

EXHIBIT C- MITIGATION MONITORING PROGRAM

No. of pages: 14

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1. MITIGATION AND MONITORING PROGRAM

1.1 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.

1.2 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.

1.3 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 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 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.

1.4 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.

1.5 MITIGATION MONITORING PROGRAM

The following project design features and mitigation measures are applicable to both the project and the Flexibility Option.

A. AIR QUALITY

Project Design Features

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

Mitigation Measures

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

B. CULTURAL RECOURSES

Project Design Features

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

Mitigation Measures

MM CUL-1 Prior to the issuance of a demolition permit, the Applicant or its Successor shall retain a Qualified Archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards (qualified Archaeologist) to oversee an archaeological monitor who shall be present during construction activities on the Project Site such as demolition, clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. The activities to be monitored shall also include off-site improvements in the vicinity of the Project Site, such as utility, sidewalk, or road improvements. The monitor shall have the authority to direct the pace of construction equipment in areas of high sensitivity. The frequency of monitoring shall be based on the rate of excavation and grading activities, the materials being excavated (younger sediments vs. older sediments), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined adequate by the qualified Archaeologist. Prior to commencement of excavation activities, an Archaeological Sensitivity Training shall be given for construction personnel. The training session, shall be carried out by the Qualified Archaeologist, will focus on how to identify archaeological resources that may be encountered during earthmoving activities, and the procedures to be followed in such an event.

- **Enforcement Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-Construction, Construction
- **Monitoring Frequency:** To be determined by consultation with archaeologist if resource(s) are discovered

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

MM CUL-2 In the event that historic (e.g., bottles, foundations, refuse dumps/privies, railroads, etc.) or prehistoric (e.g., hearths, burials, stone tools, shell and faunal bone remains, etc.) archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A 50-foot buffer shall be established by the qualified Archaeologist around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by the qualified Archaeologist. If a resource is determined by the qualified Archaeologist to constitute a “historical resource” pursuant to State CEQA Guidelines Section 15064.5(a) or a “unique archaeological resource” pursuant to Public Resources Code Section 21083.2(g), the qualified Archaeologist shall coordinate with the Applicant and the Department of City Planning to develop a formal treatment plan that shall serve to reduce impacts to the resources. If any prehistoric archaeological sites are encountered within the project area, consultation with interested Native American parties will be conducted to apprise them of any such findings and solicit any comments they may have regarding appropriate treatment and disposition of the resources. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If in coordination with the Department of City Planning, it is determined that preservation in place is not feasible, appropriate treatment of the resource shall be developed by the qualified Archaeologist in coordination with the Department of City Planning and may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any archaeological material collected shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.

- **Enforcement Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** To be determined by consultation with archaeologist if resource(s) are discovered
- **Action Indicating Compliance:** Field inspection sign-off

MM CUL-3 Prior to the release of the grading bond, the qualified Archaeologist shall prepare a final report and appropriate California Department of Parks and Recreation Site Forms at the conclusion of archaeological monitoring. The report shall include a description of resources unearthed, if any, treatment of the resources, results of the artifact processing, analysis, and research, and evaluation of the resources with respect to the California Register and CEQA. The report and the Site Forms shall be submitted by the Project Applicant or its Successor to the Department of City Planning, the South Central Coastal Information Center, and representatives of other appropriate or concerned

agencies to signify the satisfactory completion of the development and required mitigation measures.

- **Enforcement Agency:** Department of City Planning
- **Monitoring Agency:** Department of City Planning
- **Monitoring Phase:** Pre-Construction, Construction
- **Monitoring Frequency:** Once at Project plan check
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit

C. GEOLOGY AND SOILS

Project Design Features

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

Mitigation Measures

MM GEO-1 A Qualified Paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards shall be retained by the Applicant or its Successor prior to the approval of demolition or grading permits. The Qualified Paleontologist shall provide technical and compliance oversight of all work as it relates to paleontological resources, shall attend the Project kick-off meeting and Project progress meetings on a regular basis, and shall report to the Project Site in the event potential paleontological resources are encountered.

