

APPROVED
JAN 11 2012

REPORT OF GENERAL MANAGER

NO. 12-022

DATE January 11, 2012

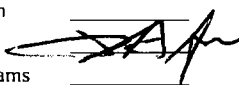
BOARD OF RECREATION
AND PARK COMMISSIONERS


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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: RESEDA PARK – LAKE REHABILITATION (PRJ1200K) PROJECT – FINAL ACCEPTANCE

R. Adams _____
H. Fujita _____
V. Israel _____

K. Regan _____
*M. Shull 
N. Williams _____


General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATIONS:

That the Board:

1. Approve the total change order amount in excess of 25% of the original contract price.
2. Approve the final acceptance of work performed under Contract No. 3316 as outlined in the Summary of this Report;
2. Authorize the Department's Chief Accounting Employee to release all retention monies held under Contract No. 3316 to Metro Builders and Engineers Group, Ltd., thirty-five (35) calendar days after acceptance by the Board; and,
3. Authorize the Board Secretary to furnish Metro Builders and Engineers Group, Ltd., with a letter of completion.

SUMMARY:

The construction contract for the Reseda Park – Lake Rehabilitation (PRJ1200K) project was awarded to Metro Builders and Engineers Group, Ltd., on June 2, 2010, in the amount of \$721,711. The project was completed on October 10, 2011 and the landscape maintenance period ended on December 5, 2011. The project provided for draining of the lake and removal of bottom sediments, repair and stabilization of the perimeter walls, re-surfacing of the lake asphalt lining, installation of new filtration and aeration systems, construction of a new skimming weir system, refurbishment of water fountain nozzles on the lake island, construction of a new lake drain vault and maintenance hole, construction of a new gravity flow sewer line connection from

REPORT OF GENERAL MANAGER

PG. 2 NO. 12-022

the existing wet wells to the sewer line in Reseda Boulevard, and installation of new floating islands within the lake.

The project was funded by Proposition 40 specified funds in the amount of \$1,169,000 and Quimby funds in the amount of \$359,964. A total of 23 change orders, in the amount of \$534,198.54 (74% of original contract amount), were issued for a total project construction cost of \$1,255,909.54.

The project was originally planned to be constructed in two phases with the draining of the lake and removal of bottom sediments to be completed by a Department of Recreation and Parks contract vendor prior to the award of the remainder of the lake rehabilitation scope to a general contractor. However, due to construction coordination issues involving time required for mobilization and demobilization of two separate contractors, it proved to be more efficient to award the entire scope of work to one general contractor in the interest of time. The combination of the two project phases did not increase the cost of the project. Therefore, on September 1, 2010, the Board approved a change order in the amount of \$150,000 for Metro Builders to perform the draining of the lake and removal of bottom sediments scope of work (Board Report No.10-234).

The actual change order amount for this project, excluding the \$150,000 for the draining of the lake and removal of bottom sediments work, is \$384,198.54, which is approximately 53% of the original contract price. The high percentage of change orders for this project was due to added scope of work during project construction. The most significant components added to the contract were the repair/reinforcement of the existing lake walls and resurfacing of the lake asphalt bottom. Both of these components were required to be issued as change orders because the existing condition of the lake walls and bottom could not be assessed until the lake was completely drained. The services of URS Corporation, was obtained for the design and biological resource management of the project. Per their report, dated August 2010, they indicated that several migratory birds utilize the lake as their breeding grounds. Therefore, as part of the requirement to protect the biological resources, the project needed to be completed between the avian breeding seasons. Due to this requirement, there was an urgent need to complete the work in a timely manner which resulted in their being insufficient time to obtain prior Board approval for exceeding the 25% change order amount. Therefore, staff is also requesting the Board to approve the total change order amount in excess of 25% of the original contract price.

Department staff consulted with the Office of Contract Compliance (OCC) concerning the status of the labor compliance requirements and affirmative action requirements on the project. There are no outstanding wage violations and Metro Builders and Engineers Group, Ltd. is in compliance with OCC requirements.

