Appendix A

Mitigation Monitoring and Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM

Scattergood Generating Station Units 1 and 2 Green Hydrogen-Ready Modernization Project Final Environmental Impact Report State Clearinghouse No. 2023050366

Introduction

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines to provide for monitoring of the mitigation measures required by certification of the Scattergood Generating Station Units 1 and 2 Green Hydrogen-Ready Modernization Project (proposed project) Final Environmental Impact Report (Final EIR). Section 21081.6 of the Public Resources Code and Section 15091(d) of the CEQA Guidelines require public agencies to "adopt a reporting or monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment." The lead agency must define specific reporting and/or monitoring requirements to be enforced during project implementation prior to final approval of the proposed project.

The Los Angeles Department of Water and Power (LADWP) is the lead agency for the proposed project and is responsible for administering and implementing the MMRP. The MMRP stipulates how all required mitigation measures are to be implemented and completed during the appropriate project phase. It also facilitates documentation necessary to verify that mitigation measures were in fact properly implemented.

Mitigation Monitoring and Reporting Program Procedures

This MMRP gives LADWP the primary responsibility for taking all actions necessary to implement the mitigation measures according to the specifications provided for each measure and for demonstrating that the action has been successfully completed. LADWP's designated environmental project manager will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to remedy problems. LADWP, at its discretion, may delegate responsibility for measure implementation and monitoring, or portions thereof, to other responsible individuals, such as a licensed contractor. Specific responsibilities for LADWP include:

- Coordination of all mitigation monitoring activities
- Management of the preparation, approval, and filing of monitoring or permit compliance reports
- Maintenance of records concerning the status of all approved mitigation measures
- Quality control assurance of field monitoring personnel
- Coordination with other agencies regarding compliance with mitigation or permit requirements
- Reviewing and recommending acceptance and certification of implementation documentation
- Acting as a contact for interested parties or surrounding property owners who wish to register complaints, observations of unsafe conditions, or environmental violations; verifying any such circumstances; and developing any necessary corrective actions

Resolution of Noncompliance Complaints

Any person or agency may file a complaint regarding noncompliance with the mitigation measures addressed in the MMRP. The complaint shall be directed to LADWP's Environmental Planning and Assessment Group (111 North Hope Street, Room 1044, Los Angeles, CA 90012 or (213) 841-0750) in written form providing detailed information on the purported violation. LADWP will investigate any complaints filed to determine the validity of the complaint. If noncompliance with a mitigation measure is verified, LADWP will take the necessary action(s) to remedy the violation. The complainant will receive written confirmation indicating the results of the investigation or the final corrective action that was implemented in response to the specific noncompliance issue.

Mitigation Monitoring and Reporting Program Matrix

The MMRP is organized in a matrix format. The first column identifies the mitigation measure number. The second column identifies the mitigation measure. The third column, entitled "Time Frame for Implementation," refers to when monitoring will occur. The timing for implementing mitigation measures and the definition of the approval process has been provided to assist LADWP staff to plan for monitoring activities. The fourth column, entitled "Responsible Monitoring Agency," refers to the agency responsible for ensuring that the mitigation measure is implemented. The fifth column, entitled "Verification of Compliance," has sub-columns for initials, date, and remarks. This last column will be used by the lead agency to document the person who verified that the mitigation measure was satisfactorily implemented, the date on which this verification occurred, and any other remarks. The mitigation measures in the matrix are presented by environmental issue area.

Mitigation Monitoring and Reporting Program

Scattergood Generating Station Units 1 and 2 Green Hydrogen-Ready Modernization Project
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Number	Mitigation Measures (MM)	Time Frame for Implementation	Responsible Monitoring Agency	Verification of Compliance		
				Initials	Date	Remarks
AIR QUALITY						
MM-AQ-1	**Tier 4 Final Engines.** Offroad construction equipment greater than 80 horsepower shall be equipped with Tier 4 Final engines.	During construction	LADWP			
BIOLOGICAL RESOURCES						
MM-BIO-1	**Nesting Bird Surveys.** 1. A pre-construction nesting bird survey shall be conducted by a qualified biologist within 72 hours prior to the start of project construction activities to determine whether active nests are present within or directly adjacent to construction zones. Following completion of the survey, a report shall be prepared to document the location of any nests found, their status (i.e., eggs or hatchlings present), the species of bird, and existing biological conditions of the project area. If an active nest is found, the following shall be implemented to minimize impacts to the nest. a. A qualified biologist shall determine if a nest avoidance buffer zone is necessary to restrict construction activities in proximity to the nest to protect the nest from failing. In determining the need for and establishing the size of any buffer zone, the qualified biologist shall take into account existing baseline conditions (e.g., topography,	Prior to and during construction	LADWP			

