

EXHIBIT C
MITIGATION MONITORING PROGRAM
VTT-83382-1A

IV. Mitigation Monitoring Program

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1. Introduction

This Mitigation Monitoring Program (MMP) has been prepared pursuant to Public Resources Code 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, Section 15097(a) of the State CEQA Guidelines 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, Public Resources Code Section 21081.6 and Section 15097 of the State CEQA Guidelines.

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. 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:

- a. Use of Energy Star–labeled products and appliances.
 - b. Use of light-emitting diode (LED) lighting or other energy-efficient lighting technologies, such as occupancy sensors or daylight harvesting and dimming controls, where appropriate, to reduce electricity use.
 - c. Water-efficient plantings with drought-tolerant species;
 - d. Fenestration designed for solar orientation; and
 - e. Pedestrian- and bicycle-friendly design with short-term and long-term bicycle parking.
- **Enforcement Agency:** 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.

C. Noise

(1) Project Design Features

Project Design Feature NOI-PDF-1: During plan check for each phase of Project construction, the contractor will provide a statement to the City

indicating their 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). The statement will further indicate that the equipment will be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated. The contractor will comply and cause all subcontractors to comply with the foregoing.

- **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-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 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 line-of-sight from the equipment to the off-site noise-sensitive receptors.

- **Enforcement Agency:** 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 at field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit

Project Design Feature NOI-PDF-4: All loading docks will be acoustically screened from off-site noise-sensitive receptors. Loading docks and trash compactors will only operate during daytime hours.

- **Enforcement Agency:** 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 at field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit

Project Design Feature NOI-PDF-5: Outdoor amplified sound systems, if any, will be designed so as not to exceed the maximum noise level of 80 dBA (L_{eq-1hr}) at a distance of 15 feet from the amplified speaker sound systems on the paseo at Level 1 and balconies on Levels 1.5, 2, 3, 4, 8, and 10; and 85 dBA (L_{eq-1hr}) at a distance of 25 feet at the roof decks on Levels 1.5, 4, and 12. A qualified noise consultant will provide written documentation, prior to issuance of a certificate of occupancy, that the design of the system complies with this maximum noise level.

- **Enforcement Agency:** 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 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

(2) Mitigation Measures

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

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 Department of Building and Safety
- **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 closed circuit camera system and keycard entry for the building and parking areas.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** 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 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 buildings and walkways to provide for pedestrian orientation and clearly identify a secure route between parking areas and points of entry into buildings.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Post-construction
- **Monitoring Frequency:** Pre-construction; construction
- **Action Indicating Compliance:** Once at Project plan check; once during field inspection

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 Department of Building and Safety
- **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 buildings, open spaces around buildings, and pedestrian walkways to be open and in view of surrounding sites.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **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: Prior to the issuance of a building permit, the Applicant will consult with LAPD's Crime Prevention Unit regarding the incorporation of feasible crime prevention features appropriate for the design of the Project, including applicable features in LAPD's Design Out Crime Guidelines.

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

Project Design Feature POL-PDF-7: 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 Newton Division Commanding Officer that includes access routes and any additional information that might facilitate police response.

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

E. Transportation

(1) Project Design Features

Project Design Feature TR-PDF-1: Prior to the start of construction, a Construction Traffic Management Plan will be prepared and submitted to LADOT for review and approval. The Construction Traffic Management Plan will include, but not necessarily be limited to, the following measures:

- Provide notification in advance of construction to the immediately adjacent properties and Los Angeles Unified School District Facilities within 0.5 miles of the Project Site;
- As traffic lane, parking lane and/or sidewalk closures are anticipated, worksite traffic control plan(s), approved by the City of Los Angeles, will be developed and implemented to route vehicular traffic, bicyclists, and pedestrians around any such closures and otherwise provide for pedestrian and bicycle safety. Measures included in the worksite traffic control plan(s) may include, if and as identified by the applicant and determined by LADOT based on the

specific construction activities occurring at a given point in time: protection barriers for pedestrians and bicyclists, temporary traffic control and flaggers, and the posting of signage along roads identifying construction traffic access or flow limitations due to single lane conditions during periods of truck traffic, if needed;

- Ensure that access will remain unobstructed for land uses in proximity to the Project Site during construction;
- Provide off-site truck staging in a legal area furnished by the construction truck contractor;
- Coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring businesses and residences;
- Coordinate with Metro Bus Operations Control Special Events Coordinator and Metro's Stops and Zones Department not later than 30 days before the start of Project construction;
- Accommodate all equipment staging and worker parking on-site to the extent feasible;
- Schedule deliveries and pick-ups of construction materials during non-peak travel periods to the extent possible and coordinate to reduce the potential of trucks waiting to load or unload for protracted periods; and
- Describe the haul truck routes and avoid haul truck routes that travel passed Los Angeles Unified School District facilities.
- **Enforcement Agency:** 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 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

Mitigation Measure TR-MM-1: The Applicant shall work with the City of Los Angeles and Caltrans to signalize the intersection of the US-101 Southbound Off-ramp and 7th Street. This shall require complying

with the Caltrans project development process as a local agency-sponsored Project.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; Caltrans
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety; Caltrans
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once prior to issuance of Certificate of Occupancy
- **Action Indicating Compliance:** Issuance of Certificate of Occupancy

Mitigation Measure TR-MM-2: The Applicant shall work with the City of Los Angeles and Caltrans to signalize the intersection of the I-10 Eastbound Off-ramp and Porter Street. This shall require complying with the Caltrans project development process as a local agency-sponsored Project. Because of the proximity to other intersections, close signal coordination is recommended with nearby intersections.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety; Caltrans
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety; Caltrans
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once prior to issuance of Certificate of Occupancy
- **Action Indicating Compliance:** Issuance of Certificate of Occupancy

Mitigation Measure TR-MM-3: The Applicant shall work with the City of Los Angeles and Caltrans to signalize the intersection of the I-10 Westbound Off-ramp and Mateo Street/Enterprise Street. This shall require complying with the Caltrans project development process as a local agency-sponsored Project.

