

## 5.0 MITIGATION MONITORING PROGRAM

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### A. INTRODUCTION

To ensure that the mitigation measures identified in an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND) are implemented, the California Environmental Quality Act (CEQA) requires the Lead Agency for a project to adopt a program for monitoring or reporting on the revisions it has required for a project and the measures it has imposed to mitigate or avoid significant environmental effects. As specifically set forth in Section 15097(c) of the CEQA Guidelines, the public agency may choose whether its program will monitor mitigation, report on mitigation, or both. As provided in Section 15097(c) of the CEQA Guidelines, “monitoring” is generally an ongoing or periodic process of project oversight. “Reporting” generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.

An EIR has been prepared to address the Project’s potential environmental impacts. The evaluation of the Project’s impacts takes into consideration project design features, which are measures proposed by the Applicant as a feature of the Project and which are detailed in the EIR. Where appropriate, the EIR also identifies mitigation measures to avoid or substantially lessen any significant impacts. This Mitigation Monitoring Program (MMP) is designed to monitor implementation of those project design features and mitigation measures.

This MMP has been prepared in compliance with the requirements of CEQA Section 21081.6 and CEQA Guidelines Section 15097. It is noted that while certain agencies outside of the City of Los Angeles (City) are listed as the monitoring/enforcement agencies for individual project design features and mitigation measures listed in this MMP, the City, as Lead Agency for the Project, is responsible for overseeing and enforcing implementation of the MMP as a whole.

### B. PURPOSE

It is the intent of this MMP to:

1. Verify compliance with the project design features and mitigation measures identified in the EIR;
2. Provide a framework to document implementation of the identified project design features and mitigation measures;
3. Provide a record of mitigation requirements;
4. Identify monitoring and enforcement agencies;
5. Establish and clarify administrative procedures for the clearance of project design features and mitigation measures;

6. Establish the frequency and duration of monitoring; and
7. Utilize the existing agency review processes wherever feasible.

### **C. ORGANIZATION**

As shown on the following pages, each identified project design feature and mitigation measure 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 project design feature or mitigation measure.
- 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 project design feature or mitigation measure shall be monitored.
- Monitoring Frequency—the frequency at which the project design feature or mitigation measure shall be monitored.
- Action(s) Indicating Compliance—the action(s) by which the enforcement or monitoring agency indicates that compliance with the identified project design feature or required mitigation measure has been implemented.

### **D. ADMINISTRATIVE PROCEDURES AND ENFORCEMENT**

This MMP shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each project design feature and mitigation measure and shall be obligated to provide certification, as identified below, to the appropriate monitoring agency and the appropriate enforcement agency that each project design feature and mitigation measures has been implemented. The Applicant shall maintain records demonstrating compliance with each project design feature and mitigation measure. Such records shall be made available to the City upon request. Further, specifically 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 project design features and mitigation measures 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 project design features and mitigation measures 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 noncompliance with the mitigation measures and project design features within

two businesses days if the Applicant does not correct the noncompliance within a reasonable time of notification to the Applicant by the monitor or if the noncompliance is repeated. Such noncompliance shall be appropriately addressed by the Enforcement Agency.

**E. PROGRAM MODIFICATION**

The project shall be in substantial conformance with the project design features and mitigation measures contained in this Mitigation Monitoring Program. The enforcing departments or agencies may determine substantial conformance with project design features and mitigation measures in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a project design feature or mitigation measure may be modified or deleted as follows: the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval, complies with CEQA Guidelines, Sections 15162 and 15164, including by preparing an addendum or subsequent environmental clearance to analyze the impacts from the modifications to or deletion of the project design features or mitigation measures. Any addendum or subsequent CEQA clearance shall explain why the project design feature or mitigation measure is no longer needed, not feasible, or the other basis for modifying or deleting the project design feature or mitigation measure. Under this process, the modification or deletion of a project design feature or mitigation measure shall not require a modification to any project discretionary approval unless the Director of Planning also finds that the change to the project design features or mitigation measures results in a substantial change to the Project or the nonenvironmental conditions of approval.

**F. MITIGATION MONITORING PROGRAM**

**1. Aesthetics and Visual Resources**

***Project Design Features***

**PDF AES-1** Glass used in building facades shall minimize glare (e.g., minimize the use of glass with mirror coatings). Consistent with applicable energy and building code requirements, including Section 140.3 of the California Energy Code as may be amended, glass with coatings required to meet the Energy Code requirements shall be permitted.

