

RESOLUTION NO. 2022-R_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, (1) CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT SCH NO. 2021110079; (2) ADOPTING FINDINGS REQUIRED BY CEQA AND A STATEMENT OF OVERRIDING CONSIDERATIONS BASED ON AN ASSESSMENT OF PROJECT BENEFITS AGAINST THE PROJECT'S SIGNIFICANT AND UNAVOIDABLE IMPACTS; AND (3) MITIGATION MONITORING PROGRAM IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, FOR THE CROSSINGS CAMPUS PROJECT

(P2021-0272-EIR)

WHEREAS, on May 31, 2022, Culver Crossings Project LLC (the "Applicant" and "Owner") filed an application for a Zoning Map Amendment and Comprehensive Plan, to construct a 536,000 square foot office development on a 4.46-acre site. The development would include two buildings, one that is four story and the other five story. Both buildings include 3 levels of subterranean parking (the "Project"). The project would include two parcels, one in Culver City and one in Los Angeles. The Project is more specifically described by Los Angeles County Assessor Parcel Numbers 4312-015-005 in the City of Los Angeles, County of Los Angeles, State of California and by Los Angeles County Assessor Parcel Numbers 4312-015-006 in the City of Culver City, County of Los Angeles, State of California and 4312-015 at 8833 and 8825 National Boulevard and 8771 Washington in Culver City, California, 90232 (Culver City Parcel); and 8876, 8884, 8886, And 8888 Venice Boulevard and 8827 and 8829 National Boulevard in Los Angeles; and

WHEREAS, the Project is a creative office campus that could include associated production spaces for multimedia content creation and capture. The development, including both Culver City and LA segments would be 536,000 square feet on a 4.46-acre site. The development would include two multi-story buildings. Both buildings include 3 levels of

1 subterranean parking. The City of Culver City is the lead agency for the CEQA environmental
2 review process.

3 Culver Crossings Properties LLC, the Applicant, proposes to develop the Crossings
4 Campus Project (Project), an office project on an approximately 4.46-acre (194,334-square-
5 foot [sf]) site consists of two properties: one 1.63-acre (71,016 sf) parcel is located in the City
6 of Culver City (Culver City Parcel) while the second 2.83-acre (123,318 sf) parcel is located in
7 the City of Los Angeles (Los Angeles Parcel) (collectively referred to herein as the Project Site).
8 The Project Site is bounded by Venice Boulevard to the north, Washington Boulevard to the
9 south, National Boulevard to the west, and existing commercial uses to the east. The Project
10 Site is located at 8833 and 8825 National Boulevard and 8771 Washington in Culver City,
11 California, 90232 (Culver City Parcel); and 8876, 8884, 8886, and 8888 Venice Boulevard and
12 8827 and 8829 National Boulevard in Los Angeles, California, 90232 (Los Angeles Parcel).

15 The Culver City Parcel is located to the east of the Downtown District of Culver City and
16 in the Washington National Transit Oriented Development District. The Los Angeles Parcel is
17 located in the West Adams–Baldwin Hills–Leimert Community Plan area of Los Angeles.
18 Primary regional access is provided by two freeways; the Santa Monica Freeway (I-10) located
19 approximately 630 feet north of the Project Site and the San Diego Freeway (I-405), located
20 approximately 2.09 miles west of the Project Site. The Project Site is also served by the Los
21 Angeles County Metropolitan Transportation Authority (Metro) “E” Line and multiple Metro and
22 local bus lines that provide service along Venice, National, and Washington Boulevards.

25 The Project Site is currently improved with single-story warehouses that have been
26 converted into retail, office, and surface and enclosed parking lots serving the existing uses on
27 the Project Site. The Project Site is mostly flat with gradual sloping from north to south.
28

Landscaping on the Project Site is limited to parking medians, street edge, and building perimeter planting.

The Culver City Parcel is currently developed with two buildings: (1) a 9,739-sf building that is currently used for storage; and (2) a 9,082-sf building that is currently vacant. The two existing buildings total 18,821 sf of floor area. The balance of the Culver City Parcel consists of surface parking and vehicular access that supports the existing uses on the Project Site. Vehicular access to the Culver City Parcel is provided along National Boulevard. Pedestrian access to the Culver City Parcel is provided along National Boulevard and on Washington Boulevard at the southern edge of the Project Site.

The Los Angeles Parcel is currently improved with an 86,226-sf warehouse building that has been partitioned into six separate spaces consisting of 51,500 sf of office and 34,726 sf of retail. In addition to the floor area, there are 70 spaces of enclosed vehicular parking. Vehicular access to the Los Angeles Parcel is provided via the Culver City Parcel from National Boulevard. Pedestrian access is provided along the western edge on National Boulevard and via the northern edge of the site along Venice Boulevard.

The Project would involve demolition of the three existing buildings on the Project Site, totaling 105,047 sf, to support the proposed 536,000 sf integrated office complex. The Project would consist of two buildings, one on each of the two properties that comprise the Project Site. Building 1 (on the Culver City Parcel) involves demolition of existing surface parking and two buildings totaling 18,821 sf and construction of a new 167,000-sf office building. Building 1 would be four stories, measuring up to 56 feet in height to the top of the roofline, with a three-level subterranean garage containing 478 vehicular parking spaces and 51 bicycle parking spaces. Building 2 (on the Los Angeles Parcel) involves demolition of the existing building

1 totaling 86,226 sf and construction of a new 369,000-sf office building. Building 2 would be four
2 to five stories, measuring 56 feet to 75 feet in height to the top of the roof, with a three-level
3 subterranean garage containing 738 vehicular parking spaces and 124 bicycle parking spaces.

4 The Project would include office space suitable for approximately 2,400 occupants and
5 could include associated production spaces for multimedia content creation and capture.
6 Amenities for the building tenants would include an employee cafeteria, coffee stations,
7 employee shuttle service, and other ancillary amenities typical of an integrated office complex
8 development. The total floor area for the Project at final build-out would be 536,000 sf, with a
9 floor area ratio (FAR) of 2.76:1. The Project would also include pedestrian-facing landscaping
10 at the ground floor on National Boulevard and Venice Boulevard, a 7,120-sf publicly accessible,
11 privately maintained open space amenity along Washington Boulevard, as well as 51,600-sf
12 internal courtyard for the use of employees and occasional private tenant events. Construction
13 is anticipated to start in April of 2022, subject to Project approval and is anticipated to be
14 completed May of 2024; and

15 WHEREAS, in order to implement the proposed Project, approval of the following land
16 use permits (collectively, "Entitlements") are required:

17 1. Zone Map Amendment P2022-0144-ZMA, for the change of the existing
18 designations from Industrial Commercial (IG) and East Washington Overlay (-EW) Zone
19 to Planned Development (PD), to ensure the proper rezoning of the property and
20 maintain consistency with the General Plan designation; and

21 2. Comprehensive Plan (P2022-0144-CP): To ensure the Project is in
22 compliance with all required standards and City ordinances, and establish all onsite and
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1 offsite conditions of approval to reflect the site features and compatibility of the proposed
2 Project with the uses on adjoining properties; and

3 3. Extended Construction Hours Request, a land use entitlement allowing an
4 additional hour of construction in the morning increasing the allowed construction time
5 to 7:00 am to 8:00 pm to allow for specific constructive activity including pouring concrete
6 grading and excavation; and
7

8 WHEREAS, the California Environmental Quality Act of 1970, as amended (California
9 Public Resources Code 21000, et. seq.; and California Code of Regulations, Title 14, Ch. 3
10 15000, et. seq.; collectively, "CEQA"), gives to the lead agency the responsibility for considering
11 the effects of a project, both individual and collective, of all physical development activities
12 involved when action is taken by a lead agency to approve a Project; and
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14 WHEREAS, the City prepared an Initial Environmental Study (Initial Study) for the
15 Project, which determined that the Project may have a significant effect on the environment
16 and that an Environmental Impact Report must be prepared. The Initial Study determined that
17 the following areas must be addressed in the Project EIR: aesthetics, air quality, cultural
18 resources (historical resources and archaeological resources), energy, geology and soils,
19 greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality,
20 land use and planning, noise, public services (fire and police), transportation, tribal cultural
21 resources and Utilities and Service Systems (Water Supply and Waste Water); and
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23

24 WHEREAS, the City prepared a Notice of Preparation ("NOP") of the Draft EIR, which
25 was circulated to the affected agencies and the public, pursuant to CEQA for thirty days
26 beginning on November 4, 2021, and numerous comments from agencies and the public were
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received in response. The City held a public scoping meeting on December 6, 2021, to obtain information from the public as to issues that should be addressed in the Draft EIR; and

WHEREAS, the City in accordance with provisions of CEQA Guidelines Sections 15085(a) and 15087(a), the City, serving as the Lead Agency: (1) prepared and transmitted a Notice of Completion (NOC) to the State Clearinghouse; (2) published a Notice of Availability (NOA) of a Draft EIR which indicated that the Draft EIR was available for public review at the City's Current Planning Division; (3) provided copies of the NOA and Draft EIR to the Culver City Julian Dixon Library; (4) posted the NOA and the Draft EIR on the City's Planning Division website: <https://www.culvercity.org/City-Projects/G-Planning-Projects>; (5) sent a NOA to all property owners within 1,000 feet of the Project Site; (6) sent a NOA to the last known name and address of all organizations and individuals who previously requested such notice in writing or attended public meetings about the Project; and (7) filed the NOA with the County Clerk. The public review period commenced on July 21, 2022, and ended on September 6, 2022, for a total of 47 days. The City conducted a virtual Community Meeting focused on the Project and a Public Meeting focused on the Draft EIR on August 16, 2022; and

WHEREAS, the City received numerous written and oral comments to the Draft EIR, prepared responses to those comments and made appropriate changes to the Draft EIR. Those changes, comments and responses were made a part of the Final EIR for the Project in compliance with California Public Resources Code, Section 21092.5. The proposed written responses to comments from public agencies received during the 47-day review period were provided to such agencies and the Final EIR was made available on October 12, 2022; and

WHEREAS, the Final Environmental Impact Report (EIR) includes the Draft EIR, dated July 2022, responses to written comments on the Draft EIR, responses to public testimony

1 regarding Draft EIR issues raised during the public comment period, modifications to the Draft
2 EIR text, and the Mitigation Monitoring Program (MMP). The Final EIR was prepared and
3 circulated in compliance with CEQA; and

4 WHEREAS, on November 9, 2022, the Planning Commission held a duly noticed public
5 meeting to receive public comment on the Final EIR and consider the proposed Final EIR.
6 During the course of the public hearing, the Planning Commission considered staff and
7 consultant presentations, written comments received from public agencies and the public, staff
8 reports, Applicant presentations, information presented to the Planning Commission to assist
9 its understanding of the Project, the Final EIR, CEQA Findings of Fact and Statement of
10 Overriding considerations and public comments and testimony on the Project. In addition, the
11 Planning Commission considered the Final EIR prepared for the Project, including information
12 provided in staff reports, the amended text of the Final EIR, information presented from experts
13 and in public testimony, including letters submitted to the Planning Commission following the
14 close of the public hearing before the Planning Commission, and other matters in the public
15 record; and
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19 WHEREAS, following conclusion of the public discussion and thorough deliberation of
20 the subject matter, the Planning Commission, by a vote of 4 to 0, adopted Resolution 2021-
21 P019 recommending to the City Council (1) certification of the Final Impact Report SCH No.
22 2016111044; (2) adoption of CEQA findings and a mitigation monitoring program, in
23 compliance with the California Environmental Quality Act, for Zoning Map Amendment P2022-
24 0144-ZMA, Comprehensive Plan P2021-0144-CP; (3) approval of Zoning Map Amendment
25 P2022-0144-ZMA and Comprehensive Plan P2021-0144-CP; and (4) approval of Extended
26 Construction Hours Request for the Project.
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1 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY,
2 CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

3 SECTION 1. GENERAL FINDINGS. Pursuant to the foregoing recitations, the following
4 findings and hereby made:

- 5 1. Based on the findings contained in the Initial Study prepared by the City, it was
6 determined that the proposed Project may have a significant effect on the environment
7 and an EIR is required.
- 8 2. The Draft and Final EIRs, including the technical appendices and responses to
9 comments, were prepared, circulated, and completed in compliance with CEQA.
- 10 3. Revisions have been appropriately made to the Draft EIR and such revisions, including
11 responses to comments, and other documents related to the Draft EIR have been made
12 a part of or incorporated into the Final EIR.
- 13 4. The revisions made to the Draft EIR and incorporated into the Final EIR do not require
14 recirculation of the Draft EIR based on the following:
 - 15 a. No significant new information has been added that would deprive the public of a
16 meaningful opportunity to comment on a substantial adverse environmental effect
17 of the project, a feasible way to mitigate or avoid such an impact that the Applicant
18 has declined to implement, or a feasible project alternative;
 - 19 b. The new information, including certain factual corrections and minor changes,
20 provides clarification to points and information already included in the Draft EIR;
 - 21 c. There are not significant new environmental impacts resulting from the Project
22 from a new mitigation measure proposed to be implemented;

- 1 d. There is no substantial increase in the severity of an environmental impact that
2 has not been mitigated to a level of insignificance;
3 e. The Applicant has not declined to adopt any feasible project alternatives or
4 mitigation measures, considerably different from others previously analyzed, that
5 clearly lessen the environmental impacts of the Project; and
6
7 f. The Draft EIR is not fundamentally and basically inadequate and conclusory in
8 nature that meaningful public review and comment precluded.

9 5. The Final EIR accurately describes the Project and identifies the discretionary approvals
10 necessary for the project as listed in the recitations above.
11

12 6. The Final EIR adequately analyzes all of the potentially significant environmental
13 impacts of approval of the Project, mitigation measures, environmental impacts and
14 cumulative impacts which have been mitigated to a less than significant level,
15 alternatives to the Project on the Project site, short-term and long-term impacts, growth
16 inducing impacts, and significant and unavoidable impacts.
17

18 SECTION 2. CERTIFICATION FINDINGS. Based upon the above recitals and the entire
19 record, including, without limitation, the Crossings Campus Draft and Final EIR, oral and written
20 testimony and other evidence received, at the public hearings held on the Project and the Final
21 EIR, the City Council further finds:
22

- 23 1. That the EIR for the Project is adequate, complete, and has been prepared in
24 accordance with the California Environmental Quality Act (CEQA).
25
26 2. That the City Council has independently reviewed and considered the EIR in reaching
27 its conclusions.
28

- 1 3. The City Council has reviewed and considered in the EIR as well as the whole of the
2 administrative record and the evidence and testimony presented in this matter, prior to
3 making its decision on the Project.
4
5 4. The City Council finds that the Final EIR reflects the decision-maker's independent
6 judgment and analysis.
7
8 5. The City Council finds that a mitigation monitoring program (MMP) has been prepared
9 and is adopted to enforce the mitigation measures required by the Final EIR and Project
10 approvals (Exhibit B).

11 APPROVED and ADOPTED this 5th day of December 2022.
12
13

14 _____
15 DR. DANIEL LEE, Mayor
16 City of Culver City, California

17 ATTESTED BY:

18 APPROVED AS TO FORM:

19 _____
20 JEREMY BOCCHINO, City Clerk

21 
22 _____
23 HEATHER BAKER, City Attorney
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EXHIBIT A

FINDINGS REQUIRED BY CEQA

I. INTRODUCTION

The Environmental Impact Report (EIR), consisting of the Draft EIR and the Final EIR, is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the Crossings Campus Project (Project), an office project on an approximately 4.46-acre (194,334-square-foot [sf]) site consists of two properties: one 1.63-acre (71,016 sf) parcel is located in the City of Culver City (Culver City Parcel), while the second 2.83-acre (123,318 sf) parcel is located in the City of Los Angeles (Los Angeles Parcel) (collectively referred to as the Project Site). The Project Site is bounded by Venice Boulevard to the north, Washington Boulevard to the south, National Boulevard to the west, and existing commercial uses to the east. The Project Site is located at 8833 and 8825 National Boulevard and 8771 Washington in Culver City, California, 90232 (Culver City Parcel); and 8876, 8884, 8886, and 8888 Venice Boulevard and 8827 and 8829 National Boulevard in Los Angeles, California, 90232 (Los Angeles Parcel). The Project would involve demolition of the three existing buildings on the Project Site, totaling 105,047 sf, to support the proposed 536,000 sf integrated office complex. The Project would consist of two buildings, one on each of the two properties that comprise the Project Site. Building 1 (on the Culver City Parcel) involves demolition of existing surface parking and two buildings totaling 18,821 sf and construction of a new 167,000-sf office building. Building 1 would be four stories, measuring up to 56 feet in height to the top of the roofline, with a three-level subterranean garage containing 478 vehicular parking spaces and 51 bicycle parking spaces. Building 2 (on the Los Angeles Parcel) involves demolition of the existing building totaling 86,226 sf and construction of a new 369,000-sf office building. Building 2 would be four to five stories, measuring 56 feet to 75 feet in height to the top of the roof, with a three-level subterranean garage containing 738 vehicular parking spaces and 124 bicycle parking spaces.

The Project would include office space suitable for approximately 2,400 occupants and could include associated production spaces for multimedia content creation and capture. Amenities for the building tenants would include an employee cafeteria, coffee stations, employee shuttle service, and other ancillary uses typical of an integrated office complex development. The total floor area for the Project at final build-out would be 536,000 sf, with a floor area ratio (FAR) of 2.76:1. The Project would also include pedestrian-facing landscaping at the ground floor on National Boulevard and Venice Boulevard, a 7,120-sf publicly accessible, privately maintained amenity area along Washington Boulevard, as well as a 51,600-sf internal courtyard for the use of employees and occasional private tenant events.

The City of Culver City (the City), as Lead Agency, has evaluated the environmental impacts of implementation of the Project by preparing an EIR (Case Number P2021-0272-EIR/State Clearinghouse No. 2021110079). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code (PRC) Section 21000 et seq. (CEQA) and the California Code of Regulations Title 15, Chapter 6 (the CEQA Guidelines). The findings discussed in this document are made relative to the conclusions of the EIR.

CEQA Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” CEQA Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles announced in CEQA Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See PRC § 21081[a]; CEQA Guidelines § 15091[a].) For each significant environmental impact identified in an EIR for a proposed project, the approving agency must issue a written finding, based on substantial evidence in light of the whole record, reaching one or more of the three possible findings, as follows:

- 1) Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant impacts as identified in the EIR.
- 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been, or can or should be, adopted by that other agency.
- 3) Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the Final EIR for the Project, as fully set forth therein. Although CEQA Guidelines Section 15091 of the does not require findings to address environmental impacts that an EIR identifies as merely “potentially significant,” these findings nevertheless fully account for all such effects identified in the Final EIR for the purpose of better understanding the full environmental scope of the Project. For each environmental issue analyzed in the EIR, the following information is provided:

- Description of Significant Effects – A description of the environmental effects identified in the EIR.
- Project Design Features – A list of the project design features or actions that are included as part of the Project.
- Mitigation Measures – A list of the mitigation measures that are required as part of the Project to reduce identified significant impacts.
- Finding – One or more of the three possible findings set forth above for each of the significant impacts.
- Rationale for Finding – A summary of the rationale for the finding(s).

- Reference – A reference of the specific section of the EIR which includes the evidence and discussion of the identified impact.

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternatives, a public agency, after adopting proper findings based on substantial evidence, may nevertheless approve the project, if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's benefits rendered acceptable its unavoidable adverse environmental effects. (CEQA Guidelines § 15093, 15043[b]; see also PRC § 21081[b].)

II. ENVIRONMENTAL REVIEW PROCESS

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes, but is not limited to, the following documents:

Initial Study. The Project was reviewed by the Planning Division of Culver City (serving as Lead Agency) in accordance with the requirements of CEQA (PRC § 21000, et seq.). The City prepared an Initial Study in accordance with CEQA Guidelines Section 15063(a).

Notice of Preparation. Pursuant to CEQA Guidelines Section 15082, the City then circulated a Notice of Preparation (NOP) to State, regional and local agencies, and members of the public for a 45-day comment period commencing on November 4, 2021. The purpose of the NOP was to formally inform the public that the City was preparing a Draft EIR for the Project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR. In addition, a virtual Community Meeting and an EIR Scoping Meeting were held regarding the Project on December 6, 2021. Thirty-eight comment letters responding to the NOP were submitted to the City by various public agencies, interested organizations, and individuals. The NOP, Initial Study, and comment letters are included in Appendix A of the Draft EIR.

Draft EIR. The Draft EIR evaluated in detail the potential effects of the Project. It also analyzed the effects of a reasonable range of four alternatives to the Project, including a "No Project" alternative. The Draft EIR for the Project (State Clearinghouse No. 2021110079), incorporated herein by reference in full, was prepared pursuant to CEQA and the CEQA Guidelines. The Draft EIR was circulated for a 47-day public comment period beginning on July 21, 2022 and ending on September 6, 2022. Copies of the written comments received are provided in the Final EIR. Pursuant to CEQA Guidelines Section 15088, the City, as Lead Agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment in Section 2 of the Final EIR.

Notice of Completion. A Notice of Completion was sent with the Draft EIR to the Governor's Office of Planning and Research State Clearinghouse for distribution to State Agencies on July 21, 2022, and notice was provided in newspapers of general and/or regional circulation.

Final EIR. The City published a Final EIR for the Project on October 12, 2022, which is hereby incorporated by reference in full. The Final EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding objectives and

components of the Project. The Final EIR addresses the environmental effects associated with implementation of the Project, identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts, and includes written responses to all comments received on the Draft EIR during the public review period. Responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the Final EIR pursuant to CEQA Guidelines Section 15088(b). In addition, all individuals that commented on the Draft EIR also received a copy of the Final EIR. The Final EIR was also made available for review on the City's website. Notices regarding availability of the Final EIR were sent to those owners within a 500-foot radius of the Project Site, as well as individuals who commented on the Draft EIR, provided comments during the NOP comment period, or requested notice.

Public Hearing. A duly noticed public hearing for the Project was held by the Current Planning Division on November 9, 2022.

III. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes, but is not limited to, the following documents and other materials that constitute the administrative record upon which the City approved the Project. The following information is incorporated by reference and made part of the record supporting these Findings of Fact:

- All Project plans and application materials, including supportive technical reports;
- The Draft EIR and Appendices, Final EIR and Appendices, and all documents relied upon or incorporated therein by reference;
- The Mitigation Monitoring Program (MMP) prepared for the Project;
- The Culver City General Plan and related EIR;
- The City of Los Angeles General Plan and related EIR;
- The Southern California Association of Governments (SCAG)'s 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and related EIR (SCH No. 2015031035);
- The Culver City Municipal Code, including, but not limited to, the Zoning Ordinance;
- The City of Los Angeles Municipal Code, including, but not limited to, the Zoning Ordinance and Subdivision Ordinance;
- All records of decision, resolutions, staff reports, memoranda, maps, exhibits, letters, minutes of meetings, summaries, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project;
- Any documents expressly cited in these Findings of Fact, in addition to those cited above; and

- Any and all other materials required for the record of proceedings by PRC Section 21167.6(e).

Pursuant to PCR Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the Record of Proceedings upon which the City has based its decision are located in and may be obtained from the Current Planning Division, as the custodian of such documents and other materials that constitute the record of proceedings, located at Culver City Hall, 9770 Culver Boulevard, 2nd Floor, Culver City, CA 90232.

In addition, copies of the Draft EIR and Final EIR are available on the City's Planning Division website at: <https://www.culvercity.org/City-Projects/G-Planning-Projects>). Copies were also available for in-person review at the Culver City Julian Dixon Library, Baldwin Hills Branch Library, and City of Los Angeles Central Library.

IV. DESCRIPTION OF THE PROJECT

The Project Site is currently improved with single single-story warehouses that have been converted into retail, office, and surface and enclosed parking lots serving the existing uses on the Project Site. The Project Site is mostly flat with gradual sloping from north to south. Landscaping on the Project Site is limited to parking medians, street edge, and building perimeter planting.

The Culver City Parcel is currently developed with two warehouse buildings: (1) a 9,739-sf building that is currently used for storage; and (2) a 9,082-sf building that is currently vacant. The two existing buildings total 18,821 sf of floor area. The balance of the Culver City Parcel consists of surface parking and vehicular access that supports the existing uses on the Project Site. Vehicular access to the Culver City Parcel is provided along National Boulevard. Pedestrian access to the Culver City Parcel is provided along National Boulevard and on Washington Boulevard at the southern edge of the Project Site.

The Los Angeles Parcel is currently improved with an 86,226-sf warehouse building that has been partitioned into six separate spaces consisting of 51,500 sf of office and 34,726 sf of retail. In addition to the floor area, there are 70 spaces of enclosed vehicular parking. Vehicular access to the Los Angeles Parcel is provided via the Culver City Parcel from National Boulevard. Pedestrian access is provided along the western edge on National Boulevard and via the northern edge of the site along Venice Boulevard.