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	buffering buildings or other structures, etc.). In addition, observed avian response to disturbances related to existing station operations (e.g., noise and human activity) shall factor into the requirement for and size of a nest avoidance buffer. b. Any avoidance buffers required around active nests shall be delineated on site with bright flagging or other means, for easy identification by project personnel. The resident engineer and construction supervisor will be notified of the nest and the buffer limits to ensure it is maintained. c. The qualified biologist shall monitor all detected nests, including those with and without an established buffer, at least once per week to determine whether birds are being disturbed. If signs of disturbance or stress are observed, the qualified biologist shall implement adaptive measures to reduce disturbance. These measures could include placing visual screens or sound dampening structures between the nest and construction activity or establishing or increasing buffer distances. The qualified biologist shall monitor each active nest until they determine that nestlings have fledged and dispersed, or the nest is no longer active. Until such a determination is made, construction-related activities that, in the opinion of the qualified biologist, might disturb nesting activities shall be prohibited within nest buffer zones.					

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MM-BIO-2	**Pre-Project Surveys.** Prior to the start of project-related activities, two pre-project surveys shall be conducted within the proposed work area within a one-week period. Pre-project surveys shall include: a. General surveys for botanical and wildlife resources; b. Identification of any active bird nests and/or animal burrows (if active, they should be recorded, monitored for species observations, and mapped); and c. Work areas with flowing or standing water shall be visibly surveyed for any aquatic species that may be impacted by project activities. The surveys shall be conducted in accordance with CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (see https://www.wildlife.ca.gov/Conservation/Plants/Info). If sensitive or special status species are observed during the pre-project surveys, CDFW shall be notified, LADWP shall set avoidance buffer zones to reduce disturbance to the species (in coordination with CDFW), and LADWP shall monitor the species until either the project has been completed or the species has naturally and voluntarily left the area.	Prior to construction	LADWP			

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GEOLOGY AND SOILS						
MM-GEO-1	**Paleontological Monitoring.** Prior to grading or excavation, LADWP shall retain a Society for Vertebrate Paleontology (SVP)-qualified paleontologist to monitor or supervise monitoring of earth-moving activities in sedimentary rock material other than topsoil or fill material. A qualified paleontologist is a professional with a graduate degree in paleontology, geology, or related field, with demonstrated experience in the vertebrate, invertebrate, or botanical paleontology of California, as well as at least one year of full-time professional experience or equivalent specialized training in paleontological research (i.e., the identification of fossil deposits, application of paleontological field and laboratory procedures and techniques, and curation of fossil specimens), and at least four months of supervised field and analytic experience in general North American paleontology. Paleontological monitoring is required during ground disturbance in undisturbed geologic contexts (i.e., bedrock and outcrops below existing asphalt and base) which have the potential to contain significant paleontological resources. Ground disturbance refers to activities that impact subsurface geologic deposits, such as grading, excavation, boring, etc. The qualified paleontological monitor shall recommend when monitoring is required. Either geotechnical logs identifying subsurface conditions will be reviewed in order to identify at what depth undisturbed bedrock is to be encountered, or work shall be monitored on a part-time basis until undisturbed sediments are observed, after which the frequency of monitoring will be determined with the input of the qualified paleontological monitor based on the nature and depth of ground-disturbing	Prior to and during construction	LADWP			

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	activities taking place and the sediments encountered. Activities taking place in current topsoil or within previously disturbed fill sediments (e.g., clearing, grubbing, pavement removal or rehabilitation, and debris removal) do not require paleontological monitoring. Bedrock can occur at varying depths in different areas, and monitoring may be reduced or eliminated based on the recommendations of the qualified paleontologist. If no fossils have been recovered after 50 percent of excavation has been completed, monitoring may be modified to weekly spot-check monitoring at the discretion of the qualified paleontologist. The qualified paleontologist may recommend reduced monitoring based on observations of specific site conditions during initial monitoring (e.g., if the geologic setting precludes the occurrence of fossils). If any paleontological resources are discovered at the project site during ground-disturbance activities, the paleontological monitor will notify the on-site construction supervisor and the LADWP Environmental Project Manager, who shall temporarily halt work all such activities within 50 feet of the discovery. LADWP shall consult with the qualified paleontologist to assess the significance of the find to determine the appropriate treatment. The assessment will follow the SVP's Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources in determining appropriate identification, evaluation, disclosure, avoidance, recovery, and/or curation. If any find is determined to be significant, appropriate avoidance measures recommended by the qualified paleontologist must be followed unless avoidance is determined to be infeasible in relation to the implementation of the proposed project. If					