The Qualified Paleontologist shall conduct construction worker paleontological resources sensitivity training prior to the start of ground disturbing activities (including vegetation removal, pavement removal, etc.). In the event construction crews are phased, additional trainings shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources that could be encountered within the Project Site and the procedures to be followed if they are found. Documentation shall be retained by the Qualified Paleontologist demonstrating that the appropriate construction personnel attended the training.

Paleontological resources monitoring shall be performed by a qualified paleontological monitor (meeting SVP standards) under the direction of the Qualified Paleontologist. Paleontological resources monitoring shall be conducted for all ground disturbing activities in previously undisturbed sediments that exceed 15 feet in depth in previously undisturbed older Alluvial sediments which have high sensitivity for encountering paleontological resources. However, depending on the conditions encountered, full-time monitoring within these sediments can be reduced to part-time inspections or ceased entirely if determined adequate by the Qualified Paleontologist. The surficial Alluvium has low paleontological sensitivity and so work in the upper 15 feet of the Project Site does not require monitoring. The Qualified Paleontologist shall spot check the excavation on an intermittent basis and recommend whether the depth of required monitoring should be revised based on his/her observations. Monitors shall have the authority to temporarily halt or divert work away from exposed fossils or potential fossils. Monitors shall prepare daily logs detailing the types of activities and soils observed, and any discoveries.

If construction or other Project personnel discover any potential fossils during construction, regardless of the depth of work or location, work at the discovery location shall cease in a 50-foot radius of the discovery until the Qualified Paleontologist has assessed the discovery, conferred with the City, and made recommendations as to the appropriate treatment. Any significant fossils collected during Project-related excavations shall be prepared to the point of identification and curated into an accredited repository with retrievable storage, such as the LACM. The Qualified Paleontologist shall prepare a final monitoring and mitigation report for submittal to the City in order to document the results of the monitoring effort and any discoveries. If there are significant discoveries, fossil locality information and final disposition will be included with the final report which will be submitted to the appropriate repository and the City.

- **Enforcement Agency:** Department of City Planning; Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Pre-Construction, Construction
- **Monitoring Frequency:** To be determined by consultation with paleontologist if resource(s) are discovered
- **Action Indicating Compliance:** Field inspection sign-off

D. GREEN HOUSE GAS EMISSIONS

Project Design Features

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

Mitigation Measures

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

E. HAZARDS AND HAZARDOUS MATERIALS

Project Design Features

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

Mitigation Measures

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

F. HYDROLOGY AND WATER QUALITY

Project Design Features

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

Mitigation Measures

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

G. LAND USE AND PLANNING

Project Design Features

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

Mitigation Measures

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

H. NOISE

Project Design Features

PDF NOI-1 Amplified music and amplified speech shall be prohibited between the hours of 9 p.m. and 8 a.m.

- **Enforcement Agency:** Department of Building and Safety
- **Monitoring Agency:** Department of City Planning
- **Monitoring Phase:** Operation
- **Monitoring Frequency:** Ongoing during operations
- **Action Indicating Compliance:** Inclusion as a Condition of Approval for the Project

Mitigation Measures

MM NOI-1 During all Project Site demolition and excavation/grading, construction contractor shall install a temporary, continuous sound barrier along the western (Mateo Street) boundary of the Project Site. The barrier shall be at least 8 feet in height and constructed of materials achieving a Transmission Loss (TL) value of at least 10 dBA, such as ½ inch plywood.¹ The supporting structure shall be engineered and erected according to applicable codes. At the time of plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

¹Based on the FHWA Noise Barrier Design Handbook (July 14, 2011), see Table 3, Approximate sound transmission loss values for common materials

- **Enforcement Agency:** Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Field inspection(s) during construction
- **Action Indicating Compliance:** Field inspection sign-off