The Project would involve demolition of the three existing buildings on the Project Site, totaling 105,047 sf, to support the proposed 536,000-sf integrated office complex. The Project would consist of two buildings, one on each of the two properties that comprise the Project Site. Building 1 (on the Culver City Parcel) involves demolition of existing surface parking and two buildings totaling 18,821 sf and construction of a new 167,000-sf office building. Building 1 would be four stories, measuring up to 56 feet in height to the top of the roofline, with a three-level subterranean garage containing 478 vehicular parking spaces and 51 bicycle parking spaces. Building 2 (on the Los Angeles Parcel) involves demolition of the existing building totaling 86,226 sf and construction of a new 369,000-sf office building. Building 2 would be

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1. Project Site Zoning/Land Use Designations

The Culver City Parcel: The General Plan land use designation of the Culver City component of the Project Site is General Corridor Commercial. Within Culver City, Washington Boulevard is primarily designated as General Corridor Commercial and, in the Project area, this designation encompasses both sides of Washington Boulevard between Helms Avenue and Robertson Boulevard. Both sides of National Boulevard are also designated as General Corridor Commercial along the Project Site and south to a point at which National Boulevard turns to the southeast. At this point, the south side of National Boulevard is designated as Industrial. A Low Density Residential (two-family) residential neighborhood is generally located to the south of the Industrial designated area of National Boulevard near the Project Site. A Medium Density Residential land use designation is located south of Washington Boulevard's General Corridor Commercial designation to the southeast of the Project Site on both sides of Helms Avenue. The General Corridor Commercial designation allows a range of small- to medium-scale commercial uses, with an emphasis on community-serving retail to which patrons often travel by car. The General Corridor Commercial designation is intended to support desirable existing and future neighborhood and community servicing commercial uses, and limited medium-density housing opportunities compatible with adjacent residential neighborhoods. The designation is characterized by areas with a two- to three-story height limit, recognizing the proximity to residential neighborhoods and the other Commercial Corridor designated areas with a height limit up to 56 feet.

The zoning designation of the Culver City portion of the Project Site is Industrial General (IG) District but carries a General Plan designation of General Corridor. According to Culver City Municipal Code (CCMC) Section 17.230.010.B, the IG Zone applies to areas appropriate for a wider variety of industrial use than that permitted under the Light Industrial (IL) Zone.

The Los Angeles Parcel: The Los Angeles portion of the Project Site is located in the West Adams–Baldwin Hills–Leimert Community Plan (Community Plan) and designated Community Center (Transit-Oriented Development Area, Commercial Node). The City of Los Angeles' commercial hierarchy is derived from the General Plan Framework Element but defined in the Community Plan and includes the following four general categories: Regional Center, Commercial Center, Neighborhood District, and Mixed-Use Boulevard. Community Centers

intensify business and social activity compared to Neighborhood Centers. They contain uses that serve the larger community and are generally medium scaled, although this varies depending on the character of the surrounding area. Community Centers, as with the Project area, are often served by small shuttles, local and rapid buses, or subway stops.

The Project Site is designated under the Community Plan and the West Adams–Baldwin Hills–Leimert Community Plan Implementation Overlay as within the Venice/National Transit Oriented District (TOD) Subarea. As described in the Community Plan, the purpose of TODs is to promote more livable communities by minimizing traffic and pollution impacts from traveling for purposes of work, shopping, school, and recreation. TOD is defined in the Community Plan as moderate- to high-density development located within an easy walk of a major transit stop, generally with a mix of residential, employment, and shopping opportunities. TOD encourages walking and transit use without excluding the automobile. TOD can be new construction or redevelopment of one or more buildings whose design and orientation facilitate transit use.

V. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT WITHOUT MITIGATION IN THE INITIAL STUDY

The Current Planning Division prepared an Initial Study dated November 2, 2021, which is located in Appendix A of the Draft EIR. The Initial Study found the following environmental impacts not to be significant or less than significant without mitigation:

I. Aesthetics

- a. Scenic Vista
- b. Scenic Resources
- c. Visual Character
- d. Light & Glare

II. Agricultural and Forest Resources

- a. Farmland
- b. Existing Zoning for Agricultural Use
- c. Forest Land or Timberland Zoning
- d. Loss or Conversion of Forest Land
- e. Other Changes in the Existing Environment

III. Air Quality

- d. Objectionable Odors

IV. Biological Resources

- a. Special Status Species
- b. Riparian Habitat and Wetlands
- c. Wetlands
- e. Local Preservation Policies
- f. Habitat Conservation Plans

V. Cultural Resources

- c. Human remains

VII. Geological Resources

- a. Landslide
- e. Septic Tanks

IX. Hazards and Hazardous Materials

- a. Airport Land Use Plans
- f. Wildland Fires

X. Hydrology and Water Quality

- d. Flood Hazard, Tsunami, Seiche

XI. Land Use and Planning

- a. Divide an Established Community

XII. Mineral Resources

- a. Loss of Known Mineral Resources
- b. Loss of Mineral Resources Recovery Site

XIII. Noise

- c. Airport Land Use Plans and Private Airstrips

XIV. Population and Housing

- a. Induce Substantial Unplanned Population Growth
- b. Displacement of Existing Residents

XV. Public Services

- a.iii Schools

a.iv. Parks

a.v. Other Public Services

XVI. Recreation

a. Substantial Physical Deterioration of an Existing Park

b. Construction or Expansion of Recreational Facilities

XIX. Utilities and Service Systems

d. Solid Waste Generation

e. Solid Waste Regulations

XX. Wildfire

a. Emergency Response Plan

b. Exacerbate Wildfire Risk

c. Emergency Infrastructure

d. Post-fire Risk

The City has reviewed the record and agrees with the conclusion that the above environmental issues would not be significantly affected by the Project and, therefore, no additional findings are needed. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Initial Study.

VI. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT PRIOR TO MITIGATION

Impacts of the Project that were determined to have no impact or be less than significant in the EIR (including having a less than significant impact, as a result of implementation of project design features and regulatory compliance measures) and that require no mitigation are identified below. The City has reviewed the record and agrees with the conclusion that the following environmental issues would not be significantly affected by the Project and, therefore, no additional findings are needed. The following information does not repeat the full discussions of environmental impacts contained in the EIR. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the EIR.

1. Air Quality

(A) Consistency with Applicable Air Quality Management Plan

(1) Southern California Air Quality Management District CEQA Air Quality Handbook Policy Analysis

Construction Growth Projections

As detailed in Section 4.2, Air Quality, of the Draft EIR, the Project would generate approximately 411 short-term construction jobs, but these jobs would not necessarily bring new construction workers or their families into the region, since construction workers are typically drawn from an existing regional pool of construction workers who travel among construction sites within the region as individual projects are completed, and are not typically brought from other regions to work on developments such as the Project. Moreover, these jobs would be temporary in nature. Therefore, the Project's construction jobs would not conflict with the long-term employment or population projections upon which the 2016 Air Quality Management Plan (20156 AQMP) is based. Impacts would be less than significant.

Operations Growth Projections

As detailed in Section 4.2, Air Quality, of the Draft EIR, and discussed in the Initial Study, which is included in Appendix A of the Draft EIR, the Project's growth would fall within the growth projections contained in the 2016–2040 RTP/SCS, which forms the basis of the growth projections in the 2016 AQMP. The Project would include office space suitable for approximately 2,400 occupants including 748 occupants in Building 1 and 1,652 occupants in Building 2. In addition to office space, there could be production spaces for multimedia content creation and capture, as well as amenities for building tenants, such as an employee cafeteria, coffee stations, and employee shuttle service.

SCAG's final growth forecast for employment details 1,899,500 employees in 2020 to 2,169,100 employees in 2040 in the City of Los Angeles and 49,100 employees in 2020 and 53,000 employees in 2040 in the City of Culver City. The Project's estimated increase in employees would represent approximately less than one percent of the growth in employees in the City of Los Angeles (Building 2) and 19 percent of the growth in employees in the City of Culver City (Building 1) in the 2016–2040 RTP/SCS, between 2020 and 2040. The Project would, therefore, also fall within the growth projections as contained in the 2016–2040 RTP/SCS, and ultimately the growth projections in the AQMP.

The growth would occur in a transit rich area, which would minimize potential growth in transportation-related emissions. The Project Site is served by the Los Angeles County Metropolitan Transportation Authority (Metro) "E" Line and multiple Metro and local bus lines that provide service along Venice, National, and Washington Boulevards.

Projects, uses, and activities that are consistent with the population, housing, and employment growth projections upon which 2016 AQMP forecasted emission levels are based would not jeopardize attainment of the air quality reductions identified in the AQMP, even if their emissions exceed the South Coast Air Quality Management District (SCAQMD)'s thresholds of significance. As a result, the Project would not conflict with the growth projections used in the development in the 2016 AQMP. Impacts would be less than significant.

Air Quality Violations

As detailed in Section 4.2, Air Quality, of the Draft EIR, Project construction and operations would not increase the frequency or severity of an existing violation or cause or contribute to new violations for any criteria pollutant with implementation of Mitigation Measure AQ-MM-1. Accordingly, impacts regarding the timely attainment of air quality standards or interim emission reductions specified in 2016 AQMP would be less than significant.

Air Quality Mitigation Measures

As detailed in Section 4.2, Air Quality, of the Draft EIR, the Project would implement Mitigation Measure AQ-MM-1 to reduce short-term NOX emissions impacts during construction to less than significant. The Project would also comply with all applicable regulatory standards (e.g., SCAQMD Rule 403, etc.) as required by SCAQMD, as summarized above. In addition, the Project would incorporate project design features to support and promote environmental sustainability as discussed in Section 4.6, Greenhouse Gas Emissions, of the Draft EIR. While these features are designed primarily to reduce GHG emissions, they would also serve to reduce the criteria air pollutants discussed herein. Furthermore, with regulatory compliance, no significant air quality impacts would occur.

2016 AQMP Control Measures

Construction: As detailed in Section 4.2, Air Quality, of the Draft EIR, during its construction phase, the Project would comply with CARB's requirements to minimize short-term emissions from on-road and off-road diesel equipment and with SCAQMD's regulations, such as Rule 403 for controlling fugitive dust and Rule 1113 for controlling VOC emissions from architectural coatings. Furthermore, the Project would utilize construction contractors in compliance with State on-road and off-road vehicle rules, including the Airborne Toxic Control Measures (ATCMs) that limits heavy-duty diesel motor vehicle idling to five minutes at any location (Title 13 CCR, Section 2485), the Truck and Bus regulation that reduces NOX, PM10, and PM2.5 emissions from existing diesel vehicles operating in California (13 CCR, Section 2025) and the In-Use Off-Road Diesel Fueled Fleets regulation that reduces emissions by the installation of diesel soot filters and encouraging the retirement, replacement, or repower of older, dirtier engines with newer emission controlled models (13 CCR, Section 2449). The Project's construction contractor would be required to comply with these regulatory control measures and other applicable SCAQMD rules specified and incorporated in the 2016 AQMP. Compliance with these regulatory control measures would ensure the Project would not conflict with AQMP control strategies intended to reduce emissions from construction equipment and activities. Impacts would be less than significant.

Operation: As detailed in Section 4.2, Air Quality, of the Draft EIR, the Project's location, design, and land uses would be consistent with the 2016 AQMP during operations. With regard to land use developments such as the Project, the 2016–2040 RTP/SCS land use control measures (i.e., goals and policies) focus on locating future growth within High Quality Transit Areas (HQTAs) and reducing vehicle trips and vehicle miles travelled (VMT). The Project represents an infill development within an existing urbanized area that would concentrate new residential and commercial uses within an HQTA. Therefore, the Project would be consistent with SCAG's 2016–2040 RTP/SCS, as it is located within an HQTA. The Project would be designed and constructed with sustainability and transit orientation as guiding principles. The Project Site is

served by the Los Angeles County Metro “E” Line and multiple Metro and local bus lines that provide service along Venice, National, and Washington Boulevards.

As described in Section 4.12, Transportation, of the Draft EIR, the Project would support transportation control strategies related to reducing vehicle trips for employees and visitors. The Project Site would be served by an existing fixed-route intercampus shuttle program that currently transports employees between Apple buildings in Culver City and the Metro “E” Line Station. Furthermore, the Applicant has proposed a voluntary Transportation Demand Management (TDM) Program, as required by Project Design Feature TRAF-PDF-2, to make non-automobile commutes attractive and viable options by providing employees with mobility once they arrive at work, access to needed services during the day, and other financial incentives to participate.

As such, the Project is consistent with the 2016 AQMP’s goal of reducing mobile source emissions as a source of NO_x and PM_{2.5}. Project operation would also comply with applicable SCAQMD rules for operational emissions sources, including Rule 1470, Rule 1113, and Rule 1146.2.

Thus, the Project would not conflict with the 2016 AQMP with respect to transportation control strategies from the 2016–2040 RTP/SCS that are intended to reduce VMT and resulting regional mobile source emissions. Impacts would be less than significant.

(2) The City of Culver City General Plan and Mandatory Green Building Program

As detailed in Section 4.2, Air Quality, of the Draft EIR, the Project would promote the City of Culver City General Plan objectives and policies to reduce single occupancy vehicle trips and VMT through its location near public transit, project design, and TDM Program, as required by Project Design Feature TRAF-PDF-2. The Project would provide bicycle access and on-site bicycle parking facilities, pedestrian access, an existing fixed-route intercampus shuttle program with connection to the Metro “E” Line Station, future commuter shuttle service, and various on-site amenities and financial incentives as part of a TDM Program. Providing pedestrian and bicycle access that minimizes barriers and links the Project Site with external streets encourages people to walk instead of drive and reduces VMT. Therefore, the Project would support a land use pattern that encourages reduced vehicle trips and transportation air pollutant emissions.

The Project would also be consistent with the City of Culver City Mandatory Green Building Program. As described in Chapter 2, Project Description, Section 2.6.7, Sustainability Features, of the Draft EIR, the Project would be designed to achieve US Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Gold equivalent, inclusive of environmentally sustainable building features and construction protocols required by the City of Los Angeles Green Building Code, the Culver City Mandatory Green Building Program requirements, and California Green Building Standards (CALGreen) Building Code.

The Project would not conflict with applicable goals, objectives, and policies of the City of Culver City General Plan and the Culver City Mandatory Green Building, and impacts would be less than significant.

(3) City of Los Angeles Policies

As detailed in Section 4.2, Air Quality, of the Draft EIR, the Project would be consistent with the City of Los Angeles General Plan Air Quality Element and Plan for a Healthy Los Angeles. As the City of Los Angeles General Plan Air Quality Element would seek to reduce reliance on single occupancy vehicle trips, the Project would be consistent with this goal. The Project would provide bicycle access and on-site bicycle parking facilities, pedestrian access, an existing fixed-route intercampus shuttle program with connection to the Metro “E” Line Station, future commuter shuttle service, and various on-site amenities and financial incentives as part of a TDM Program. The TDM Program would cover TDM Support Services, Marketing and Communications, Public Transit, Rideshare, Bicycling, Walking, Pre-tax Commuter Benefit, Commuter Club, Commute Expert Program, Guaranteed Ride Home Program, Intercampus and Commuter Shuttles, Campus Bike Share Program, and On-Site Services.

In addition, the Project would be consistent with the developing land use pattern that features greater concentration of urban density along major arterials and near transit options. The Project also includes primary entrances for pedestrians and bicyclists that would be safe, easily accessible, and in close proximity to transit stops. The accessibility and mobility provided by the Project would be consistent with the Plan for a Healthy Los Angeles as it would provide people with the opportunity to thrive. Additionally, the Project will comply with City of Los Angeles EV charging requirements, which include the provision of at least 30 percent of total parking spaces provided on the Project Site to be capable of supporting future electric vehicle supply equipment (EVSE) and a minimum of 10 percent of the total parking spaces in Building 2 to be equipped with EV charging stations. Provisions of the EVSE and EV parking spaces would help to facilitate and encourage use of alternative fueled vehicles and reduce the Project’s mobile emissions. Other building energy efficiency measures, as mentioned above, would reduce building-related air pollutant emissions.

The Project would not conflict with applicable goals, objectives, and policies of the City of Los Angeles General Plan Air Quality Element and Plan for a Healthy Los Angeles pertaining to air quality, and impacts would be less than significant.

(B) Construction Emissions

(i) Localized Emissions

As set forth in Table 4.2-11 of the Draft EIR, the Project’s maximum localized construction emissions would be below the localized significance thresholds, and localized construction emissions impacts to existing sensitive receptors would be less than significant.

(ii) Toxic Air Contaminants

As detailed in Section 4.2, Air Quality, of the Draft EIR, based on the short-term duration of Project construction and compliance with regulations that would minimize emissions, construction of the Project would not expose sensitive receptors to substantial toxic air contaminant (TAC) concentrations.

Furthermore, the Project would be required to implement Mitigation Measure AQ-MM-1 to reduce regional NO_x emissions. The mitigation measure would have co-benefits of reducing emissions of PM₁₀ and PM_{2.5} from heavy-duty diesel construction equipment, further reducing the TAC emissions during construction activities. Therefore, impacts from TACs during construction would be less than significant.

(C) Operational Emissions

(i) Regional Emissions

As set forth in Table 4.2-8 of the Draft EIR, the Project's operational emissions would not exceed SCAQMD's regional significance thresholds for VOC, NO_x, CO, SO₂, PM₁₀, and PM_{2.5} emissions. Therefore, Project impacts related to regional operational emissions would be less than significant.

(ii) Operation – Localized Emissions

As set forth in Table 4.2-12 of the Draft EIR, the Project's maximum localized operational emissions would be below the localized significance thresholds, and localized operational emissions impacts to existing sensitive receptors would be less than significant.

Based on the Project's Transportation Impact Study, under Horizon Year plus Project (2045) conditions, the intersection of Venice Boulevard and S. Robertson Boulevard would have a traffic volume of approximately 64,950 average daily trips (ADT), which is below the daily traffic volumes of 400,000 vehicles per day that would be expected to generate CO exceedances as evaluated in the 2003 AQMP. This daily trip estimate is based on the peak hour conditions of the intersection. There is no reason unique to the Air Basin meteorology to conclude that the CO concentrations at the Venice Boulevard and S. Robertson Boulevard intersection would exceed the 1-hour CO standard if modeled in detail, based on the studies undertaken for the 2003 AQMP. In addition, CO background concentrations within the vicinity of the modeled intersection have substantially decreased since preparation of the 2003 AQMP primarily due to ongoing fleet turnover of older on-road light duty vehicles and use of cleaner fuels. In 2003, the 1-hour background CO concentration was 5 ppm and has decreased to 2 ppm in 2014. Therefore, the Project does not trigger the need for a detailed CO hotspots model and would not cause any new or exacerbate any existing CO hotspots. The Project's off-site operational activities, including the highest average daily trips, would not expose sensitive receptors to substantial CO concentrations. As a result, impacts related to localized mobile-source CO emissions are considered less than significant.

(iii) Toxic Air Contaminants

As set forth in Table 4.2-12 of the Draft EIR, the SCAQMD recommends that operational health risk assessments be conducted for substantial sources of operational diesel particulate matter (DPM) (e.g., truck stops and warehouse distribution facilities that generate more than 100 trucks per day or more than 40 trucks with operating transport refrigeration units) and has provided guidance for analyzing mobile source diesel emissions. The Project would not include any truck stop or warehouse distribution uses, and, as such, operations would generate only minor amounts of diesel emissions from mobile sources, such as delivery trucks and occasional

1 maintenance. Furthermore, Project trucks would be required to comply with the applicable
2 provisions of 13 CCR, Section 2025 (Truck and Bus regulation) to minimize and reduce PM₁₀,
3 PM_{2.5}, and NO_x emissions from existing diesel trucks. Therefore, Project operation would not
4 be considered a substantial source of DPM.

5 With respect to the use of consumer products and architectural coatings, the office uses
6 associated with the Project would be expected to generate minimal TAC emissions from these
7 sources. Typical sources of acutely and chronically hazardous TACs include industrial
8 manufacturing processes (e.g., chrome plating, electrical manufacturing, petroleum refinery).
9 The Project would not include these types of potential industrial manufacturing process
10 sources. It is expected that quantities of hazardous TACs generated on-site (e.g., cleaning
11 solvents, paints, landscape pesticides) for the types of proposed land uses would be below
12 thresholds warranting further study under the California Accidental Release Program
13 (CalARP).

14 As a result, toxic or carcinogenic air pollutants are not expected to occur in any substantial
15 amounts in conjunction with operation of the proposed land uses within the Project Site. Based
16 on the uses expected on the Project Site, operation of the Project would not expose sensitive
17 receptors to substantial TAC concentrations, and operational impacts would be less than
18 significant.

19 (iv) Cumulative Impacts

20 a. Construction – TACs

21 As set forth in Table 4.2-12 of the Draft EIR, similar to the Project, the greatest potential for
22 TAC emissions at each related project would generally involve diesel particulate emissions
23 associated with heavy equipment operations during grading and excavation activities.
24 According to SCAQMD methodology, health effects from carcinogenic air toxics are usually
25 described in terms of individual cancer risk. “Individual Cancer Risk” is the likelihood that a
26 person exposed to concentrations of TACs over a 70-year lifetime will contract cancer, based
27 on the use of standard risk-assessment methodology. Construction activities are temporary
28 and short-term events; therefore, construction activities at each related project would not result
29 in a long-term substantial source of TAC emissions. Additionally, SCAQMD’s CEQA Air Quality
Handbook and SCAQMD’s supplemental online guidance/information do not require a health
risk assessment for short-term construction emissions. It is, therefore, not required or
meaningful to evaluate long-term cancer impacts from construction activities which occur over
relatively short durations. As such, given the short-term nature of these activities, cumulative
toxic emission impacts during construction would be less than significant.

30 b. Operation

31 According to SCAQMD, if an individual project results in air emissions of criteria pollutants that
32 exceed SCAQMD’s recommended daily thresholds for project-specific impacts, then the project
33 would also result in a cumulatively considerable net increase of these criteria pollutants. As
34 operational emissions would not exceed any of SCAQMD’s regional or localized significance
35 thresholds, the emissions of non-attainment pollutants and precursors generated by Project
36 operations would not be cumulatively considerable. In addition, the Project would not result in

any substantial sources of TACs and, thus, would not contribute to a cumulative impact. Thus, during operation, the Project would not result in a cumulative impact to air quality, as the Project's contributions to regional, localized, and TAC emissions would not be cumulatively considerable.

2. Cultural Resources – Historic Resources

As discussed in the Initial Study prepared for the Project, which is included as Appendix A of the Draft EIR, and as further detailed in Section 4.3 of the Draft EIR, existing on-site buildings are not considered historical resources. In addition, due to the distance between the Project Site and the nearest historical resource, as well as intervening development, the Project would have a less-than-significant impact on these resources. Therefore, the Project would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5. Impacts to historical resources would be less than significant, and no mitigation measures would be required. The Project would not indirectly impact adjacent historic resources.

3. Energy

As demonstrated in the Energy Section of the Draft EIR, Section 4.4, the Project would not cause wasteful, inefficient, or unnecessary consumption of energy during construction or operation. The Project's energy requirements would not significantly affect local or regional supplies or capacity. The Project's energy usage during base and peak periods would be consistent with electricity and natural gas future projections for the region. Electricity generation capacity and supplies of natural gas and transportation fuels would be sufficient to meet the needs of Project-related construction and operational activities. During operations, the Project would comply with applicable energy efficiency requirements, such as the State Building Energy Efficiency Standards and applicable provisions of CalGreen, as well as include energy conservation measures beyond such requirements. Moreover, the Project would not conflict with adopted energy conservation plans or violate state or federal energy standards. In summary, the Project's energy demands would not significantly affect available energy supplies and would comply with relevant energy efficiency standards. In addition, based on the analysis in Draft EIR Section 4.4, the Project's impacts would not be cumulatively considerable and cumulative energy use impacts are concluded to be less than significant.

4. Greenhouse Gas Emissions

The significance of the Project's GHG emissions is evaluated consistent with CEQA Guidelines Section 15064.4(b) by considering whether the Project complies with applicable plans, policies, regulations, and requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. For this Project, as a land use development project, the most directly applicable adopted regulatory plan to reduce GHG emissions is the 2020–2045 RTP/SCS, which is designed to achieve regional GHG reductions from the land use and transportation sectors as required by SB 375 and the State's long-term climate goals. The analysis also considers consistency with regulations or requirements including CARB's Climate Change Scoping Plan and City of Culver City's and City of Los Angeles's plans, programs, and policies including Culver City's Green Building Program, City

of Los Angeles's Green New Deal/Sustainable City pLAn, and City of Los Angeles's Green Building Program.

As shown in Tables 4.6-10 and 4.6-11 of the Draft EIR, when taking into consideration implementation of relevant Project design features, as well as the requirements set forth in Culver City's Green Building Program, the City of Los Angeles Green Building Program and full implementation of current state mandates, the Project's GHG emissions in 2026 would be 8,466 MTCO₂e per year (amortized over 30 years) during construction and 8,982 MTCO₂e per year during operation, resulting in a combined total of 9,262 MTCO₂e per year. When existing emissions of 2,045 MTCO₂e per year are subtracted, the Project results in net GHG emissions of 7,218 MTCO₂e per year.

As provided in Table 4.6-6 of the Draft EIR, the Project would not conflict with the Climate Change Scoping Plan which is intended to reduce GHG emissions.

The Project is the type of land use development that is encouraged by the 2020-2045 RTP/SCS to reduce VMT and expand multi-modal transportation options, in order for the region to achieve the GHG reductions from the land use and transportation sectors required by SB 375, which, in turn, advances the State's long-term climate policies. By furthering implementation of SB 375, the Project would support regional land use and transportation GHG reductions consistent with state regulatory requirements. The Project would not conflict with the GHG reduction-related actions and strategies contained in the 2020-2045 RTP/SCS as shown in Table 4.6-7 of the Draft EIR. As such, impacts related to consistency with the 2020-2045 RTP/SCS would be less than significant.

Table 4.6-8 of the Draft EIR provides a discussion of the Project's consistency with applicable GHG-reducing actions from Los Angeles's Green New Deal/Sustainable City pLAn. As discussed therein, the Project would be consistent with the applicable goals and actions of Los Angeles's Green New Deal/Sustainable City pLAn.

For the reasons discussed in Draft EIR Section 4.6, the Project's post-2030 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets and Executive Orders S-3-05 and B-30-15.

