

## **IV. Mitigation Monitoring Program**

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## **1. Introduction**

This Mitigation Monitoring Program (MMP) has been prepared in compliance with the requirements of Public Resources Code Section 21081.6 and Section 15097 of the State CEQA Guidelines. Public Resources Code Section 21081.6 requires a Lead Agency to adopt a “reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” In addition, Section 15097(a) of the State CEQA Guidelines requires that a public agency “adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.”

The City of Los Angeles is the Lead Agency for the Project and therefore is responsible for administering and implementing the MMP. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation; however, until mitigation measures have been completed, the Lead Agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

An Environmental Impact Report (EIR) has been prepared to address the potential environmental impacts of the Project. The evaluation of the Project’s impacts in the EIR takes into consideration the project design features (PDF) and applies mitigation measures (MM) needed to avoid or reduce potentially significant environmental impacts. This MMP is designed to monitor implementation of the PDFs and MMs identified for the Project.

## **2. Organization**

As shown on the following pages, each identified PDF and MM for the Project is listed and categorized by environmental issue area, with accompanying discussion of:

- Enforcement Agency—the agency with the power to enforce the PDF or MM.
- Monitoring Agency—the agency to which reports involving feasibility, compliance, implementation, and development are made.

- Monitoring Phase—the phase of the Project during which the PDF or MM shall be monitored.
- Monitoring Frequency—the frequency at which the PDF or MM shall be monitored.
- Action(s) Indicating Compliance—the action(s) by which the enforcement or monitoring agency indicates that compliance with the identified PDF or required MM has been implemented.

### **3. Administrative Procedures and Enforcement**

This MMP shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each PDF and MM and shall be obligated to provide certification, as identified below, to the appropriate monitoring agency and the appropriate enforcement agency that each PDF and MM has been implemented. The Applicant shall maintain records demonstrating compliance with each PDF and MM. Such records shall be made available to the City upon request.

During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of PDFs and MMs during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the Applicant's compliance with the PDFs and MMs during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Annual Compliance Report. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency any non-compliance with the MMs and PDFs within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

### **4. Program Modification**

After review and approval of the final MMP by the Lead Agency, minor changes and modifications to the MMP are permitted, but can only be made subject to City approval. The Lead Agency, in conjunction with any appropriate agencies or departments, will determine the adequacy of any proposed change or modification. This flexibility is necessary in light of the nature of the MMP and the need to protect the environment. No

changes will be permitted unless the MMP continues to satisfy the requirements of CEQA, as determined by the Lead Agency.

The Project shall be in substantial conformance with the PDFs and MMs contained in this MMP. The enforcing departments or agencies may determine substantial conformance with PDFs and MMs in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a PDF or MM may be modified or deleted as follows: the enforcing department or agency, or the decision-maker for a subsequent discretionary project related approval finds that the modification or deletion complies with CEQA, including CEQA Guidelines Sections 15162 and 15164, which could include the preparation of an addendum or subsequent environmental clearance, if necessary, to analyze the impacts from the modifications to or deletion of the PDFs or MMs. Any addendum or subsequent CEQA clearance shall explain why the PDF or MM is no longer needed, not feasible, or the other basis for modifying or deleting the PDF or MM, and that the modification will not result in a new significant impact consistent with the requirements of CEQA. Under this process, the modification or deletion of a PDF or MM shall not, in and of itself, require a modification to any Project discretionary approval unless the Director of Planning also finds that the change to the PDF or MM results in a substantial change to the Project or the non-environmental conditions of approval.

## 5. Mitigation Monitoring Program

### A. Air Quality

#### (1) Project Design Features

**Project Design Feature AIR-PDF-1:** Where power poles are available, electricity from power poles and/or solar powered generators rather than temporary diesel or gasoline generators will be used during construction.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; South Coast Air Quality Management District
- **Monitoring Agency:** City of Los Angeles Department of City Planning; or City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once during Project plan check (provide proof of compliance); Periodically during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of first demolition, grading or building permit; Field inspection sign-off