MM NOI-2 Prior to any demolition and excavating/grading, to address construction sound levels above the ground floor at receptor 1 (Biscuit Company Lofts and Toy Factory Lofts), the Project Applicant shall submit a noise mitigation analysis prepared by a qualified acoustic specialist for the review and approval of the Department of City Planning and the Department of Building and Safety that defines any additional temporary sound barriers, specific equipment mix, noise mufflers and buffer distances for specific pieces of equipment, and/or other measures that would reduce the effect of construction noise on the above ground-floor units at the Biscuit Company Lofts and Toy Factory Lofts to less than a 5-dBA increase above ambient levels, with calculations showing the actual mix of equipment and demolition techniques to be used, source levels, and utilization rates, and the resulting noise levels at sensitive receptors. Any supporting structures shall be engineered and erected according to applicable codes. At the time of plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

- **Enforcement Agency:** Department of Building and Safety
- **Monitoring Agency:** Department of City Planning
- **Monitoring Phase:** Pre-Construction, Construction
- **Monitoring Frequency:** At Project plan check; Field inspection(s) during construction
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; Field inspection sign-off

I. POPULATION AND HOUSING

Project Design Features

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

Mitigation Measures

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

J. PUBLIC SERVICES- FIRE PROTECTION

Project Design Features

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

Mitigation Measures

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

K. PUBLIC SERVICES- POLICE PROTECTION

Project Design Features

PDF POL-1 During construction, the Project would implement appropriate temporary security measures including security fencing (e.g., chain-link fencing), low-level security lighting and locked entry (e.g., padlock gates or guard restricted access) to limit access by the general public. Regular and multiple security patrols during non- construction hours (e.g., nighttime hours, weekends, and holidays) would also be provided. During construction activities, the Contractor would document the security measures; and the documentation would be made available to the Construction Monitor.

- **Enforcement Agency:** Los Angeles Police Department; Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Field inspection(s) during construction
- **Action Indicating Compliance:** Field inspection sign-off

PDF POL-2 The Project would provide an extensive security program to ensure the safety of residents, employees, and other visitors to the Project Site. The Project would incorporate strategies in design and planning, as well as active security features. On-site security measures during Project operation would include:

- Provide on-site security personnel whose duties shall include but not be limited to the following:
 - Monitoring entrances and exits;
 - Patrol the perimeter of the property;
 - Control and monitor activities in the public spaces and private outdoor areas;
 - Managing and monitoring fire/life/safety systems; and
 - Controlling and monitoring activities in the parking facilities.
- Install security industry standard security lighting at recommended locations including parking areas, pathways, and facing the adjacent alleyway;
- Install closed-circuit television at select locations including (but not limited to) entry and exit points, lobby areas, outdoor open spaces, and parking areas;
- Provide adequate lighting of parking areas, elevators, and lobbies to reduce areas of concealment;
- Provide lighting of building entries and open spaces to provide pedestrian orientation and to clearly identify a secure route between the parking areas and access points; and
- Contact information for on-site security staff would be prominently displayed throughout the Project Site.

- **Enforcement Agency:** Los Angeles Police Department; Department of Building and Safety
- **Monitoring Agency:** Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Field inspection(s) during construction
- **Action Indicating Compliance:** Field inspection sign-off

Mitigation Measures

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

L. PUBLIC SERVICES- SCHOOLS

Project Design Features

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

Mitigation Measures

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

M. PUBLIC SERVICES- PARKS AND RECREATION

Project Design Features

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

Mitigation Measures

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

N. PUBLIC SERVICES- LIBRARIES

Project Design Features

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

Mitigation Measures

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

O. TRANSPORTATION

Project Design Features

PDF TR-1 Construction Staging and Traffic Management Plan. Prior to the issuance of a building permit for the Project, a detailed Construction Staging and Traffic Management Plan (CSTMP) would be submitted to LADOT's Citywide Temporary Traffic Control Section or Permit Plan Review Section for review and approval prior to the start of any construction work. The plan would show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. The CSTMP would formalize how construction would be carried out and identify specific actions that will be required to reduce effects on the surrounding community. The CSTMP will be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site. Construction management meetings with City Staff and other surrounding construction related project representatives (i.e., construction contractors) whose projects will potentially be under construction at around the same time as the Project shall be conducted bimonthly, or as otherwise determined appropriate by City Staff. This coordination will ensure construction activities of the concurrent related projects and associated hauling activities are managed in collaboration with one another and the Project. The CSTMP would include, but not be limited to, the following elements as appropriate:

