

MITIGATION MONITORING PROGRAM

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 that are 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 (City) 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.

A Sustainable Communities Environmental Assessment (SCEA) has been prepared to address the potential environmental impacts of the Project. Where appropriate, the SCEA identified mitigation measures to avoid or reduce potentially significant environmental impacts of the Project. This MMP is designed to monitor the implementation of the mitigation measures identified for the Project.

2. ORGANIZATION

As shown on the pages below, each identified mitigation measure and/or Project Design Feature (PDF) for the Project is listed and categorized by environmental issue area, with accompanying discussion of the following:

Enforcement Agency – the agency with the power to enforce the mitigation measure and/or PDF

Monitoring Agency – the agency to which reports involving feasibility, compliance, implementation, and development are made, or who physically monitors the Project for compliance with the mitigation measure and/or PDF

Monitoring Phase – the phase of the Project during which the mitigation measure and/or PDF shall be monitored. Examples include the following general categories:

- Pre-Construction, including the design phase
- Construction
- Pre-Operation
- Operation (Post-construction)

Monitoring Frequency – the frequency of which the mitigation measure and/or PDF shall be monitored

Action Indicating Compliance – the action of which the enforcement or monitoring agency indicates that compliance with the required mitigation measure and/or PDF has been implemented

The Project Applicant shall be responsible for implementing all mitigation measures and/or PDFs unless otherwise noted and shall be obligated to provide documentation concerning the implementation of the listed mitigation measures and/or PDFs to the appropriate monitoring agency and the appropriate enforcement agency. All departments listed in the MMP are within the City unless otherwise noted. It is noted that while certain agencies outside of the City may be listed as the monitoring/enforcement agencies for individual mitigation measures and/or PDFs listed in this MMP, the City, as the Lead Agency for the Project, is responsible for overseeing and enforcing implementation of the MMP as a whole.

3. ADMINISTRATIVE PROCEDURES AND ENFORCEMENT

This MMP shall be enforced throughout all phases of the Project. The Project Applicant shall be responsible for implementing each mitigation measure and/or PDF and shall be obligated to provide certification, as identified below, to the appropriate monitoring agency and the appropriate enforcement agency that each mitigation measure and/or PDF has been implemented. The Project Applicant shall maintain records demonstrating compliance with each mitigation measure and/or PDF. 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 Project 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 mitigation measures and/or PDFs during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

The Construction Monitor shall also prepare documentation of the Project Applicant's compliance with the mitigation measures and/or PDFs during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be

signed by the Project Applicant and Construction Monitor and be included as part of the Project Applicant's Annual Compliance Report. The Construction Monitor shall be obligated to promptly notify the Project Applicant of any non-compliance with the mitigation measures and/or PDFs. If the Project Applicant does not correct the non-compliance within two days from the time of notification, the Construction Monitor shall report such non-compliance to the Enforcement Agency. Any continued 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 mitigation measures and/or PDFs contained in this MMP. The enforcing departments or agencies may determine substantial conformance with the mitigation measures and/or PDFs in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a mitigation measure and/or PDF may be modified or deleted, if 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 State 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 modification to or deletion of mitigation measures and/or PDFs. Any addendum or subsequent CEQA clearance that may be required in connection with the modification or deletion shall explain why the mitigation measure and/or PDF is no longer needed, not feasible, or the other basis for modifying or deleting the mitigation measure and/or PDF. Under this process, the modification or deletion of a mitigation measure and/or PDF 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 mitigation measures and/or PDFs results in a substantial change to the Project or the non-environmental conditions of approval.

5. MMP

5.1 MITIGATION MEASURES

Cultural Resources

CULT-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.