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FISCAL IMPACT STATEMENT:

The Reseda Park – Lake Rehabilitation project will be included in the existing Valley Region landscape maintenance routes and will be serviced in accordance with available resources.

This report was prepared by Alice Gong, Project Manager, Department of Public Works, Bureau of Sanitation, and reviewed by David Attaway, Environmental Supervisor, and Michael A. Shull, Superintendent, Planning and Construction Division.

**WORKER ENVIRONMENTAL AWARENESS TRAINING PROGRAM
(WEAP)**

RESEDA PARK - LAKE REHABILITATION PROJECT

Prepared for
DAVID ATTAWY, ENVIRONMENTAL SUPERVISOR
CITY OF LOS ANGELES,
DEPARTMENT OF RECREATION AND PARKS

August 2010

Prepared by
URS

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WORKER ENVIRONMENTAL AWARENESS PROGRAM (WEAP)

1.0 INTRODUCTION

This Worker Environmental Awareness Program (WEAP) supplements the efforts of the Office of Councilman Zine (Third Council District) the City of Los Angeles (City), and Departments of Recreation and Parks working together to bring about a healthy lake at Reseda Park. This is being funded through an almost \$1.2 million State Proposition 40 grant. For the purposes of this document, the Lake Rehabilitation Project will hereafter referred to as the Project, and the "study area" is defined as the Reseda Park Lake's physical footprint including a buffer. The Project is located in the Reseda community of the Los Angeles, California, within Reseda Park (18411 Victory Boulevard) - which is bordered by Victory Blvd to the south, Kittridge St to the north, Etiwanda Ave to the east, and Reseda Blvd to the west. Additionally, Reseda Park is bisected by the Los Angeles River and is located within the U.S. Geologic Service (USGS) Canoga Park 7.5-Minute Series Quadrangle Map (1980).

The Project is expected to begin in August 2010 and continue until the end of November 2010. Major Project components include:

- Lake draining and cleaning activities;
- Sewer connections and retrofits;
- Drainage system improvements (i.e., installation of new pumps, compressors, pipelines, skimming weirs, replacement of the existing aeration system, and repair of the fountain nozzle)
- Demolition (e.g., removing the existing island, old pumps, compressors, water treatment equipment, valves, and pipelines); and
- Placement of floating vegetated islands in the Lake.

Reseda Lake will be drained in accordance with all applicable local, state, and federal laws and ordinances by pumping a substantial portion of its contents into the sewer system at Reseda Boulevard, and the remaining material will then be pumped into dewatering containers to separate out solid materials prior to disposal; any remaining materials will be collected with vector trucks – or similar equipment. It is anticipated that the dewatering will take approximately 1 month to complete.

The Project also includes installation of a new pipe from the pump house to the sewer system at Reseda Boulevard and modification of the current Reseda Lake drain which discharges to the Los Angeles River. These activities involve the placement of a new pipeline, valves, and vault covers. At Project completion, water will still be able to discharge from the lake into the Los Angeles River during substantial storm events and recognized emergencies. Any discharges related to maintenance of the lake will be discharged to the sewer system at Reseda Boulevard. Project improvements also include repairs of two fountain nozzles and the lake's side walls, installation of six pre-cast concrete skimmer boxes at various locales along the lake edge, and removal of the existing aeration system. Replacement for the existing aeration system consists of installing a more efficient micro-bubble diffuser system.

The Project also includes an open water mosaic of vegetated islands within the water body; seven floating islands containing aquatic emergent vegetation will be placed into the lake. This configuration keeps open water and aeration activities interspersed throughout the lake to improve water quality and mimic natural the early successional growth stages of wetland ecosystems. The Project ultimately supports the establishment of a functional wetland and aquatic habitat which provides water quality improvements across a relatively broad spectrum of constituents (including bacteria, suspended solids, heavy/trace metals [lead, zinc, copper, etc.], and dissolved nutrients).