## (2) Mitigation Measures

**Mitigation Measure AIR-MM-1:** During plan check, the Project representative shall make available to the lead agency or City of Los Angeles Department of Building and Safety and the South Coast Air Quality Management District a comprehensive inventory of all off-road construction equipment that will be used during the mat foundation phase. The inventory shall include the horsepower rating, engine production year, and certification of the specified Tier standard. A copy of each unit's certified tier specification, Best Available Control Technology documentation, and California Air Resources Board or Air Quality Management District operating permit shall be available onsite at the time of mobilization of each applicable unit of equipment to allow the Construction Monitor to compare the on-site equipment with the inventory and certified Tier specification and operating permit. Off-road diesel-powered equipment within the construction inventory list described above shall meet the USEPA Tier 4 Final standards.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; South Coast Air Quality Management District
- **Monitoring Agency:** City of Los Angeles Department of City Planning; or City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once during Project plan check (provide proof of compliance); Periodically during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of first applicable foundation or building permit (provide proof of compliance); Field inspection sign-off

## B. Greenhouse Gas Emissions

### (1) Project Design Features

**Project Design Feature GHG-PDF-1:** The design of the new buildings will incorporate features of the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program to be capable of meeting the standards of LEED® Gold or equivalent green building standards. Specific sustainability features that are integrated into the Project design to enable the Project to achieve LEED® Gold equivalence will include the following:

- Incorporate energy-saving technologies and components to reduce the Project's electrical use profile. Examples of these components include the use of light-emitting diode (LED) and other efficient lighting technology, energy saving lighting control systems, such as

light- and motion-detection controls (where applicable), and energy efficient heating, ventilation, and air conditioning (HVAC) equipment.

- HVAC mechanical systems and building lighting will be controlled with timing systems to prevent accidental or inappropriate conditioning or lighting of unoccupied space.
- Demand control ventilation will be utilized in HVAC systems, and refrigerants in HVAC equipment will have low GHG emission rates. In particular, the HVAC system will be designed to optimize exterior and interior air-flow to ensure healthy indoor air quality.
- Water-efficient plantings with drought-tolerant species and the use of drip irrigation;
- Fenestration designed for solar orientation; and
- Pedestrian- and bicycle-friendly design with short-term and long-term bicycle parking.
- **Enforcement Agency:** City of Los Angeles Department of City Planning; or City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance)
- **Action(s) Indicating Compliance:** Plan check approval and issuance of applicable building permit

## C. Noise

### (1) Project Design Features

**Project Design Feature NOI-PDF-1:** Power construction equipment (including combustion engines), fixed or mobile, will be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment will be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction

- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); Periodically during construction
- **Action Indicating Compliance:** Plan check approval and issuance of first demolition, grading or building permit; Field inspection sign-off

**Project Design Feature NOI-PDF-2:** Project construction will not include the use of driven (impact) pile systems.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); Periodically during construction
- **Action Indicating Compliance:** Plan check approval and issuance of first applicable demolition, grading or building permit; Field inspection sign-off

**Project Design Feature NOI-PDF-3:** All outdoor mounted mechanical equipment will be screened from off-site noise-sensitive receptors. The equipment screen will be impermeable (i.e., solid material with minimum weight of 2 pounds per square feet) and break the acoustic line-of-sight from the equipment to the off-site noise-sensitive receptors.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); Periodically during construction
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; Issuance of Certificate of Occupancy

**Project Design Feature NOI-PDF-4:** Outdoor amplified sound systems, if any, will be designed so as not to exceed the maximum noise level of 75 dBA ( $L_{eq-1hr}$ ) at a distance of 15 feet from the amplified speaker sound systems at Level 1 outdoor dining, Levels 4, 5, 7, 8, 9, 10, 11, 12, 13, 14 terraces, and 80 dBA ( $L_{eq-1hr}$ ) at a distance of 25 feet from the amplified speaker sound systems at Level 6 terrace. A qualified noise consultant will provide written documentation that the design of the system complies with this maximum noise level.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Post-construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); Once at field inspection
- **Action(s) Indicating Compliance:** Plan check approval and issuance of applicable building permit; preparation of compliance document by noise consultant prior to issuance of Certificate of Occupancy

## (2) Mitigation Measures

**Mitigation Measure NOI-MM-1:** Temporary and impermeable sound barriers shall be erected at the locations listed below. At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