<b>Enforcement Agency:</b>	City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
<b>Monitoring Agency:</b>	City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
<b>Monitoring Phase:</b>	Preconstruction; Construction

**Monitoring Frequency:** Once, at Plan Check; once during field inspection

**Action Indicating Compliance:** Plan approval and issuance of applicable building permit; field inspection sign-off and Certification of Occupancy

### ***Mitigation Measures***

No mitigation measures are required for Aesthetics.

## **2. Air Quality**

### ***Project Design Features***

**PDF AQ-1** Where power poles are available, electricity from power poles and/or solar-powered generators rather than temporary diesel or gasoline generators shall 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:** Preconstruction; Construction

**Monitoring Frequency:** Periodic field inspections during construction

**Action Indicating Compliance:** Field inspection sign-off; Compliance certification report submitted by Project contractor

**PDF AQ-2** The Project shall utilize off-road diesel-powered construction equipment that meet or exceeds the California Air Resources Board (CARB) and U.S Environmental Protection Agency (USEPA) Tier 3 off-road emissions standards for equipment rated at 50 horsepower or greater during the grading, concrete pouring, and building construction phases. A copy of each unit’s certified tier specification and CARB or the South Coast Air Quality Management District (SCAQMD) operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment.

**Enforcement Agency:** South Coast Air Quality Management District

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

**Monitoring Phase:** Preconstruction; Construction

**Monitoring Frequency:** Once, at Plan Check; once during field inspection

**Action Indicating Compliance:** Plan approval; field inspection sign-off

**PDF AQ-3:** The Project shall use on-road haul trucks that meet or exceed the model year 2010 emission standards. A copy of each unit’s certified model year specification shall be available upon request at the time of mobilization of each applicable unit of equipment.

**Enforcement Agency:** South Coast Air Quality Management District

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

**Monitoring Phase:** Construction

**Monitoring Frequency:** Periodic field inspection

**Action Indicating Compliance:** Field inspection sign-off

**PDF AQ-4:** The Project has been designed to meet the Certified Leadership in Energy and Environmental Design (LEED) Green Building Rating System standards to reduce energy consumption. The Project shall include one or more of the following Green building features:

- Stormwater quantity and quality control
- Mitigation of heat island effects
- Light-pollution reduction
- Use of water-efficient landscaping
- On-site renewable energy
- Enhanced refrigerant management
- Use of regional construction materials and certified wood
- Use of low-emitting materials
- Controllable lighting and thermal 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:** Preconstruction; Construction

**Monitoring Frequency:** Once at Project plan check

**Action Indicating Compliance:** Plan check approval and issuance of applicable permit; Field inspection sign-off; Compliance certification report submitted by Project contractor

### ***Mitigation Measures***

No mitigation measures are required for air quality.

## **3. Biological Resources**

### ***Project Design Features***

**PDF BIO-1:** All Non-Protected Significant Trees will be replaced on at least a 1:1 basis with 24-inch (minimum) box trees.

**Enforcement Agency:** City of Los Angeles Urban Forestry Division

**Monitoring Agency:** City of Los Angeles Urban Forestry Division

**Monitoring Phase:** Preconstruction

**Monitoring Frequency:** Once, during field inspection

**Action Indicating Compliance:** Approval of tree removal by City of Los Angeles Urban Forestry Division

### ***Mitigation Measures***

No mitigation measures are required for biological resources.

## **4. Greenhouse Gas Emissions**

### ***Project Design Features***

**PDF GHG-1:** The Project shall include at least twenty percent (20%) of the total code required parking spaces provided for all types of parking facilities, but in no case less than one location, shall be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at its maximum operating capacity. Of the 20% EV Ready, five percent (5%) of the total code required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the

application of either the 20% or 5% results in a fractional space, round up to the next whole number. A label stating “EV CAPABLE” shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

<b>Enforcement Agency:</b>	City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
<b>Monitoring Agency:</b>	City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
<b>Monitoring Phase:</b>	Preconstruction; Pre-operation
<b>Monitoring Frequency:</b>	Once, at Plan Check; once during field inspection
<b>Action Indicating Compliance:</b>	Plan approval; issuance of applicable building permit; issuance of Certificate of Occupancy

### ***Mitigation Measures***

No mitigation measures for greenhouse gas emissions are required.