The lake already includes deep and shallow water depths which provide structural diversity of habitat. This mosaic structure encourages site utilization by wildlife (such as migratory water fowl, aquatic birds, mammals, amphibians, and reptiles) for bathing, basking, and foraging. The islands provide habitat for a variety of aquatic invertebrates (mostly crustaceans and insects) and algae, which will also provide food for numerous species. Waterfowl would be expected to forage in the open water habitats as well. Numerous species of swallows and phoebes will also forage on flying insects emerging from the open water. The lake should be stocked as a warm water fishery. The small fish will provide food to fish-eating wildlife including kingfishers, great blue herons, egrets, skunks, and raccoons. Additionally, the permanent water will supply year-round drinking and bathing water for a variety of other wildlife species. The total surface area of the vegetated islands will be approximately 5,000 sq. ft

This WEAP is intended to inform park maintenance and construction personnel about the project specific environmental requirements and provide basic rules and guidelines for working at Reseda Park. To that end, it is important for each member of the team to understand that their actions and behavior in the field are critical for keeping the project in compliance, and avoiding unnecessary delays or work shutdowns. This WEAP is a guide, which summarizes the general rules and procedures that must be followed by everyone on the project working at Reseda Lake.

2.0 BIOLOGICAL RESOURCES

The study area was routinely evaluated in 2010 during the months of March, May, June, July and August 2010 by URS Corporation Biologists (URS 2010a, URS 2010b, URS 2010c URS 2010d URS 2010e, URS 2010f and URS 2010g). The field evaluations determined that the vegetation within the study area can generally be characterized as non-native. Species diversity is consistent with landscaping for park use. Non-native turf grass exists throughout the study area, which is planted with ornamental non-native and native trees. The study area buffer zone is developed with residential and commercial buildings. Plants observed included mainly non-native annual and perennial species - which primarily consisted of species common to ornamental landscaping and urban/commercial areas.

The study area contains three vegetation communities/land use types, which include:

- Ornamental landscaping;
- Developed areas - urban / commercial; and
- Open water.

Wildlife observed within the study area in 2010 was common to a landscaped park and developed/urban areas. None of the observed species were identified as special-status¹. Additionally, the 2010 literature review and field reconnaissance identified only five special-status plant and four special status wildlife species with any potential to occur in the region. The field surveys determined that all of these special-status species were unlikely to occur within the study area during Project activities in 2010.

Literature review and field survey data suggest that no special-status species were utilizing the study area during any 2010 pedestrian field surveys. The field surveys determined that the study area lacks the requisite habitat needed to support special-status plant and animal species. Furthermore, the study area is not included within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, nor is designated as a Significant Ecological Area (SEA) by Los Angeles County Regional Planning.

¹ For the purposes of this analysis, "special-status species" refers to any species that has been afforded special protection by federal, state, or local resource agencies (e.g., U.S. Fish and Wildlife Service, California Department of Fish and Game) or resource conservation organizations (e.g., California Native Plant Society). The term "special-status species" excludes those avian species solely identified under Section 10 of the Migratory Bird Treaty Act (MBTA) for federal protection. Nonetheless, MBTA Section 10 protected species are afforded avoidance and minimization measures per state and federal requirements.

3.0 MEASURES TO PROTECT BIOLOGICAL RESOURCES

Due to the recreational value and ecological importance of the Reseda Park's biological resources², biological monitoring will be conducted on an as-needed basis during the construction period. The City has also developed protocols and measures for project personnel in order to give them some latitude, within the law, to deal with wildlife issues on or near project directed/authorized activities on a case-by-case basis; while at the same time taking into account practical issues of biology, species sensitivity, regulatory status, and constructible feasibility. Appendix A includes representative photos of commonly occurring species within the study area.