- Along the western property line of the Project Site between the construction areas and receptor location R1, receptor location R5, and receptor location R6. The temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at the ground level of receptor locations R1 and R6, and 5-dBA at receptor location R5.
- Along the northern property line of the Project Site between the construction areas and the receptor location R2. The temporary sound barrier shall be designed to provide a minimum 5-dBA noise reduction at the ground level of receptor location R2.
- Along the southern property line of the Project Site between the construction areas and the receptor location R6. The temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at the ground level of receptor location R6.
- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); Periodically during construction



- **Action Indicating Compliance:** Plan check approval and issuance of first demolition, grading or building permit; Field inspection sign-off

**Mitigation Measure NOI-MM-2:** Prior to start of construction, the Applicant shall retain the services of a qualified structural engineer to visit the single-story commercial building adjacent to the southern portion of the Project Site to the west, to inspect and document (video and/or photographic) the apparent physical condition of the building (i.e., any crack).

Prior to construction, the Applicant shall retain the services of a qualified acoustical engineer to review proposed construction equipment and develop and implement a vibration monitoring program capable of recording and documenting the construction-related ground vibration levels at the single-story commercial building (adjacent to the Project Site) during demolition, shoring and excavation phase, as follows:

- a) The vibration monitoring system shall measure (in vertical and horizontal directions) and continuously store the peak particle velocity (PPV) in inch/second. The system shall also be programmed for two preset velocity levels: a warning level of 0.25 inch/second (PPV) and a regulatory level of 0.3 inch/second (PPV) for the single-story commercial building. The system shall also provide real-time alert when the vibration levels exceed the two preset levels.
- b) The vibration monitoring program shall be submitted to the Department of Building and Safety, prior to initiating any construction activities.
- c) In the event the warning level [0.25 inch/second (PPV)] is triggered, the contractor shall identify the source of vibration generation and provide feasible steps to reduce the vibration level, including, but not limited to, staggering concurrent activities (if doing so would not pose a safety risk to personnel or damage risk to buildings) and utilizing lower vibratory techniques.
- d) In the event the regulatory level [i.e., 0.3 inch/second (PPV)] is triggered, the contractor shall halt the construction activities in the vicinity of the building and visually inspect the building for any damage. Results of the inspection must be logged. The contractor shall identify the source of vibration generation and provide feasible steps to reduce the vibration level. Construction activities may then restart once the vibration level is re-measured and below the warning level.
- e) In the event that the regulatory ground vibration level is exceeded and there is documented evidence, including a visual inspection, that no damage has occurred, the ground vibration levels can be

increased to the criterion for the previous building structural category in increments as follows, subject to review and approval by the City, up to a maximum regulatory ground vibration level of 0.5 inch/second (PPV), or equivalent level.

- From Category II to Category I [0.30 to 0.50 inch/second (PPV), or equivalent level].

If the regulatory ground vibration level is increased, the warning level shall also be increased matching the corresponding Category as follows:

- Category I: 0.45 inch/second (PPV)

- f) If new regulatory and warning levels are set pursuant to Item “e” above, they can be exceeded and increased again pursuant to the same requirements in Item “e”.

At the conclusion of vibration-causing construction, the qualified structural engineer shall issue a follow-up letter describing damage, if any, to the immediately adjacent building and recommendations for repair, as may be necessary.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); Periodically during construction
- **Action Indicating Compliance:** Plan check approval and issuance of first demolition, grading or building permit; Field inspection sign-off

## D. Public Services—Police Protection

### (1) Project Design Features

**Project Design Feature POL-PDF-1:** During construction, the Applicant will implement temporary security measures, including security fencing, lighting, and locked entry.

- **Enforcement Agency:** City of Los Angeles Police Department; City of Los Angeles Department of Building and Safety; Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety

- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); Once during Field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of first demolition, grading or building permit; Field inspection sign-off

**Project Design Feature POL-PDF-2:** The Project will include a closed circuit camera system and keycard entry for building and parking areas not manned.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety; or City of Los Angeles Department of City Planning
- **Monitoring Phase:** Pre-construction; Post-construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); Once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; Field inspection sign-off

**Project Design Feature POL-PDF-3:** The Project will provide proper lighting of building and walkways to provide for pedestrian orientation and clearly identify a secure route between parking areas and points of entry into the building.