As determined in Draft EIR Section 4.6, given the Project's consistency with statewide, regional, and local plans adopted for the purpose of reducing GHG emissions, it is concluded that the Project's incremental contribution to GHG emissions and their effects on climate change would not be cumulatively considerable. For these reasons, the Project's cumulative contribution to global climate change is less than significant.

(A) Project Design Features

The City finds that Project Design Feature GHG-PDF-1, which is incorporated into the Project and is incorporated into these Findings as though fully set forth herein, would reduce the potential greenhouse gas emissions of the Project. This project design feature was considered in the analysis of potential impacts.

1 **5. Hazards and Hazardous Materials – Proximity to Schools, Hazardous Materials**
2 **Site, Emergency Response**

3 As detailed in Section 4.7 of the Draft EIR, impacts relative to proximity to schools, impacts
4 regarding being listed on governmental hazardous materials lists and impacts regarding
5 adopted emergency response plans or emergency evacuation plans were determined to be
6 less than significant without mitigation.

7 **6. Hydrology and Water Quality – Groundwater, Flood, Drainage and Water Quality**
8 **Control Plan**

9 As detailed in Section 4.8 of the Draft EIR, impacts relative to the construction and operation
10 of the Project would not significantly decrease groundwater supplies or interfere with
11 groundwater recharge such that the Project may impede sustainable groundwater
12 management of the basin. In addition, impacts on drainage patterns that would cause
13 increased siltation and flooding on- or off-site, create or contribute to the exceedance of the
14 existing or planned stormwater drainage systems or provide substantial additional sources of
15 polluted runoff, or impede or redirect flood flows would be less than significant. Furthermore,
16 impacts regarding a water quality control plan or sustainable groundwater management plan,
17 and impacts regarding new or expanded stormwater drainage facilities were determined to be
18 less than significant.

19 **7. Land Use and Planning – Consistency with Local Plans and Applicable Policies**

20 As detailed in Section 4.9, Land Use and Planning, of the Draft EIR, the Project would not
21 conflict with policies adopted to avoid or mitigate an environmental effect and, as such, impacts
22 with respect to the 2020–2045 Regional Transportation Plan/Sustainable Communities
23 Strategy. Additionally, the Project would not conflict with Culver City General Plan and other
24 policies adopted to avoid or mitigate an environmental effect. Furthermore, the Project would
25 not conflict with City of Los Angeles General Plan and other policies adopted to avoid or
26 mitigate an environmental effect.

27 **8. Noise**

28 (A) Construction

29 (i) Off-Site Construction Noise

As set forth in Draft EIR Section 4.10, in particular Table 4.10-11, the noise levels generated
by construction trucks during all stages of Project construction would be less than the
significance threshold of an increase of 5 dBA Leq for construction noise. Therefore, temporary
noise impacts from off-site construction traffic would be less than significant.

(ii) On-Site Vibration (Building Damage and Human Annoyance)

As set forth in Draft EIR Section 4.10, Noise, pages 4.10-56 through 4.10-57, vibration impacts
from on-site construction activities would be less than significant with respect to structural
damage and no significant Project-related structural damages groundborne vibration impacts

would occur from on-road construction vehicles. As set forth on page 4.10-57, impacts would be less than significant with respect to human annoyance.

(iii) Cumulative On-Site Construction Vibration (Building Damage and Human Annoyance)

As set forth in Draft EIR Section 4.10, Noise, page 4.10-62, the Project would not contribute to cumulative construction vibration impact with respect to building damage associated with on-site construction and the cumulative impact would be less than significant. Moreover, potential cumulative construction vibration impacts with respect to human annoyance associated with on-site construction would be less than significant.

(B) Operations

(i) Operational Noise

As set forth in detail in Draft EIR Section 4.10, Noise, pages 4.10-43 through 4.10-53, including Tables 4.10-12 through 4.10-14, Project operations would not result in the exposure of persons to or generation of noise levels in excess of established noise standards. Therefore, the Project's operational noise impacts from on- and off-site sources would be less than significant.

(ii) Operational Vibration

As set forth in Draft EIR Section 4.10, Noise, page 4.10-58, operation of the Project would not increase the existing vibration levels in the immediate vicinity of the Project Site. As such, vibration impacts associated with operation of the Project would be less than significant.

(iii) Cumulative Operational Noise

As detailed in Draft EIR Section 4.10, Noise, pages 4.10-61 through 4.10-62, the Project and related projects would not result in the exposure of persons to or generation of noise levels in excess of the significance criteria established by the City or in a substantial permanent increase in ambient noise levels in the vicinity of the Project Site above levels existing without the Project and the related projects. Therefore, cumulative operational noise impacts from on-site and off-site sources would be less than significant.

(v) Cumulative Operational Vibration

As detailed in Draft EIR Section 4.10, Noise, page 4.10-62, based on the distance of the related projects from the Project Site and the operational vibration levels associated with the Project, cumulative vibration impacts associated with operation of the Project and related projects would be less than significant.

(C) Project Design Features

The City finds that Project Design Features NOI-PDF-1 through NOI-PDF-8, which are incorporated into the Project and are incorporated into these Findings as though fully set forth herein, would reduce the potential noise impacts of the Project. These project design features were considered in the analysis of potential impacts.

9. Public Services

Consistent with *City of Hayward v. Trustees of California State University* (2015) 242 Cal.App.4th 833, significant impacts under CEQA consist of adverse changes in any of the physical conditions within the area of a project, and potential impacts on public safety services are not an environmental impact that CEQA requires a project applicant to mitigate: “[T]he obligation to provide adequate fire and emergency medical services is the responsibility of the city. (Cal. Const., art. XIII, § 35, subd. (a)(2) [“The protection of the public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services.”].) The need for additional fire protection services is not an environmental impact that CEQA requires a project proponent to mitigate.” Although that case specifically addressed fire services, its holding also applies to other public services.

(A) Public Services – Fire Protection

As set forth in Draft EIR Section 4.11.1, Public Services – Fire Protection, pages 4.11.1-19 through 4.11.1-29, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services. Therefore, impacts to fire protection services during Project construction, operation, and in the cumulative condition would be less than significant.

(B) Public Services – Police Protection

As set forth in Draft EIR Section 4.11.2, Public Services – Police Protection, pages 4.11.2-15 through 4-11.2-22, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services. Therefore, impacts to police protection services during Project construction, operation, and in the cumulative condition would be less than significant.

(i) Police Protection – Project Design Features

The City finds that Project Design Features POL-PDF-1 through POL-PDF-2, incorporated into the Project, reduce the potential police protection impacts of the Project. The project design features were considered in the analysis of potential impacts.

11. Transportation

(A) Program, Plans, Ordinance or Policy

As set forth in Draft EIR Section 4.12, Transportation, pages 4.12-27 through 4.12-36, and Appendix M, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

(B) CEQA Guidelines Section 15064.3, subdivision (b)

As set forth in Draft EIR Section 4.12, Transportation, page 4.12-37, Draft EIR Appendix M, Traffic Study, and Updated Appendix M in the Final EIR, Project-level impacts related to VMT were determined to be less than significant.

(C) Hazardous Design

As set forth in Draft EIR Section 4.12, Transportation, pages 4.12-38 through 4.12-39, the Project would not include any hazardous geometric design features.

(D) Emergency Access

As set forth in Draft EIR Section 4.12, Transportation, pages 4.12-40 through 4.12-41, the Project would not result in inadequate emergency access.

(E) Cumulative Impacts

As set forth in Draft EIR Section 4.12, Transportation, pages 4.12-41 through 4.12-42, the Project's contribution to impacts related to programs, plans, ordinances, or policies; or vehicle miles traveled; or hazardous design; or emergency access would not be cumulatively considerable and cumulative impacts would be less than significant.

(F) Project Design Features

The City finds that Project Design Feature TRAF-PDF-1 and TRAF-PDF-2, which are incorporated into the Project and incorporated into these findings as fully set forth herein, reduces the potential transportation impacts of the Project. These project design features were considered in the analysis of potential impacts.

12. Utilities and Service Systems – Water Supply and Infrastructure

As set forth in Draft EIR Section 4.14.1, Utilities and Service Systems – Water Supply, pages 4.14.1-25 through 4.14.1-39, and Appendices O and P, the Project, either during construction, operation, or cumulative condition, would not require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. In addition, sufficient water supply is available to serve the Project construction, Project operation, and in the cumulative condition. As such, impacts related to water infrastructure and to water supply would be less than significant.

(A) Project Design Features

The City finds that Project Design Feature WAT-PDF-1, which is incorporated into the Project and incorporated into these findings as fully set forth herein, reduces the potential water supply impacts of the Project. This project design feature was considered in the analysis of potential impacts.

14. Utilities and Service Systems – Wastewater

As set forth in Draft EIR Section 4.14.2, Utilities and Service Systems – Wastewater, pages 4.14.2-8 through 4.14.2-14 and Appendix P, the Project, either during construction, operation, or cumulative condition, would not require or result in the construction of new wastewater facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. In addition, sufficient wastewater capacity is available to serve the Project construction wastewater demand, Project operation wastewater demand, and in the cumulative condition. As such, impacts related to wastewater infrastructure and to wastewater treatment capacity would be less than significant.

15. Utilities and Service Systems – Solid Waste

As set forth in Draft EIR Section 4.14.23, Utilities and Service Systems – Solid Waste, pages 4.14.3-12 through 4.14.3-19 and Appendix P, the Project, either during construction, operation, or cumulative condition, would not require or result in the construction of new solid waste facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. In addition, sufficient solid waste capacity is available to serve the Project construction solid waste demand, Project operation solid waste demand, and in the cumulative condition. As such, impacts related to solid waste infrastructure and to solid waste capacity would be less than significant.

16. Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Facilities

As set forth in Draft EIR Section 4.14.4, Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Facilities, pages 4.14.4-10 through 4.14.4-16, Project construction and operation, including in the cumulative condition, would not require or result in an increase in demand for electricity, natural gas or telecommunications facilities that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant effects. Therefore, Project impacts would be less than significant during construction and operation.

VII. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION

The following impact areas were concluded by the Draft EIR to be less than significant with the implementation of mitigation measures described in the Final EIR. Based on that analysis and other evidence in the administrative record relating to the project, the City finds and determines that mitigation measures described in the Final EIR reduce potentially significant impacts identified for the following environmental impact categories to below the level of significance. Pursuant to PRC Section 21081, the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid each of the following significant effects on the environment.

1. Air Quality – Construction Emissions (Regional; No Overlap)

(A) Impact Summary

Project construction has the potential to generate air emissions through the use of heavy-duty construction equipment and vehicle trips by construction workers traveling to and from the Project Site. In addition, fugitive dust emissions would result from demolition and construction activities. Mobile source emissions, primarily NO_x, would result from the use of construction equipment, such as dozers, loaders, and cranes. During the building finishing phase, paving, and the application of architectural coatings (e.g., paints) would potentially release VOCs. The assessment of construction air quality impacts considers each of these potential sources. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and, for dust, the prevailing weather conditions.

The emissions levels in Table 4.2-6 of the Draft EIR represent the highest daily emissions projected to occur during each year of construction. As presented therein, construction-related daily maximum regional construction emissions (i.e., combined on-site and off-site emissions) without mitigation would not exceed the SCAQMD daily significance thresholds for VOC, CO, SO_x, PM₁₀, or PM_{2.5}. Maximum unmitigated construction emissions would exceed the SCAQMD daily significance threshold for NO_x as a result primarily from heavy-duty trucks required for on-road soil hauling and from concrete trucks delivering concrete to the Project Site from concrete suppliers. Therefore, prior to mitigation, regional construction emissions resulting from the Project would result in a significant short-term impact. However, mitigation measures would reduce impacts to a less-than-significant level. Therefore, regional construction emissions resulting from the Project would result in a less-than-significant impact with incorporation of mitigation measures.

With respect to the Project's short-term construction-related air quality emissions, SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the federal CAA mandates. Construction of the Project would comply with SCAQMD Rule 403 fugitive dust control requirements, SCAQMD Rule 1113 for architectural coatings, and the ATCM to limit heavy-duty diesel motor vehicle idling to no more than five minutes at any location. Given that the Project's construction-related air emissions would exceed the SCAQMD's regional significance thresholds for NO_x, short-term construction impacts would be potentially significant without mitigation.

(B) Project Design Features

No specific project design features are proposed with regard to air quality.

(C) Mitigation Measures

AQ-MM-1: Construction Equipment Features: The Project shall implement the following construction equipment features for equipment operating at the Project Site. These features shall be included in applicable bid documents, and successful contractor(s) must demonstrate the ability to supply such equipment. Construction features shall include the following:

- During plan check, the Project's representative shall make available to the lead agency and South Coast Air Quality Management District (SCAQMD) a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that shall be used during any of the

1 construction phases. The inventory shall include the horsepower rating,
2 engine production year, and certification of the specified Tier standard. A
3 copy of each such unit's certified tier specification, best available control
4 technology (BACT) documentation, and CARB or SCAQMD operating
5 permit shall be maintained on-site at the time of mobilization of each
6 applicable unit of equipment. Off-road diesel-powered equipment equal to
7 or greater than 50 horsepower that will be used during any portion of the
8 construction activities shall meet or exceed the Tier 4 Final standards.
9 Such equipment will be outfitted with Best Available Control Technology
10 (BACT) devices, including a CARB-certified Level 3 Diesel Particulate
11 Filter or equivalent. Alternate construction equipment may be used if the
12 construction contractor can document that the equipment would achieve
13 the same or greater NOx reductions compared to Tier 4 Final standards.
14 Construction contractors supplying heavy duty diesel equipment greater
15 than 50 horsepower shall be encouraged to apply for SCAQMD SOON
16 funds. Information including the SCAQMD website shall be provided to
17 each contractor which uses heavy duty diesel for on-site construction
18 activities

- 19 • During demolition, site preparation, and grading and excavation activities,
20 the contractor shall provide notification and documentation that haul truck
21 drivers have received training regarding idling limitations specified in Title
22 13 California Code of Regulations, Section 2485. During construction,
23 trucks and vehicles in loading and unloading queues shall have their
24 engines turned off after 5 minutes when not in use, to reduce vehicle
25 emissions.
- 26 • Contractors shall maintain and operate construction equipment so as to
27 minimize exhaust emissions. All construction equipment must be properly
28 tuned and maintained in accordance with the manufacturer's
29 specifications. The contractor shall keep documentation on-site
30 demonstrating that the equipment has been maintained in accordance with
31 the manufacturer's specifications. Tampering with construction equipment
32 to increase horsepower or to defeat emission control devices shall be
33 prohibited.
- 34 • Construction activities shall be discontinued during an Air Quality Index
35 (AQI) of 151 or more (unhealthy level). A record of any AQI at an
36 unhealthy level and of discontinued construction activities as applicable
37 shall be maintained by the Contractor on-site.

38 (D) Finding

39 Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been
40 required in, or incorporated into, the Project which mitigate or avoid potential significant effects
41 on the environment regarding construction air quality emissions – regional emissions.

1 (E) Rationale for Finding

2 As shown in Table 4.2.9 of the Draft EIR, implementation of the Mitigation Measure AQ-MM-1
3 described above would serve to reduce construction emissions for all pollutants and maximum
4 regional NO_x emissions would be reduced below SCAQMD's regional construction significance
5 threshold.

6 (F) Reference

7 Section 4.2, Air Quality, of the Draft EIR and Appendix B (Air Quality and Greenhouse Gas
8 Emissions).

9 **2. Cultural Resources – Archaeological Resources**

10 (A) Impact Summary

11 As detailed in Section 4.3, Cultural Resources, of the Draft EIR, no known archaeological
12 resources were identified within the Project Site. However, the records search through the
13 California Historical Resources Information System-South Central Coastal Information Center
14 (CHRIS-SCCIC) yielded the identification of one historic-period archaeological resource (CA-
15 LAN-4829) within close proximity to the Project Site consisting of 13 features, including the
16 remnants of two wells/cisterns, structural remnants, two metal tanks, and eight refuse deposits
17 dating from the 1880s to the 1920s. Additionally, recent construction projects in Culver City
18 have yielded the identification of two prehistoric metate artifacts and three isolated historic-
19 period artifacts (consisting of glass bottle containers) within the 0.50-mile radius of the Project
20 Site. These resources were found within disturbed fill sediments at properties that had a similar
21 land use history as the Project Site.

22 The land use history research identified historic land uses in the southern portion of the Project
23 Site, including a two-story structure originally called the Green Mill (and subsequently the
24 Cotton Club House and Zuccas Opera House), which featured a round three-foot deep
25 concrete pool, a restaurant and club for dining and dancing dating to the period between 1924
26 to at least 1949. This portion of the Project Site is currently developed with surface parking,
27 which is unlikely to have been subject to deep excavations that would have displaced or
28 destroyed buried archaeological resources.

29 Based on these findings, the northern portion of the Project Site is assigned a low sensitivity
for historic-period archaeological resource since no known previous uses existed in this area;
however, the potential for historic-period archaeological resources in the southern portion of
the Project Site is considered moderate to high. Also, the potential to encounter prehistoric
archaeological resources is moderate across the entire Project Site; therefore, impacts to
previously unknown buried historic and prehistoric archaeological resources are considered
potentially significant.

30 (B) Project Design Features

31 No project design features are applicable.

32 (C) Mitigation Measures

1 **CUL-MM-1:** Prior to the issuance of a demolition permit, the Applicant shall retain an
2 archaeologist who meets the Secretary of the Interior's Professional
3 Qualifications Standards for Archaeology (Qualified Archaeologist) to oversee
4 an archaeological monitor who shall be present during initial Project
5 construction work such as demolition, clearing/grubbing, grading, trenching, or
6 related moving of soils within the Project Site (collectively, ground disturbing
7 activities); provided, however, that ground disturbing activities shall not include
8 any moving of soils after they have been initially disturbed or displaced by
9 Project-related construction. The Qualified Archaeologist shall determine the
10 frequency of monitoring based on the rate of excavation and grading activities,
11 proximity to known archaeological resources, the materials being excavated
12 (younger alluvium vs. older alluvium), and the depth of excavation, and if found,
13 the abundance and type of archaeological resources encountered. The
14 frequency of monitoring can be reduced to part-time inspections or ceased
15 entirely if determined appropriate by the Qualified Archaeologist.

16
17 Prior to commencement of excavation activities, an Archaeological and Cultural
18 Resources Sensitivity Training shall be given for construction personnel. The
19 training session shall be carried out by the Qualified Archaeologist and shall
20 focus on how to identify archaeological resources that may be encountered
21 during earthmoving activities and the procedures to be followed in such an
22 event.

23 **CUL-MM-2:** In the event that historic or prehistoric archaeological resources (e.g.,
24 bottles, foundations, refuse dumps, etc.) are unearthed, ground-disturbing
25 activities shall be halted or diverted away from the vicinity of the find so that the
26 find can be evaluated. After consulting with the Applicant, the Qualified
27 Archeologist shall establish an appropriate buffer area in accordance with
28 industry standards, reasonable assumptions regarding the potential for
29 additional discoveries in the vicinity, and safety considerations for those making
an evaluation and potential recovery of the discovery. This buffer area shall be
established around the find where construction activities shall not be allowed to
continue. Work shall be allowed to continue outside of the buffer area.

30 All archaeological resources unearthed by Project construction activities shall
31 be evaluated by the Qualified Archaeologist. If the Qualified Archaeologist
32 determines the find to constitute a "historical resource" pursuant to CEQA
33 Guidelines Section 15064.5(a) or a "unique archaeological resource" pursuant
34 to Public Resources Code Section 21083.2(g), the Qualified Archaeologist
35 shall coordinate with the Applicant and the City of Culver City and/or City of
36 Los Angeles depending on the location/jurisdiction where the resource is
37 located to develop a reasonable and feasible treatment plan that would serve
38 to reduce impacts to the resources. The treatment plan established for the
39 resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for
40 historical resources and Public Resources Code Sections 21083.2(b) for
41 unique archaeological resources. The treatment plan shall include measures
42 regarding the curation of the recovered resources that may include curation at

1 a public, non-profit institution with a research interest in the materials, such as
2 the Natural History Museum of Los Angeles County or the Fowler Museum, if
3 such an institution agrees to accept the material. If no institution accepts the
4 resources, they may be donated to a local school or historical society in the
5 area (such as the Culver City Historical Society) for educational purposes.

6 If the Applicant does not accept a particular recommendation determined to be
7 reasonable and feasible by the Qualified Archaeologist, the Applicant may
8 request mediation by a mediator agreed to by the Applicant and the City of
9 Culver City or City of Los Angeles, depending on the location/jurisdiction where
10 the resource is located. The mediator must have the requisite professional
11 qualifications and experience to mediate such a dispute. The City shall make
12 the determination as to whether the mediator is at least minimally qualified to
13 mediate the dispute. After making a reasonable effort to mediate this particular
14 dispute, the City may: (1) require the recommendation be implemented as
15 originally proposed by the Qualified Archaeologist; (2) require the
16 recommendation, as modified by the City, be implemented in a manner that is
17 at least as equally effective to mitigate a potentially significant impact; (3)
18 require a substitute recommendation be implemented that is at least as equally
19 effective to mitigate a potentially significant impact; or (4) not require the
20 recommendation be implemented because it is not necessary to mitigate any
21 significant impacts. The Applicant shall pay all costs and fees associated with
22 the mediator.

23 **CUL-MM-3:** The Qualified Archaeologist shall prepare a final report and appropriate
24 California Department of Parks and Recreation Site Forms at the conclusion of
25 archaeological monitoring. The report shall include a description of resources
26 unearthed, if any, treatment of the resources, results of the artifact processing,
27 analysis, and research, and evaluation of the resources with respect to the
28 California Register of Historical Resources and CEQA. The report and the Site
29 Forms shall be submitted by the Applicant to the City of Culver City and/or City
of Los Angeles depending on the location/jurisdiction where the resource is
located, the South Central Coastal Information Center, and representatives of
other appropriate or concerned agencies to signify the satisfactory completion of
the Project and required mitigation measures.

30 (D) Finding

31 Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been
32 required in, or incorporated into, the Project which mitigate or avoid potential significant effects
33 on the environment regarding archaeological resources.

34 (E) Rationale for Finding

35 As set forth in Mitigation Measures CUL-MM-1 through CUL-MM-3, a qualified archaeologist
36 shall be retained to perform periodic inspections of excavation and grading activities of the
37 Project Site. Impacts related to archaeological resources during Project construction would be

reduced to less than significant with implementation of the above mitigation measures. Monitoring of the Project Site during ground disturbing activities by a professional archaeologist would result in the identification and assessment of significant or unique archaeological resources, as well as the implementation of appropriate measures in accordance with CEQA.

(F) Reference

Section 4.3, Cultural Resources, of the Draft EIR, as well as Appendix D of the Draft EIR, Archaeological Resources Assessment Report and Final EIR Chapter 3, Revisions, Clarifications, and Corrections to the Draft EIR.

3. Geology and Soils – Paleontological Resources

(A) Impact Summary

As discussed in Section 4.5, Geology and Soils, of the Draft EIR, Geologic mapping indicates that the surface of the Project Site is underlain by Holocene-age alluvium (Qa), which have a low sensitivity for paleontological resources due to the young age of the deposits and are unlikely to preserve fossil resources. However, these sediments increase in age with depth, such that the deeper layers of this unit have a higher potential to preserve paleontological resources. Moreover, numerous paleontological resources have been recovered from deeper deposits during construction of three development projects in the immediate vicinity of the Project Site in association with the Lakewood Formation—a geological unit which consists of a Pleistocene-age alluvium deposited in both marine and non-marine settings, which is considered to have high potential for encountering paleontological resources. In particular, these projects yielded the identification of more than 200 fossil specimens from these deposits that were encountered at depths between 15 feet below ground surface (bgs) to 41 feet bgs. In addition, the paleontological records search conducted through the Natural History Museum of Los Angeles County (NHMLAC) also indicates that older (Pleistocene-age) geologic units in the vicinity of the Project Site have produced paleontological resources (including fossil specimens of horse, camel, mammoth, pond turtle, ground sloth, mastodon, mammoth, camel, turkey, saber-toothed cat, horse, deer, sharks, bony fish, and rays), including resources located within approximately 0.6 and 2 miles from the Project Site at depths between 6 and 13 feet bgs and unknown depths. Given the identification of numerous fossil specimens at depth during construction projects in the immediate vicinity, the positive results of NHMLAC records search, and since excavations for the Project would extend to depths of about 50 feet bgs, the potential to encounter buried paleontological resources during construction of the Project is considered high. Therefore, as the Project could directly or indirectly destroy unique paleontological resources, impacts on buried paleontological resources are considered potentially significant.

(B) Project Design Features

No specific project design features are proposed with regard to paleontological resources.

(C) Mitigation Measures

GEO-MM-1: Prior to the issuance of grading permits, the Applicant shall retain a qualified paleontologist meeting the Society of Vertebrate Paleontology (SVP)

Standards (Qualified Paleontologist). 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, and shall be responsible for monitoring and overseeing paleontological monitors (meeting SVP standards) that will observe grading and excavation activities.

GEO-MM-2: Paleontological monitoring shall be conducted during construction excavations into undisturbed older alluvial sediments that exceed 10 feet in depth. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting and wet screening sediment samples of promising horizons for smaller fossil remains. If significant vertebrate fossils are found by screening, it will be necessary to collect a 6,000-pound sample for screening, per SVP Guidelines (2010). The sample can be collected by construction machinery and stockpiled and processed in a safe location on-site or transported to another site for processing. The frequency of monitoring inspections shall be determined by the Qualified Paleontologist and shall be based on the rate of excavation and grading activities, the materials being excavated, and the depth of excavation, and if found, the abundance and type of fossils encountered. Full-time monitoring can be reduced to part-time inspections, or ceased entirely, if determined adequate by the Qualified Paleontologist. If a potential fossil is found, the Qualified Paleontologist shall have authority to temporarily stop excavation activity or to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation of the discovery. An appropriate buffer area shall be established by the Qualified Paleontologist around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. At the Qualified Paleontologist's discretion, and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock/sediment samples for initial processing and evaluation. If preservation in place is not feasible, the Qualified Paleontologist shall implement a paleontological salvage program to remove the resources from their location.