The following will also be implemented to the greatest extent practical:

- Any lighting that will be installed as part of the Project shall be directed away from adjacent lands, wherever feasible and consistent with public safety. Where possible, adequate shielding with non-invasive plant materials (preferably native) shall be provided to protect the study area from night lighting. Consideration shall be given to the use of low-pressure sodium lighting.
- Activities within and adjacent to the study area shall be designed to minimize noise impacts to the maximum extent practical. Efforts should be made to prevent excess noise that could impact or interfere with biological resource utilization of the study area. Excessively noisy uses or activities shall be curtailed during the avian breeding season to the maximum extent practical as well. To avoid impacts associated with construction noise, these actions should occur outside of the breeding season (February 15 to August 15). If construction or maintenance must occur during the breeding season, pre-activity surveys shall be conducted by a qualified biologist to identify the presence or absence of nesting wildlife.
- The City shall coordinate and comply with all applicable local, state, and federal regulatory agencies, environmental laws, and regulations (e.g., U.S. Army Corps of Engineers [USACE], Regional Water Quality Control Board [RWCQB], California Department of Fish and Game [CDFG], Migratory Bird Treaty Act [MBTA], federal Endangered Species Act [FESA], California Endangered Species Act [CESA], Clean Water Act [CWA] and relevant sections of the California Fish and Game Code).
- No personnel working on the project will take or destroy birds, or active nests (or eggs) of birds that are protected under CESA, FESA, MBTA, and California Fish and Game Code Section 3503, 3503.5, 3505, 3513, etc.
- The City shall ensure conformance with all local, state, and federal environmental laws, and regulations with regard to biological resources. If required, a Biologist / Biological Monitor(s), has the ability to temporarily halt any Project related activities if "take" of a common or special status species is eminent. The Biologist / Biological Monitor has the ability to: a) Temporarily halt any activities when they've determined that there would be imminent take to a species protected under state / federal laws if the activities continued; b). Inform the City and the Construction Manager when to resume activities; and c) Notify the City if there is a halt of any activities, and advise the

² For the purposes of this analysis, "biological resources" refers to the plants, wildlife, and habitats that occur, or have the potential to occur, within the Project's study area.

City of any corrective actions that have been taken, or will be instituted, as a result of the temporary work stoppage.

- No firearms shall be allowed within the study area.
- Any contractor, employee who inadvertently kills or injures special status or common wildlife shall immediately report the incident to the City or a Biological Monitor / Biologist. This representative shall contact the appropriate resource agencies immediately.
- United States Fish and Wildlife and/or CDFG shall be notified in writing within three working days of the accidental death or injury to any state or federal listed species during Project related activities. Notification shall include the date, time, and location of the incident / dead or injured animal and any other pertinent information.
- Limits of grading and construction activities should be clearly delineated so that no lands or vegetation outside the delineated grading limits would be disturbed by construction personnel or equipment. Project personnel will drive only on existing roads outside of construction limits.

4.0 ENVIRONMENTAL PROTOCOL FOR ALL PROJECT EMPLOYEES

In the interest of working cooperatively with resource agencies, a process is included below that represent a programmatic approach to natural resource compliance. This approach recognizes the possibility of removal and alteration of structures and unfinished or empty nests that may be used by wildlife protected under Section 10 of the MBTA, and other state and federal laws³. As such, the Project would minimize the potential adverse effects of physical ground-disturbing activities on wildlife by locating, monitoring, passively relocating (if necessary), and avoiding "take" by implementing the following:

- Stay only within designated work areas and access roads. Approved work areas, access roads, and so forth shall be clearly marked. All Project activities must remain in these areas. Do not go beyond or disturb areas outside of the designated work limits.
- Do not litter. Dispose of trash in designated containers. All litter and construction debris must be removed from the jobsite daily. Cigarette butts are trash too!
- Clean up and report all hazardous material leaks and spills immediately. Report all leaks and spills of hazardous materials to the City, and ensure that all contaminated materials are cleaned up, removed from the study area, and disposed of as required.
- Practice fire prevention and safety. All fires are prohibited within the study area; this includes barbecues.
- Personnel will initially assess any proposed activities within the Project's physical ground disturbance limits for biological resources (i.e., nests - unfinished, empty, or occupied), and/or nesting structures;
 - It is important to note that while a specialist can be contacted to look for biological resources, special expertise is not required to identify an active bird nest in most instances.
 - Field assessments are to be limited to no more than 72 hours prior to physical ground disturbance.
- Personnel will inspect existing native and non-native vegetation, and developed lands that may support wildlife (i.e., nesting birds, common and special status species);
 - Inspections shall not be conducted during weather that is not conducive to observing wildlife (i.e., not during heavy rain, high winds [> 20 MPH], dense fog, or extreme temperatures [over 95° F or 35° C]).
- If no common or special status species are observed, and no potential active nests are documented during these inspections, the proposed activity should continue as planned;
- However, if a potential active nest or the presence of a common or special status species is suspected that is likely to be in harm's way during the initial field assessment of the proposed

