) If temporary lane closures are necessary for the installation of utilities, emergency access shall be maintained at all times.
- i) Flag persons and/or detours shall be provided as needed to ensure safe traffic operations.
- j) Construction signs shall be posted to advise of reduced construction zone speed limits.
- k) The project design shall include entry/exit gates for first responders' vehicles to gain access to the bikeway along segments O, P and Q.
- l) If required, ongoing regular maintenance shall occur along the bikeway to deter crime.