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

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Construction

Monitoring Frequency: Once at Project plan check prior to issuance of grading permit (recordation of covenant); ongoing throughout the construction phase; during field inspection

Action Indicating Compliance: Issuance of building permit

Noise

NOISE-1: The Project shall incorporate the following applicable measures from the 2020-2045 RTP/SCS Mitigation Measure “PMM NOISE-1” (as amended to address Project-specific impacts) to reduce the impact of construction-related noise on the Extended Stay America Hotel and the Sepulveda Boulevard Residences:

- (a) Install temporary noise barriers during construction. Temporary noise barriers shall be installed along the southern perimeter of the Project Site where the existing parking lot abuts the Extended Stay America Hotel Property. The noise barrier shall be at least 20 feet in height and rated for a transmission loss that is no less than 25 dBA. The noise barrier shall not have any gaps or holes between the panels or at the bottom that may compromise its effectiveness. The supporting structure shall be engineered and erected in order to comply with LAMC noise requirements, including those set forth in Chapter XI, Article 2 of the LAMC.
- (b) Schedule construction activities consistent with the allowable hours pursuant to the City of Los Angeles general plan noise element or noise ordinance.
- (c) Post procedures and phone numbers at the construction site for notifying the Lead Agency staff, local Police Department, and construction contractor (during regular construction hours and off hours), along with permitted construction days and hours, complain procedures, and who to notify in the event of a problem.
- (d) Notify neighbors and occupants within 300 feet of the Project construction area at least 30 days in advance of anticipated times when noise levels are expected to exceed limits established in the noise element of the general plan or noise ordinance.

- (e) Designate an on-site construction complaint and enforcement manager for the Project.
- (f) Ensure that construction equipment is properly maintained per manufacturers' specifications and fitted with the best available noise suppression devices (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds silencers, wraps). All intake and exhaust ports on power equipment shall be muffled or shielded. Construction equipment shall comply with noise limits in LAMC Section 112.05.
- (g) Use hydraulically or electrically powered tools (e.g., jack hammers, pavement breakers, and rock drills) for project construction to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust should be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves should be used, if such jackets are commercially available, and this could achieve a further reduction of 5 dBA. Quieter procedures should be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures. Construction equipment shall comply with noise limits in LAMC Section 112.05.
- (h) Use equipment and trucks with the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible) for project construction. Construction equipment shall comply with noise limits in LAMC Section 112.05.
- (i) Stationary noise sources can and should be located as far from adjacent sensitive receptors as possible and they should be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the Lead Agency (or other appropriate government agency) to provide equivalent noise reduction. Construction equipment shall comply with noise limits in LAMC Section 112.05.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; construction

Monitoring Frequency: Once at Project plan check prior to issuance of grading permit; periodic field inspection

Action Indicating Compliance: Plan check approval and issuance of grading permit; field inspection sign-off

NOISE-2: The Project Applicant shall retain the services of a qualified acoustical/vibration consultant or engineer to review the existing conditions, the proposed construction equipment, and construction plan, including proposed locations of demolition, grading, and construction activities, and to develop and implement a vibration monitoring program capable of documenting and assessing construction-related ground or structure vibration levels in relation to Dinah's Family Restaurant. Pre-construction surveys shall be performed to document the conditions of the Dinah's Family Restaurant building. The vibration monitoring program shall be implemented and recorded during the Project's non-sewer relocation-related demolition, grading, and building construction phases, and shall include the following:

- Documentation, consisting of video and/or photographic documentation of damage-prone areas (i.e., any deteriorated stucco or stone accent cladding) and other character-defining features of historical interest that may reasonably be damaged by construction-related vibrations.
- During non-sewer relocation-related demolition, grading, and building construction phases, a vibration monitoring system shall continuously measure and store the vibration levels in inches per second PPV. The system may measure vibration from a location immediately adjacent to Dinah's Family Restaurant or via sensors located directly on character-defining features of Dinah's Family Restaurant itself. The system shall provide real-time alerts to the designated acoustical/vibration consultant or engineer, or to a construction representative, immediately when a vibration level of 0.2 inches per second PPV is measured.
- In the event the 0.2 inches per second PPV threshold is triggered, or if noticeable architectural damage becomes evident to the Project contractor, work shall immediately stop in the area of the Dinah's Family Restaurant building until the source of vibration generation has been identified and measures have been taken to prevent

vibration-related damage to the building. An inspection of the Dinah's Family Restaurant building for potential architectural damage shall be conducted, the results of which shall be logged. Construction activities may then resume if the acoustical/vibration consultant or engineer and the Project contractor confirm that no vibration-induced damages have occurred. If damage is apparent, the acoustical/vibration consultant or engineer and the Project contractor shall take measures to reduce construction-related vibration levels and ensure that no further damage occurs.