## **5. Hazards and Hazardous Materials**

### ***Project Design Features***

No project design features are included for hazards or hazardous materials.

### ***Mitigation Measures***

No mitigation measures are required for hazards and hazardous materials.

## **6. Land Use and Planning**

### ***Project Design Features***

No project design features are included for land use and planning.

### ***Mitigation Measures***

No mitigation measures are required for land use and planning.

## 7. Noise

### *Project Design Features*

**PDF N-1** High vibration producing construction activities – specifically the use of large equipment such as dozers, tractors, loaders, backhoes, cranes, pavers, or loaded trucks – would only be scheduled to occur between the hours of 8:00 AM and 4:00 PM.

**Enforcement Agency:** City of Los Angeles Department of Public Works; Los Angeles Department of Building and Safety

**Monitoring Agency:** City of Los Angeles Department of Public Works; City of Los Angeles Department of Building and Safety

**Monitoring Phase:** Preconstruction; Construction

**Monitoring Frequency:** Once, at Plan Check; once during field inspection

**Action Indicating Compliance:** Plan approval and issuance of applicable building permit; submittal of Construction Noise Mitigation Plan; field inspection sign-off

### *Mitigation Measures*

#### **Construction Noise and Vibration**

**MM N-1** Prior to the issuance of demolition permits for the Project, the Project Applicant shall provide proof satisfactory to the City of Los Angeles Department of Public Works and/or Department of Building and Safety, that the Construction Manager has committed in writing to comply with the City Noise Ordinance (LAMC Sections 111–116), and that the requirement to comply must be included in any contractual commitments between the contractor and the Project Applicant. The Project Applicant shall design a Construction Noise Mitigation Plan that demonstrates a reduction to construction-related noise impacts to off-site noise sensitive receptors by 20 dB(A).

The Construction Noise Mitigation Plan could include the following to reduce construction-related noise impacts to off-site noise sensitive receptors by 20 dB(A):

- Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously;
- The staging of high noise-generating activities shall take place during mid-day and/or when ambient noise levels in the receptor areas are at their highest levels;



- The idling of haul trucks shall be limited to 5 minutes at any given location as established by the South Coast Air Quality Management District;
- Locate construction staging areas in a manner which shall minimize interference with residential streets surrounding the Project site by only utilizing the portions of Corinth Avenue and Purdue Avenue within 200 feet of Olympic Boulevard for staging and deliveries;
- The Project site Construction Manager shall clearly post a hotline along the construction fence, in several areas, to enable the public to call and report construction related issues associated with the construction;
- Project construction shall not use impact pile driving methods;
- The Project site Construction Manager shall locate stationary construction noise sources as far as possible from noise-sensitive uses, and ensure that they are muffled and enclosed within temporary sheds, or incorporated insulation barriers, or other measures.
- All construction equipment engines shall be properly tuned and muffled according to manufacturers' specifications. The Construction Manager shall use power construction equipment with state-of-the-art noise shielding and muffling devices and shall include the use of plug-in electrical or solar-powered generators;
- Temporary sound barriers shall be located at the boundary of the Project site along Purdue Avenue and Corinth Avenue. The barriers shall be rated at a sound transmission class (STC) that is capable of producing a 15 dB(A) reduction in ambient noise levels; and
- Pursuant to LAMC Chapter XI Noise Regulations, construction hours, allowable workdays, and the phone number of the Construction Manager shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the Construction Manager. If the Construction Manager receives a complaint, he/she shall investigate, take appropriate corrective action, and report the action taken to the reporting party. The Construction Manager must keep log of all complaints and resolution which must be provided to LADBS within 5 days of request.

<b>Enforcement Agency:</b>	City of Los Angeles Department of Public Works; Los Angeles Department of Building and Safety
<b>Monitoring Agency:</b>	City of Los Angeles Department of Public Works; City of Los Angeles Department of Building and Safety
<b>Monitoring Phase:</b>	Preconstruction; Construction
<b>Monitoring Frequency:</b>	Once, at Plan Check; once during field inspection

**Action Indicating Compliance:** Plan approval and issuance of applicable building permit; submittal of Construction Noise Mitigation Plan; field inspection sign-off

## 8. Public Services—Fire Protection and Emergency Medical Services

### *Project Design Features*

No project design features are included for fire protection and emergency medical services.