³ The City does not propose any direct "take" of any wildlife or active nests, where "take" is defined per California Fish and Game Code 86, the MBTA, FESA or CESA.

activity, then personnel should not conduct any activities within the area – and a temporary exclusion buffer should be established to the maximum extent practical, while the City is immediately notified to answer questions, provide direction, and assist in obtaining approval for the proposed activities;

- If it is obvious that Project-related activities cannot avoid active nests, and that common or special status species are not insulated from adverse effects, City staff shall not knowingly cause harm to the animal(s) in question;
- Where it has been determined that nests are inactive, or have been vacated after young have fledged, a Biological Monitor / Biologist may direct Project personnel to remove or relocate inactive/empty nests or nesting substrates to allow work to proceed;
- Removal of unfinished or empty nests should be documented by Project staff;
- The aforementioned activities may be repeated as frequently as necessary to prevent nest completion or utilization of lands within the study area by wildlife;
- Removal should only be employed in instances where nests are not insulated from Project activities;
- If animals or nests appear to be insulated from Project activities or a Biological Monitor / Biologist observes individuals that appear adapted/acclimated to the presence of machinery and other common activities, then the animal or nest should be monitored and remain in place without perturbation;
- Personnel working on the Project should not take or destroy animals, active nests (or eggs) of birds that are protected under CESA, FESA, MBTA, and California Fish and Game Code Section 3503, 3503.5, 3505, 3513, etc.
- If needed and only in an emergency, any resident, immature or body-molting waterfowl or other wildlife species whose safety is imminently threatened by project construction activities can be passively relocated from the study area.
 - Passive relocation will be accomplished by temporarily suspending Project activities and providing an alternate egress locale from the Project's disturbance footprint for affected species.
 - Wildlife will be encouraged to move from the Project's disturbance footprint in a humane fashion with the use of physical barriers and visual noise (visual noise is the combination of various and varied screens, hand held objects, and so forth that discourage or deter an animal from moving in a specific direction, or staying in a particular locale).
 - Passive relocation can be accomplished with little or no impact to the welfare of the wildlife. In comparison, active relocation measures (i.e., where animals are captured and physically translocated), are stressful to the animal(s), and may require permits that are difficult to obtain given the Project's schedule.

- If substrates need to be excluded before active nests (i.e., parried birds with eggs, or young present) are established, habitat perturbation pursuant to applicable regulatory guidelines is suggested below.
 - Assign several personnel to the Project to provide an adequate level of coverage during Project implementation (e.g., identifying biological resources, keeping accurate and legible notes, deterring biological resources from utilizing the study area with water, vocalizations, etc.). Personnel shall visit the study area approximately once, every two or three calendar days, to deter wildlife from utilizing the study area from early March through the end of November 2010.
 - In the absence of an adequate level of coverage via personnel, high quality habitats within the study area can be covered with 7 millimeter thick visqueen plastic, or 30-milimeter thick PVC lining, to assure that no wildlife use the locales or establish nests. Obviously, dominate crown class structures cannot be removed or covered but they would be avoided by Project related activities. A black plastic or PVC impermeable layer, designed specifically to absorb heat and obstruct wildlife from utilizing lands within the study area can be established. This layer should be fastened with auger style earth anchors, tarp weights, or similar materials.
 - For continuous coverage, the use of deterrent devices is also an option. Several commercial devices are available to discourage wildlife (including both passerines and waterfowl) from utilizing the study area with audio/visual deterrents and other non-toxic chemical repellents. With any deterrents, their efficacy will deteriorate over time as wildlife becomes acclimated to the anthropogenic disturbances being created.
- Be aware of all applicable environmental requirements before entering the study area. It is the responsibility of each person working on the Project to understand and comply with the environmental requirements that affect your job. If there is any question, ask your supervisor or a Biological Monitor / Biologist before starting work.

