

# **EXHIBIT B**

## **MITIGATION & MONITORING PROGRAM**



# CHAPTER 4 – MITIGATION MONITORING PROGRAM

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## 4.1 Introduction

To ensure that the mitigation measures (MM) identified in an Environmental Impact Report (EIR) are implemented, the California Environmental Quality Act (CEQA) requires the Lead Agency for a project to adopt a program for monitoring or reporting on the revisions it has required for a project and the measures it has imposed to mitigate or avoid significant environmental effects. As specifically set forth in CEQA Guidelines Section 15097(c), the public agency may choose whether its program will monitor mitigation, report on mitigation or both. As provided in CEQA Guidelines Section 15097(c), “monitoring” is generally an ongoing or periodic process of project oversight. “Reporting” generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.

An EIR has been prepared to address the Project’s potential environmental impacts. The evaluation of the Project’s impacts in the EIR takes into consideration the project design features (PDF) and applies MMs needed to avoid or reduce potentially significant environmental impacts. This Mitigation Monitoring Program (MMP) is designed to monitor implementation of the PDFs and MMs identified for the Project.

This MMP has been prepared in compliance with the requirements of Public Resource Code (PRC) Section 21081.6 and CEQA Guidelines Section 15097. The City of Los Angeles (City) is the Lead Agency for the Project and therefore is responsible for administering and implementing the MMP. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation; however, until mitigation measures have been completed, the Lead Agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

## 4.2 Purpose

It is the intent of this MMP to:

1. Verify compliance with the PDFs and MMs identified in the EIR;
2. Provide a framework to document implementation of the identified PDFs and MMs;
3. Provide a record of mitigation requirements;
4. Identify monitoring and enforcement agencies;

5. Establish and clarify administrative procedures for the clearance of PDFs and MMs;
6. Establish the frequency and duration of monitoring; and
7. Utilize the existing agency review processes wherever feasible.

### 4.3 Organization

As shown on the following pages, each identified PDF and MM for the Project is listed and categorized by environmental impact area, with accompanying discussion of:

- **Enforcement Agency:** the agency with the power to enforce the PDF or MM.
- **Monitoring Agency:** the agency to which reports involving feasibility, compliance, implementation, and development are made.
- **Monitoring Phase:** the phase of the Project during which the PDF or MM shall be monitored.
- **Monitoring Frequency:** the frequency at which the PDF or MM shall be monitored.
- **Action Indicating Compliance:** the action(s) by which the Enforcement or Monitoring Agency indicates that compliance with the identified PDF or required MM has been implemented.

### 4.4 Administrative Procedures and Enforcement

This MMP shall be enforced throughout all phases of the Project. The Applicant shall be responsible for implementing each PDF and MM and shall be obligated to provide certification, as identified below, to the appropriate monitoring and enforcement agencies that each PDF and MM has been implemented. The Applicant shall maintain records demonstrating compliance with each PDF and MM. Such records shall be made available to the City upon request. Furthermore, specifically during the construction phase and prior to the issuance of permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by the Department of City Planning, who shall be responsible for monitoring implementation of PDFs and MMs during construction activities consistent with the monitoring phase and frequency set forth in this MMP. The Construction Monitor shall also prepare documentation of the Applicant's compliance with the PDFs and MMs during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to report to the Enforcement Agency any non-compliance with the MMs and PDFs within two businesses days if the Applicant does not correct the non-compliance within the specified time following notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

## 4.5 Program Modification

The Project shall be in substantial conformance with the PDFs and MMs contained in this MMP. The enforcing departments or agencies may determine substantial conformance with PDFs and MMs in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a PDF or MM may be modified or deleted as follows: the enforcing department or agency, or the decision maker for a subsequent discretionary Project-related approval, finds that the modification or deletion complies with CEQA, including CEQA Guidelines Sections 15162 and 15164, which could include the preparation of an addendum or subsequent environmental clearance, if necessary, to analyze the impacts from the modifications to, or deletion of, the PDFs or MMs. Any addendum or subsequent CEQA clearance shall explain why the PDF or MM is no longer needed, not feasible, or other basis for modifying or deleting the PDF or MM, and that the modification will not result in a new significant impact consistent with the requirements of CEQA. Under this process, the modification or deletion of a PDF or MM shall not, in and of itself, require a modification to any Project discretionary approval unless the Director of Planning also finds that the change to the PDF or MM results in a substantial change to the Project or the non-environmental conditions of approval.