- **Enforcement Agency:** 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 prior to issuance of Certificate of Occupancy

- **Action Indicating Compliance:** Issuance of Certificate of Occupancy

F. Tribal Cultural Resources

(1) Project Design Features

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

(2) Mitigation Measures

Mitigation Measure TCR-MM-1: Prior to commencing any ground disturbance activities at the Project Site, the Applicant, or its successor, shall retain qualified tribal monitors/consultants from the Gabrieleño Band of Mission Indians—Kizh Nation and a qualified archaeologist/archaeological monitor. Ground disturbance activities shall include excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil, pavement removal, grubbing, tree removals, boring or a similar activity at the Project Site. Any tribal monitor/consultant shall be approved by the Gabrieleño Band of Mission Indians—Kizh Nation Tribal Government. A qualified archaeologist/archaeological monitor shall be identified as principal personnel who must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in Southern California. The archaeologist shall ensure that all other personnel associated with and hired for the archaeological monitoring are appropriately trained and qualified.

The archaeological and tribal monitors/consultants shall observe all ground disturbance activities on the Project Site at all times any ground disturbance activities are taking place. If ground disturbance activities are simultaneously occurring at multiple locations on the project site, an archaeological and tribal monitor shall be assigned to each location where the ground disturbance activities are occurring. The on-site monitoring shall end when the ground disturbing activities are completed, or when the City has determined that the Project Site has a low potential for impacting tribal cultural resources after consultation with the tribal monitor/consultant and archaeologist.

Prior to commencing any ground disturbance activities, the archaeological monitor in consultation with the tribal monitor/consultant, shall provide Worker Environmental Awareness Program (WEAP) training to construction crews involved in ground disturbance activities that includes information on regulatory requirements for the protection of tribal cultural resources. As part of the WEAP training,

construction crews shall be briefed on proper procedures to follow should a crew member discover tribal cultural resources during ground disturbance activities. In addition, workers will be shown examples of the types of resources that would require notification of the archaeological monitor and tribal monitor. The Applicant shall maintain on the Project Site, for City inspection, documentation establishing the WEAP training was completed for all members of the construction crew involved in ground disturbance activities.

In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be determined by the archaeologist, in consultation with the tribal monitor/consultant approved by the Gabrieleño Band of Mission Indians—Kizh Nation, until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

1. Upon a discovery of a potential tribal cultural resource, the Applicant, or its successor, shall immediately stop all ground disturbance activities in the immediate vicinity of the find until the find can be assessed by the archaeologist and tribal monitor/consultant.
2. If the archaeologist and tribal monitor/consultant determine the resources are Native American in origin, the Gabrieleño Band of Mission Indians—Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes.
3. The Applicant, or its successor, shall implement the tribe's recommendations if the archaeologist, in consultation with the tribal monitor/consultant, reasonably conclude that the tribe's recommendations are reasonable and feasible.
4. In addition to any recommendations from the Gabrieleño Band of Mission Indians—Kizh Nation, the archaeologist shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal cultural resources substantially consistent with best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state, or local law, rule or regulation. Any discrepancies between the implementation of the recommendations shall be resolved through the City as the Lead Agency, in consultation with the archaeologist and tribal monitor/consultant.
5. The Applicant, or its successor, may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by both the

archaeologist and tribal monitor/consultant and determined to be reasonable and appropriate.

6. The Applicant, or its successor, may recommence ground disturbance activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in paragraphs 2 through 4 above.
7. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File.
8. Notwithstanding paragraph 7 above, any information that the Department of City Planning, in consultation with the City Attorney's Office, determines to be confidential in nature shall be excluded from submission to the SCCIC or provided to the public under the applicable provisions of the California Public Records Act, California Public Resources Code, Section 6254(r), and handled in compliance with the City's AB 52 Confidentiality Protocols.
9. Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken.
 - **Enforcement Agency:** 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:** To be determined by consultation with tribal monitor if resource(s) are discovered
 - **Action Indicating Compliance:** If unanticipated discoveries are found, approval to proceed by the tribal monitor; issuance of building permit(s)

G. Utilities and Service Systems—Water Supply

(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.

Fixtures

- WaterSense certified, low-flow toilets with flow rates of 1.1 gallons per flush (gpf) in lieu of 1.28 gpf.
- Showerheads (for fitness center/bicycle commuting) with a flow rate of 1.5 gallons per minute (gpm) in lieu of 1.8 gpm.
- Flow metering of cooling tower makeup water.

Landscape and Irrigation

- Drip/ Subsurface Irrigation (Micro-Irrigation)
- Drought-Tolerant Plants-100 percent of total landscaping
- Micro-Spray
- Proper Hydro-Zoning/Zoned Irrigation (groups plants with similar water requirements together)
- **Enforcement Agency:** 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 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.