GEO-MM-3: Any significant fossils recovered during Project-related excavations shall be prepared to the point of identification. The residue from sediment samples shall be dried and sorted with a binocular dissecting microscope. Both macrofossils and vertebrate microfossils shall be prepared to the point of identification, identified, and curated into an accredited repository. The Qualified Paleontologist shall prepare a final report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall accompany the specimens to the accredited repository. The report shall also be submitted by the Applicant to the City of Culver City and/or City of Los Angeles, depending on the location/jurisdiction where the resource is located, to

signify the satisfactory completion of the Project and required mitigation measures.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding paleontological resources.

(E) Rationale for Finding

Implementation of Mitigation Measures GEO-MM-1 through GEO-MM-3 would require retention of a Qualified Paleontologist meeting the SVP Standards in order to provide technical and compliance oversight, construction worker paleontological resources sensitivity training, and paleontological resources monitoring. Impacts related to paleontological resources during Project construction would be reduced to less than significant with implementation of the above mitigation measures. The Project would have no impacts to paleontological resources during operation as there would be no continuous groundbreaking and excavation activities during Project operation.

(F) Reference

Section 4.5, Geology, of the Draft EIR, as well as Appendix G (Paleontological Resources Assessment Report) and Final EIR Chapter 3, Revisions, Clarifications, and Corrections to the Draft EIR.

4. Hazards and Hazardous Materials – Hazardous Materials and Upset Conditions

(A) Impact Summary

As detailed in Section 4.7, Hazards and Hazardous Materials, of the Draft EIR, the Project includes the excavation of soil to construct three levels of underground parking garages under each building. Soil vapor, groundwater, indoor air, and outdoor air samples were collected and analyzed for chemicals of potential concern identified for the Phase I ESA. Testing revealed the presence of Perchloroethene (PCE) in sub-slab soil vapor samples in the northern portion of the Project Site (beneath Venice Boulevard buildings) at concentrations above its vapor intrusion screening level for commercial land use. Follow-up indoor air sampling did not identify PCE or other VOCs at concentrations above their respective screening levels for commercial land use, although PCE was detected at measurable concentrations in indoor air samples. The presence of PCE in soil vapor has the potential to exceed environmental screening levels, but is unlikely to exceed the multiple orders of magnitude higher than OSHA construction worker respiratory standards. Although PCE was not detected at concentrations above its indoor air screening level, PCE was detected above detection limits and only a limited number of samples were collected as part of the screening-level soil vapor survey; higher concentrations of PCE may be present in soil vapor in areas not sampled. Based on the presence of PCE in soil vapor, this is a potentially significant impact.

(B) Project Design Features

No specific project design features are proposed with regard to hazards and hazardous materials.

(C) Mitigation Measures

HAZ-MM-1: Health and Safety Plan. Before the start of ground-disturbing activities, including grading, trenching, or excavation, or structure demolition on parcels within the Project Site, the Applicant for the specific work proposed shall require that the construction contractor(s) retain a qualified professional to prepare a site-specific health and safety plan (HASP) in accordance with federal Occupational Safety and Health Administration regulations (29 CFR 1910.120) and California Occupational Safety and Health Administration regulations (8 CCR Section 5192).

The HASP shall be implemented by the construction contractor to protect construction workers, the public, and the environment during all ground-disturbing and structure demolition activities. HASPs shall be submitted to Culver City and the City of Los Angeles building departments and any applicable oversight regulatory agency for review before the start of demolition and construction activities and as a condition of the grading, construction, and/or demolition permit(s). The HASP shall include, but not be limited to, the following elements:

- Designation of a trained, experienced site safety and health supervisor who has the responsibility and authority to develop and implement the site HASP.
- A summary of all potential risks to demolition and construction workers and maximum exposure limits for all known and reasonably foreseeable site chemicals.
- Specified personal protective equipment and decontamination procedures, if needed.
- The requirement to prepare documentation showing that HASP measures have been implemented during construction (e.g., tailgate safety meeting notes with sign-up sheet for attendees).
- A requirement specifying that any site worker who identifies hazardous materials has the authority to stop work and notify the site safety and health supervisor.
- Emergency procedures, including the route to the nearest hospital.
- Procedures to follow if evidence of potential soil or groundwater contamination is encountered (such as soil staining, noxious odors, debris or buried storage containers). These procedures shall be followed in accordance with hazardous waste operations regulations and specifically

include, but not be limited to, immediately stopping work in the vicinity of the unknown hazardous materials release; notifying the city within which the contamination is encountered and the regulatory agency overseeing site cleanup, if any; and retaining a qualified environmental firm to perform sampling and remediation, if warranted.

HAZ-MM-2: Soil and Groundwater Management Plan. In support of the HASP described in Mitigation Measure HAZ-MM-1, the contractor conducting excavation and disposal of fill and soil shall develop and implement a soil and groundwater management plan (SGMP) for the management of soil, soil gas, and groundwater before any ground-disturbing activity to manage contaminated materials, if encountered. The SGMP shall include the following, at a minimum:

- Site description, including the hazardous materials that may be encountered.
- Roles and responsibilities of on-site workers, supervisors, and the regulatory agency.
- Training for site workers focused on the recognition of and response to encountering hazardous materials or unknown structures, e.g., underground storage tanks (USTs).
- Notification requirements in the event of discovery of unknown structures or contamination.
- Protocols for the materials (fill, soil, and dewatering effluent) testing, handling, removing, transporting, and disposing of all excavated materials and dewatering effluent in a safe, appropriate, and lawful manner.
- Reporting requirement to the overseeing regulatory agency, if any contamination is found that requires agency oversight, documenting that site activities were conducted in accordance with the SGMP.

The SGMP shall be submitted to Culver City and the City of Los Angeles Building Departments for review to inform their permit approval process before the start of demolition and construction activities and as a condition of the grading, construction, and/or demolition permit(s). The contract specifications shall mandate full compliance with all applicable federal, state, and local regulations related to the identification, transportation, and disposal of hazardous materials.

The SGMP shall include measures to remove and/or treat/remediate the impacted soils and groundwater in a manner that is protective of human health and the environment and compatible with office use, in compliance with all applicable regulatory standards, under supervision of a qualified environmental professional. The SGMP shall describe measures for (i) management of excavated soils and groundwater, (ii) characterization of soils to determine

whether they qualify as hazardous waste under regulations such as 22 C.C.R. Section 66262.11 or other regulations identified in the SGMP or otherwise identified by the oversight agencies, and (iii) off-site disposal of excavated soils and disposal of dewatered groundwater in compliance with all applicable regulations. The SGMP shall also provide measures for the evaluation of vapor intrusion risk at the Project site, and if necessary, modification of the Project design and/or installation of a vapor intrusion mitigation system consistent with the procedures and performance standards set forth in DTSC's October 2011 Vapor Intrusion Mitigation Advisory or as otherwise determined applicable by the oversight agency (i.e., applicable city building departments) at the time of construction. For example, as part of the vapor intrusion evaluation, at least two rounds of indoor and garage air sampling shall be conducted post-construction and prior to operation and occupancy of the Project to confirm that future workers and valet parking personnel are protected and potential human health risks due to vapor intrusion are at or below target risk levels established by DTSC, as applicable. Sampling activities shall include collection of samples when the HVAC system is on and off and also when the parking garage ventilation system is on and off. Given that benzene is a component of gasoline and will be present in the garage due to the parked cars, the air sampling activities shall focus on PCE to confirm that residual PCE in soil vapor does not pose a significant vapor intrusion risk to workers and valet parking personnel. These air sampling activities will aid in the evaluation of the efficacy of the liner and the garage itself to mitigate vapor intrusion. These sampling activities will also help evaluate if any preferential pathways (e.g., utility conduits and elevator shaft) need to be addressed. In the event the indoor air data indicate that risks are above target DTSC risk levels, as applicable, after pathways are sealed, the garage's ventilation system shall be adjusted to reduce vapor intrusion levels below acceptable risk levels, as applicable.

For work that would encounter groundwater, as part of the SGMP, contractors shall include a groundwater dewatering control and disposal plan specifying how groundwater (dewatering effluent) will be handled and disposed of in a safe, appropriate, and lawful manner. The groundwater portion of the SGMP shall include the following, at a minimum:

- The locations at which groundwater dewatering is likely to be required.
- Test methods to analyze groundwater for hazardous substances.
- Appropriate treatment and/or disposal methods.
- Discussion of discharge to a publicly owned treatment works or the stormwater system, in accordance with any regulatory requirements the treatment works may have, if this effluent disposal option is to be used.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding hazardous materials.

(E) Rationale for Finding

To ensure the proper management of hazardous material and to reduce the risk of potential impacts to the public or the environment, the Project would be required to implement Mitigation Measure HAZ-MM-1, which requires the preparation and implementation of a site-specific HASP in accordance with federal and State OSHA regulations, and Mitigation Measure HAZ-MM-2, which requires the preparation and implementation of a SGMP prior to and during Project construction. Groundwater management is included because three levels of below grade parking would be constructed, which would encounter groundwater known to be contaminated. The implementation of these mitigation measures would reduce impacts to a less than significant level.

(F) Reference

Section 4.7, Hazards and Hazardous Materials, of the Draft EIR as well as Appendix H (Phase I ESA) and Final EIR, Section 3, Revisions, Clarifications and Corrections to the Draft EIR.

5. Hydrology – Water Quality

(A) Impact Summary

As discussed in Section 4.7, Hazards and Hazardous Materials, of the Draft EIR, benzene, toluene, ethylbenzene, xylenes, and naphthalene, all components of fuel, were detected in groundwater generally in the southern/southeastern portion of the Project Site at concentrations above drinking water standards (also referred to as maximum contaminant levels (MCLs)). Compliance with applicable National Pollutant Discharge Elimination System (NPDES) permitting requirements and Los Angeles Regional Water Quality Control Board (LARWQCB) Waste Discharge requirements (WDRs) for discharges of groundwater from construction and project dewatering to surface waters in coastal watersheds of Los Angeles County, or any other appropriate WDR permits identified by the LARWQCB, would require the discharger to test for any suspected pollutants and either treat the pollutants such that the dewatering effluent water quality is acceptable for the receiving waters or arrange for an alternate disposal method. Compliance with an appropriate WDR permit would include monitoring, treatment if appropriate, and proper disposal of any encountered groundwater in accordance with applicable water quality standards. Nonetheless, if contaminated soils or groundwater are encountered during construction excavation activities and not properly handled or disposed of, there could potentially be adverse impacts to surface or groundwater quality. As such, this is considered a potentially significant impact.

(B) Project Design Features

No specific project design features are proposed with regard to hydrology and water quality.

(C) Mitigation Measures

HAZ-MM-2: Soil and Groundwater Management Plan. In support of the HASP described in Mitigation Measure HAZ-MM-1, the contractor conducting excavation and disposal of fill and soil shall develop and implement a soil and groundwater management plan (SGMP) for the management of soil, soil gas, and groundwater before any ground-disturbing activity to manage contaminated materials, if encountered. The SGMP shall include the following, at a minimum:

- Site description, including the hazardous materials that may be encountered.
- Roles and responsibilities of on-site workers, supervisors, and the regulatory agency.
- Training for site workers focused on the recognition of and response to encountering hazardous materials or unknown structures, e.g., underground storage tanks (USTs).
- Notification requirements in the event of discovery of unknown structures or contamination.
- Protocols for the materials (fill, soil, and dewatering effluent) testing, handling, removing, transporting, and disposing of all excavated materials and dewatering effluent in a safe, appropriate, and lawful manner.
- Reporting requirement to the overseeing regulatory agency, if any contamination is found that requires agency oversight, documenting that site activities were conducted in accordance with the SGMP.

The SGMP shall be submitted to Culver City and the City of Los Angeles Building Departments for review to inform their permit approval process before the start of demolition and construction activities and as a condition of the grading, construction, and/or demolition permit(s). The contract specifications shall mandate full compliance with all applicable federal, state, and local regulations related to the identification, transportation, and disposal of hazardous materials.

The SGMP shall include measures to remove and/or treat/remediate the impacted soils and groundwater in a manner that is protective of human health and the environment and compatible with office use, in compliance with all applicable regulatory standards, under supervision of a qualified environmental professional. The SGMP shall describe measures for (i) management of excavated soils and groundwater, (ii) characterization of soils to determine whether they qualify as hazardous waste under regulations such as 22 C.C.R. Section 66262.11 or other regulations identified in the SGMP or otherwise identified by the oversight agencies, and (iii) off-site disposal of excavated soils and disposal of dewatered groundwater in compliance with all applicable regulations. The SGMP shall also provide measures for the evaluation of vapor intrusion risk at the Project site, and if necessary, modification of the Project

design and/or installation of a vapor intrusion mitigation system consistent with the procedures and performance standards set forth in DTSC's October 2011 Vapor Intrusion Mitigation Advisory or as otherwise determined applicable by the oversight agency (i.e., applicable city building departments) at the time of construction.

For work that would encounter groundwater, as part of the SGMP, contractors shall include a groundwater dewatering control and disposal plan specifying how groundwater (dewatering effluent) will be handled and disposed of in a safe, appropriate, and lawful manner. The groundwater portion of the SGMP shall include the following, at a minimum:

- The locations at which groundwater dewatering is likely to be required.
- Test methods to analyze groundwater for hazardous substances.
- Appropriate treatment and/or disposal methods.
- Discussion of discharge to a publicly owned treatment works or the stormwater system, in accordance with any regulatory requirements the treatment works may have, if this effluent disposal option is to be used.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding hydrology – water quality.

(E) Rationale for Finding

Excavation activities during construction could encounter contaminated soils or groundwater, which if not properly handled or disposed of, could potentially result in adverse impacts to surface or groundwater quality. As such, construction-related impacts related to violations of water quality standards or waste discharge requirements would be potentially significant. Implementation of Mitigation Measure HAZ-MM-2, Soil and Groundwater Management Plan, would reduce this impact to less than significant.

(F) Reference

Section 4.7, Hazards and Hazardous Materials, as well as Section 4.8, Hydrology and Water Quality, of the Draft EIR and Appendix I (Hydrology Report).

6. Tribal Cultural Resources

(A) Impact Summary

As detailed in Section 4.13, Tribal Cultural Resources, of the Draft EIR, due to the Project Site being located in the vicinity of old/ancient roads (that could have been possibly used as prehistoric trade routes) and Ballona Creek, the Project Site's location in the general vicinity of

an unnamed village (located approximately 0.30 miles southeast), and given recent discoveries during other construction projects in the vicinity, the Project Site appears to have a moderate to high potential for encountering previously unknown tribal cultural resources during construction. As a result, there is potential that the Project could cause a substantial adverse change in the significance of a tribal cultural resource as described in PRC Section 21084.2. Accordingly, impacts on tribal cultural resources are considered potentially significant.

(B) Project Design Features

No specific project design features are proposed with regard to tribal cultural resources.

(C) Mitigation Measures

TCR-MM-1: Prior to the issuance of a demolition permit for the Project, the Applicant shall retain a Native American Monitor from the Gabrieleño Band of Mission Indians – Kizh Nation (Kizh Nation or Tribe). The Native American Monitor shall be present during the following construction activities that have the potential for encountering tribal cultural resources: demolition, pavement removal, clearing/grubbing, drilling/augering, potholing, grading, trenching, excavation, tree removal or other ground disturbing activity associated with the Project, whether on the Project Site or in connection with Project off-site improvements (collectively “ground disturbing activities”). Notwithstanding the foregoing, Native American monitoring shall not be required for any moving of soils after they have been initially disturbed or displaced by Project-related construction. The Applicant shall prepare a monitoring agreement with the Kizh Nation that outlines the roles and responsibilities of the Native American Monitor and shall submit this agreement to the City of Culver City and City of Los Angeles prior to the issuance of demolition permit for the Project.

Prior to commencement of ground disturbing activities, a Tribal Cultural Resources Sensitivity Training session shall be held for those construction personnel who will be directly involved in the ground disturbing activities. The training session shall be carried out by the Native American Monitor and shall focus on how to identify tribal cultural resources that may be encountered during ground disturbing activities and the procedures to be followed in such an event. If the Native American Monitor is not present at the Project Site on any given workday, the ground disturbing activities may continue if the workers involved in such activities attended the training session.

Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined appropriate by the Native American Monitor in the event there appears to be little to no potential for impacting tribal cultural resources. Native American monitoring shall conclude no later than conclusion of ground disturbing activities.

TCR-MM-2: The Native American Monitor shall complete daily monitoring logs that provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil

types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs shall identify and describe any discovered tribal cultural resources, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the Applicant and the City of Culver City and/or City of Los Angeles upon written request to the Tribe. The Applicant shall not be deemed to be out of compliance with this measure if the Native American Monitor fails to complete or submit any such monitoring logs.

TCR-MM-3: In the event of a discovery of potential tribal cultural resources at the Project Site, the Qualified Archaeologist identified in Mitigation Measure CUL-MM-1 (after consultation with the Native American Monitor) shall have the authority to temporarily divert, redirect, or halt ground-disturbance activities to allow identification, evaluation, and potential recovery of such potential resources. After consulting with the Native American Monitor and the Applicant, the Qualified Archaeologist shall establish an appropriate buffer area in accordance with industry standards, reasonable assumptions regarding the potential for additional discoveries in the vicinity, and safety considerations for those making an evaluation and potential recovery of the discovery. This buffer area shall be established around the find where ground-disturbing activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area.

Within three (3) business days of such discovery, a meeting shall take place between the Applicant, the Qualified Archaeologist, the Tribe, and the City of Culver City and/or City of Los Angeles depending on the location/jurisdiction where the resource is located to discuss the significance of the find and whether it qualifies as a tribal cultural resource pursuant to Public Resources Code Section 21074(a). If, as a result of the meeting and after consultation with the Tribe, the Applicant, and the Qualified Archaeologist, the City of Culver City and/or City of Los Angeles determines, based on substantial evidence, that the resource is in fact a tribal cultural resource, the Qualified Archaeologist shall develop a reasonable and feasible treatment plan, with input from the Tribe as necessary, and with the concurrence of the appropriate City's Planning Director. The treatment measures in the treatment plan shall be in compliance with any applicable federal, State, or local laws, rules or regulations. The treatment plan shall also include measures regarding the curation of the recovered resources.

If the Applicant does not accept a particular recommendation determined to be reasonable and feasible by the Qualified Archaeologist (including, but not limited to, the size of the buffer set forth above), the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant and the City of Culver City and/or City of Los Angeles. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City of Culver City and/or City of Los Angeles shall make the determination as to

whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may: (1) require the recommendation be implemented as originally proposed by the Archaeologist; (2) require the recommendation, as modified by the City, be implemented as it is at least as equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate any significant impacts to tribal cultural resources. The Applicant shall pay all costs and fees associated with the mediator.

The Applicant 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 the above paragraphs.

The recovered Native American resources may be placed in the custody of the Tribe, who may choose to use them for their educational purposes, or they may be curated at a public, non-profit institution with a research interest in the materials. If neither the Tribe nor an institution accepts the resources, they may be donated to a local school or historical society in the area for educational purposes.

Notwithstanding the above paragraph, any information determined to be confidential in nature by the City of Culver City and/or City of Los Angeles Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code Section 6254(r).

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding tribal cultural resources.

(E) Rationale for Finding

In the event unknown tribal cultural resources are unearthed during construction of the Project, with implementation of Mitigation Measures TRC-MM-1 through TRC-MM-3, potentially significant impacts on tribal cultural resources would be reduced to a less than significant level. Cumulative impacts regarding tribal cultural resources were determined to be less than significant without mitigation.

(F) Reference

Section 4.13, Tribal Cultural Resources, of the Draft EIR as well as Appendix D of the Draft EIR, Archaeological Resources Assessment Report and Final EIR, Section 3, Revisions, Clarifications and Corrections to the Draft EIR.

VIII. ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT EVEN AFTER MITIGATION

The following impact areas were concluded by the Draft EIR to remain significant and unavoidable following implementation of all feasible mitigation measures described in the Final EIR. Consequently, in accordance with CEQA Guidelines Section 15093, a Statement of Overriding Considerations has been prepared (see Section XI of these Findings).

1. Air Quality – Construction Emissions (Regional; Overlap)

(A) Impact Summary

During 2025, there will be period of time where Building 1 is operational and Building 2 is still under construction. The emissions are presented in Table 4.2-7. The Project's overlapping operational and construction emissions of NO_x in 2025 would exceed the SCAQMD thresholds of significance. Emissions of other criteria pollutants would be below SCAQMD thresholds. The NO_x emissions result primarily from heavy-duty trucks from overlapping construction of Building 2 while Building 1 is operational. Therefore, the Project's temporary impact related to overlapping operational and construction regional NO_x emissions would be potentially significant.

(B) Project Design Features

No specific project design features are proposed with regard to air quality.

(C) Mitigation Measures

AQ-MM-1: Construction Equipment Features: The Project shall implement the following construction equipment features for equipment operating at the Project Site. These features shall be included in applicable bid documents, and successful contractor(s) must demonstrate the ability to supply such equipment. Construction features shall include the following:

- During plan check, the Project's representative shall make available to the lead agency and South Coast Air Quality Management District (SCAQMD) a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that shall be used during any of the construction phases. The inventory shall include the horsepower rating, engine production year, and certification of the specified Tier standard. A copy of each such unit's certified tier specification, best available control technology (BACT) documentation, and CARB or SCAQMD operating permit shall be maintained on-site at the time of mobilization of each applicable unit of equipment. Off-road diesel-powered equipment equal to or greater than 50 horsepower that will be used during any portion of the

construction activities shall meet or exceed the Tier 4 Final standards. Such equipment will be outfitted with Best Available Control Technology (BACT) devices, including a CARB-certified Level 3 Diesel Particulate Filter or equivalent. Alternate construction equipment may be used if the construction contractor can document that the equipment would achieve the same or greater NO_x reductions compared to Tier 4 Final standards. Construction contractors supplying heavy duty diesel equipment greater than 50 horsepower shall be encouraged to apply for SCAQMD SOON funds. Information including the SCAQMD website shall be provided to each contractor which uses heavy duty diesel for on-site construction activities.

4. During demolition, site preparation, and grading and excavation activities, the contractor shall provide notification and documentation that haul truck drivers have received training regarding idling limitations specified in Title 13 California Code of Regulations, Section 2485. During construction, trucks and vehicles in loading and unloading queues shall have their engines turned off after 5 minutes when not in use, to reduce vehicle emissions.
- Contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. All construction equipment must be properly tuned and maintained in accordance with the manufacturer's specifications. The contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications. Tampering with construction equipment to increase horsepower or to defeat emission control devices shall be prohibited.
5. Construction activities shall be discontinued during an Air Quality Index (AQI) of 151 or more (unhealthy level). A record of any AQI at an unhealthy level and of discontinued construction activities as applicable shall be maintained by the Contractor on-site.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Air Quality Construction Emissions (Regional; Overlap).

(E) Rationale For Finding

The Project's mitigated regional overlapping construction and operational emissions are summarized in Table 4.2-10 of the Draft EIR. The Project would result in potentially significant overlapping construction and operational regional NO_x emissions above the regional significance thresholds. Mitigation Measure AQ-MM-1 would be required to reduce overlapping construction-related NO_x emissions that would be concurrent with the partial buildout regional operational emissions. In addition, there are no feasible mitigation measures to reduce

operational source emission of NO_x. With implementation of feasible mitigation to reduce construction emissions, regional emissions from overlapping construction and operations would remain above the regional significance threshold for NO_x. As shown in Table 4.2-10 of the Draft EIR, the mitigated construction emissions in 2025 (i.e., when construction would overlap with operations) would by itself exceed the operational emissions threshold. Mitigation Measures AQ-MM-1 already includes the most stringent emissions standards adopted by the State (i.e., Tier 4 Final emissions standards). CARB staff is in the process of developing potential amendments to the off-road diesel engine standards, in what is referred to as the Tier 5 rulemaking, which is intended to reduce NO_x and particulate matter emissions from new, off-road compression-ignition engines compared to the adopted Tier 4 Final emission standards. However, CARB has not formally drafted any proposed amendments nor initiated the formal rule-making process. CARB anticipates to bring a proposal to the CARB Governing Board in 2024 and anticipates implementation of the Tier 5 standards for new equipment in 2028. This timeline renders the potential use of Tier 5 equipment as infeasible. There are no feasible mitigation measures that would reduce the overlapping construction and operational emissions to below the operational significance threshold. Therefore, short-term and temporary impacts related to regional NO_x overlapping construction and operations emissions would be significant and unavoidable after implementation of feasible mitigation measures. There would also be a cumulatively considerable net increase of NO_x emissions which would result in a significant and unavoidable impact.

(F) Reference

Section 4.2, Air Quality and Appendix B, Air Quality and Greenhouse Gas Emissions Calculations of the Draft EIR as well as Final EIR Section 3, Revisions, Clarifications and Corrections, to the Draft EIR.