Attend environmental training, and display proof of completion of the Environmental Training Program. All Project construction workers are required to complete the Environmental Training Program.

If you have questions or comments contact:

Compliance Manager	David Attawy, Environmental Supervisor City of Los Angeles Department of Recreation and Parks, 213-202-2660 Office 909-730-9914 Cell
Designated Biologist	Lenny Malo, URS Corporation 714-648-2762 Office 714-458-5695 Cell
As-needed Biological Monitor(s)	Lincoln Hulse URS Corporation 714-648-2824 Office 714-227-1992 Cell Dennis Miller URS Corporation Jeff Jarvis URS Corporation Carol Thompson URS Corporation Travis Cooper URS Corporation

Resource agency staff may also be present within the study area. In some cases, the agency personnel have law enforcement authority; in others, they have enforcement authority over Project construction activities.

You may see or meet representatives from the following agencies:

- CDFG; and
- USFWS.

Give all agency personnel your cooperation. If you have any questions, contact your Construction Supervisor, or a Biological Monitor / Biologist immediately.

5.0 RECORD KEEPING

Each participant in the WEAP will sign a statement declaring that the individual understands and will abide by the guidelines set forth in the program materials. The person administering the program will also sign each statement. New workers will receive training upon employment.

The City will also retain a "monthly compliance document" that will include the number of persons who have completed the training in the prior month and keep records of all persons who have completed the training to date until the Project's completion. During project operation, signed statements for active Project operational personnel will be kept on file by the City for the duration of the Project and for three months after the Project's completion.

