

## **IV. Mitigation Monitoring Program**

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## **1. Introduction**

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

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 project design feature and mitigation measure for the Project is listed and categorized by environmental impact area, with accompanying identification of the following:

- 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 Indicating Compliance:** The action 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 and enforcement agencies 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 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 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
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodically during construction
- **Action Indicating Compliance:** Field inspection sign-off

## (2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

## B. Cultural Resources

### (1) Project Design Features

No project design features are identified in the EIR for this environmental issue.

### (2) Mitigation Measures

**Mitigation Measure CUL-MM-1:** The Project shall include a shoring plan prepared by a qualified structural engineer to ensure the protection of the Seward Film Vaults during construction from damage due to underground excavation and general construction procedures and to reduce the possibility of settlement due to the removal of adjacent soil. The qualified structural engineer shall hold a valid license to practice structural engineering in the State of California and have demonstrated experience specific to rehabilitating historic buildings and applying the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings to such projects. The lead agency shall determine qualification prior to any work being performed. The qualified structural engineer shall submit the shoring plan to the City, establishing baseline conditions to be monitored during construction, prior to issuance of any building permit for the Project.

- **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; construction
- **Monitoring Frequency:** To be determined by the qualified structural engineer in accordance with the shoring plan.
- **Action Indicating Compliance:** Submittal of shoring plan; issuance of applicable building permit

## C. Greenhouse Gas Emissions

### (1) Project Design Features

**Project Design Feature GHG-PDF-1:** The design of the new buildings will incorporate the following sustainability features:

- 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.
- **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
- **Monitoring Phase:** Pre-construction; pre-operation
- **Monitoring Frequency:** Once at Project plan check; once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; issuance of Certificate of Occupancy

## (2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

## D. 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; City of Los Angeles Department of City Planning

- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodically during construction
- **Action Indicating Compliance:** 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
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodically during construction
- **Action Indicating Compliance:** Field inspection sign-off

**Project Design Feature NOI-PDF-3:** All loading areas will be acoustically screened from off-site noise-sensitive receptors.

- **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, construction
- **Monitoring Frequency:** Once at Project plan check; once at field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit

**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 70 dBA ( $L_{eq-1hr}$ ) at a distance of 15 feet from the amplified speaker sound systems at Level 3, 75 dBA ( $L_{eq-1hr}$ ) at a distance of 15 feet from the amplified speaker sound systems at Level 1, Level 4, Level 7, Level 8, and Level 9 terraces, and 80 dBA ( $L_{eq-1hr}$ ) at a distance of 25 feet from the amplified speaker sound systems at Roof level 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:** Post-construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); once at field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; submittal of compliance report from noise consultant prior to Certificate of Occupancy

**Project Design Feature NOI-PDF-5:** The hours of operation for use of the outdoor terrace at Level 3 will be from 7:00 A.M. to 10:00 P.M.

- **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:** Post-construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); once at field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit

## (2) Mitigation Measures

**Mitigation Measure NOI-MM-1:** Prior to start of construction activities, a temporary and impermeable sound barrier shall be erected at the following locations, prior to the start of earth moving activities. At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

- Along the northern property line of the Project Site between the construction area and the residential use to the north (receptor location R1). The temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at the ground level of receptor location R1.
- Along the eastern property line of the Project Site between the construction area and the residential use east of the Project Site (receptor location R2). The temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at the ground level of receptor location R2.
- Along the southern property line of the Project Site between the construction area and the residential uses south of the Project Site (receptor location R3). The temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at the ground level of receptor location R3.



- In addition, the Applicant shall install a noise monitoring system on the Project Site near noise receptor location R1. The noise monitoring system shall be located 5 feet above grade and behind the construction noise barrier. The noise monitoring system shall have the following capabilities:
  - a) The noise monitoring system shall be programmed to measure and store, during the Project construction hours, the ambient noise levels in the unit of dBA averaged over a one-hour period (hourly  $L_{eq}$ ).
  - b) The noise monitoring system shall be programmed with a noise limit of 74 dBA (hourly  $L_{eq}$ ).
  - c) The noise monitoring system shall provide an alert if the ambient noise levels exceed the 74 dBA (hourly  $L_{eq}$ ) noise limit.
  - d) In the event the noise limit is triggered, the designated Construction Manager (CM) will be notified via an electronic text message. If the measured noise level is determined to be from the Project construction, the CM shall identify the source of construction noise, and take feasible and reasonable efforts to reduce the construction-related noise levels below the 74 dBA limit.
- **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
- **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; submittal of compliance report from qualified noise consultant.

