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FRANK M. BUSH
GENERAL MANAGER

OSAMA YOUNAN, P.E.
EXECUTIVE OFFICER

October 6, 2016

Honorable City Council
200 N. Spring Street, Room 340
Los Angeles, CA 90012

Attention: Sharon Dickinson, Legislative Assistant

Re: Rule 38 Response Dated September 26, 2016

Dear Members of the Los Angeles City Council:

The Department of Building and Safety (DBS) is in receipt of a revised Mitigation Monitoring Program, dated October 5, 2016 (revised MMP), that was prepared by the Department of City Planning for the Paramount Pictures Master Plan. DBS finds that the revised MMP, along with subsequent communications with the Department of City Planning, and internal DBS discussions has fully resolved the issues and concerns raised by DBS in our September 26, 2016 Rule 38 response letter. Specifically, the Department of City Planning took the following actions subsequent to the issuance of our Rule 38 letter:

- (1) Provided clarity to certain mitigation measures (MMs);
- (2) Clarified certain noise related MMs to require verification by a noise consultant at plan check demonstrating compliance with the MM;
- (3) Added a requirement to the revised MMP that the applicant is required to provide a Construction Monitor to monitor compliance with all construction related mitigation measures and provide monitoring reports to DBS and notices of non-compliance;
- (4) Changed the designated enforcement and/or monitoring agencies in the revised MMP for some water and air quality related mitigation measures;
- (5) Provided additional information to DBS related to the administration and interpretation of the MMP in relation to the EIR.

Additionally, DBS conducted meetings with senior staff to discuss historical interpretations and practices in enforcing and monitoring the mitigation measures included in the MMP that City Planning has identified as standard mitigation measures. From these internal discussions, DBS concludes that a number of the MMs identified in the Rule 38 letter as unenforceable can be (and have been) enforced by DBS through its LAMC Section 12.26 authority to enforce land use conditions. With that said, the modifications in the MMP for the imposition of Construction Monitors, the additional clarity in some of the MMs, and the addition or changing of monitoring and enforcement agencies, does significantly enhance the City's process to monitor and enforce MMs.

Based on all of the above, all of the MMs for which DBS is the enforcement agency and/or monitoring agency in the revised MMP can be enforced and monitored and all of our concerns and issues raised in the September 26, 2016 letter are resolved.

Your approval to this request is very much appreciated. Please do not hesitate to contact me if you have any questions or need additional information. I can be contacted at (213) 482-6800.

Thank you.



FRANK M. BUSH
General Manager