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April 13, 2018

Los Angeles City Council
c/o Office of the City Clerk
City Hall, Room 395
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

**TECHNICAL MODIFICATION TO THE MITIGATION MONITORING PROGRAM FOR
CASE NO. ENV-2016-1955-MND, 1860, 1868 NORTH WESTERN AVENUE AND 5440,
5446, 5448 WEST FRANKLIN AVENUE; CF 18-0193 AND CF 18-0193-S1**

The following technical corrections need to be incorporated into the Mitigation and Monitoring Program (MMP) for Case No. ENV-2016-1955-MND related to Case Nos. CPC-2016-1954-CU-MCUP-DB-SPP-SPR and VTT-71469. The Regulatory Compliances Measures (RCM) listed in the MMP are updated for consistency and numbering purposes.

Regulatory Compliance Measures

AESTHETICS

- **RCM-AE-1 Vandalism.** The project is required to comply with all applicable building code requirements, including the following:
 - Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Los Angeles Municipal Code Section 91.8104.
 - The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Los Angeles Municipal Code Section 91.8104.15.

- **RCM-AE-2 Signage on Construction Barriers.** The project is required to comply with the Los Angeles Municipal Code Section 91.6205, including but not limited to the following provisions:
 - The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS".

- Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
- The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.
- **RCM-AE-3 Aesthetics (Landscape Plan).** All landscaped areas are required to be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect in accordance with LAMC Sections 12.40 and 12.41. The final landscape plan are required to be reviewed and approved by the City of Los Angeles Department of City Planning prior to the issuance of a building permit.

AIR QUALITY

- **RCM-AQ-1 (Demolition, Grading and Construction Activities): Construction activities shall comply with SCAQMD Rule 403, including the following measures:**
 - Apply water to disturbed areas of the site three times a day
 - Require the use of a gravel apron or other equivalent methods to reduce mud and dirt trackout onto truck exit routes
 - Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM generation.
 - Limit soil disturbance to the amounts analyzed in this air quality analysis.
 - All materials transported off-site shall be securely covered.
 - Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).
 - Traffic speeds on all unpaved roads to be reduced to 15 mph or less.
- **RCM-AQ-2** Architectural coatings and solvents applied during construction activities shall comply with SCAQMD Rule 1113, which governs the VOC content of architectural coatings.
- **RCM-AQ-3** In accordance with Sections 2485 in Title 13 of the California Code of Regulations, the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.
- **RCM-AQ-4** In accordance with Section 93115 in Title 17 of the California Code of Regulations, operation of any stationary, diesel-fueled, compression-ignition engines shall meet specified fuel and fuel additive requirements and emission standards.

CULTURAL RESOURCES

- **RCM-CR-1 (Archaeological).** If archaeological resources are discovered during excavation, grading, or construction activities, work shall cease in the area of the find until a qualified archaeologist has evaluated the find in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Personnel of the proposed Modified Project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project site. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2.
 - Distinctive features,

finishes and construction techniques or examples of skilled craftsmanship which characterize an historic property shall be preserved.

- Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive historic feature, the new feature shall match the old in design, color, texture, and other visual qualities, and where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- **RCM-CR-2 (Paleontological).** If paleontological resources are discovered during excavation, grading, or construction, the City of Los Angeles Department of Building and Safety shall be notified immediately, and all work shall cease in the area of the find until a qualified paleontologist evaluates the find. Construction activity may continue unimpeded on other portions of the Project site. The paleontologist shall determine the location, the time frame, and the extent to which any monitoring of earthmoving activities shall be required. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2.
 - **RCM-CR-3 (Human Remains).** If human remains are encountered unexpectedly during construction demolition and/or grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to California Public Resources Code ("PRC") Section 5097.98. In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
 - Stop immediately and contact the County Coroner:
1104 N. Mission Road
Los Angeles, CA 90033
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
 - If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission ("NAHC").
 - The NAHC would immediately notify the person it believes to be the most likely descendent of the deceased Native American.
 - The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.

- If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC.

GEOLOGY AND SOILS

- **RCM-GEO-1 (Seismic).** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- **RCM-GEO-2 (Liquefaction).** The project shall comply with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss. Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to:
 - Ground stabilization
 - Selection of appropriate foundation type and depths
 - Selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.
- **RCM-GEO-3 (Erosion/Grading/Short-Term Construction Impacts)**
 - The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
 - The Project shall prepare a Grading Plan that shall conform with the City of Los Angeles Department of Building and Safety Grading Division's Landform Grading Manual Guidelines.
 - Appropriate erosion control and drainage devices per the Los Angeles Municipal Code Section 91.7013 shall be provided to the satisfaction of the Los Angeles Department of Building and Safety.

HAZARDS AND HAZARDOUS MATERIALS

- **RCM-HAZ-1 (Asbestos).** Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.
- **RCM-HAZ-2 (Lead Paint).** Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based

paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

- **RCM-HAZ-3 (Polychlorinated Biphenyl – Commercial and Industrial Buildings).** Prior to issuance of a demolition permit, a polychlorinated biphenyl (PCB) abatement contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB removal and disposal.
- **RCM-HAZ-4 (Removal of Underground Storage Tanks).** Underground Storage Tanks shall be decommissioned or removed as determined by the City Fire Department Underground Storage Tank Division. If any contamination is found, further remediation measures shall be developed with the assistance of the Los Angeles City Fire Department and other appropriate State agencies. Prior to issuance of a use of land or building permit, a letter certifying that remediation is complete from the appropriate agency (Department of Toxic Substance Control or the Regional Water Quality Control Board) shall be submitted to the decision maker.