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	avoidance is infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. Appropriate treatment as determined by the qualified paleontologist shall be implemented with respect to the evaluation and recovery of fossils, after which the on-site construction supervisor shall be notified that work may continue in the location of the fossil discovery. Any fossils recovered during mitigation shall be cleaned, identified, cataloged, and curated with an accredited and permanent scientific institution with a research interest in the materials.					
HAZARDS AND HAZARDOUS MATERIALS						
MM-HAZ-1	**Soil/Sediment Management Plan.** A Soil/Sediment Management Plan shall be developed by the construction contractor and reviewed and approved by LADWP, and the plan shall be implemented prior to excavation activities. The Soil/Sediment Management Plan shall include a discussion of the anticipated/possible soil/sediment concentrations based on sediment sampling data from Scattergood. The Soil/Sediment Management Plan shall also require sampling to be conducted to characterize the excavated soil and sediment; the decision process to be used to characterize the waste based on the sampling conducted; the proposed management of the soil/sediment, including discussion of material segregation, temporary storage locations, containers, and labeling; and possible disposal facilities/locations. In addition, the Soil/Sediment Management Plan shall also include a discussion of adjacent areas that could potentially impact the project site. While no known releases from surrounding areas are known to have occurred, there is a potential that potential releases from these areas could have	Prior to and during construction	LADWP			

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	impacted the project site. The plan would include strategies for management of contaminated soils encountered during excavation, which would be implemented as required during construction. A project-specific Health and Safety Plan shall be prepared in accordance with the Occupational Safety and Health Administration standards and included as part of the Soil/Sediment Management Plan. Copies of the Soil/Sediment Management Plan and Health and Safety Plan shall be maintained on site during excavation and removal of hazardous materials from the project site. All workers on the project site shall be made familiar with these documents.					
MM-HAZ-2	**Waste Management Plan.** A Waste Management Plan shall be developed by the construction contractor and reviewed and approved by LADWP, and the plan shall be implemented during construction activities. The Waste Management Plan shall include a discussion of the anticipated non-soil/sediment wastes that may be encountered or generated during the proposed project, the locations of these potential wastes, details of special handling, proposed storage locations, containers and labeling, testing for waste characterization, and possible disposal/recycling facilities. Copies of the Waste Management Plan shall be maintained on site during construction and removal of materials from the project site. All workers on the project site shall be familiarized with the plan.	Prior to and during construction	LADWP			

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TRIBAL CULTURAL RESOURCES						
MM-TCR-1	**Cultural Resources Awareness Training.** All field supervisors and all construction workers shall participate in cultural resources awareness training prior to the initiation of project construction on project sites that involve ground-disturbing activities. The training shall be conducted by LADWP Environmental Affairs personnel and shall include a description of the types of cultural resources (including tribal cultural resources and human remains) that could inadvertently be encountered during ground-disturbing activities, the sensitivity of the resources, the legal basis for protection of the resources, and the penalties for unauthorized collection of or knowingly damaging the resources. The training shall address the proper procedures in the event of an inadvertent discovery of a cultural resource, including the immediate halting of work in the area of the discovery, notification of appropriate individuals of the discovery, the establishment of appropriate protective buffer zones around the discovery, and the continued avoidance of the protected area until the resource has been evaluated by qualified individuals and an appropriate treatment plan has been developed and implemented. These procedures shall be documented in a cultural resources monitoring plan (CRMP) that shall establish, in the event of an inadvertent discovery of cultural resources, monitoring procedures (including applicable archaeological and/or tribal monitors), notification procedures, key staff, and preliminary treatment measures for potential discoveries. The CRMP shall be written to ensure compliance with appropriate state and federal laws. The training presentation and CRMP shall be available to	Prior to and during construction	LADWP			

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	additional supervisory or construction personnel who may join after project construction has begun.					
MM-TCR-2	**Inadvertent Discovery of a Tribal Cultural Resource.** In the event that a Native American resource is inadvertently discovered during project construction, the Native American tribe(s) that consulted on the proposed project pursuant to California Assembly Bill 52 shall be notified and be provided information about the find to allow for early input from the tribal representatives with regards to the potential significance and treatment of the resource. If, as a result of the resource evaluation and tribal consultation process, the resource is considered to be a tribal cultural resource in accordance with California Public Resources Code Section 21074, determined to be eligible for inclusion in the California Register of Historic Resources or a local register of historical resources, or determined to be significant by LADWP (the CEQA lead agency), a tribal monitor from a consulting Native American tribe shall be procured to monitor all remaining ground-disturbing activities in the area of the resource as specified by the Environmental Project Manager. The input of all consulting tribes shall be considered in the preparation of any required treatment plan for the resources prepared by the qualified archaeologist. Work in the area of the discovery may not resume until evaluation and treatment of the resource is completed and/or the resource is recovered and removed from the site. Construction activities may continue on other parts of the construction site while evaluation and treatment of the resource takes place.	During construction	LADWP and Native American Tribe			