## 4.6 Mitigation Monitoring Program

### Air Quality

#### Mitigation Measures

**AQ-MM-1: Construction Equipment Features:** The Applicant 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:

- The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and United States Environmental Protection Agency (USEPA) Tier 4 Final off-road emissions standards or equivalent for equipment rated at 50 horsepower (hp) or greater during Project construction. Such equipment shall be outfitted with Best Available Control Technology (BACT) which means a CARB certified Level 3 Diesel Particulate Filter or equivalent.
- Prior to any demolition or construction activity, 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.

- Prior to any demolition or construction activity, the Project representative shall provide documentation that haul truck drivers have received training regarding idling limitations specified in Title 13 California Code of Regulations, Section 2485.
- Prior to and during any demolition or construction activity haul trucks shall be limited to not more than 5 minutes of idling for loading and unloading activities.
- 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.
- Construction activities shall be discontinued during second-stage smog alerts. A record of any second-stage smog alerts and of discontinued construction activities as applicable shall be maintained by the Contractor on-site and provided to the City Planning Department annually during construction.
  - **Enforcement Agency:** City of Los Angeles Department of Building and Safety; South Coast Air Quality Management District
  - **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
  - **Monitoring Phase:** Pre-construction; Construction
  - **Monitoring Frequency:** Once at Project plan check prior to issuance of demolition or grading permit (provide proof of compliance); Periodically during field inspection
  - **Action Indicating Compliance:** Plan check approval and issuance of applicable demolition or grading permit (provide proof of compliance); Field inspection signoff

## Biological Resources

### Mitigation Measures

**BIO-MM-1:** Due to the presence of potentially suitable roosting and foraging habitat (palms) for western mastiff bat, western yellow bat, silver-haired bat, and Townsend's big-eared bat, the Project shall carry out the following steps and to the satisfaction of the City Planning Department:

- Disturbance to suitable bat roosting habitat shall be scheduled from September 15 – November 30, outside of the maternity roosting and hibernation seasons. If suitable roosting habitat (palm trees) does need to be removed, a qualified biologist shall conduct a pre-construction survey using acoustic bat detectors (e.g., Anabat) and night vision goggles for an emergence survey (for at least one-hour after sunset) to

determine whether special-status bat species are roosting within the suitable roosting habitat. A qualified biologist is a biologist with specialized bat experience including the familiarity with bat roost biology (i.e., a professional biologist with a minimum of two years of bat survey experience, inclusive of acoustic survey experience).

- If the qualified biologist determines that no potential suitable roosting habitat is present within the survey area, no further action shall be necessary in regard to roosting bat species (both special-status and non-special status, non-game species).
- If an active roost site is located during the pre-construction survey, the roost shall be avoided and Project construction activities shall be conducted as recommended by the qualified biologist to avoid the area, which may include temporary postponement of activities or provision of a suitable buffer around the roost until roosting activities cease.
- If special-status bats are detected, a qualified bat specialist shall prepare species specific mitigation measures to reduce or avoid impacts to each special-status species detected. Recommended measures include avoidance by postponing or temporarily halting construction until the special-status bats are no longer detected or implement a 100-foot no-work buffer.
- If bats are not detected during the pre-construction survey, but the qualified biologist determines that roosting bats may be present at any time of year and could roost in palms at a given location, removal activities shall be initiated by pushing palms using heavy machinery prior to using a chainsaw to remove the tree. In order to provide the optimum warning to any roosting special-status bats that may be present, palms shall be pushed lightly two or three times, with an approximately 30-second pause between each nudge/push to allow bats to become active. A period of at least 24 hours shall elapse between such operations to allow special-status bats to escape the construction area.
- A report shall be submitted to the City Planning Department with the results of the pre-construction survey and any avoidance actions prior to any Project-related ground-disturbing activities or vegetation removal at or near locations of bat roosting habitat. Avoidance measures developed by the qualified biologist shall be based on site-specific factors to prevent roost disturbances; proposed construction activities, height and distance of bat roosts from proposed construction activities, the presence of visual and/or acoustic barriers between the roost and proposed activities, and the pre-existing level of human activities (e.g., ambient noise, potential movement, etc.) to which the bats may already tolerate.
  - **Enforcement Agency:** City of Los Angeles Department of Building and Safety
  - **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
  - **Monitoring Phase:** Pre-construction; Construction

