

6 SCEA CONDITIONS

[As modified by the Planning and Land Use Management (PLUM) Committee on November 1, 2022]

The following are the Project-specific conditions imposed on the Project:

- Mitigation measures for cultural resources (archaeological resources), geology and soils (paleontological resources), hazards and hazardous materials (soils management plan and dewatering), and noise and vibration
- Project Design Features for transportation (Construction Traffic Management Plan)
- Condition of Approval (tribal cultural resources and human remains)

There are no SCAG mitigation measures imposed on the Project.

MITIGATION MEASURES

MM-CUL-1 Inadvertent Discovery of Archaeological Resources

- If any archaeological materials are encountered during the course of Project development, all further development activity in the vicinity of the materials shall halt and:
 - The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study, or report evaluating the impact;
 - The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource; and
 - The Project Applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study, or report.
- Project development activities may resume once copies of the archaeological survey, study or report are submitted to:

SCCIC Department of Anthropology
McCarthy Hall 477
CSU Fullerton
800 North State College Boulevard
Fullerton, CA 92834

- Prior to the issuance of any building permit, the Project Applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.
- A covenant and agreement binding the Project Applicant to this condition shall be recorded prior to the issuance of a grading permit.

MM-GEO-1 Inadvertent Discovery of Paleontological Resources

In the event that potential paleontological resources are encountered during the Project's ground-disturbing activities, all work within 50 feet of the potential discovery shall cease, and a qualified paleontologist (Project Paleontologist), who meets the Secretary of Vertebrate Paleontology (SVP) standards, has experience working with asphaltic fossil deposits, and is approved by the Natural History Museum of Los Angeles County (LACM), shall be retained. If deemed necessary by the Project Paleontologist, a Paleontological Resources Monitoring and Mitigation Plan (PRMMP) shall be prepared. This plan will address specifics of monitoring and mitigation and will comply with the recommendations of the SVP's Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources. This plan (if deemed necessary) will be subject to the approval of the LACM and submitted to them for review before ground disturbance begins.

The Project Paleontologist shall develop a Worker's Environmental Awareness Program (WEAP) to train the construction crew on the legal requirements for preserving fossil resources as well as procedures to follow in the event of a fossil discovery. This training program shall be given to the crew before ground-disturbing work commences and will include handouts to be given to new workers as needed.

All ground disturbances at the Project Site that occur in previously undisturbed older alluvial sediments that have high paleontological potential shall require monitoring. Monitoring shall be conducted by a Paleontological Monitor, who meets the standards defined in the SVP's Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources. Should asphaltic sediments be encountered during excavations, the monitor must also have prior experience or training working in asphaltic sediments and meet the approval of the LACM. Monitoring shall be conducted in accordance with the PRMMP and under the supervision of the Project Paleontologist. The Project Paleontologist may periodically inspect construction activities to adjust the level of monitoring in response to subsurface conditions. Full-time monitoring can be reduced to part-time inspections or ceased entirely if determined adequate by the Project Paleontologist and the LACM. Paleontological monitoring shall include inspection of exposed sedimentary units during active excavations within sensitive geologic sediments. The monitor shall have authority to temporarily divert activity away from exposed fossils to evaluate the significance of the find and, should the fossils be determined significant, professionally and efficiently recover the fossil

specimens and collect associated data. Paleontological monitors shall record pertinent geologic data and collect appropriate sediment samples from any fossil localities. When monitoring work is completed, the Project Paleontologist shall prepare a report of the findings of the monitoring plan after construction is completed.

In the event of a fossil discovery, whether by the paleontological monitor or a member of the construction crew, all work shall cease in a 50-foot radius of the find while the Project Paleontologist assesses the significance of the fossil and document its discovery. Should the fossil be determined significant, it shall be salvaged following the procedures and guidelines of the SVP and in consultation with the LACM. Recovered fossils shall be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility. The most likely repository is the LACM, and a repository agreement shall be identified and a curatorial arrangement shall be signed prior to collection of the fossils.