Enforcement Agency: Los Angeles Department of Building and Safety

Monitoring Agency: Los Angeles Department of Building and Safety

Monitoring Phase: Pre-construction; construction

Monitoring Frequency: Once at Project plan check prior to issuance of grading permit; periodic field inspection

Action Indicating Compliance: Issuance of grading permit; field inspection sign-off

Tribal Cultural Resources

TCR-1: A qualified and certified indigenous tribal member of the Gabrieleño Tongva Indians of California shall provide professional Native American Monitoring for ground-disturbing activities associated with the Project. Ground disturbances including but not limited to the removal of asphalt/cement/slurry, trenching, boring, excavation, auguring, grubbing, tree removal, grading and drilling shall be monitored. The Tribal Monitor will only be required on-site when these ground-disturbing activities occur.

The Tribal Monitor will be responsible for observing all mechanical and hand-labor excavations including paddle scrapers, blade machines, front-end loaders, backhoe, boring, and drill operations, as well as hydraulic and electric chisels. Associated work using tools such as picks and other non-electric or gasoline tools that are not regarded as mechanical will be monitored for their soil disturbances.

Soils that are removed from the work site shall be considered culturally sensitive and shall be subject to inspection. The Tribal Monitor will temporarily hold excavations until a determination is made on the sensitivity of the soil. If the soils are sensitive, a Tribal Monitor will verify the find and notify the Project Applicant.

The Tribal Monitor may make recommendations during the course of the activities when a cultural area has been impacted. The Tribal Monitor will be authorized to halt or redirect excavation activities to another area as an assessment is made.

The Tribal Monitor will provide the Project Applicant a written daily field report that includes photos of his/her accounting of the soil disturbances of the daily activities. The daily report will include observations the Tribal Monitor visually observed at the Project Site at the beginning of each workday (i.e., weather conditions, overnight disturbances).

Enforcement Agency: Department of City Planning

Monitoring Agency: Department of City Planning

Monitoring Phase: Pre-construction; construction

Monitoring Frequency: Once at Project plan check prior to issuance of grading permit; periodic field inspection

Action Indicating Compliance: Issuance of grading permit; field inspection sign-off

5.2. PROJECT DESIGN FEATURES

PDF-1 Oversight of Rehabilitation of Dinah's Building

The rehabilitation of Dinah's Family Restaurant and the treatment of all of its materials, features, and immediate site, shall be overseen by a Historic Architect meeting the Secretary of the Interior's Professional Qualification Standards in Architecture and/or Historic Architecture.

Enforcement Agency: Department of City Planning; Office of Historic Resources

Monitoring Agency: Department of City Planning; Office of Historic Resources

Monitoring Phase: Pre-construction; construction

Monitoring Frequency: Once at Project plan check prior to issuance of grading permit; periodic field inspection

Action Indicating Compliance: Issuance of grading permit; field inspection sign-off

PDF-2 Treatment of Dinah's Restaurant Signs

a. Bucket Sign

The Dinah's Restaurant bucket sign, located at the rear of the Dinah's building, shall be removed from its current location and relocated within the Project Site. The bucket portion of the sign shall either be preserved and integrated somewhere in the Project's open space areas as an art piece, or the bucket sign or a portion thereof shall be relocated in front of the Dinah's building at the southeast corner of the Project Site.

b. Pylon Sign at the Corner of Sepulveda Boulevard and Centinela Avenue

The Dinah's Fried Chicken sign, located at the corner of Sepulveda Boulevard and Centinela Avenue, shall be removed from its current location and either stored at an appropriate and secure location or donated to a local sign museum.

Enforcement Agency: Department of City Planning; Office of Historic Resources

Monitoring Agency: Department of City Planning; Office of Historic Resources

Monitoring Phase: Pre-construction; construction

Monitoring Frequency: Once at Project plan check prior to issuance of grading permit; periodic field inspection

Action Indicating Compliance: Issuance of grading permit; field inspection sign-off