**Mitigation Measure NOI-MM-2:** Prior to start of construction, the Applicant shall retain the services of a structural engineer to visit the Seward Film Vaults building adjacent to the Project Site to the north to inspect and document (video and/or photographic) the apparent physical condition of the building. In addition, the structural engineer shall establish baseline structural conditions of the building and prepare a shoring design.

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 Seward Film Vaults building 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 0.10 inch/second (PPV) and a regulatory level of 0.12 inch/second (PPV). 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 0.10 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 0.12 inch/second (PPV) is triggered (i.e., exceeded), 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.
- **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; construction
  - **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); once during field inspection
  - **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; submittal of compliance report from noise consultant

## E. 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; City of Los Angeles Department of City Planning
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Once during field inspection
- **Action Indicating Compliance:** Field inspection sign-off

**Project Design Feature POL-PDF-2:** The Project will include a camera system and keycard entry for the building and parking areas.

- **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; City of Los Angeles Department of City Planning
- **Monitoring Phase:** Post-construction
- **Monitoring Frequency:** Once at Project plan check (provide proof of compliance); once during field inspection
- **Action Indicating Compliance:** Plan check approval and submittal of compliance documentation by Applicant; issuance of Certificate of Occupancy

**Project Design Feature POL-PDF-3:** The Project will provide proper lighting of the 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
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at Project plan check; 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; 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; issuance of Certificate of Occupancy

**Project Design Feature POL-PDF-5:** The Project will design entrances to, and exits from the building, open spaces around the building, and pedestrian walkways 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; 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; issuance of Certificate of Occupancy

**Project Design Feature POL-PDF-6:** 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 Division 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 City Planning; City of Los Angeles Department of Building and Safety

- **Monitoring Agency:** City of Los Angeles Department of Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Post-construction
- **Monitoring Frequency:** Once prior to the issuance of Certificate of Occupancy
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; Issuance of Certificate of Occupancy

## (2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

## F. Transportation

### (1) Project Design Features

**Project Design Feature TR-PDF-1:** The Project shall prepare a TDM program. The City of Los Angeles requires that the TDM plan be prepared during construction, with the final TDM plan approved by LADOT prior to the City's issuance of the certificate of occupancy for the Project. Implementation of the TDM plan occurs after building occupancy.

The following TDM elements will be included in the Project:

- Reduced Parking Supply to provide less parking than required by the LAMC, without consideration of additional parking reduction mechanisms (i.e., Bicycle Parking Ordinance or Enterprise Zone areas, etc.);
- Parking Cash-Out: offer employees the opportunity to "cash-out" the monthly value of their currently free or subsidized parking space;
- Promotions & Marketing to educate and inform travelers about site-specific transportation options and the effects of travel choices;
- Include secure bike parking and showers to support safe and comfortable bicycle travel by providing end-of-trip amenities;
- Pedestrian network improvements within the Project Site and connecting to off-site pedestrian facilities to encourage walking.
- **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:** Construction
- **Monitoring Frequency:** prior to issuance of Certificate of Occupancy
- **Action Indicating Compliance:** Approval of TDM program from LADOT prior to issuance of Certificate of Occupancy

**Project Design Feature TR-PDF-2:** 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:

- As parking lane and/or sidewalk closures are anticipated, worksite traffic control plan(s), approved by the City of Los Angeles, will be implemented to route vehicular traffic, bicyclists, and pedestrians around any such closures;
- Ensure that access will remain unobstructed for land uses in proximity to the Project Site during construction;
- 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 City Planning
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at Project plan check prior to issuance of grading or building permit (provide proof of compliance); once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of grading permit; field inspection sign-off

## (2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.

# G. 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 water conservation features to support water conservation in addition to those measures required by the City's current codes and ordinances:

- High Efficiency Toilets with a flush volume of 1.0 gallon per flush.
- High-Efficiency Energy Star-rated commercial dishwashers.
- Domestic Water Heating System located in close proximity of 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).
- Drought-Tolerant Plants.
- **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 City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; construction
- **Monitoring Frequency:** Once at Project plan check; once prior to issuance of Certificate of Occupancy
- **Action Indicating Compliance:** Plan approval and issuance of applicable building permit; issuance of Certificate of Occupancy

## (2) Mitigation Measures

No mitigation measures are identified in the EIR for this environmental issue.