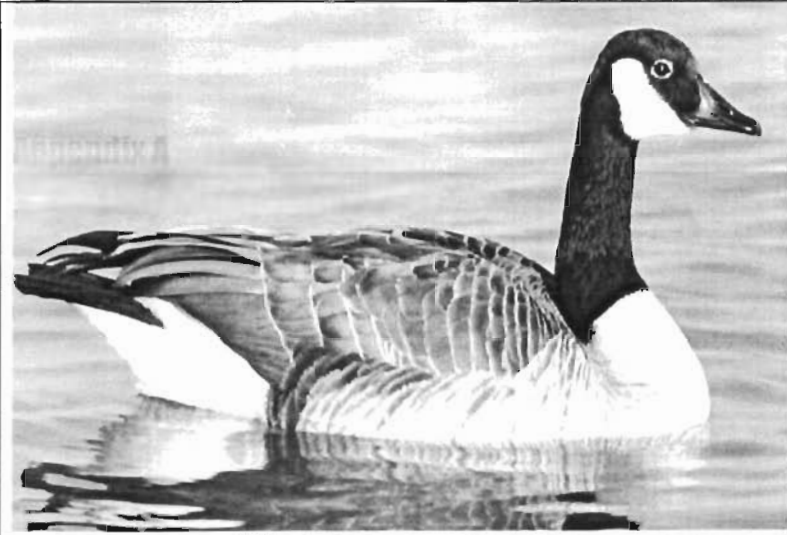
References

- URS Corporation (URS). 2010a. City of Los Angeles Department of Recreation and Parks for the Reseda Park Lake Rehabilitation Project. Biological Technical Memorandum March 17, 2010.
- URS Corporation (URS). 2010b. City of Los Angeles Department of Recreation and Parks for the Reseda Park Lake Rehabilitation Project. Biological technical memorandum May 11, 2010
- URS Corporation (URS). 2010c. City of Los Angeles Department of Recreation and Parks for the Reseda Park Lake Rehabilitation Project. Potential Impacts to Biological Resources technical memorandum June 14, 2010.
- URS Corporation (URS). 2010d. City of Los Angeles Department of Recreation and Parks for the Reseda Park Lake Rehabilitation Project. Biological Technical Memorandum August 3, 2010.
- URS Corporation (URS). 2010e. City of Los Angeles Department of Recreation and Parks for the Reseda Park Lake Rehabilitation Project. Biological Technical Memorandum August 9, 2010.
- URS Corporation (URS). 2010f. City of Los Angeles Department of Recreation and Parks for the Reseda Park Lake Rehabilitation Project. Biological Technical Memorandum August 17, 2010.
- URS Corporation (URS). 2010g. City of Los Angeles Department of Recreation and Parks for the Reseda Park Lake Rehabilitation Project. Biological Technical Memorandum August 23, 2010.