- **Enforcement Agency:** City of Los Angeles Police Department; City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); Once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; Issuance of Certificate of Occupancy

**Project Design Feature POL-PDF-4:** The Project will provide sufficient lighting of parking areas to maximize visibility and reduce areas of concealment.

- **Enforcement Agency:** City of Los Angeles Police Department; City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning

- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; Issuance of Certificate of Occupancy

**Project Design Feature POL-PDF-5:** The Project will design entrances to and exits from the building and open spaces around the building to be open and in view of surrounding sites.

- **Enforcement Agency:** City of Los Angeles Police Department; City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); Once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; Issuance of Certificate of Occupancy

**Project Design Feature POL-PDF-6:** The Applicant will consult with LAPD regarding the incorporation of feasible crime prevention features. Upon completion of construction of the Project and prior to the issuance of a certificate of occupancy, the Applicant will submit a diagram of the Project Site to the LAPD's Hollywood Area Commanding Officer that includes access routes and any additional information that might facilitate police response.

- **Enforcement Agency:** City of Los Angeles Police Department; City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); Once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; Issuance of Certificate of Occupancy

## E. Transportation

### (1) Project Design Features

**Project Design Feature TR-PDF-1:** Prior to the start of construction, a Construction Traffic Management Plan shall be prepared and submitted to LADOT for review and approval. The Construction Traffic Management Plan will include a Worksite Traffic Control Plan, which will facilitate traffic and pedestrian movement, and minimize the potential conflicts between construction activities, street traffic, bicyclists, and pedestrians. Furthermore, the Construction Traffic Management Plan and Worksite Traffic Control Plan will include, but not be limited to, the following measures:

- A worksite traffic control plan(s), approved by the City of Los Angeles, will be implemented to route vehicular traffic, transit, bicyclists, and pedestrians around any lane and/or sidewalk closures;
- Ensure that access will remain unobstructed for land uses in proximity to the Project Site during construction, including temporary traffic constraints, temporary loss of access, and temporary loss of bus stops or rerouting of bus lines;
- Parking for construction workers will be provided either on-site or at off-site, off-street locations. Parking shall be prohibited on streets in the vicinity of the Project Site; and
- Coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring businesses and residences.
- **Enforcement Agency:** City of Los Angeles Department of Transportation; City of Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Transportation; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check prior to issuance of demolition, grading or building permit (provide proof of compliance); Once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; Field inspection sign-off

## (2) Mitigation Measures

**Mitigation Measure TR-MM-1:** Prior to the operation of the Project, a protected/permitted left-turn phase with reoptimized signal timing shall be added for westbound Sunset Boulevard at Van Ness Avenue.

- **Enforcement Agency:** City of Los Angeles Department of Transportation; City of Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Transportation
- **Monitoring Phase:** Pre-construction; Pre-operation
- **Monitoring Frequency:** Once at Project plan check prior to issuance of building permits (provide proof of compliance); Once prior to issuance of Certificate of Occupancy
- **Action Indicating Compliance:** Once at Project plan check prior to issuance of demolition, grading or building permit (provide proof of compliance); issuance of Certificate of Occupancy

## F. Utilities and Service Systems—Water Supply and Infrastructure

### (1) Project Design Features

**Project Design Feature WAT-PDF-1:** The Project design will incorporate the following design features to support water conservation in excess of LAMC requirements.

- Heating, ventilation, and air conditioning make up water systems will be supplied by the Project's capture and reuse system, which will be provided by storm water from the Project's storm water management plan.
- Install a meter on the make-up so water use can be monitored, and leaks can be identified and repaired.
- High Efficiency Toilets with a flush volume of 1.1 gallons per flush.
- Showerheads with a flow rate of 1.5 gallons per minute.
- Domestic Water Heating System located in close proximity to point(s) of use.
- Individual metering and billing for water use for every commercial unit.
- Drip/Subsurface Irrigation (Micro-Irrigation).

- Proper Hydro-zoning/Zoned Irrigation (groups plants with similar water requirements together).
- **Enforcement Agency:** City of Los Angeles Department of Water and Power; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); Once prior to issuance of Certificate of Occupancy
- **Action(s) Indicating Compliance:** Plan approval and issuance of applicable building permit; Issuance of Certificate of Occupancy