MM-HAZ-1 Soil Management Plan

A Soil Management Plan (SMP) shall be prepared for the proposed construction activities. The SMP shall describe the management of impacted soils which may be encountered during Site development, and outline health and safety procedures to minimize risk to onsite workers and personnel. In addition, the SMP shall describe the procedures for export of inert soil for offsite reuse. It is anticipated that data collected during the Phase II investigation and additional confirmation samples collected during construction shall be used to facilitate the export of inert soil for offsite reuse.

The SMP will be developed by a qualified environmental consultant for the site and implemented during site grading and excavation. The SMP would be reviewed by appropriate oversight agencies as follows.

First, a draft version of a complete SMP prepared by a qualified environmental consultant would be submitted to the LAFD for review and comment. At the discretion of the LAFD, the draft SMP may also be provided to other expert agencies, including the Los Angeles County Fire Department Site Mitigation Unit of the Health Hazardous Materials Division (LACFD SMU), the Los Angeles Regional Water Quality Control Board (Water Board), and/or the Department of Toxic Substances Control (DTSC), should the LAFD determine such review is appropriate.

Should the LAFD determine it is necessary, it would provide comments on the draft SMP to the applicant. Additional comments may be provided by the LACFD SMU, the Water Board, or the DTSC, upon the request of the LAFD and the determination by any such agencies that comments are warranted. All such comments, to the extent the agencies determine comments are warranted, would be incorporated into the final draft SMP. The SMP would then be implemented during the soil disturbance and site grading phases of Project construction.

The objective of the SMP is to establish policy and requirements for the management and disposal of soils generated during excavation and redevelopment, and other activities that may disturb potentially contaminated soil. The SMP will address the following elements:

- Specify soil-handling controls required for complying with local, state and federal overseeing agencies.
- Prevent unacceptable exposure to contaminated soil.
- Prevent the improper disposal of contaminated soils.
- Specify the process for identifying, segregating, profiling and disposing of any stained/strong odor soil.
- Specify the soil monitoring requirements during removal of previously identified subsurface structures to visually observe the subsurface conditions following removal and to collect soil samples from the excavation depth and sidewalls as necessary to evaluate the soil for the presence of any contaminants of concern (COCs).
- Specify soil monitoring requirements in the event that stained or odorous soils are encountered in any other areas during excavation activities.
- Specify procedures if any unknown subsurface structures such as USTs, clarifiers, vaults, conduits, or piping are encountered. This may include stopping work, notifying the Environmental Consultant, sampling and analyzing for potential hazardous chemicals, providing recommendations for proper disposal.
- In the event that odorous or discolored soils are identified in accordance with the standards set forth in Rule 1166, Rule 1166 may require the presence onsite during construction activities of a qualified soil monitor to continuously monitor air emissions and record measurements at 15-minute intervals using a direct reading organic vapor analyzer (OVA).
- If it is determined that soil exceeding contamination levels for TPH is identified, in accordance with Rule 1166, the following steps will be taken per the SMP:
 - All monitoring would be conducted at a distance no more than 3 inches above the soil surface using an OVA.
 - Monitoring would be initially conducted at a minimum frequency of one reading every 15 minutes.

- Upon detection of TPH exceeding contamination levels, monitoring would be conducted at a minimum rate of one reading for every five cubic yards excavated.
- Upon detection of TPH exceeding contamination levels, or stained and odorous soils, excavation activities would stop in the vicinity. Representative soil sample(s) would be obtained for analysis.
- The SCAQMD would be notified with 24 hours of the first detection of TPH exceeding contamination levels.
- Soil samples would be collected for characterization and disposal determination.
- All contaminated soil would be segregated and removed from the site to an approved treatment/disposal facility.

At the conclusion of the proposed excavation activities and upon reaching the proposed redevelopment excavation depth, final confirmation soil samples will be collected to confirm the field readings.

- In the event that soil TPH exceeding contamination levels is still present at the proposed excavation depth, additional excavation activities would continue per the SMP (and in accordance with Rule 1166). The additional excavation activities would continue until TPH is below contamination levels. At that time, final confirmation soil samples will again be collected to confirm the field readings.