2. Noise

(A) Impact Summary

(i) Project-Level On-Site Construction Noise

As shown in Table 4.10-10 of the Draft EIR, construction noise levels are estimated to reach a maximum of 88.6 dBA Leq at the nearest sensitive receptors (namely R2 within the City of Culver City limits), as well as exceed the lowest ambient noise-based threshold of 72.0 dBA. At R1, which is located within the City of Los Angeles, the maximum construction noise level would be 80.7 dBA Leq, which would exceed the 75.0 dBA limit in the City of Los Angeles Noise Ordinance and would exceed the lowest ambient noise-based threshold of 67.6 dBA. Construction noise level projected at R3 (within the City of Culver City limits) would reach 82.0 dBA and exceed the ambient noise-based threshold of 69.0 dBA. Construction noise projected at R4 (within the City of Culver City limits) would reach 67.4 dBA and exceed the ambient noise-based threshold of 64.6 dBA.

As shown in Table 4.10-10 of the Draft EIR, construction activities would result in temporary increases in ambient noise (greater than 5 dBA Leq over ambient levels) at most of the studied sensitive receptors prior to implementation of measures to reduce the construction noise. Project construction would result in noise levels greater than 5 dBA Leq over ambient levels

1 during multiple phases of activity at R1, R2, R3 and R4. When construction activity extends to
2 the evening or nighttime hours, the ambient-based threshold would be exceeded at off-site
3 receiver locations. When daytime ambient noise levels are lower compared to the
corresponding evening hours at the same location, the lower daytime ambient noise level is
used as the threshold for significance determination.

4 Based on the results of the analysis, it can be assumed that ambient noise at certain residential
5 uses to the north, west, and south would be significantly impacted by Project construction. The
6 level of impact at each residential area would vary due to varying distances to Project
construction and the presence of intervening structures such as existing buildings.

7 CCMC noise regulations state that construction activity shall be prohibited, except between the
8 hours of 8:00 a.m. and 8:00 p.m. Mondays through Fridays; 9:00 a.m. and 7:00 p.m.
9 Saturdays; 10:00 a.m. and 7:00 p.m. Sundays. LAMC Section 41.40 prohibits construction
10 between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday, 6:00 p.m. and 8:00 a.m.
11 on Saturday, and at any time on Sunday (i.e., construction is allowed Monday through Friday
12 between 7:00 a.m. and 9:00 p.m.; and Saturdays and National Holidays between 8:00 a.m. to
13 6:00 p.m.). In the event construction occurs outside of the permitted hours without approval
14 from the respective jurisdiction, as applicable, a significant impact would occur. However, it is
15 anticipated that the Project would seek approval from the respective jurisdiction, as applicable,
16 to initiate construction as early as 7:00 a.m. and end as late as 10:00 p.m. During these
17 extended construction hours (i.e., 7:00 a.m. to 8:00 a.m. and 8:00 p.m. to 10:00 p.m.) noise
levels could still nonetheless exceed the thresholds as shown in Table 4.10-10 of the Draft EIR,
and for this reason, would be considered potentially significant impacts.

18 As Project construction would result in temporary increases in ambient noise that would exceed
19 thresholds of significance at all studied receptors, construction noise impacts would be
20 potentially significant, and mitigation measures would be required.

21 (ii) Cumulative On-Site Construction Noise

22 Six of the related projects (Related Project Nos. 5, 8, 9, 11, 14, and 15) are located within
23 approximately 1,000 feet of the Project Site and could contribute to cumulative construction
24 noise impacts from on-site construction activities to off-site sensitive receptors if they are under
25 construction at the same time as the Project. Each of these related projects are required to
26 comply with the noise standards and ordinances of the City of Culver City and City of Los
27 Angeles, as applicable. Exact construction schedules for these related projects are not known.
28 It is not possible to predict whether construction of these related projects would overlap with
29 construction of the Project. Therefore, it is conservatively assumed that construction of these
related projects could occur at the same time as the Project. Because the Project would result
in potentially significant construction noise impacts prior to mitigation measures, cumulative
on-site noise from the Project and related projects could result in potentially significant
cumulative construction noise impacts at similar off-site receptors and receivers between the
Project Site and the nearest related project sites.

(iii) Cumulative Off-Site Construction Noise

As shown in Table 4.10-11 of the Draft EIR, the Project would not result in any significant off-site construction noise impacts due to construction trips. The roadway in the vicinity of the Project Site that would have off-site construction noise levels from Project construction trucks closest to the significance threshold would be Cattaraugus Avenue south of Venice Boulevard, which would have a maximum of up to 63 Project truck trips per hour (heavy-duty concrete, vendor, and haul trucks from overlapping Project construction activities), which would generate a combined Existing plus Project Construction Traffic noise level of approximately 67.9 dBA Leq (an increase of 4.3 dBA from the Existing baseline traffic noise level 63.5 dBA Leq). Related projects contributing an additional 8 heavy-duty truck trips per hour on the same roadway segment at the same time as the Project would generate a combined noise level of approximately 68.5 dBA Leq. This cumulative noise level would be equal to the significance threshold of $(63.5 + 5 =) 68.5$ dBA on Cattaraugus Avenue south of Venice Boulevard in the vicinity of the Project Site. Therefore, related projects contributing more than 8 truck trips concurrently with the Project would result in a cumulatively considerable contribution to off-site construction noise and impacts would be significant. It is conservatively assumed that truck traffic from multiple related projects could potentially overlap on some days and generate noise in excess of the significance threshold. Therefore, given that it is possible that the Project and related projects could contribute to cumulative off-site construction traffic noise levels and could exceed a significance threshold with sufficiently high cumulative traffic levels, cumulative off-site construction traffic noise impacts would be potentially significant.

(iv) Vibration – Off-Site Construction (Human Annoyance)

Per Federal Transit Authority guidance, the significance criterion for human annoyance is 72 VdB for sensitive uses, including residential, hotel and theater uses. It should be noted that buses and trucks rarely create vibration that exceeds 70 VdB at 50 feet from the receptor unless the road surface is not smooth. To provide a conservative analysis, the estimated vibration levels generated by construction trucks traveling along the anticipated haul route(s) were assumed to be within 25 feet of the sensitive use (residential and hotel use) along Venice Boulevard, Washington Boulevard, S. Robertson Boulevard, and National Boulevard. Temporary vibration levels could reach approximately 72 VdB periodically as heavy-duty construction trucks, including haul trucks and concrete trucks, pass sensitive receptors along the anticipated haul route(s). Therefore, the residential uses along National Boulevard, Washington Boulevard, S. Robertson Boulevard, and Venice Boulevard (between the Project Site and I-10), would be exposed to ground-borne vibration up to 72 VdB, which would be at the 72-VdB significance criteria from the heavy-duty construction trucks. As such, potential vibration impacts with respect to human annoyance that would result from temporary and intermittent off-site vibration from heavy-duty construction trucks traveling along the anticipated haul route(s) would be significant.

(v) Vibration – Cumulative Off-Site Construction (Human Annoyance)

Due to rapid attenuation characteristics of groundborne vibration, only related projects located adjacent to the same sensitive receptors would result in cumulatively considerable vibration impacts. It is unusual for groundborne vibration from sources such as rubber-tired trucks to be

perceptible, even in locations close to major roads, unless the road surface is rough with uneven spaces. Several related projects are in locations that could potentially lead construction traffic, including truck traffic near sensitive vibration receptors. Should construction of the Project and related projects overlap, there is a potential for cumulative vibration impacts to sensitive vibration receptors. Construction of the Project, both on-site and off-site, would not result in significant vibration impacts related to structural damage. However, the Project would result in vibration impacts related to human annoyance. As such, should construction traffic of the Project and related projects overlap, potential vibration impacts with respect to human annoyance that would result from temporary and intermittent off-site vibration from construction trucks traveling along the anticipated haul route(s) would be significant. Therefore, cumulative off-site construction vibration impacts would be potentially significant.

(B) Project Design Features

NOI-PDF-1: Project Construction Schedule. Prior to issuance of a building permit, notice of the Project construction schedule will be provided to abutting property owners and occupants. Evidence of such notification will be provided to the appropriate department of City of Culver City and City of Los Angeles. The notice will identify the commencement date and proposed timing for all construction phases (demolition, grading, excavation/shoring, foundation, rough frame, plumbing, roofing, mechanical and electrical, and exterior finish).

NOI-PDF-2: Use of Impact Pile Driver. The Project will not require or allow the use of impact pile drivers. Lower noise- and vibration-generating vibratory pile drivers and drills will be used.

NOI-PDF-3: Construction Rules Sign. During all phases of construction, a "Construction Rules Sign" that includes contact names and telephone numbers, with 24-hour availability, of the Applicant, Property Owner, construction contractor(s) will be posted on the Property in a location that is visible to the public. In addition, appropriate staff person at both City of Los Angeles and City of Culver City will be notified for such incidences. These names and telephone numbers will also be made available to adjacent property owners and occupants to the satisfaction of the appropriate department (Planning Manager and/or Building Official) of both cities.

NOI-PDF-4: Compliance with Noise Element. The following noise standards from Policy 2.A of the City of Culver City's General Plan Noise Element will be complied with at all times:

- a) No construction equipment will be operated without an exhaust muffler, and all such equipment will have mufflers and sound control devices (i.e., intake silencers and noise shrouds) that are no less effective than those provided on the original manufacturer supplied equipment;
- b) All construction equipment will be properly maintained to minimize noise emissions;

- 1 c) If any construction vehicles are serviced at an on-site location, the
2 vehicle(s) will be setback from any street and other property lines so as to
3 maintain a distance of at least 100 feet from the public right-of-way and
4 from Noise Sensitive Receptors;
- 5 d) Noise levels from stationary sources (i.e., mechanical equipment,
6 ventilators, and air conditioning units) will be minimized by proper selection
7 of equipment and the installation of parapets or other acoustical shielding
8 as approved by the Planning Manager;
- 9 e) The Project will not allow any delivery truck idling for more than 5 minutes
10 in the loading area. Signs will be posted prohibiting such idling.

11 **NOI-PDF-5: Neighborhood Streets.** No construction haul trucks, including concrete
12 trucks, will be allowed to travel through neighborhood streets that are primarily
13 residential uses.

14 **NOI-PDF-6: Mechanical Equipment Noise.** All building mechanical equipment and/or
15 ventilation systems not fully enclosed will be designed to not exceed sound
16 level limits of the noise level requirements of the City of Culver City General
17 Plan Noise Element Regulation of Stationary Noise Sources and City of Los
18 Angeles Municipal Code Section 112.02 through the use of quiet fans, duct
19 silencers, parapets, or similar noise attenuation methods.

20 **NOI-PDF-7: Loading Dock Operating Hours.** On-site loading dock operating hours
21 will be limited to 7:00 a.m. to 10:00 p.m.

22 **NOI-PDF-8: Noise Control – Amplified Sound Systems.** If the Project installs
23 permanent outdoor amplified sound systems, the systems will be located in the
24 central courtyard such that the sound would be blocked by the proposed on-site
25 building from off-site receivers. No amplified sound systems would be installed in
26 the publicly accessible areas along the Project's street frontages. Section
27 9.07.055(B) of the CCMC prohibits the operation of a loud speaker or sound
28 amplifying equipment for the purposes of transmitting messages, giving
29 instructions, or providing entertainment on an ongoing basis which is audible at
the subject property line. The systems will be designed so as not to result in a
perceivable increase in noise beyond the Project Site. Specifically, daytime
outdoor amplified sound systems will not result in an increase of 3 dBA L_{eq} over
existing ambient noise conditions at the Project property line. Nighttime speaker
noise, if it occurs, will comply with the exterior noise standards identified in the
Regulation of Stationary Noise Sources (City of Culver City General Plan Noise
Element, approved by City Council July 22, 1996) and LAMC Section 112.01,
which states that a noise source that causes a noise level increase of 5 dBA over
the existing average ambient noise level as measured at an adjacent property
line creates a noise violation, respectively, within the City of Culver City and City
of Los Angeles jurisdiction. All speakers will have a minimum setback of 25 feet
from the Project property line and will be directed internally and acoustically

shielded from off-site uses. Under the rare occasion of maximum crowd gathering in the central courtyard with temporary amplified sound systems, the combined sound level from speakers and people conversation shall not exceed the ambient noise level plus 5 dBA at an adjacent property line, which would limit the speaker sound level to a maximum of 90 dBA when measured at a distance of 50 feet from the speakers. A qualified noise consultant will provide written documentation and submitted to appropriate department of City of Culver City and City of Los Angeles that the design of the system(s) complies with the maximum noise levels at the property line of the nearest off-site sensitive receivers.

(C) Mitigation Measures

NOI-MM-1: Prior to the commencement of demolition, the Project shall provide a temporary 12-foot-tall construction fence equipped with noise blankets rated to achieve sound level reductions of at least 10 dBA along the northern and western boundaries of the Project Site, between the Project Site and the surrounding residences to the north and west. In addition, a temporary 6-foot-tall construction fence equipped with noise blankets rated to achieve sound level reductions of at least 5 dBA along the southern boundary along Washington Boulevard, between the Project Site and the residences to the south and east of the Project Site. Temporary noise barriers shall be used to block the line-of-sight between the construction equipment and the nearby noise-sensitive receptors during the duration of construction activities to the extent feasible. Standard construction protective fencing with green screen or pedestrian barricades for protective walkways shall be installed along property lines facing streets or commercial buildings. All temporary barriers, fences, and walls shall have gate access as needed for construction activities, deliveries, and site access by construction personnel. At Plan Check at City of Culver City and City of Los Angeles, the Applicant shall provide a study conducted by a noise expert that demonstrates the sound barriers would achieve these required dBA reductions.

NOI-MM-2: Contractors shall ensure that all construction equipment, fixed or mobile, are equipped with properly operating and maintained noise shielding and muffling devices, consistent with manufacturers' standards. The construction contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturers' specifications. Most of the noise from construction equipment originates from the intake and exhaust portions of the engine cycle. According to FHWA, use of adequate mufflers systems can achieve reductions in noise levels of up to 10 dBA.¹ The contractor shall use muffler systems that provide a minimum reduction of 8 dBA compared to the same equipment without an installed muffler system, reducing maximum construction noise levels. The contractor shall also keep documentation on-site

¹ FHWA, Special Report – Measurement, Prediction, and Mitigation, Chapter 4 Mitigation, last updated June 28, 2017, https://www.fhwa.dot.gov/Environment/noise/construction_noise/special_report/hcn04.cfm20.

prepared by a noise consultant verifying compliance with this measure. The study will include a fencing/sound barrier plan for City review.

(D) Finding

(i) Project-Level On-Site Construction Noise

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Project-Level On-Site Construction Noise.

(ii) Cumulative On-Site Construction Noise

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Cumulative On-Site Construction Noise.

(iii) Cumulative Off-Site Construction Noise

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Cumulative Off-Site Construction Noise.

(iv) Vibration – Off-Site Construction (Human Annoyance)

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Vibration – Off-Site Construction (Human Annoyance).

(v) Vibration – Cumulative Off-Site Construction (Human Annoyance)

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Vibration – Cumulative Off-Site Construction (Human Annoyance).

(E) Rationale for Finding

(i) Project-Level On-Site Construction Noise

Off-site receptor locations at R1, R2 and R3 have more than two-story buildings in their respective area that they represented, and these buildings have upper floor receivers/units that have outdoor living areas, particularly on the side facing the Project construction areas, that would be exposed to construction noise from the Project Site. Mitigation Measure NOI-MM-1 would provide at least a 10 dBA noise reduction at ground-floor sensitive receptors R1 and R2, and 5 dBA noise reduction at sensitive receptors R3 and R4. Mitigation Measure NOI-MM-2 requires that muffler systems provide a minimum reduction of 8 dBA compared to the same equipment without an installed muffler system. As shown in Table 4.10 15 of the Draft EIR, construction noise impacts would be reduced by a level that is technically feasible as set forth in Mitigation Measures NOI-MM-1 and NOI-MM-2 and consistent with Policy 2.A of the City of

Culver City General Plan Noise Element. With implementation of mitigation measures, maximum construction noise levels would not increase ambient noise levels at any of the ground-floor noise-sensitive receptor locations above the applicable thresholds of significance. However, with respect to on-site construction equipment noise, noise barriers have a technical limitation with regard to height. It is not feasible to install a construction noise barrier of sufficient height that would block the line-of-sight for all noise-sensitive receptor locations, such as upper floor areas of the sensitive residential units, due to technical limitations including barrier foundation needs and wind load capacities. As such, as shown in Table 4.10-15 of the Draft EIR, noise levels at the upper floors of receptor locations at R1, R2 and R3 would exceed the significant noise impact threshold after implementation of the prescribed mitigation measures. Accordingly, these impacts would be significant and unavoidable.

(ii) Cumulative On-Site Construction Noise

After implementation of mitigation, the Project would result in significant and unavoidable construction noise impacts. Any additional construction noise from the related projects that could combine with the Project's construction noise, would further increase the extent of the Project's significant and unavoidable impacts. Therefore, the Project's contribution to cumulative construction noise would be cumulatively considerable and would represent a significant and unavoidable impact.

(iii) Cumulative Off-Site Construction Noise

The Project would result in less than significant off-site construction noise impacts. However, the related projects could generate construction truck trips, when added to the Project's construction vehicle trips, that could generate noise in excess of the significance threshold. Therefore, the Project's contribution to cumulative off-site construction noise would be cumulatively considerable and would represent a significant and unavoidable impact. No additional feasible mitigation measures are available for the Project to implement to further reduce impacts. Residential land uses comprise the majority of existing sensitive uses within the Project Site area that could be impacted by the increase in traffic generated noise levels. Construction of sound barriers would be inappropriate for residential land uses that face the roadway as it would be impractical and create aesthetic and access concerns. Therefore, given that it is possible that the Project and related projects could contribute to cumulative off-site construction traffic noise levels and could exceed a significance threshold with sufficiently high cumulative traffic levels, cumulative off-site construction traffic noise impacts would be temporarily significant and unavoidable.

(iv) Vibration – Off-Site Construction (Human Annoyance)

Traffic travelling on public roadways, including haul trucks on the haul routes, is beyond the control of the proposed Project. In addition, Project-related heavy-duty construction trucks would be restricted to the designated haul routes (Venice Boulevard, Washington Boulevard, National Boulevard, and La Cienega Boulevard) and avoid other neighborhood streets, so that this potential impact is minimized. No feasible or practical mitigation measures are available to reduce vibration impact associated with haul trucks, and off-site construction related haul trucks traveling on public roadways would remain significant and unavoidable.

(v) Vibration – Cumulative Off-Site Construction (Human Annoyance)

Cumulative impacts regarding off-site construction groundborne vibration would be potentially significant without mitigation. However, no feasible mitigation measures are available for off-site construction truck route vibration impacts, the impact would remain significant and unavoidable.

(F) Reference

Draft EIR Section 4.10, Noise, as well as Final EIR Chapter 3, Revisions, Clarifications, and Corrections, to the Draft EIR and Appendix K (Noise Calculation Worksheets), and Appendix M (Transportation Impact Study).

IX. ALTERNATIVES TO THE PROJECT

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting the project's basic objectives. An EIR must identify ways to substantially reduce or avoid the significant effects that a project may have on the environment (PRC Section 21002.1). Accordingly, the discussion of alternatives shall focus on alternatives to a project or its location, which are capable of avoiding or substantially reducing any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. The Draft EIR evaluated a reasonable range of four alternatives to the Project in detail, which include the (1) No Project/No Build Alternative; (2) Zoning-Compliant Alternative; (3) Reduced Project Alternative; and (4) Alternate Project Access Alternative. In accordance with CEQA requirements, the alternatives to the Project include a "No Project" alternative and alternatives capable of eliminating the significant adverse impacts of the project. These alternatives and their impacts, which are summarized below, are more fully described in Section 5 of the Draft EIR.

1. Summary of Findings

Based upon the following analysis, the City finds, pursuant to CEQA Guidelines Section 15096(g)(2), that no feasible alternative or mitigation measure will substantially lessen any significant effect of the project, reduce the significant unavoidable impacts of the project to a level that is less than significant, or avoid any significant effect the project would have on the environment.

2. Project Objectives

An important consideration in the analysis of alternatives to the Project is the degree to which such alternatives would achieve the objectives of the Project. As more thoroughly described in Section 2, Project Description, of the Draft EIR, pages 2-5 – 2-6, both the City and Applicant have established specific objectives concerning the Project, which are incorporated by reference herein and discussed further below.

3. Project Alternatives Analyzed

(A) Alternative 1 – No Project/No Build Alternative

The No Project Alternative for a development project on an identifiable property consists of the circumstance under which the project does not proceed. CEQA Guidelines Section 15126.6(e)(3)(B) states in part that, “in certain instances, the No Project Alternative means ‘no build’ wherein the existing environmental setting is maintained.” Accordingly, for purposes of this analysis, Alternative 1, the No Project/No Build Alternative, assumes that the Project would not be approved and existing on-site uses would remain as under the existing conditions. The Project Site is currently improved with single-story warehouses that have been converted into retail, office, and surface and enclosed parking lots serving the existing uses on the Project Site. On the Culver City Parcel, the approximately 9,739-sf building is currently used for storage and the 9,082-sf building is currently vacant. On the Los Angeles Parcel, the approximately 86,226-sf warehouse building has been partitioned into six separate spaces consisting of 51,500 sf of office and 34,726 sf of retail. Under this alternative, the occupied areas on the Project Site would continue to operate as under existing conditions. In addition, as it can be reasonably assumed that the vacant 9,082-sf building could be occupied in the future, under this alternative this building is assumed to be re-occupied by office uses, which was the use of the building prior to becoming vacant. The 9,739-sf building on the Culver City Parcel would continue to be occupied by storage uses. No new construction would occur.

(i) Impact Summary

The No Project/No Build Alternative would avoid the Project’s significant and unavoidable Project-level and cumulative regional air quality emissions, Project-level and cumulative on-site construction noise, cumulative off-site construction noise (construction vehicles), and Project-level and cumulative off-site construction (human annoyance) vibration (construction vehicles) impacts. Impacts associated with the remaining environmental issues would be less than those of the Project.

(ii) Finding

Alternative 1 would avoid the Project’s significant and unavoidable environmental impacts. However, Alternative 1 would not meet the Project’s underlying purpose, or achieve most of the Project objectives. The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XIII of these findings (Statement of Overriding Considerations), make infeasible the No Project/No Build Alternative, as described in the Draft EIR.

(iii) Rationale for Findings

Alternative 1 assumes that no new development would occur on the Project Site. The on-site uses on the Los Angeles Parcel would continue to operate similar to existing conditions and the vacant 9,082 sf building on the Culver City Parcel would be re-occupied with office uses. Alternative 1 would avoid the Project’s significant and unavoidable environmental impacts. While Alternative 1 would include the occupancy of the vacant building on the Project Site, Alternative 1 does not propose redevelopment of the Project Site and would not meet most of the Project objectives.

(iv) Reference

Section 5, Alternatives, of the Draft EIR.

(B) Alternative 2 – Zoning-Compliant Alternative

With development under the Zoning-Compliant Alternative (Alternative 2), the Project Site would be developed in accordance with the existing Industrial General (IG) and East Washington Overlay (-EW) Zone on the Culver City Parcel and C2-2D-CPIO (Commercial, Height District 2, Community Plan Implementation Overlay) zone, CPIO, and Expo TNP on the Los Angeles Parcel. The IG and -EW Zone both allow for office uses, including creative office and multimedia production. The C2 Zone permits a wide variety of commercial uses, including office uses and multimedia production. The “2D” designation following the C2 zone designates the Los Angeles Parcel as Height District 2 with a “D” Development Limitation that requires compliance with the West Adams-Baldwin Hills-Leimert CPIO, which includes regulations on permitted uses, floor area, height, setbacks, parking, and landscape. Similar to the Project, this alternative would include creative office uses.

Alternative 2 would develop a total of 491,842 sf of office uses on the Project Site compared to the Project’s proposed 536,000 sf of office uses, for an eight percent reduction in total building sf. To comply with the 43-foot height limit of the existing zoning, Building 1 on the Culver City Parcel would feature a three-story building instead of the four-story building contemplated under the Project. The reduced building would include 122,842 sf of office, 44,158 sf less than the 167,000 sf in Building 1 under the Project. Other than the reduced height and square footage, the setbacks and general massing of Building 1 would remain the same under Alternative 2. Building 2 on the Los Angeles Parcel would feature the same total building area, number of stories, and maximum height as under the Project: 369,000 sf of office, configured in a five-story building, with a maximum building height of 75 feet. Alternative 2 would include a similar publicly accessible amenity area as the Project. However, the massing of Building 2 would be materially different than under the Project to strictly comply with the existing zoning. Unlike the Venice Boulevard frontage under the Project, which features an uninterrupted façade with a deeply recessed entryway, the Venice Boulevard frontage in Alternative 2 would be set back a maximum of two feet from the property line, and the street-facing façade would feature a 20-foot passageway effectively dividing Building 2 into two separate buildings, each with approximately 240 feet of frontage on Venice Boulevard. The Venice Boulevard frontage would also be built to a maximum height of 55 feet, rather than the 56 feet proposed in the Project. The National Boulevard frontage of Building 2 would observe a 15-foot dedication. The Venice Boulevard and National Boulevard building facades would be massed vertically from these setbacks, unlike the varied massing proposed under the Project. Levels three and four would be massed to observe the 5-foot step back from the Helms Building that applies above 30 feet. To recapture the lost building area resulting from the 20-foot passageway along Venice Boulevard, each level of Building 2 would increase in overall depth toward the central courtyard. However, Building 2 would provide the required open space under the CPIO. To be consistent with the tower massing requirements under the CPIO, the fifth level would be reduced to a significantly smaller floorplate and would be located toward the center of the Los Angeles parcel, away from Venice Boulevard. Finally, to comply with the mid-block Paseo

requirements of the Expo TNP, a publicly accessible pedestrian connection would be provided along portion of Building 2 adjacent to the Helms alley.