HYDROLOGY AND WATER QUALITY

- **RCM-WQ-1 National Pollutant Discharge Elimination System General Permit** Prior to issuance of a grading permit, the Applicant shall obtain coverage under the State Water Resources Control Board National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, National Pollutant Discharge Elimination System No. CAS000002) (Construction General Permit) for Phase 1 of the proposed Project. The Applicant shall provide the Waste Discharge Identification Number to the City of Los Angeles to demonstrate proof of coverage under the Construction General Permit. A Storm Water Pollution Prevention Plan shall be prepared and implemented for the proposed Project in compliance with the requirements of the Construction General Permit. The Storm Water Pollution Prevention Plan shall identify construction Best Management Practices to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in stormwater runoff as a result of construction activities.
- **RCM-WQ-2 Low Impact Development Plan.** Prior to issuance of grading permits, the Applicant shall submit a Low Impact Development Plan and/or Standard Urban Stormwater Mitigation Plan to the City Bureau of Sanitation Watershed Protection Division for review and approval. The Low Impact Development Plan and/or Standard Urban Stormwater Mitigation Plan shall be prepared consistent with the requirements of the Development Best Management Practices Handbook.
- **RCM-WQ-3 Development Best Management Practices.** The Best Management Practices shall be designed to retain or treat the runoff from a storm event producing 0.75 inch of rainfall in a 24-hour period, in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a licensed civil engineer or licensed architect confirming that the proposed Best Management Practices meet this numerical threshold standard shall be provided.

NOISE

- **RCM-NO-1 Demolition, Grading, and Construction Activities**
 - The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
 - The Project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178,048, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public.

PUBLIC SERVICES

- **RCM-PS-1 Fire Flows and Hydrants.** The Project shall submit a request to LADWP to determine whether the pressure in the project area is sufficient. If it is not, then onsite or offsite upgrades to the existing infrastructure, as determined by the LADWP and LAFD shall be required by the applicant.
- **RCM-PS-2 Public Services (Fire).** The Project shall comply with the required regulations and feasible recommendations of the LAFD relative to fire safety and emergency access, and shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department prior to the approval of a building permit.
- **RCM-PS-3 Public Services (Payment of School Development Fee).** Prior to issuance of a building permit, the General Manager of the City of Los Angeles, Department of Building and Safety, or designee, shall ensure that the Applicant has paid all applicable school facility development fees in accordance with California Government Code Section 65995.
- **RCM-PS-4 Recreation (Increased Demand for Parks or Recreational Facilities).** If the applicant seeks a certificate of occupancy for apartments, then the following applies: (*Apartments*) Pursuant to Section 21.10 of the Los Angeles Municipal Code, the applicant shall pay the Dwelling Unit Construction Tax for construction of apartment buildings.

TRANSPORATION AND TRAFFIC

- **RCM-TT-1 LADOT Approval Requirements.** The project shall comply with the conditions contained within the Department of Transportation's Approval Letter for the Project, and as it may be subsequently amended or modified.

UTILITIES

- **RCM-WS-1 Fire Water Flow** The Project Applicant shall consult with the LADBS and LAFD to determine fire flow requirements for the Project, and will contact a Water Service Representative at the LADWP to order a Sewer Availability Request (SAR). This system hydraulic analysis will determine if existing LADWP water supply facilities can provide the proposed fire flow requirements of the Project. If water main or infrastructure upgrades are required, the Applicant would pay for such upgrades, which would be constructed by either the Applicant or LADWP.

- **RCM-WS-2 Water Efficiency Requirements** The Project shall implement all applicable mandatory measures of Ordinance No. 180,822 (The Water Efficiency Requirements for New Development), the 2017 LA Plumbing Code, 2016 Cal Green Building Code, and 2017 LA Green Building Code the LA Green Building Code that would have the effect of reducing the Project's water use.
- **RCM-WS-3 Landscape** The Project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g., use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
- **RCM-WS-4 LID Ordinance and Stormwater BMPs** The Project shall comply with the City's LID Ordinance (City Ordinance No. 181,899) and implement Best Management Practices that have stormwater recharge or reuse benefits for the Project (as applicable and feasible).
- **RCM-SW-1 Designated Recycling Area** In compliance with Los Angeles Municipal Code, the proposed Project shall provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, and metals.
- **RCM-SW-2 Construction Waste Recycling** In order to meet the diversion goals of the California Integrated Waste Management Act and the City of Los Angeles, which will total 70 percent by 2013, the Applicant shall salvage and recycle construction and demolition materials to ensure that a minimum of 70 percent of construction-related solid waste that can be recycled is diverted from the waste stream to be landfilled. Solid waste diversion would be accomplished through the on-site separation of materials and/or by contracting with a solid waste disposal facility that can guarantee a minimum diversion rate of 70 percent. In compliance with the Los Angeles Municipal Code, the General Contractor shall utilize solid waste haulers, contractors, and recyclers who have obtained an Assembly Bill (AB) 939 Compliance Permit from the City of Los Angeles Bureau of Sanitation.
- **RCM-SW-3 Commercial/Multifamily Mandatory Recycling** In compliance with AB341, recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the Proposed Project's regular solid waste disposal program. The Project Applicant shall only contract for waste disposal services with a company that recycles solid waste in compliance with AB341.
- **RCM-GHG-1**
 - The Project shall implement all applicable mandatory measures within the LA Green Building Code that would have the effect of reducing the Project's energy use.
 - The Project shall comply with City Ordinance No. 179,820 (Green Building Ordinance), which establishes a requirement to incorporate green building practices into projects that meet certain threshold criteria.

- o The Project shall comply with the lighting power requirements in the California Energy Code, California Code of Regulations (CCR), Title 24, Part 6.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning



Christina Toy Lee
Senior City Planner

VPB:CTL:MN:MA