MM-HAZ-2 Dewatering Treatment System

Since building construction at the Site requires dewatering, a dewatering contractor shall be retained to design a treatment system to discharge to groundwater during construction pursuant to applicable Los Angeles Regional Water Quality Control Board requirements.

MM-NOI-1 Sound barriers rated to achieve a sound attenuation of at least 15 dBA shall be erected along the Project's eastern boundary that is adjacent to residential uses along South Alfred Street (i.e., "South Alfred Street Residences"). These sound barriers shall be a minimum 15 feet in height. Sound barriers abutting the Project's boundary with the residence located at 1023 S. Alfred Street shall be a minimum 20 feet in height and shall also be rated to achieve a sound attenuation of at least 15 dBA.

MM-NOI-2 When bulk excavation activities are taking place, only one excavator or other heavy earthmoving vehicle shall be permitted to operate at any given time within 50 feet of individual residential properties associated with the South Alfred Street Residences receptor.

- MM-NOI-3** Sound barriers rated to achieve a sound attenuation of at least 15 dBA shall be erected along the Project's western boundary that is adjacent to La Cienega Boulevard. These sound barriers shall be a minimum 7 feet in height.
- MM-NOI-4** When in use, concrete mixing trucks and concrete pumps operating from the La Cienega Boulevard public right-of-way, outside the confines of the sound barriers required by Mitigation Measure MM-3, shall be shielded with sound barriers rated to achieve a sound attenuation of at least 10 dBA.
- MM-NOI-5** If auger-cast piles are installed under the footprint of the proposed tower, they shall be installed in a pattern of vertical north-south rows, parallel to La Cienega Boulevard. Daily pile installation along these rows shall be spread over a maximum north-south distance, which would dilute noise impacts to any individual S. Alfred Street residence.
- MM-NOI-6** If DSM columns are installed under the footprint of the proposed tower, they shall be installed in a pattern of vertical north-south rows, parallel to La Cienega Boulevard. Daily column installation shall be spread over a maximum north-south distance, which would dilute noise impacts to any individual S. Alfred Street residence.
- MM-NOI-7** The on-site location of any slurry batch plant utilized for the installation of DSM columns shall be either (1) centered within the Project Site, no less than 80 feet from the Project's eastern or western boundaries or (2) the slurry batch plant shall be shielded by sound barriers rated to achieve a sound attenuation of at least 15 dBA.
- MM-NOI-8** Large earthmoving vehicles that are the vibrational equivalent of the FTA's "Large Bulldozer" vibration reference equipment shall maintain a setback of at least 20 feet from South Alfred Street Residences and 6 feet from the commercial building at 1080 La Cienega Boulevard.
- MM-NOI-9** Vibratory rollers shall maintain a setback of at least 45 feet from South Alfred Street Residences and 15 feet from the commercial building at 1080 La Cienega Boulevard.
- MM-NOI-10** Pre-construction surveys shall be performed to document the existing conditions of contributing structures that are a part of the South Carthay HPOZ ("Contributing Structures") and immediately adjacent to the Project Site. A groundborne vibration and structural/architectural monitoring program shall be implemented and recorded during the Project's excavation and any other phases that require the use of large earthmoving vehicles and/or vibratory rollers to ensure that groundborne vibration levels at the boundary of the Project Site adjacent to these Contributing Structures do not exceed 0.12 inches per second. The performance standards of the groundborne vibration and structural/architectural program shall include the following:
- Prior to the start of construction, a detailed photographic survey shall document existing visible exterior conditions of Contributing Structures that are

immediately adjacent to the Project Site. Any existing exterior damage that is visible from the Project Site shall be noted.