While the number of vehicle parking spaces provided would be reduced from 1,216 spaces under the Project to 1,095 spaces under Alternative 2, this alternative would still require a three-level subterranean garage under both Building 1 and Building 2 and would require a maximum excavation depth of 50 feet, similar to the Project. However, the footprint of the subterranean parking garages would be reduced, which would in turn would reduce the amount of required soil excavation. Proposed circulation and loading dock locations would be similar under the Project and Alternative 2.

As with the Project, Alternative 2 would require the demolition of the existing buildings and associated paved surface parking areas on the Project Site. Although only an eight percent reduction in sf is proposed under Alternative 2, given the reduced density and sf, the overall duration and intensity of construction under Alternative 2 would be incrementally less than that of the Project.

(i) Impact Summary

Alternative 2 would involve less development compared to the Project, and would reduce, but not eliminate, the Project's significant unavoidable impacts related to Project-level and cumulative regional air quality emissions, Project-level and cumulative on-site construction noise, cumulative off-site construction noise (construction vehicles), and Project-level and cumulative off-site construction (human annoyance) vibration (construction vehicles) impacts. All other impacts would be less than or similar to those of the Project.

(ii) Finding

Alternative 2 would not avoid the Project's significant and unavoidable impacts. Moreover, while Alternative 2 would meet several of the Project objectives, it would meet other objectives to a lesser extent than the Project. The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XIII of these findings (Statement of Overriding Considerations), make infeasible Alternative 2, as described in the Draft EIR.

(iii) Rationale for Finding

Alternative 2 would involve less development compared to the Project, and would reduce, but not eliminate, the Project's significant unavoidable impacts related to Project-level and cumulative regional air quality emissions, Project-level and cumulative on-site construction noise, cumulative off-site construction noise (construction vehicles), and Project-level and cumulative off-site construction (human annoyance) vibration (construction vehicles) impacts. All other impacts would be less than or similar to those of the Project. Alternative 2 is considered to be consistent with the following objectives:

- Develop an integrated Project in both the City of Culver City and City of Los Angeles with consistent land use regulations and design parameters.

- Provide a pedestrian-oriented design that enhances pedestrian circulation and experiences around the Project Site.
- Support environmental sustainability and reduce energy consumption and water demand through sustainable building design and building features.

While Alternative 2 would provide similar office uses as the Project, it would provide these uses within a reduced building size, reduced occupancy, and with less parking per employee. As such, Alternative 2 would meet the following objectives, but to a lesser extent than the Project:

- Support City and regional goals and policies to reduce vehicle miles traveled and associated GHG and regional pollutant emissions by increasing employee density in proximity to transit, including the Metro “E” Line and numerous bus routes.
- Provide high quality office space to attract and retain desirable innovative entertainment, media, and/or technology companies, including a secure site that fulfills such companies’ needs for security and privacy.
- Provide an amount of parking that satisfies anticipated demand on the Project Site but does not undercut transit usage.
- Strengthen the area’s economic vitality by attracting and retaining highly skilled workers.
- Generate additional municipal revenues in the form of increased property and business license taxes, as well as increased sales taxes from increased economic activity from the additional jobs.
- Complement and improve the visual character of the area through a high level of architectural design, landscape features, and open space amenities.

(iv) Reference

Section 5, Alternatives, of the Draft EIR.

(C) Alternative 3 – Reduced Project Alternative

Under the Reduced Project Alternative (Alternative 3), the Project would see a 25 percent reduction in density and sf. With this reduction, Alternative 3 would include a total of 402,000 sf of creative office uses compared to the Project’s proposed 536,000 sf of creative office uses. Specifically, Building 1 on the Culver City Parcel would include 125,250 sf, a reduction of 41,750 sf as compared to 167,000 sf in Building 1 under the Project. Building 2 on the Los Angeles Parcel would include 276,750 sf, a reduction of 92,250 sf as compared to 369,000 sf in Building 2 under the Project. The height of Building 1 would remain unchanged under Alternative 3 and would reach a maximum of 56 feet, although the fourth level of Building 1 would be significantly reduced as compared to the Project. As Building 2 would consist of four stories instead of five stories as under the Project, the height of Building 2 would be reduced to a maximum of 56 feet, from the maximum of 75 feet proposed under the Project. Alternative 3 would include a similar publicly accessible amenity area as the Project.

While the number of vehicle parking spaces provided by Alternative 3 would be reduced from 1,216 spaces under the Project to 911 spaces under Alternative 3, this alternative would still require a three-level subterranean garages under both Building 1 and Building 2 and would require a maximum excavation depth of 50 feet. However, the footprint of the subterranean parking garages would be reduced, which would in turn reduce the amount of required soil excavation. Proposed circulation and loading dock locations would be similar under the Project and Alternative 3.

As with the Project, Alternative 3 would require the demolition of the existing buildings and associated paved surface parking areas on the Project Site. Given the reduced density and sf, the overall duration and intensity of construction under Alternative 3 would be less than that of the Project.

(i) Impact Summary

Alternative 3 would involve less development compared to the Project, and would reduce, but not eliminate, the Project's significant unavoidable impacts related to Project-level and cumulative regional air quality emissions, Project-level and cumulative on-site construction noise, cumulative off-site construction noise (construction vehicles), and Project-level and cumulative off-site construction (human annoyance) vibration (construction vehicles) impacts. All other impacts would be less than or similar to those of the Project.

(ii) Finding

Alternative 3 would involve less development compared to the Project, and would reduce, but not eliminate, the Project's significant unavoidable impacts related to Project-level and cumulative regional air quality emissions, Project-level and cumulative on-site construction noise, cumulative off-site construction noise (construction vehicles), and Project-level and cumulative off-site construction (human annoyance) vibration (construction vehicles) impacts. All other impacts would be less than or similar to those of the Project. Moreover, while Alternative 3 would most of the Project objectives, it would meet other objectives to a lesser extent than the Project. The City finds, pursuant to PRC Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XIII of these findings (Statement of Overriding Considerations), make infeasible Alternative 3, as described in the Draft EIR.

(iii) Rationale for Findings

Alternative 3 would involve less development compared to the Project, and would reduce, but not eliminate, the Project's significant unavoidable impacts related to Project-level and cumulative regional air quality emissions, Project-level and cumulative on-site construction noise, cumulative off-site construction noise (construction vehicles), and Project-level and cumulative off-site construction (human annoyance) vibration (construction vehicles) impacts. All other impacts would be less than or similar to those of the Project. As described above, Alternative 3, Reduced Project Alternative, would develop similar uses as the Project but buildings proposed on the project site would be reduced by 25 percent. Specifically, Alternative 3 would develop a total of 402,000 sf of creative office uses compared to the

Project's proposed 536,000 sf of creative office uses. Alternative 3 is considered to be fully consistent with the following objectives:

- Develop an integrated Project in both the City of Culver City and City of Los Angeles with consistent land use regulations and design parameters.
- Provide an amount of parking that satisfies anticipated demand on the Project Site but does not undercut transit usage.
- Complement and improve the visual character of the area through a high level of architectural design, landscape features, and open space amenities.
- Provide a pedestrian-oriented design that enhances pedestrian circulation and experiences around the Project Site.
- Support environmental sustainability and reduce energy consumption and water demand through sustainable building design and building features.

While Alternative 3 would provide similar office uses as the Project, it would provide these uses within a reduced building size and reduced occupancy. As such, Alternative 3 would meet the following objectives, but to a lesser extent than the Project:

- Support City and regional goals and policies to reduce vehicle miles traveled and associated GHG and regional pollutant emissions by increasing employee density in proximity to transit, including the Metro "E" Line and numerous bus routes.
- Provide high quality office space to attract and retain desirable innovative entertainment, media, and/or technology companies, including a secure site that fulfills such companies' needs for security and privacy.
- Strengthen the area's economic vitality by attracting and retaining highly skilled workers.
- Generate additional municipal revenues in the form of increased property and business license taxes, as well as increased sales taxes from increased economic activity from the additional jobs.

(iv) Reference

Section V, Alternatives, of the Draft EIR.

(D) Alternative 4 – Alternate Project Access Alternative

Under the Alternate Project Access Alternative (Alternative 4), the design, use programming and configurations of Buildings 1 and 2 proposed under the Project would remain the same. However, the difference in Alternative 4 compared to the Project is the addition of a traffic signal at the intersection of Venice Boulevard and the proposed driveway along Venice Boulevard, located at the eastern edge the northern Project Site boundary, and the removal of office-related vehicular access on Washington Boulevard (the Washington Boulevard driveway would continue to serve as emergency access). As the required demolition, building sf, heights, land

use uses, amenity areas, and proposed subterranean parking would be the same under Alternative 4 and the Project, it is assumed that the overall duration and intensity of construction under Alternative 4 would be similar to that of the Project.

Given that the on-site Project characteristics would be essentially the same under both Alternative 4 and the Project, it can be concluded that impacts related to aesthetics, air quality, cultural resources, energy, geology and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, tribal cultural resources, and utilities and service systems would be similar to those of the Project and no further analysis is required. The proposed signal along Venice Boulevard would not materially impact the analysis and conclusions of these issue areas. However, the proposed signal would affect trip distribution and intersection volumes, which may impact noise and transportation impacts.

(i) Impact Summary

Alternative 4 proposes a similar development as the Project and, as such, would result in similar impacts as the Project including significant and unavoidable impacts with respect to on-site construction noise and on-site construction vibration (pursuant to the threshold for human annoyance).

(ii) Finding

Alternative 4 would not avoid any of the Project's significant and unavoidable impacts. The City finds, pursuant to PRC Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XIII of these findings (Statement of Overriding Considerations), make infeasible Alternative 4, as described in the Draft EIR.

(iii) Rationale for Findings

Alternative 4 would not eliminate the Project's significant and unavoidable impacts with respect to on-site construction noise and on-site construction vibration (pursuant to the threshold for human annoyance). Alternative 4 includes the same building density and sf proposed under the Project with the addition of the installation of a traffic signal at the intersection of Venice Boulevard and the proposed driveway along Venice Boulevard. As Alternative 4 would be substantially similar to the Project, all Project Objectives would be met to the same degree as the Project.

(iv) Reference

Section 5, Alternatives, of the Draft EIR.

4. Project Alternatives Considered and Rejected

As set forth in CEQA Guidelines Section 15126.6(c), an EIR should identify any alternatives that were considered for analysis, but rejected as infeasible, and briefly explain the reasons for their rejection. According to the CEQA Guidelines, among the factors that may be used to eliminate an alternative from detailed consideration are the alternative's failure to meet most of

the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. Alternatives to the Project that were considered and rejected as infeasible include the following:

A. Alternative Off-Site Location

CEQA does not require that analysis of alternative sites always be included in an EIR. However, if all the surrounding circumstances make it reasonable to consider an alternative site, then an alternative location should be considered and analyzed in the EIR. Per CEQA Guidelines Section 15126.6(f)(2), in making the decision to include or exclude analysis of an alternative site, the "key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need to be considered for inclusion in the EIR." If no feasible alternative locations exist, the EIR must disclose the reasons for this conclusion. According to CEQA Guidelines Sections 15126.6(f)(1) and (f)(2), among the factors that may be considered when addressing the feasibility of an alternative site are general suitability, economic viability, availability of infrastructure, general plan consistency, and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site. The above is in light of the fact that, per CEQA Section 15126.6(a), "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project."

The Project's significant and unavoidable impacts, including construction-related Project-level and cumulative air quality emissions (as it relates to regional NO_x emissions), Project-level and cumulative on-site construction noise, off-site construction noise (construction vehicles), and Project-level and cumulative off-site construction (human annoyance) vibration (construction vehicle) impacts would be expected to occur if the Project were developed at other available locations in the area as the emissions and noise generation would be similar to the Project and would impact potential nearby sensitive receptors similarly. Therefore, moving the location of the Project to another site would not necessarily reduce the nature and extent of such impacts. Accordingly, given the nature of the Project's significant unavoidable impacts, evaluation of an alternate location was not pursued as it would be likely to shift these impacts to another location rather than helping to avoid or substantially lessen the significant effects of the Project.

In addition to considering whether an alternative site would avoid or substantially lessen impacts, various factors may be considered when addressing the feasibility of an alternative site. Factors considered may include general suitability, economic viability, availability of infrastructure, general plan consistency, and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site.

The Project Site is located within a High Quality Transit Area (HQTa) and Transit Priority Area (TPA), and in close proximity to multiple transit options, including the Los Angeles County Metropolitan Transportation Authority (Metro) "E" Line Culver City Station, which is suitable for a high-density office project compared to a location that is not within a HQTa and TPA. An off-site location would likely not meet a key Project Objective to support City and regional goals and

1 policies to reduce VMT and associated GHG and regional pollutant emissions by increasing
2 employee density in close proximity to transit, including the “E” Line and numerous bus routes,
3 to the same extent as the Project. While certain off-site locations may be in close proximity some
4 transit options, the Project Site is directly across from the Metro “E” Line Culver City Station and
5 as such, it is an ideal location for a high-density office project seeking to support City and regional
6 goals and policies to reduce operational vehicle miles traveled (VMT) and associated GHG and
7 regional pollutant emissions. Available building sites of a size to accommodate the scale and
8 density of the Project within the HQTa and TPA are scarce.

9 In addition, the Applicant does not have ownership or control of any other suitable site with
10 similar transit options, or the foreseeable ability to acquire an alternative site within a
11 reasonable timeframe in the local project vicinity. Therefore, the flexibility to develop a similar
12 project on the same or similar scale at another location in proximity to similar public transit is
13 not feasible.

14 For the reasons stated above, an off-site location alternative is not expected to meaningfully
15 reduce the significant and unavoidable impacts of the Project, would likely not meet a key
16 Project objective to reduce VMT and GHG emissions, and a feasible alternate location for the
17 Project has not been identified. Accordingly, an off-site alternative has not been carried forward
18 for further analysis.

19 B. Alternatives to Eliminate Significant Noise and Vibration Impacts During 20 Construction

21 The Project would result in significant and unavoidable impacts related to Project-level and
22 cumulative on-site construction noise impacts, cumulative off-site construction noise
23 (construction vehicles) impacts, and Project-level and cumulative off-site construction (human
24 annoyance) vibration (construction vehicles). No additional mitigation measures are available
25 to reduce these impacts to a less than significant level.

26 Alternatives, including those that would reduce construction duration or Project scale/intensity,
27 were considered to substantially reduce or avoid these significant and unavoidable impacts.
28 Based on the thresholds upon which the construction noise and vibration analysis is based, a
29 substantial reduction in the intensity of the peak construction activities would be necessary to
30 reduce construction-related impacts to a less-than-significant level. In addition, significant
31 construction noise and vibration impacts within the Project Site would be expected to occur
32 with most reduced development scenarios because construction activities are inherently
33 disturbing, and the peak construction activity would be similar. Thus, reducing temporary
34 construction noise and vibration impacts below a level of significance at adjacent uses would
35 not be feasible while still achieving the Project’s objectives. Furthermore, any reduction in the
36 intensity of construction activities would increase the overall duration of the construction period.
37 Therefore, alternatives to eliminate the Project’s short-term noise and vibration impacts during
38 construction were rejected as infeasible based on the inability to avoid significant
39 environmental impacts under a reasonable construction schedule.

C. Reduced Concrete Pour Alternative

Project construction activities would result in significant and unavoidable construction-related air quality impacts when construction activities overlap with operational activities. Also, the Project would result in short-term significant and unavoidable cumulative construction-related noise impacts. A large contributor to these impacts is the concrete trucks needed for building foundations. To construct portions of a building foundation, concrete must be continuously poured in a strategic manner over a short period of time considering its drying time and need to properly cure without cracking and provide proper building support. Breaking up the concrete pours for specific sections over multiple days in a given area is not a feasible option to properly construct a building foundation, as such breaks in the concrete pours would not provide a stable foundation built to applicable building code and regulatory requirements. Thus, reducing or eliminating the number of concrete trucks in a given construction phase is not a feasible alternative to reduce the Project's significant and unavoidable Project-level and cumulative construction-related regional air quality impacts when construction activities overlap with operational activities and significant and unavoidable cumulative construction-related noise impacts.

D. Residential/Mixed-Use Alternative

An alternative with residential uses only or a mixed-use alternative with some residential uses was considered for development on the Project Site. However, developing the Project Site solely with residential uses or a mixed-use residential project would not meet the underlying purpose of the Project to provide a creative office campus for innovative entertainment, media, and/or technology companies. Furthermore, a residential use or a mixed-use residential project would not meet most of the Project's basic objectives or would meet them to a lesser extent as the Project such as those focused on: supporting City and regional goals and policies to reduce VMT and associated GHG and regional pollutant emissions by increasing employee density in proximity to transit, including the "E" Line and numerous bus routes; providing high quality office space to attract and retain desirable innovative entertainment, media, and/or technology companies; strengthening the area's economic vitality by attracting and retaining highly skilled workers; and generating additional revenues in the form of increased property and business license taxes, as well as increased sales taxes from increased economic activity from the additional jobs. Additionally, a residential-only or mixed-use residential alternative would, similar to the Project, result in construction-related significant and unavoidable impacts associated with construction air quality and noise. Accordingly, a residential only or mixed-use residential alternative has not been carried forward for further analysis.

5. Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a project shall identify an Environmentally Superior Alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the Environmentally Superior Alternative, the EIR shall identify another Environmentally Superior Alternative among the remaining alternatives.

1 The comparative impacts of the Project and the Project alternatives are summarized in Table
2 5-2, Comparison of the Impacts of the Project and Alternatives in the Draft EIR. Of the
3 alternatives analyzed in the Draft EIR, Alternative 1, the No Project/No Build Alternative, would
4 be considered the environmentally superior because it would not involve new development and
5 assumes on-site uses would continue to operate similar to existing conditions, with the
6 exception of the vacant areas on the Project Site, which are assumed to continue to be vacant.
7 Alternative 1 would not meet most of the Project Objectives, would only partially meet three of
8 the Project Objectives, and would avoid all of the Project's potentially significant impacts and
9 would have reduced impacts compared to the Project. However, because Alternative 1 has
10 been identified as the environmentally superior alternative, identification of another
11 environmentally superior alternative is required.

12 Alternative 2, the Zoning-Compliant Alternative, and Alternative 3, the Reduced Project
13 Alternative, would both involve less development compared to the Project, and both
14 alternatives would reduce, but not eliminate, the Project's significant unavoidable impacts
15 related to Project-level and cumulative regional air quality emissions, Project-level and
16 cumulative on-site construction noise, cumulative off-site construction noise (construction
17 vehicles), and Project-level and cumulative off-site construction (human annoyance) vibration
18 (construction vehicles) impacts. In addition, Alternative 4, Alternate Project Access Alternative,
19 proposes a similar development as the Project and, as such, would results in similar significant
20 and unavoidable impacts. However, Alternative 3 is considered the environmentally superior
21 alternative, as it would reduce the magnitude of overall impacts compared to the Project to a
22 greater extent than Alternative 2 as it would require less building construction and shortened
23 building height for Building 2.

24 However, because Alternative 3 would develop a smaller office development, the number of
25 employees would be reduced. As such, Alternative 3 would meet to a lesser extent than the
26 Project the Project Objectives related to increasing employee density in proximity to transit;
27 providing a high-quality office space to attract and retain desirable innovative companies;
28 strengthening the area's economic vitality by attracting and retaining highly skilled workers; and
29 increased sales taxes from increased economic activity from the additional jobs.

30 **X. Significant Irreversible Environmental Changes**

31 Section 15126.2(c) of the CEQA Guidelines indicates that an EIR should evaluate any
32 significant irreversible environmental changes that would occur should the proposed project be
33 implemented. The types and level of development associated with the Project would consume
34 limited, slowly renewable, and non-renewable resources. This consumption would occur
35 during construction of the Project and would continue throughout its operational lifetime.
36 Project development would require a commitment of resources that would include: (1) building
37 materials; and (2) energy resources (e.g., fossil fuels) for electricity, natural gas, and
38 transportation.

39 Project construction would require the consumption of resources that are non-replenishable or
40 may renew so slowly as to be considered non-renewable. These resources would include the
41 following construction supplies: certain types of lumber and other forest products; aggregate
42 materials used in concrete and asphalt such as sand, gravel and stone; metals such as steel,

copper, and lead; petrochemical construction materials such as plastics; and water. Furthermore, nonrenewable fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment. Project operation would continue to expend nonrenewable resources that are currently consumed within the City (i.e., electricity and natural gas, petroleum-based fuels required for vehicle-trips, fossil fuels, and water). Fossil fuels would represent the primary energy source associated with both construction and ongoing operation of the Project, and the existing, finite supplies of these natural resources would be incrementally reduced.

The analysis of Project impacts on energy in Section 4.4, Energy, of the Draft EIR, provides a discussion of State efforts to reduce emissions and energy consumption, which also requires concurrent reductions in the consumption of non-renewable resources. As analyzed therein, the Project would result in a less-than-significant energy impacts due to wasteful, inefficient, and unnecessary consumption of energy resources during construction or operation. The Project's energy requirements would not significantly affect local and regional supplies or capacity. The Project's electricity and natural gas usage would be consistent with future usage projections for the region. Electricity generation capacity and supplies of natural gas as well as transportation fuels would be sufficient to meet the needs of the Project construction and operational activities. Construction of the Project would utilize fuel-efficient trucks and equipment consistent with federal and State regulations, such as fuel efficiency regulations in accordance with CARB's Pavley Phase I and II standards (at a minimum through the model year 2020 standards depending on the outcome of the SAFE Vehicles Rule court challenge), the anti-idling regulation in accordance with CCR, Title 13, Section 2485, and fuel requirements in accordance with CCR, Title 17, Section 93115, as well as the In-Use Off-Road Diesel-Fueled Fleets regulation. The Project would also comply with Title 24 standards and applicable CALGreen Building Code requirements.

In addition, the Project would be consistent with the State's Assembly Bill (AB) 32 GHG reduction target and would result in a less-than-significant impact with respect to consistency with applicable plans, policies, or regulations to reduce GHG emissions. The Project would not conflict with applicable strategies outlined in CARB's Climate Change Scoping Plan, SCAG's 2020–2045 RTP/SCS, Culver City's Green Building Program and City of Los Angeles Green Building Code, L.A.'s Green New Deal/Sustainability pLAn 2019, and the City's Green Building Code.

Continued use of such non-renewable resources would be on a relatively small scale and consistent with regional and local growth forecasts in the area, as well as State and local goals for reductions in the consumption of such resources. Furthermore, the Project would not affect access to existing resources, nor interfere with the production or delivery of such resources. The Project Site contains no energy resources that would be precluded from future use through Project implementation. The Project's irreversible changes to the environment related to the consumption of nonrenewable resources would not be significant.

XI. Growth Inducing Impacts

Section 15126.2(d) of the CEQA Guidelines requires a discussion of the ways in which a proposed project could induce growth. This includes ways in which a project would foster

economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The Project would include up to 536,000 sf of new floor area, including Building 1, which would include 167,000 sf of office uses and Building 2, which would include 369,000 sf of office uses. The Project would not include any new residential development, and, thus, would not generate a direct increase in residential population. However, the Project would have the potential to generate indirect population growth in the Project vicinity, as a result of the new employees generated by the Project.

During construction, the number of employees is estimated to vary on a day-to-day basis over the course of Project construction. However, the work requirements of most construction projects are highly specialized such that construction workers remain at a job site for the time in which their specific skills are needed to complete a particular phase of the construction process. Thus, Project-related construction workers would not be anticipated to relocate their household's place of residence as a consequence of working on the Project. Therefore, given the availability of construction workers, the Project would not be considered growth inducing from a short-term employment perspective, but rather, the Project would provide a public benefit by providing new employment opportunities during the construction period.

Development of the Project would generate an increase of 2,400 employees. The estimate of up to 2,400 new employees generated by the Project would be within SCAG's employment growth assumptions for both the City of Culver City and City of Los Angeles. While the Project could result in indirect population growth associated with employees moving to the Project area, any such growth would represent a fraction of Culver City's and Los Angeles' projected household growth by SCAG, well within their projected growth for each City. Furthermore, the Project would not have indirect effects on growth through such mechanisms as the extension of roads and infrastructure, because the Project would utilize the existing transportation and utility infrastructure to serve the Project. The Project would include office uses that would be compatible with adjacent uses and would not increase or induce residential density growth on the Project Site. The Project's only off-site infrastructure improvements would consist of tie-ins to the existing utility main-lines already serving the Project area. The Project would not require the construction of off-site infrastructure that would provide additional infrastructure capacity for other future development. It would not open inaccessible sites to new development other than existing opportunities for development that are already available.

Therefore, the Project would not spur additional growth other than that already anticipated and would not eliminate impediments to growth. Consequently, the Project would not foster growth inducing impacts.

XIII. STATEMENT OF OVERRIDING CONSIDERATIONS

The EIR identifies unavoidable significant impacts that would result from implementation of the project. PRC Section 21081 and Section 15093(b) of the CEQA Guidelines provide that when a decision of a public agency allows the occurrence of significant impacts that are identified in the EIR, but are not at least substantially mitigated to an insignificant level or eliminated, the lead agency must state in writing the reasons to support its action based on the EIR and/or

other information in the record. The CEQA Guidelines require, pursuant to CEQA Guidelines Section 15093(b), that the decision-maker adopt a Statement of Overriding Considerations at the time of approval of a project, if it finds that significant adverse environmental effects have been identified in the EIR that cannot be substantially mitigated to an insignificant level or be eliminated. These findings and the Statement of Overriding Considerations are based on the documents and materials that constitute the record of proceedings, including, but not limited to, the Draft EIR, Final EIR, and all technical appendices attached thereto.