- Emergency access shall be maintained to the Project Site during construction through marked emergency access points approved by the LAFD.
- Construction worker parking on nearby residential streets shall be prohibited.
- Worker parking shall be provided on-site or in designated off-site public parking areas.
- Temporary traffic control during all construction activities adjacent to public rights-of-way shall be provided to improve traffic flow on public roadways (e.g., flag men).
- Construction-related deliveries, haul trips, etc., shall be scheduled so as to occur outside the commuter peak hours to the extent feasible, to reduce the effect on traffic flow on surrounding streets.
- Construction-related vehicles shall be prohibited from parking on surrounding public streets.
- Safety precautions for pedestrians and bicyclists shall be obtained through such measures as alternate routing and protection barriers as appropriate, especially as it pertains to maintaining safe routes to schools, particularly Metropolitan High School.
- Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.

- Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk would be reopened as soon as reasonably feasible taking construction and construction staging into account.
 - In the event of a lane or sidewalk closure, traffic and/or pedestrians shall be routed around any such lane or sidewalk closures.
 - The locations of the off-site truck staging shall be identified to include, staging in a legal area, and which would detail measures to ensure that trucks use the specified haul route, and do not travel through residential neighborhoods.
 - There shall be coordination with nearby projects that have potential overlapping construction timeframes, to schedule vehicle movements to ensure that there are no vehicles waiting off-site and impeding public traffic flow on the surrounding streets.
 - Contractors will maintain ongoing communication with LAUSD school administrators and the LAUSD Transportation Section, providing sufficient notice to forewarn children and parents when existing vehicle routes and existing pedestrian routes to schools may be impacted.
 - Funding for crossing guards at the contractor's expense will be required when safety of children may be compromised by construction-related activities at impacted school crossings.
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- **Enforcement Agency:** Department of Transportation (LADOT);
Department of Building and Safety
 - **Monitoring Agency:** Department of Building and Safety
 - **Monitoring Phase:** Pre-Construction; Construction
 - **Monitoring Frequency:** Field inspection(s) during construction
 - **Action Indicating Compliance:** Field inspection sign-off

PDF TR-2 Transportation Demand Management Program. A preliminary TDM program shall be prepared and provided for DOT review prior to the issuance of the first building permit for this project and a final TDM program approved by DOT is required prior to the issuance of the first certificate of occupancy for the project. The TDM program shall include, but not be limited to, the following strategies:

Reduced Parking Supply. This strategy changes the on-site parking supply to provide less than the amount of vehicle parking required by direct application of the Los Angeles Municipal Code (LAMC) without consideration of parking reduction mechanisms permitted in the code.

Include Bike Parking per Los Angeles Municipal Code. This strategy involves implementation of short and long-term bicycle parking to support safe and comfortable bicycle travel by providing parking facilities at destinations.

- **Enforcement Agency:** (LADOT); Department of Building and Safety
- **Monitoring Agency:** Department of City Planning
- **Monitoring Phase:** Pre-Construction
- **Monitoring Frequency:** Once at Project plan check
- **Action Indicating Compliance:** Plan check approval and issuance of building permit; issuance of Certificate of Occupancy

Mitigation Measures

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

P. TRIBAL CULTURAL RECOURSES

Project Design Features

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

Mitigation Measures

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

Q. UTILITIES AND SERVICE SYSTEMS

Project Design Features

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

Mitigation Measures

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

R. ENERGY CONSERVATION

Project Design Features

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

Mitigation Measures

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

S. WILDFIRE

Project Design Features

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

Mitigation Measures

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