APPENDIX A Photo Log



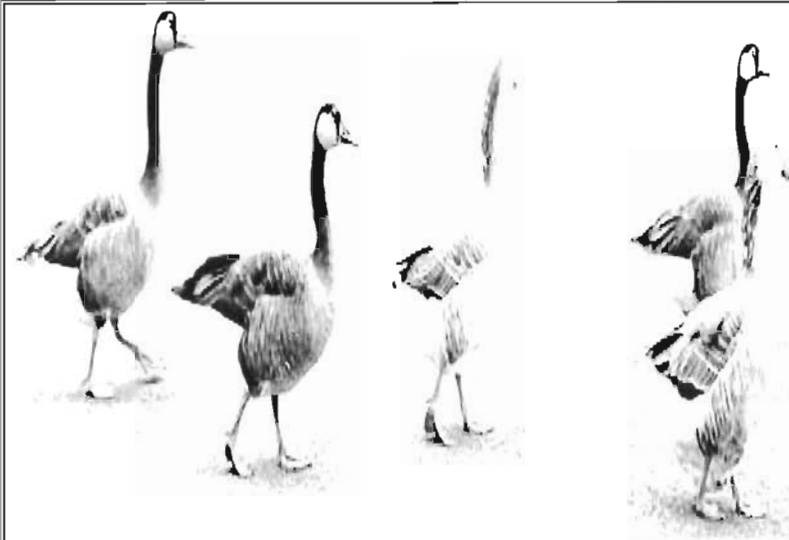
Greater White-fronted Goose



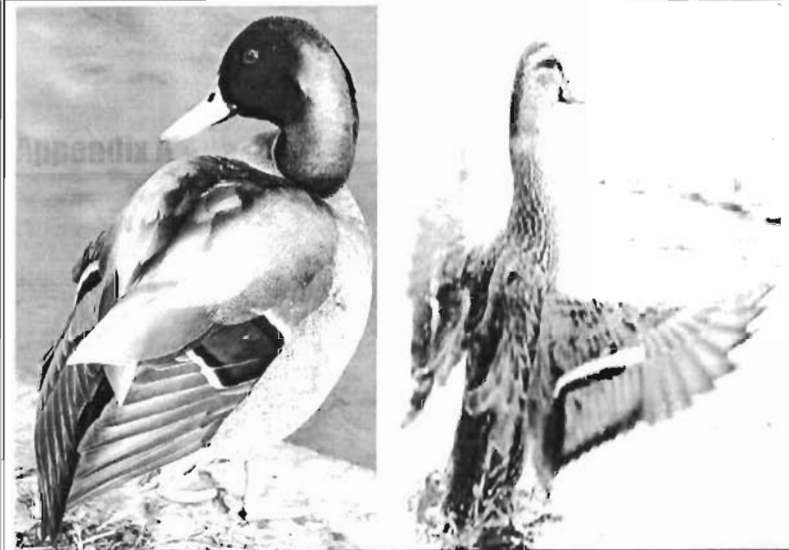
Canada Goose



Graylag Goose

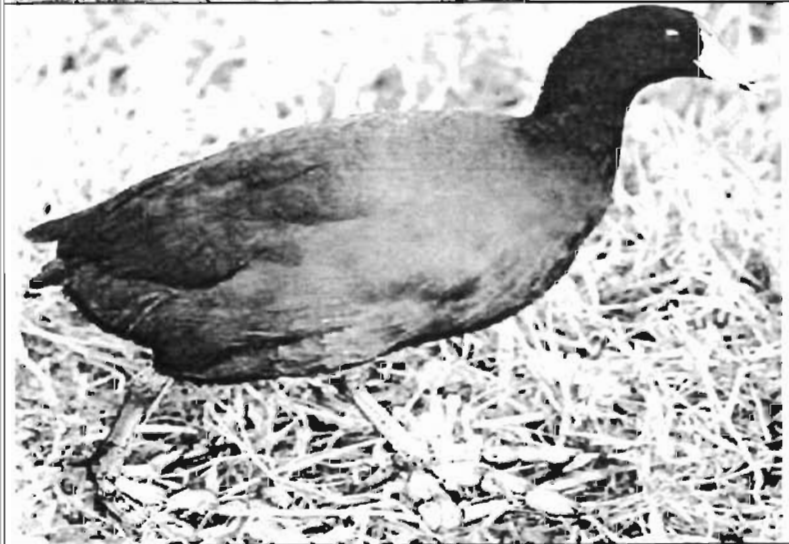


Swan Goose



Common Mallard

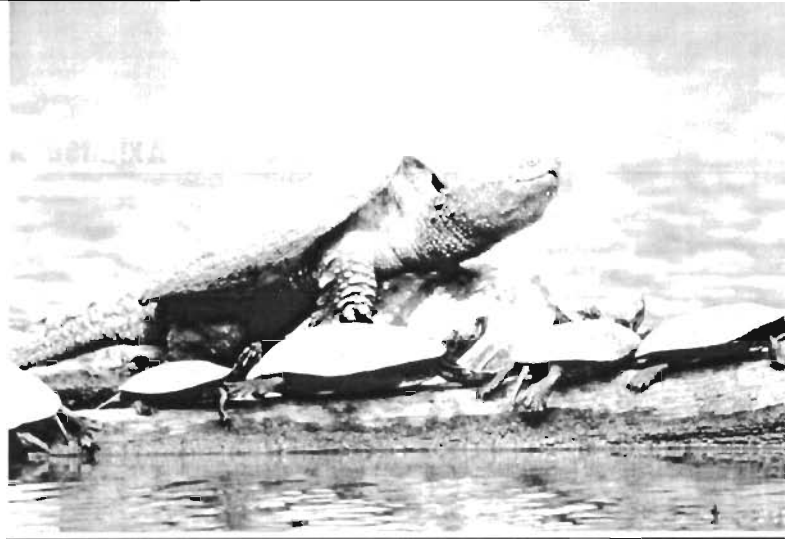
Male (left) & Female (right)



American Coot



Red-eared slider



Snapping turtle



Painted Turtle

APPENDIX B
Lake Rehabilitation Project Certificate of Completion

Lake Rehabilitation Project Certificate of Completion

Date: _____ Instructor(s): _____

Initial

- ❖ *I have attended the Environmental Training Program and understand the information I have been given.*
- ❖ *I understand that failure to abide by the procedures outlined in the Environmental Training Program may have an adverse effect on the Project schedule and implementation.*
- ❖ *I understand that it is illegal to knowingly disturb or destroy common or special-status plant and animal species, and that major enforcement actions will result for violating any applicable state or federal laws, ordinances, and regulations detailed within these training materials.*

PLEASE NOTE: By signing below, I acknowledge that I have attended the Worker Environmental Awareness Training Program for the Reseda Park - Lake Rehabilitation Project and I agree to comply with all the environmental requirements presented.

			FOR OFFICE USE ONLY		
Name (print)	Name (signature)	Company	EMP ID #	Badge #	Park Permit #