Based on the analysis provided in Section 4, Environmental Impact Analysis, of the Draft EIR, implementation of the Project would result in significant impacts that cannot be feasibly mitigated with respect to construction air quality, onsite construction noise and offsite construction vibration and cumulative construction air quality, cumulative on-site and offsite construction noise, and cumulative offsite construction vibration.

Accordingly, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts would result from implementation of the Project. Having (i) adopted all feasible mitigation measures, (ii) rejected as infeasible the alternatives to the Project, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Project against the Project's significant and unavoidable impacts, the City hereby finds that each of the Project's benefits, as listed below, outweigh and override all the significant unavoidable impacts.

The below stated reasons summarize the benefits, goals, and objectives of the Project, and provide the detailed rationale for the benefits of the Project. These overriding considerations of economic, social, aesthetic, and environmental benefits for the Project justify adoption of the Project and certification of the completed EIR. Each of the listed Project benefits set forth in this Statement of Overriding Considerations provides a separate and independent ground for the City's decision to approve the project despite the Project's identified significant and unavoidable environmental impacts. Each of the following overriding consideration separately and independently (i) outweighs the adverse environmental impacts of the Project, and (ii) justifies adoption of the Project and certification of the completed EIR. In particular, achieving the underlying purpose for the Project would be sufficient to override the significant environmental impacts of the Project.

- The Project will develop a new infill creative office project in close proximity to the transit, including the Metro "E" Line and numerous bus routes, consistent with local and regional goals and policies to reduce vehicle miles traveled and associated greenhouse gas and regional pollutant emissions.
- The Project will incorporate sidewalk and landscape improvements on National and Venice Boulevards that will promote pedestrian access between residential neighborhoods and the Metro Expo "E" Line Culver City Station within the Ivy Station development to the west of National Boulevard.
- The Project will improve the visual character and pedestrian environment along of the Project Site and advance the local and regional transit-oriented development policies by replacing an underutilized site with new, well-designed buildings.

- The Project will include 7,120 square feet of publicly accessible, privately maintained amenity area for use by the community.
- The Project will be designed to achieve LEED Gold equivalent and will incorporate numerous sustainability features that will reduce energy and water usage and waste and, thereby, reduce associated greenhouse gas emissions and help minimize the impact on natural resources and infrastructure.
- The Project will provide modern, high-quality office space to attract and retain desirable innovative entertainment, media, and/or technology companies.
- The Project will create over 400 construction jobs and 2,400 jobs during operation.
- The Project will result in new business license, sales, and property tax revenues to the City.

XII. GENERAL FINDINGS

1. The City, acting through the Current Planning Division, is the “Lead Agency” for the Project that is evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the Project, that the Draft EIR, which was circulated for public review, reflected its independent judgment, and that the Final EIR reflects the independent judgment of the City.

2. The EIR evaluated the following potential project and cumulative environmental impacts: Air Quality; Cultural Resources; Energy; Geology; Greenhouse Gas Emissions; Hazards and Hazardous Materials; Hydrology; Land Use; Noise; Public Services; Transportation; Tribal Cultural Resources; and Utilities. Additionally, the EIR considered Growth Inducing Impacts and Significant Irreversible Environmental Changes. The significant environmental impacts of the Project and the alternatives were identified in the EIR.

3. The City finds that the EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period.

4. Textual refinements were compiled and presented to the decision-makers for review and consideration. The City staff has made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents associated with Project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require clarifications and corrections. Second, textual clarifications were necessitated to describe refinements suggested as part of the public participation process.

1 5. The Current Planning Division evaluated comments on environmental issues
2 received from persons who reviewed the Draft EIR. In accordance with CEQA, the Planning
3 Division prepared written responses describing the disposition of significant environmental
4 issues raised. The Final EIR provides adequate, good faith and reasoned response to the
5 comments. The Current Planning Division reviewed the comments received and responses
6 thereto and has determined that neither the comments received nor the responses to such
7 comments add significant new information regarding environmental impacts to the Draft EIR.
8 The Lead Agency has based its actions on full appraisal of all viewpoints, including all
9 comments received up to the date of adoption of these findings, concerning the environmental
10 impacts identified and analyzed in the EIR.

11 6. The Final EIR documents changes to the Draft EIR. The Final EIR provides
12 additional information that was not included in the Draft EIR. Having reviewed the information
13 contained in the Draft EIR and the Final EIR and in the administrative record, as well as the
14 requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City
15 finds that there are no new significant impacts, substantial increase in the severity of a
16 previously disclosed impact, significant information in the record of proceedings, or other
17 criteria under CEQA that would require recirculation of the Draft EIR, or preparation of a
18 supplemental or subsequent EIR.

19 7. The Responses to Comments contained in the Final EIR fully considered and
20 responded to comments claiming that the Project would have significant impacts or more
21 severe impacts not disclosed in the Draft EIR and include substantial evidence that none of
22 these comments provided substantial evidence that the Project would result in changed
23 circumstances, significant new information, considerably different mitigation measures, or new
24 or more severe significant impacts than were discussed in the Draft EIR. Specifically, the City
25 finds that:

26 a. The City has thoroughly reviewed the public comments received regarding
27 the Project and the Final EIR, as it relates to the Project, to determine whether under the
28 requirements of CEQA, any of the public comments provide substantial evidence that would
29 require recirculation of the EIR prior to its adoption and has determined that recirculation of the
30 EIR is not required.

31 b. None of the information submitted after publication of the Final EIR, including
32 testimony at and documents submitted for the public hearings on the Project, constitutes
33 significant new information or otherwise requires preparation of a supplemental or subsequent
34 EIR. The City does not find this information and testimony to be credible evidence of a
35 significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR,
36 or a feasible mitigation measure or alternative not included in the Final EIR.

37 c. The mitigation measures identified for the Project were included in the Draft
38 and Final EIRs. As revised, the final mitigation measures for the Project are described in the
39 Mitigation Monitoring Program (MMP). Each of the mitigation measures identified in the MMP
40 is incorporated into the Project. The City finds that the impacts of the Project have been
41 mitigated to less than significant by the feasible mitigation measures identified in the MMP.

1 8. CEQA requires the Lead Agency approving a project to adopt an MMP or the
2 changes to the project which it has adopted or made a condition of project approval to ensure
3 compliance with the mitigation measures during project implementation. The mitigation
4 measures included in the EIR as certified by the City serve that function. The MMP includes
5 all the mitigation measures and project design features adopted by the City in connection with
6 the approval of the Project and has been designed to ensure compliance with such measures
7 during implementation of the Project. In accordance with CEQA, the MMP provides the means
8 to ensure that the mitigation measures are fully enforceable. In accordance with the
9 requirements of PRC Section 21081.6, the City hereby adopts the MMP.

10 9. In accordance with the requirements of PRC Section 21081.6, the City hereby
11 adopts each of the mitigation measures expressly set forth herein as conditions of approval for
12 the Project.

13 10. The custodian of the documents or other material which constitute the record of
14 proceedings upon which the City's decision is based is the Current Planning Division, located
15 at Culver City Hall, 9770 Culver Boulevard, 2nd Floor, Culver City, CA 90232.

16 11. The City finds and declares that substantial evidence for each and every finding
17 made herein is contained in the EIR, which is incorporated herein by this reference, or is in the
18 record of proceedings in the matter.

19 12. The City is certifying an EIR for, and is approving and adopting findings for, the
20 entirety of the actions described in these Findings and in the EIR as comprising the Project.

21 13. The EIR is a project EIR for purposes of environmental analysis of the Project. A
22 project EIR examines the environmental effects of a specific project. The EIR serves as the
23 primary environmental compliance document for entitlement decisions regarding the Project by
24 the City and other regulatory jurisdictions.

EXHIBIT B

MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program (MMP), which is provided in **Table 4-1, *Mitigation Monitoring Program***, below, has been prepared pursuant to Public Resources Code (PRC) Section 21081.6 and CEQA Guidelines Section 15097 (Title 14 of the California Code of Regulations), which require adoption of an MMP for projects where the Lead Agency has adopted mitigation to avoid significant environmental effects. The City of Culver City (City) is the Lead Agency for the Crossings Campus Project (Project). However, the Project Site includes area within both the City of Culver City and the City of Los Angeles. Therefore, as applicable, the City of Culver City and the City of Los Angeles will be responsible for administering and implementing the MMP. The decision-makers must define specific reporting and/or monitoring requirements to be enforced during Project implementation prior to final approval of the Project. The primary purpose of the MMP is to ensure that the mitigation measures identified in the Initial Study (for Biological Resources), Draft EIR, and Final EIR (designated by the respective environmental issue within Chapter 4, *Environmental Impact Analysis*, of the Draft EIR) are implemented, thereby minimizing identified environmental effects.

The MMP also includes project design features identified throughout Chapter 4 the Draft EIR. Because project design features have been incorporated into the Project, they do not constitute mitigation measures. However, project design features are included in this MMP to ensure their implementation as a part of the Project.

Final clearance shall require all applicable verification as indicated in Table 4-1. The City of Culver City and City of Los Angeles will have responsibility for monitoring and reporting the implementation of the project design features and mitigation measures, as applicable, within their respective jurisdictions. The project design features and mitigation measures are identified by the impact category and numbered that correspond with the Initial Study, in the case of Biological Resources and the Draft EIR.

EXHIBIT B
Mitigation Monitoring Program

FINAL EIR - TABLE 4-1

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
Aesthetics				
AES-PDF-1: Construction Fencing. Temporary construction fencing will be placed along the periphery of the Project Site to screen construction activity for new buildings from view at the street level. A minimum eight-foot-high construction fence will be located along the perimeter of the active construction sites. The Project Applicant will ensure through appropriate postings and daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways that are accessible/visible to the public and that such temporary barriers and walkways are maintained in a visually attractive manner (i.e., free of trash, graffiti, peeling postings and of uniform paint color or graphic treatment) throughout the construction period.	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Demolition Permit, Grading Permit, and Ongoing during Construction	Culver City Public Works, Engineering, and Planning Division; Los Angeles Departments of Building and Safety and City Planning
AES-PDF-2: Screening of Utilities. Mechanical, electrical, and roof top equipment (including Heating, Ventilation, and Air Conditioning [HVAC] systems), as well as building appurtenances (such as rooftop elevator stops), will be integrated into the Project's architectural design (e.g., placed behind parapet walls)	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Certificate of Occupancy	Culver City Public Works, Engineering, and Planning Division; Los Angeles Departments of Building and Safety and City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
and will be screened from view from public rights-of-way.				
AES-PDF-3: Glare. Glass used in building façades will be anti-reflective or treated with an anti-reflective coating in order to minimize glare (e.g., minimize the use of glass with mirror coatings). Final glazing choices and trim materials will be evaluated for glare prior to the issuance of a building permit.	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Certificate of Occupancy	Culver City Public Works, Engineering, and Planning Division; Los Angeles Departments of Building and Safety and City Planning
AES-PDF-4: Lighting. Construction and operational lighting will be shielded and directed downward (or on the specific on-site feature to be lit) in such a manner so as to avoid undue glare or light trespass onto adjacent or nearby uses.	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Certificate of Occupancy	Culver City Public Works, Engineering, and Planning Division; Los Angeles Departments of Building and Safety and City Planning
Air Quality				
AQ-MM-1: Construction Equipment Features. The Project shall implement the following construction equipment features for equipment operating at the Project Site. These features shall be included in applicable bid documents, and successful contractor(s) must demonstrate the ability to supply such equipment. Construction features shall include the following: During plan check, the Project's representative shall make available to the lead agency and South Coast Air Quality Management District (SCAQMD) a comprehensive inventory of all off-road construction equipment, equal to or greater than 50	Condition of Approval	Plan Check Notes, Reports, and Field Inspections	Prior to issuance of a Demolition Permit, Grading Permit, and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Department of Building and Safety

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
horsepower, that shall be used during any of the construction phases. The inventory shall include the horsepower rating, engine production year, and certification of the specified Tier standard. A copy of each such unit's certified tier specification, best available control technology (BACT) documentation, and CARB or SCAQMD operating permit shall be maintained on-site at the time of mobilization of each applicable unit of equipment. Off-road diesel-powered equipment equal to or greater than 50 horsepower that will be used during any portion of the construction activities shall meet or exceed the Tier 4 Final standards. Such equipment will be outfitted with Best Available Control Technology (BACT) devices, including a CARB-certified Level 3 Diesel Particulate Filter or equivalent. Alternate construction equipment may be used if the construction contractor can document that the equipment would achieve the same or greater NOx reductions compared to Tier 4 Final standards. Construction contractors supplying heavy duty diesel equipment greater than 50 horsepower shall be encouraged to apply for SCAQMD SOON				

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
funds. Information including the SCAQMD website shall be provided to each contractor which uses heavy duty diesel for on-site construction activities - During demolition, site preparation, and grading and excavation activities, the contractor shall provide notification and documentation that haul truck drivers have received training regarding idling limitations specified in Title 13 California Code of Regulations, Section 2485. During construction, trucks and vehicles in loading and unloading queues shall have their engines turned off after 5 minutes when not in use, to reduce vehicle emissions - Contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. All construction equipment must be properly tuned and maintained in accordance with the manufacturer's specifications. The contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications. Tampering with construction equipment to increase horsepower or to defeat emission control devices shall be prohibited.				

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
Construction activities shall be discontinued during an Air Quality Index (AQI) of 151 or more (unhealthy level). A record of any AQI at an unhealthy level and of discontinued construction activities as applicable shall be maintained by the Contractor on-site.				
Biological Resources				
MM-BIO-1: The Applicant shall be responsible for the implementation of mitigation to reduce impacts to migratory and/or nesting bird species to below a level of significance through one of two ways. Either: 1) Vegetation removal activities shall be scheduled outside the nesting season (September 1 to February 14 for songbirds; September 1 to January 14 for raptors) to avoid potential impacts to nesting birds. This would ensure that no active nests are disturbed; or 2) If avoidance of the avian breeding season (February 15 to August 31 for songbirds; January 15 to August 31 for raptors) is not feasible, then: a. A qualified biologist shall conduct a preconstruction nesting bird survey within 15 days and again within 72 hours prior to any ground disturbing activities (staging, grading, vegetation	Condition of Approval	Plan Check Notes, Reports, Surveys, and Field Inspections	Prior to issuance of a Demolition Permit, Grading Permit, and Building Permit.	Culver City Planning Division; Los Angeles Department of Building and Safety and City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
removal or clearing, grubbing, etc.). The survey shall be conducted to ensure that impacts to birds, including raptors, protected by the MBTA and/or the California Fish and Game Code are avoided. Survey areas shall include suitable nesting habitat within 200 feet (or up to 300 feet, depending on topography or other factors, and 500 feet for raptors) of construction site boundaries. This two-tiered survey method is intended to provide the Applicant with time to understand the potential issue and evaluate solutions if nests are present, prior to mobilizing resources. If active nests are not identified, no further action is necessary. b. If active nests are identified during pre-construction surveys, an avoidance buffer shall be demarcated for avoidance using flagging, staking, fencing, or another appropriate barrier to delineate construction avoidance until the nest is determined to no longer be active by a qualified biologist (i.e., young have fledged or				

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
no longer alive within the nest). An active nest is defined as a structure or site under construction or preparation, constructed or prepared, or being used by a bird for the purpose of incubating eggs or rearing young. Perching sites and screening vegetation are not part of the nest. Given the high disturbance level, general avoidance buffers include a minimum 100-foot avoidance (for smaller birds more tolerant of human disturbance) to a 250-foot avoidance buffer for passerine and a 500-foot avoidance buffer from active raptor nests, or reduced buffer distances determined at the discretion of a qualified biologist familiar with local nesting birds and breeding bird behavior within the Project area. Construction personnel shall be informed of the active nest and avoidance requirements. A biological monitor shall review the site, at a minimum of one-week intervals, during all construction activities occurring near active				

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
nests to ensure that no inadvertent impacts to active nests occur. Pre-construction nesting bird surveys and monitoring results shall be submitted to the Culver City Planning Division and City of Los Angeles Planning Division via email or memorandum upon completion of the pre-construction surveys and/or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds. In addition, pre-construction surveys and/or construction monitoring shall also be submitted to the California Department of Fish and Wildlife (CDFW) within two months of the completion of the monitoring activities.				

Cultural Resources

CUL-MM-1: Prior to the issuance of a demolition permit, the Applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology (Qualified Archaeologist) to oversee an archaeological monitor who shall be present during initial Project construction work such as demolition, clearing/grubbing,

Condition of Approval

Plan Check Notes, Reports, Surveys and Field Inspections

Prior to issuance of Demolition Permit and Ongoing during Construction

Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety, and City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
grading, trenching, or related moving of soils within the Project Site (collectively, ground disturbing activities); provided, however, that ground disturbing activities shall not include any moving of soils after they have been initially disturbed or displaced by Project-related construction. The Qualified Archaeologist shall determine the frequency of monitoring based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (younger alluvium vs. older alluvium), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. The frequency of monitoring can be reduced to part-time inspections or ceased entirely if determined appropriate by the Qualified Archaeologist. Prior to commencement of excavation activities, an Archaeological and Cultural Resources Sensitivity Training shall be given for construction personnel. The training session shall be carried out by the Qualified Archaeologist and shall focus on how to identify archaeological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event.				
CUL-MM-2: In the event that historic or prehistoric archaeological resources (e.g., bottles, foundations, refuse dumps, etc.) are unearthed, ground-disturbing activities shall be halted or diverted away	Condition of Approval	Plan Check Notes, Reports, Surveys and Field Inspections	Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division;

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
from the vicinity of the find so that the find can be evaluated. After consulting with the Applicant, the Qualified Archeologist shall establish an appropriate buffer area in accordance with industry standards, reasonable assumptions regarding the potential for additional discoveries in the vicinity, and safety considerations for those making an evaluation and potential recovery of the discovery. This buffer area shall be established 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 the Qualified Archaeologist determines the find to constitute a "historical resource" pursuant to 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 City of Culver City and/or City of Los Angeles depending on the location/jurisdiction where the resource is located to develop a reasonable and feasible treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique				Los Angeles Departments of Building and Safety and City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
archaeological resources. The treatment plan shall include measures regarding the curation of the recovered resources that may include curation at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the resources, they may be donated to a local school or historical society in the area (such as the Culver City Historical Society) for educational purposes. All archaeological resources unearthed by Project construction activities shall be evaluated by the Qualified Archaeologist. If the Qualified Archaeologist determines the find to constitute a "historical resource" pursuant to 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 City of Culver City and/or City of Los Angeles, depending on the location/jurisdiction where the resource is located, to develop a reasonable and feasible treatment plan that would serve to reduce impacts to the resource(s). The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique				

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
archaeological resources. The treatment plan shall include measures regarding the curation of the recovered resources that may include curation at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the resources, they may be donated to a local school or historical society in the area (such as the Culver City Historical Society) for educational purposes. If the Applicant does not accept a particular recommendation determined to be reasonable and feasible by the Qualified Archaeologist, the Applicant may request mediation by a mediator agreed to by the Applicant and the City of Culver City and/or City of Los Angeles, depending on the location/jurisdiction where the resource is located. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may: (1) require the recommendation be implemented as originally proposed by the Qualified Archaeologist; (2) require the recommendation, as modified by the City, be implemented in a manner that is at least as				

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact; or (4) not require the recommendation be implemented because it is not necessary to mitigate any significant impacts. The Applicant shall pay all costs and fees associated with the mediator.				
CUL-MM-3: 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 of Historical Resources and CEQA. The report and the Site Forms shall be submitted by the Applicant to the City of Culver City and/or City of Los Angeles depending on the location/jurisdiction where the resource is located, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the Project and required mitigation measures.	Condition of Approval	Report	Prior to issuance of a Certificate of Occupancy	Culver City Planning Division, Los Angeles Departments of Building and Safety and City Planning
Geology and Soils				
GEO-MM-1: Prior to the issuance of grading permits, the	Condition of Approval	Plan Check Notes,	Prior to issuance of	Culver City Building Safety

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
Applicant shall retain a qualified paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards (Qualified Paleontologist). 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, and shall be responsible for monitoring and overseeing paleontological monitors (meeting SVP standards) that will observe grading and excavation activities.		Reports, Surveys and Field Inspections	Grading Permit and Ongoing during Construction	Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety and City Planning
GEO-MM-2: Paleontological monitoring shall be conducted during construction excavations into undisturbed older alluvial sediments that exceed 10 feet in depth. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting and wet screening sediment samples of promising horizons for smaller fossil remains. If significant vertebrate fossils are found by screening, it will be necessary to collect a 6,000-pound sample for screening, per SVP Guidelines (2010). The sample can be collected by construction machinery and stockpiled and processed in a safe location on-site, or transported to another site for processing. The frequency of monitoring inspections shall be determined by the Qualified Paleontologist and shall be based on the rate of excavation and grading activities, the materials being excavated, and the depth of excavation, and if found, the	Condition of Approval	Plan Check Notes, Reports, Surveys and Field Inspections	Prior to issuance of Demolition Permit, Grading Permit and Building Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
abundance and type of fossils encountered. Full-time monitoring can be reduced to part-time inspections, or ceased entirely, if determined adequate by the Qualified Paleontologist. If a potential fossil is found, the Qualified Paleontologist shall have authority to temporarily stop excavation activity or to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation of the discovery. An appropriate buffer area shall be established by the Qualified Paleontologist around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. At the Qualified Paleontologist's discretion, and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock/sediment samples for initial processing and evaluation. If preservation in place is not feasible, the Qualified Paleontologist shall implement a paleontological salvage program to remove the resources from their location.				
GEO-MM-3: Any significant fossils recovered during Project-related excavations shall be prepared to the point of identification. The residue form sediment samples shall be dried and sorted with a binocular dissecting microscope. Both macrofossils and vertebrate microfossils shall be prepared to the point of identification, identified, and curated into an accredited	Condition of Approval	Report	Prior to issuance of a Certificate of Occupancy	Culver City Planning Division; Los Angeles Departments of Building and Safety and City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
repository. The Qualified Paleontologist shall prepare a final report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall accompany the specimens to the accredited repository. The report shall also be submitted by the Applicant to the City of Culver City and/or City of Los Angeles, depending on the location/jurisdiction where the resource is located, to signify the satisfactory completion of the Project and required mitigation measures.				
Greenhouse Gas Emissions				
GHG-PDF-1: Green Building Features. The Project will include the following green building features: - The Project buildings will be designed to meet the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Gold Certification and will be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code, the City of Los Angeles Green Building Code and Culver City's Green Building Program Requirements. - The Project design will include sustainability features that will result in increased energy efficiency including water efficiency measures for landscaping	Condition of Approval	Plan Check Notes	Prior to issuance of a Building Permit	Culver City Building Safety Division, Planning Division; Los Angeles Departments of Building and Safety and City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
and rainwater management, high efficiency plumbing fixtures, energy-star labeled appliances where possible and energy-efficient and water conserving HVAC systems.				
Hazards and Hazardous Materials				
HAZ-MM-1: Health and Safety Plan. Before the start of ground-disturbing activities, including grading, trenching, or excavation, or structure demolition on parcels within the Project Site, the Applicant for the specific work proposed shall require that the construction contractor(s) retain a qualified professional to prepare a site-specific health and safety plan (HASP) in accordance with federal Occupational Safety and Health Administration regulations (29 CFR 1910.120) and California Occupational Safety and Health Administration regulations (8 CCR Section 5192). The HASP shall be implemented by the construction contractor to protect construction workers, the public, and the environment during all ground-disturbing and structure demolition activities. HASPs shall be submitted to Culver City and the City of Los Angeles building departments and any applicable oversight regulatory agency for review before the start of demolition and construction activities and as a condition of the grading, construction, and/or demolition permit(s). The HASP shall include, but not be limited to, the following elements:	Condition of Approval	Plan Check Notes, Field Inspections	Prior to issuance of a Demolition or Grading Permit; Construction (during soil-disturbing activities)	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Building and Safety Department

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
- Designation of a trained, experienced site safety and health supervisor who has the responsibility and authority to develop and implement the site HASP. - A summary of all potential risks to demolition and construction workers and maximum exposure limits for all known and reasonably foreseeable site chemicals. - Specified personal protective equipment and decontamination procedures, if needed. - The requirement to prepare documentation showing that HASP measures have been implemented during construction (e.g., tailgate safety meeting notes with signup sheet for attendees). - A requirement specifying that any site worker who identifies hazardous materials has the authority to stop work and notify the site safety and health supervisor. - Emergency procedures, including the route to the nearest hospital. - Procedures to follow if evidence of potential soil or groundwater contamination is encountered (such as soil staining, noxious odors, debris or buried storage containers). These procedures shall be followed in accordance with hazardous waste operations regulations and specifically include,				

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
but not be limited to, immediately stopping work in the vicinity of the unknown hazardous materials release; notifying the city within which the contamination is encountered and the regulatory agency overseeing site cleanup, if any; and retaining a qualified environmental firm to perform sampling and remediation, if warranted.				
HAZ-MM-2: Soil and Groundwater Management Plan. In support of the HASP described in Mitigation Measure HAZ-MM-1, the contractor conducting excavation and disposal of fill and soil shall develop and implement a soil and groundwater management plan (SGMP) for the management of soil, soil gas, and groundwater before any ground-disturbing activity to manage contaminated materials, if encountered. The SGMP shall include the following, at a minimum: • Site description, including the hazardous materials that may be encountered. • Roles and responsibilities of on-site workers, supervisors, and the regulatory agency. • Training for site workers focused on the recognition of and response to encountering hazardous materials or unknown structures, e.g., underground storage tanks (USTs). • Notification requirements in the event of discovery	Condition of Approval	Plan Check Notes, Field Inspections	Prior to issuance of a Demolition or Grading Permit; Construction (during soil-disturbing activities)	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Department of Building and Safety