### *Mitigation Measures*

No mitigation measures are required for fire protection and emergency medical services.

## 9. Transportation and Traffic

### *Project Design Features*

**PDF TR-1 Construction Traffic Management Plan:** Prior to the issuance of a building permit for the Project, a Construction Traffic Management Plan shall be submitted to the City of Los Angeles Department of Transportation (LADOT) for approval. This plan shall identify street closure information, a detour plan, haul routes, construction parking, and staging areas. The Construction Management Plan will formalize how construction would be carried out and identify specific actions that will be required to reduce effects on the surrounding community.

**Enforcement Agency:** City of Los Angeles Department of Transportation

**Monitoring Agency:** City of Los Angeles Department of Transportation

**Monitoring Phase:** Preconstruction; Construction

**Monitoring Frequency:** Once, at Plan Check prior to issuance of grading or building permit; once during field inspection

**Action Indicating Compliance:** City of Los Angeles Department of Transportation approval; field inspection sign-off

### *Mitigation Measures*

**MM TR-1 Transportation Demand Management (TDM):** In conformance with the criteria of the West Los Angeles Transportation Improvement and Mitigation Specific Plan, the Project Applicant shall prepare and implement a Transportation Demand Management (TDM)

program to reduce Project impacts. The TDM program shall include implementation of several TDM strategies, which may include, but are not limited to the following:

- Participation of an existing or formation of a new Transportation Management Association (TMA);
- Flexible work schedules, telecommuting programs, and alternative work schedules;
- Guaranteed Ride Home program;
- Rideshare/carpool/vanpool promotion and support;
- Discounted transit passes;
- Mobility hub support;
- On-site TDM Coordinator; and
- Funding for bikeway improvements.

The preliminary TDM program shall be submitted to LADOT for review prior to issuance of the first construction permit for the Project. A final TDM program shall be submitted and approved by LADOT prior to the issuance of the first certificate of occupancy for the Project and submittal (to LADOT) of an annual compliance report is required.

<b>Enforcement Agency:</b>	City of Los Angeles Department of Transportation
<b>Monitoring Agency:</b>	City of Los Angeles Department of Transportation; City of Los Angeles Department of Public Works, Bureau of Engineering
<b>Monitoring Phase:</b>	Preoccupancy
<b>Monitoring Frequency:</b>	Once; prior issuance of Certificate of Occupancy
<b>Action Indicating Compliance:</b>	City of Los Angeles Department of Transportation approval; issuance of Certificate of Occupancy; submittal of compliance report

**MM TR-2 Shuttle to Metro Expo Station:** The Project Applicant shall provide a (first mile-last mile connection) shuttle bus circulator route connecting the Project site to and from the Metro Expo Line Sepulveda Station to offer a first-mile/last-mile connection for transit riders. Shuttles would operate during peak hours and at frequencies no greater than 5 to 6 minutes.

**Enforcement Agency:** City of Los Angeles Department of Transportation

<b>Monitoring Agency:</b>	City of Los Angeles Department of Transportation; City of Los Angeles Department of Public Works
<b>Monitoring Phase:</b>	Prior to Occupancy; Operation
<b>Monitoring Frequency:</b>	Prior to issuance of certificate of occupancy
<b>Action Indicating Compliance:</b>	Consistency review as needed

## **10. Tribal Cultural Resources**

### ***Project Design Features***

No project design features are included for tribal cultural resources.

### ***Mitigation Measures***

No mitigation measures are required for Tribal Cultural resources.

## **11. Utilities—Water Supply**

### ***Project Design Features***

No project design features are included for water supply.

### ***Mitigation Measures***

No mitigation measures are required for water supply.

## **12. Utilities—Wastewater**

### ***Project Design Features***

No project design features are included for wastewater.

### ***Mitigation Measures***

No mitigation measures are required for wastewater.

## **13. Utilities—Solid Waste Disposal**

### ***Project Design Features***

No project design features are included for solid waste disposal.

### ***Mitigation Measures***

No mitigation measures are required for solid waste disposal.