- A vibration monitoring system shall be installed at a location that is immediately adjacent to the Project's boundary with Contributing Structures. This system shall continuously measure and store vibration velocities during periods of construction activity. The system shall provide real-time alerts to a construction supervisor or representative immediately if a vibration velocity of 0.12 inches per second is detected.
- In the event that a vibration velocity of 0.12 inches per second is detected, work shall stop immediately in the vicinity of the affected area and nearby Contributing Structures. Construction activities may not resume until the source of the vibration exceedance has been identified and measures have been taken to prevent vibration-related damage from occurring. If necessary, feasible steps to reduce groundborne vibration levels shall be taken, such as downsizing construction equipment, reducing equipment power levels, or using less impactful techniques.

PROJECT DESIGN FEATURES

PDF-TRANS-1 Construction Traffic Management Plan

Prior to the start of construction, the Project Applicant shall prepare a detailed Construction Traffic Management Plan (CTMP), including street closure information, detour plans, haul routes, and staging plans, and submit it to LADOT for review and approval. The Construction Traffic Management Plan shall include a Worksite Traffic Control Plan, which will facilitate traffic and pedestrian movement, and minimize the potential conflicts between construction activities, street traffic, bicyclists, and pedestrians. The Construction Traffic Management Plan and Worksite Traffic Control Plan shall be based on the nature and timing of specific construction activities and other projects in the vicinity, and shall include, but not be limited to, the following measures:

- Maintain access for land uses in the vicinity of the Project Site during construction;
- Minimize obstruction of traffic lanes adjacent to the Project Site to the extent feasible;
- Organize Project Site deliveries and the staging of all equipment and materials in the most efficient manner possible, and on-site where possible, to avoid an impact to the surrounding roadways;

- Coordinate truck activity and deliveries to ensure trucks do not wait to unload or load at the Project Site and impact roadway traffic, and if needed, utilize an organized off-site staging area;
- Provide advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation;
- Prohibit construction worker or equipment parking on adjacent streets;
- Provide temporary pedestrian, bicycle, and vehicular traffic controls to ensure traffic safety on public rights-of-way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's driveways;
- Schedule construction activities to reduce the effect on traffic flow on surrounding arterial streets;
- Contain construction activity within the Project Site boundaries;
- Implement safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers as appropriate;
- Limit sidewalk and lane closures to the maximum extent possible, and avoid peak hours to the extent possible. Where such closures are necessary, the Project's Worksite Traffic Control Plan will identify the location of any sidewalk or lane closures and identify all traffic detours and control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of demolition and construction activity;
- Schedule construction-related deliveries, haul trips, etc., so as to occur outside the commuter peak hours to the extent feasible; and/or
- Prepare a haul truck route program that specifies the construction truck routes to and from the Project Site that minimizes travel on local streets. Construction trucks would take the most direct route and travel along La Cienega Boulevard between the Project Site and the I-10 ramps.

Condition of Approval

Inadvertent discovery of tribal cultural resources

In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil or a similar activity), all such

activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the Applicant shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning at (213) 978-1290.
- If the City determines, pursuant to PRC Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 30 days, to conduct a site visit and make recommendations to the Applicant and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- The Applicant shall implement the tribe's recommendations if a qualified archaeologist and by a culturally affiliated tribal monitor, both retained by the City and paid for by the Applicant, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The Applicant shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist and by a culturally affiliated tribal monitor to be reasonable and feasible. The Applicant shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
- If the Applicant does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or by a culturally affiliated tribal monitor, the Applicant may request mediation by a mediator agreed to by the Applicant and the City who has the requisite professional qualifications and experience to mediate such a dispute. The Applicant shall pay any costs associated with the mediation.
- The Applicant may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and by a culturally affiliated tribal monitor and determined to be reasonable and appropriate.
- 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.

Inadvertent discovery of Human Remains

In the event that human skeletal remains are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to State Health and Safety Code Section 7050.5 which requires that no further ground disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to California Public Resources Code Section 5097.98. In the event human skeletal remains are discovered during construction or during any ground disturbance activities, the following procedures shall be followed:

- 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 NAHC.
- The NAHC will immediately notify the person it believes to be the most likely descendant (MLD) of the deceased Native American.
- The MLD 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 Applicant does not accept the MLD's recommendations, the owner or the MLD may request mediation by the NAHC.