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
of unknown structures or contamination. • Protocols for the materials (fill, soil, and dewatering effluent) testing, handling, removing, transporting, and disposing of all excavated materials and dewatering effluent in a safe, appropriate, and lawful manner. • Reporting requirement to the overseeing regulatory agency, if any contamination is found that requires agency oversight, documenting that site activities were conducted in accordance with the SGMP. The SGMP shall be submitted to Culver City and the City of Los Angeles Building Departments for review to inform their permit approval process before the start of demolition and construction activities and as a condition of the grading, construction, and/or demolition permit(s). The contract specifications shall mandate full compliance with all applicable federal, state, and local regulations related to the identification, transportation, and disposal of hazardous materials. The SGMP shall include measures to remove and/or treat/remediate the impacted soils and groundwater in a manner that is protective of human health and the environment and compatible with office use, in compliance with all applicable regulatory standards, under supervision of				

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
a qualified environmental professional. The SGMP shall describe measures for (i) management of excavated soils and groundwater, (ii) characterization of soils to determine whether they qualify as hazardous waste under regulations such as 22 C.C.R. Section 66262.11 or other regulations identified in the SGMP or otherwise identified by the oversight agencies, and (iii) off-site disposal of excavated soils and disposal of dewatered groundwater in compliance with all applicable regulations. The SGMP shall also provide measures for the evaluation of vapor intrusion risk at the Project site, and if necessary, modification of the Project design and/or installation of a vapor intrusion mitigation system consistent with the procedures and performance standards set forth in DTSC's October 2011 Vapor Intrusion Mitigation Advisory or as otherwise determined applicable by the oversight agency (i.e., applicable city building departments) at the time of construction. For example, as part of the vapor intrusion evaluation, at least two rounds of indoor and garage air sampling (including the parking level 1 office space) shall be conducted post-construction to confirm that future workers, valet parking personnel, and workers within the parking level 1 office space are protected and potential human health risks due to vapor intrusion are at or below target risk levels established by DTSC, as applicable. Sampling activities shall include collection of				

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
samples when the HVAC system is on and off and also when the parking garage ventilation system is on and off. Given that benzene is a component of gasoline and will be present in the garage due to the parked cars, the air sampling activities shall focus on PCE to confirm that residual PCE in soil vapor does not pose a significant vapor intrusion risk to office workers, valet parking personnel, and workers working within the parking level 1 office space. The first round of sampling should be conducted before the buildings are occupied and the garages are in use. These air sampling activities will aid in the evaluation of the efficacy of the liner and the garage itself to mitigate vapor intrusion. These sampling activities will also help evaluate if any preferential pathways (e.g., utility conduits and elevator shaft) need to be addressed. The second round of sampling shall be conducted either 1) after preferential pathways have been mitigated, if any are identified based on the first round of sampling, 2) during the summer months if the first round of sampling was conducted during the fall or winter and air concentrations were below screening levels, 3) or a few months after the first round if it was conducted during the spring or summer and air concentrations were below screening levels. In the event the indoor air data indicate that risks are above target DTSC risk levels, as applicable, after pathways are sealed, the garage's ventilation system shall be adjusted to reduce				

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
vapor intrusion levels below acceptable risk levels, as applicable. For work that would encounter groundwater, as part of the SGMP, contractors shall include a groundwater dewatering control and disposal plan specifying how groundwater (dewatering effluent) will be handled and disposed of in a safe, appropriate, and lawful manner. The groundwater portion of the SGMP shall include the following, at a minimum: • The locations at which groundwater dewatering is likely to be required. • Test methods to analyze groundwater for hazardous substances. • Appropriate treatment and/or disposal methods. • Discussion of discharge to a publicly owned treatment works or the stormwater system, in accordance with any regulatory requirements the treatment works may have, if this effluent disposal option is to be used.				
Noise				
NOI-PDF-1: Project Construction Schedule. Prior to issuance of a building permit, notice of the Project construction schedule will be provided to abutting property owners and occupants. Evidence of such notification will be provided to the appropriate department of City of Culver City and City of Los Angeles. The notice will identify the commencement date and proposed timing for all construction phases (demolition, grading, excavation/shoring, foundation, rough frame, plumbing, roofing,	Condition of Approval	Plan Check Notes, Reports, and Field Inspections	Prior to issuance of a Building Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety and City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
mechanical and electrical, and exterior finish).				
NOI-PDF-2: Use of Impact Pile Driver. The Project will not require or allow the use of impact pile drivers. Lower noise- and vibration-generating vibratory pile drivers and drills will be used.	Condition of Approval	Plan Check Notes, Reports, and Field Inspections	Prior to issuance of a Building Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety and City Planning
NOI-PDF-3: Construction Rules Sign. During all phases of construction, a "Construction Rules Sign" that includes contact names and telephone numbers, with 24-hour availability, of the Applicant, Property Owner, construction contractor(s) will be posted on the Property in a location that is visible to the public. In addition, appropriate staff person at both City of Los Angeles and City of Culver City will be notified for such incidences. These names and telephone numbers will also be made available to adjacent property owners and occupants to the satisfaction of the appropriate department (Planning Manager and/or Building Official) of both cities.	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Building Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety and City Planning
NOI-PDF-4 (Compliance with Noise Element): The following noise standards from Policy 2.A of the City's General Plan Noise Element shall be complied with at all times: A. No construction equipment will be operated without an exhaust muffler, and all such equipment will have mufflers and sound control devices (i.e., intake	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Building Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety and City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
silencers and noise shrouds) that are no less effective than those provided on the original manufacturer supplied equipment; B. All construction equipment will be properly maintained to minimize noise emissions; C. If any construction vehicles are serviced at an on-site location, the vehicle(s) will be setback from any street and other property lines so as to maintain a distance of at least 100 feet from the public right-of-way and from Noise Sensitive Receptors; D. Noise levels from stationary sources (i.e., mechanical equipment, ventilators, and air conditioning units) will be minimized by proper selection of equipment and the installation of parapets or other acoustical shielding as approved by the Planning Manager; and E. The Project will not allow any delivery truck idling for more than 5 minutes in the loading area. Signs will be posted prohibiting such idling.				
NOI-PDF-5: Neighborhood Streets. No construction haul trucks, including concrete trucks, will be allowed to travel through neighborhood streets that are primarily residential uses.	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Grading Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety and City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
NOI-PDF-6: Mechanical Equipment Noise. All building mechanical equipment and/or ventilation systems not fully enclosed will be designed to not exceed sound level limits of the noise level requirements of the City of Culver City General Plan Noise Element Regulation of Stationary Noise Sources and City of Los Angeles Municipal Code Section 112.02 through the use of quiet fans, duct silencers, parapets, or similar noise attenuation methods.	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of Mechanical Permit for subject mechanical equipment	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety and City Planning
NOI-PDF-7: Loading Dock Operating Hours. On-site loading dock operating hours will be limited to 7:00 a.m. to 10:00 p.m.	Condition of Approval	Plan Check Notes and Field Inspections	Ongoing during operation	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety and City Planning
NOI-PDF-8: Noise Control – Amplified Sound Systems. If the Project installs permanent outdoor amplified sound systems, the systems will be located in the central courtyard such that the sound would be blocked by the proposed on-site building from off-site receivers. No amplified sound systems would be installed in the publicly accessible areas along the Project's street frontages. Section 9.07.055(B) of the CCMC prohibits the operation of a loud speaker or sound amplifying equipment for the purposes of transmitting messages, giving instructions, or providing entertainment on an ongoing basis which is audible at the subject property	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Certificate of Occupancy	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety and City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
line. The systems will be designed so as not to result in a perceivable increase in noise beyond the Project Site. Specifically, daytime outdoor amplified sound systems will not result in an increase of 3 dBA Leq over existing ambient noise conditions at the Project property line. Nighttime speaker noise, if it occurs, will comply with the exterior noise standards identified in the Regulation of Stationary Noise Sources (City of Culver City General Plan Noise Element, approved by City Council July 22, 1996) and LAMC Section 112.01, which states that a noise source that causes a noise level increase of 5 dBA over the existing average ambient noise level as measured at an adjacent property line creates a noise violation, respectively, within the City of Culver City and City of Los Angeles jurisdiction. All speakers will have a minimum setback of 25 feet from the Project property line and will be directed internally and acoustically shielded from off-site uses. Under the rare occasion of maximum crowd gathering in the central courtyard with temporary amplified sound systems, the combined sound level from speakers and people conversation shall not exceed the ambient noise level plus 5 dBA at an adjacent property line, which would limit the speaker sound level to a maximum of 90 dBA when measured at a distance of 50 feet from the speakers. A qualified noise consultant will provide written documentation				

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
and submitted to appropriate department of City of Culver City and City of Los Angeles that the design of the system(s) complies with the maximum noise levels at the property line of the nearest off-site sensitive receivers.				
NOISE-MM-1: Prior to the commencement of demolition, the Project shall provide a temporary 12-foot-tall construction fence equipped with noise blankets rated to achieve sound level reductions of at least 10 dBA along the northern and western boundaries of the Project Site, between the Project Site and the surrounding residences to the north and west. In addition, a temporary 6-foot-tall construction fence equipped with noise blankets rated to achieve sound level reductions of at least 5 dBA along the southern boundary along Washington Boulevard, between the Project Site and the residences to the south and east of the Project Site. Temporary noise barriers shall be used to block the line-of-sight between the construction equipment and the nearby noise-sensitive receptors during the duration of construction activities to the extent feasible. Standard construction protective fencing with green screen or pedestrian barricades for protective walkways shall be installed along property lines facing streets or commercial buildings. All temporary barriers, fences, and walls shall have gate access as needed for construction activities, deliveries, and site access by	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Demolition Permit, Verified at Preconstruction Meeting with City of Culver City and City of Los Angeles and Ongoing during Construction.	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety and City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
construction personnel. At Plan Check at City of Culver City and City of Los Angeles, the Applicant shall provide a study conducted by a noise expert that demonstrates the sound barriers would achieve these required dBA reductions. The study will include a fencing/sound barrier plan for City review.				
NOISE-MM-2: Contractors shall ensure that all construction equipment, fixed or mobile, are equipped with properly operating and maintained noise shielding and muffling devices, consistent with manufacturers' standards. The construction contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturers' specifications. Most of the noise from construction equipment originates from the intake and exhaust portions of the engine cycle. According to FHWA, use of adequate mufflers systems can achieve reductions in noise levels of up to 10 dBA. The contractor shall use muffler systems that provide a minimum reduction of 8 dBA compared to the same equipment without an installed muffler system, reducing maximum construction noise levels. The contractor shall also keep documentation on-site prepared by a noise consultant verifying compliance with this measure.	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Demolition Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety and City Planning
Public Services				
POL-PDF-1: Project Site Security and Access During	Condition of Approval	Plan Check Notes and	Prior to issuance of a	Culver City Building Safety

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
Construction. During construction of the Project, the Project Site will be fenced and gated with surveillance cameras to monitor the site during off hours.		Field Inspections	Grading Permit, Building Permit, and Ongoing during Construction	Division, Building Safety Inspector; Police Department; Public Works, Engineering and Planning Division; Los Angeles Department of Building and Safety, Public Works, Fire and Police Departments
POL-PDF-2: Project Site Security and Access During Operation. During operation of the Project, access to the parking structure will be controlled through gated entries, and the entry areas will be well illuminated. Project Site security would include controlled keycard access to office spaces, security lighting within common areas and entryways, and closed-circuit TV monitoring (CCTV).	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Certificate of Occupancy	Culver City Building Safety Division, Building Safety Inspector; Police Department; Public Works, Engineering and Planning Division; Los Angeles Department of Building and Safety, Public Works, Fire and Police Departments
Transportation				
TRAF-PDF-1: Construction Management Plan. A Final Construction Management Plan (FCMP) will be prepared by the Project contractor in consultation with the Project's traffic and/or civil engineer. The FCMP will define the scope and scheduling of construction activities covering the entire Project Site as well as the Applicant's proposed construction site management responsibilities in order to ensure that disturbance of nearby land uses or interruption of pedestrian, vehicle, bicycle	Condition of Approval	Plan Check Notes, Reports, Surveys, and Field Inspections	Prior to Demolition, Grading and Building Permits, and Ongoing during Construction	Culver City Building Safety, Planning, Public Works, Fire and Police Departments; Los Angeles Department of Transportation, and City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
and public transit are minimized to the extent feasible. The FCMP will be subject to review and approval by appropriate building officials, city traffic engineers, civil engineers, and planning staff for the Cities of Culver City and Los Angeles, as required, prior to issuance of any Project demolition, grading or excavation permit. The FCMP will also be reviewed and approved by the respective fire and police departments. Prior to commencement of construction, the contractor will advise each City's public works inspector and building inspector (inspectors) of the construction schedule. As-needed construction management meetings shall be convened with appropriate Culver City and/or City of Los Angeles staff and representatives of surrounding developments that may have overlapping construction schedules with the Project, to ensure that concurrent construction projects are managed in collaboration with one another. The FCMP will consider potential project construction disruptions to transportation facilities near the Project Site and provide effective strategies to limit the Project's use of the public right-of-way (streets and sidewalks) during peak traffic periods and will be subject to adjustment by City staff as deemed necessary and appropriate to preserve the general public safety and welfare. Prior to approval of the FCMP and grading permits, the				

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Applicant will conduct one (1) community meeting pursuant to the notification requirements of the City of Culver City community meeting guidelines, to discuss and provide the following information to the surrounding community: 1. Construction schedule and hours. 2. Framework for construction phases. 3. Identify traffic diversion plan by phase and activity. 4. Potential location of construction parking and office trailers. 5. Truck hauling routes and material deliveries (i.e., identify the potential routes and restrictions. Discuss the types and number of trucks anticipated and for what construction activity). 6. Emergency access plan. 7. Demolition plan. 8. Staging plan for the concrete pours, material loading and removal. 9. Crane location(s). 10. Accessible Applicant and contractor contacts during construction activity and during off hours (relevant email address and phone numbers). 11. Community notification procedures. The CMP shall at a minimum include the following:				

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
1. The name and telephone number of a contact person who can be reached 24 hours a day via telephone regarding construction or construction traffic complaints or emergency situations. 2. An up-to-date list of local police, fire, and emergency response organizations and procedures for the coordination of construction activity, potential delays, and any alerts related to unanticipated road conditions or delays, with local police, fire, and emergency response agencies. Maps showing access to and within the site and to adjacent properties will be provided. 3. Construction plans and procedures to address community and both the appropriate Cities of Culver City and Los Angeles personnel notification of key construction activities; temporary construction fencing and maintenance of construction areas within public view; noise and vibration controls; dust management and control; and worker education on required mitigation measures included in the Project's Mitigation Monitoring Program and best practices to reduce				

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
disturbances to adjacent and nearby land uses. 4. Procedures for the training and certification of flag persons. 5. To the extent known, identification of the location, times, and estimated duration of any roadway closures; procedures for traffic detours, pedestrian protection, reducing effects on public transit and alternate transportation modes; and plans for use of protective devices, warning signs, and staging or queuing areas. 6. The location of temporary power, portable toilet and trash and materials storage locations. 7. The timing and duration of any street, sidewalk and/or lane closures will be approved in advance by either the City of Culver City or the City of Los Angeles, depending on the jurisdiction of the roadway. As traffic lane, parking lane, and/or sidewalk closures are anticipated, worksite traffic control plan(s), approved by the City of Los Angeles and City of Culver City, will be developed and implemented to route vehicular traffic, bicyclists, and pedestrians around any such closures. As applicable at the time of construction, such				

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notices will be made available in digital format for posting on each City website and distribution via email alerts on electronic platforms such as the County of Los Angeles' "Gov Delivery" system. The FCMP will be updated weekly during the duration of project construction, as determined necessary by the City. The FCMP will require that review and approval of any proposed lane closures include coordination with the fire and police departments of each City to minimize potential effects on traffic flow and emergency response. 8. Provisions that staging of construction equipment and materials will be accommodated within the Project Site and that construction worker parking will be accommodated on the Project Site and/or at off-site locations to be determined and disclosed, potentially with shuttles to and from the Project Site.				
TRAF-PDF-2: Transportation Demand Management (TDM) Program. The Project will implement the following TDM measures subject to Culver City Transportation Department and LADOT review and approval prior to issuance of the first Temporary Certificate of Occupancy (TCO) for the Project in order to reduce drive-	Condition of Approval	Approval of Plan	During Plan Check and prior to issuance of a Certificate of Occupancy	Culver City Traffic Engineering, Engineering/Public Works, Transportation Department and Planning Division; Los Angeles Department of Transportation, and City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
alone vehicle trips to/from the Project Site: TDM Support Services: The Project will offer tailored trip planning assistance with in-house TDM coordinators. Assistance will be available for all employees online, by email, and by phone. The Project will also host a virtual kiosk every week to chat with a team member and have any questions answered. Marketing and Communications: The Project will provide a comprehensive website detailing alternative transportation options such as carpool, rail, shuttle, coach, bike, and options available for transportation once on campus. To provide transportation information to new employees, the Commute Program will make a presentation at New Employee Orientation. The Commute Program will also actively monitor email lists and group lists to discuss and collaborate with employees on improving commute programs. Information dissemination tools will include monthly news updates, web updates, email templates, lobby information centers, communication regarding service expansions, and				

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attending internal employee events. Public Transit: The Project will be served by an existing fixed-route intercampus shuttle program to provide connections to other Applicant-occupied buildings in Culver City and to public transit. The Project will also offer a monthly transit subsidy which provides a financial incentive for riding transit instead of driving to the Project Site. Rideshare: The Project will provide an online tool that matches riders with drivers originating from similar locales. This will reduce single occupancy vehicle trips to and from the Project. Bicycling: In addition to providing Code-required bicycle parking and shower facilities, the Project will provide a monthly subsidy to employees who commute by bicycle to work, which can be used to pay for bicycle, maintenance, and storage, or towards upgrading an existing bicycle or purchasing a new bicycle. The Project will also promote cycling by participating in the County's annual Bike to Work Day, providing discounts on select cycling products, providing a website that has information on safe cycling and cycling apps.				

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Walking: The Project will provide enhanced access points to the site to improve pedestrian connectivity and expand adherence to the Americans with Disabilities Act (ADA). Employees will be educated on local neighborhood destinations within walking distance and will be encouraged to walk to events, meetings, and meals whenever possible. The areas surrounding the walkways and sidewalks will be well-landscaped and maintained, with pedestrian-oriented lighting to contribute to the safety of walking at night. Pre-tax Commuter Benefit: A pre-tax commuter benefit will be provided to employees for commute-related expenses such as public transit (after the transit subsidy), vanpooling, and parking. The commuter benefit will supplement the transit and bicycle subsidies. Commuter Club: A Commuter Club is an opt-in program that offers employees the opportunity to receive Commute Program email updates about schedule updates, new service, events, and programs. Commute Expert Program: This program				

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will provide people using a commute alternative an opportunity to meet other employees who are using the same mode who can “mentor” them by providing answers to questions about using that mode, stop locations, routes, or local transit options. Guaranteed Ride Home Program: The Project will sponsor a guaranteed ride home for Project Site employees who came to work without their own car in the event of an unexpected situation or emergency when walking, biking, carpooling, or taking transit home will not be feasible. Intercampus Shuttles: The Project will provide on-request fixed route intercampus shuttles between Apple-occupied buildings during work hours as well as commuter shuttles from select points in and around the Los Angeles basin to the Project site during morning and evening commute hours. Campus Bike Share Program: A Campus Bike Share program will be implemented to provide a transportation option between other buildings occupied by the Applicant. Campus bikes will be equipped with GPS tracking and an electronic rear-wheel lock				

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to help secure the fleet. Campus bikes will be managed and maintained by a local bike maintenance vendor. • On-site Services: The Project will provide its employees with on-site amenities such as a full-service cafeteria, coffee bars, and shower facilities. The offered services will contribute to limiting the number of vehicle trips employees will need to take off-site during the day.				
Tribal Cultural Resources				
TCR-MM-1: Prior to the issuance of a demolition permit for the Project, the Applicant shall retain a Native American Monitor from the Gabrieleño Band of Mission Indians – Kizh Nation (Kizh Nation or Tribe). The Native American Monitor shall be present during the following construction activities that have the potential for encountering tribal cultural resources: demolition, pavement removal, clearing/grubbing, drilling/augering, potholing, grading, trenching, excavation, tree removal or other ground disturbing activity associated with the Project, whether on the Project Site or in connection with Project off-site improvements (collectively “ground disturbing activities”). Notwithstanding the foregoing, Native American monitoring shall not be required for any moving of soils after they have been initially disturbed or displaced by Project-related	Condition of Approval	Plan Check Notes, Reports, Surveys and Field Inspections	Prior to issuance of Demolition Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Department of Building and Safety and City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
construction. The Applicant shall prepare a monitoring agreement with the Kizh Nation that outlines the roles and responsibilities of the Native American Monitor and shall submit this agreement to the City of Culver City and City of Los Angeles prior to the issuance of demolition permit for the Project. Prior to commencement of ground disturbing activities, a Tribal Cultural Resources Sensitivity Training session shall be held for those construction personnel who will be directly involved in the ground disturbing activities. The training session shall be carried out by the Native American Monitor and shall focus on how to identify tribal cultural resources that may be encountered during ground disturbing activities and the procedures to be followed in such an event. If the Native American Monitor is not present at the Project Site on any given workday, the ground disturbing activities may continue if the workers involved in such activities attended the training session. Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined appropriate by the Native American Monitor in the event there appears to be little to no potential for impacting tribal cultural resources. Native American monitoring shall conclude no later than conclusion of ground disturbing activities.				

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TCR-MM-2: The Native American Monitor shall complete daily monitoring logs that provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs shall identify and describe any discovered tribal cultural resources, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the Applicant and the City of Culver City and/or City of Los Angeles upon written request to the Tribe. The Applicant shall not be deemed to be out of compliance with this measure if the Native American Monitor fails to complete or submit any such monitoring logs.	Condition of Approval	Field Inspections	Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Department of Building and Safety and City Planning
TCR-MM-3: In the event of a discovery of potential tribal cultural resources at the Project Site, the Qualified Archaeologist identified in Mitigation Measure CUL-MM-1 (after consultation with the Native American Monitor) shall have the authority to temporarily divert, redirect, or halt ground-disturbance activities to allow identification, evaluation, and potential recovery of such potential resources. After consulting with the Native American Monitor	Condition of Approval	Field Inspections	Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety and City Planning

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
and the Applicant, the Qualified Archaeologist shall establish an appropriate buffer area in accordance with industry standards, reasonable assumptions regarding the potential for additional discoveries in the vicinity, and safety considerations for those making an evaluation and potential recovery of the discovery. This buffer area shall be established around the find where ground-disturbing activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. Within three (3) business days of such discovery, a meeting shall take place between the Applicant, the Qualified Archaeologist, the Tribe, and the City of Culver City and/or City of Los Angeles depending on the location/jurisdiction where the resource is located to discuss the significance of the find and whether it qualifies as a tribal cultural resource pursuant to Public Resources Code Section 21074(a). If, as a result of the meeting and after consultation with the Tribe, the Applicant, and the Qualified Archaeologist, the City of Culver City and/or City of Los Angeles determines, based on substantial evidence, that the resource is in fact a tribal cultural resource, the Qualified Archaeologist shall develop a reasonable and feasible treatment plan, with input from the Tribe as necessary, and with the concurrence of the appropriate City's Planning Director. The treatment measures in the treatment plan				

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shall be in compliance with any applicable federal, State, or local laws, rules or regulations. The treatment plan shall also include measures regarding the curation of the recovered resources. If the Applicant does not accept a particular recommendation determined to be reasonable and feasible by the Qualified Archaeologist (including, but not limited to, the size of the buffer set forth above), the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant and the City of Culver City and/or City of Los Angeles. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City of Culver City and/or City of Los Angeles shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may: (1) require the recommendation be implemented as originally proposed by the Archaeologist; (2) require the recommendation, as modified by the City, be implemented as it is at least as equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate any significant impacts to tribal				

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cultural resources. The Applicant shall pay all costs and fees associated with the mediator. The Applicant 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 the above paragraphs. The recovered Native American resources may be placed in the custody of the Tribe, who may choose to use them for their educational purposes, or they may be curated at a public, non-profit institution with a research interest in the materials. If neither the Tribe nor an institution accepts the resources, they may be donated to a local school or historical society in the area for educational purposes. Notwithstanding the above paragraph, any information determined to be confidential in nature by the City of Culver City and/or City of Los Angeles Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code Section 6254(r).				
Utilities and Service Systems				
WATER-PDF-1: Water Conservation. The Project will implement water conservation	Condition of Approval	Plan Check Notes, Reports,	Prior to issuance of a Certificate of Occupancy	Culver City Building Safety Division, Building Safety Inspector; Public Works,

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measures that include, but are not limited to, the following: • Fixtures – High Efficiency Toilets with a flush volume of 1.1 gallons per flush, or less – Showerheads with a flow rate of 1.5 gallons per minute, or less – All utility, service and mop sinks will have a maximum flow rate of 1.5 gallons per minute – Condensate drain water capture and reuse for irrigation – An air cooled / air source mechanical cooling system will be utilized in lieu of cooling towers.		and Field Inspections		Engineering, and Planning Division; Los Angeles Departments of Building and Safety and City Planning

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• Landscape and Irrigation – California Friendly® plants or native plants – Drip/ Subsurface Irrigation (Micro-Irrigation) – Proper Hydro-zoning/Zoned Irrigation (groups plants with similar water requirements together) – Weather Based Irrigation Controllers • Utilities – Individual metering and billing for water use for every commercial unit				