- **Monitoring Frequency:** Once, prior to issuance of grading permit (provide proof of compliance); Periodically during field inspection
- **Action Indicating Compliance:** Field inspection signoff; compliance report by qualified consultant

## Geology and Soils

### Mitigation Measures

**PALEO-MM-1: Retention of a Qualified Paleontologist.** Qualified Paleontologist meeting the Society of Vertebrate Paleontology Standards (SVP, 2010) (Qualified Paleontologist) shall be retained prior to the approval of demolition or grading permits. The Qualified Paleontologist shall provide technical and compliance oversight of all work as it relates to paleontological resources, shall attend the Project kick-off meeting and Project progress meetings on a regular basis, and shall report to the Project Site in the event potential paleontological resources are encountered.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once, prior to issuance of demolition permit (provide proof of compliance); Ongoing with periodic field inspections during construction if resources are encountered
- **Action Indicating Compliance:** Issuance of demolition permit; compliance report by qualified paleontologist

**PALEO-MM-2: Construction Worker Paleontological Resources Sensitivity Training.** The Qualified Paleontologist shall conduct construction worker paleontological resources sensitivity training at the Project kick-off meeting prior to the start of ground disturbing activities (including vegetation removal, pavement removal, etc.). In the event construction crews are phased, additional training shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources that could be encountered.

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



- **Monitoring Frequency:** Once, prior to ground-disturbing activities (provide proof of compliance); Ongoing if construction crews are phased to ensure all new construction personnel have undertaken training
- **Action Indicating Compliance:** Compliance report by qualified paleontologist

**PALEO-MM-3: Paleontological Resources Monitoring.** Paleontological resources monitoring shall be conducted for ground disturbing activities in previously undisturbed sediments. Paleontological resources monitoring shall be performed by a qualified paleontological monitor (meeting the standards of the SVP, 2010) under the direction of the Qualified Paleontologist. Depending on the conditions encountered, full-time monitoring can be reduced to part-time inspections or ceased entirely if determined acceptable by the Qualified Paleontologist; the Qualified Paleontologist shall document any such decision in the Monitors' applicable daily log as well as in their final report. Monitors shall have the authority to temporarily halt or divert work away from exposed fossils or potential fossils. Monitors shall prepare daily logs detailing the types of activities and soils observed and any discoveries. Any significant fossils collected during Project-related excavations shall be prepared to the point of identification and curated into an accredited repository with retrievable storage. The Qualified Paleontologist shall prepare a final monitoring and mitigation report for submittal to the City in order to document the results of the monitoring effort and any discoveries, as well as any decisions (and justification) to modify full-time monitoring. If there are significant discoveries, fossil locality information and final disposition shall be included with the final report, which shall be submitted to the appropriate repository and the City.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Ongoing during demolition, excavation and grading activities
- **Action Indicating Compliance:** Compliance report by qualified paleontologist

## Greenhouse Gas Emissions

### Project Design Features

**GHG-PDF-1: Green Building Features.** The Project will include the following green building features:

- The Project's buildings will be designed to achieve the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Gold Certification or equivalent and will be designed and operated to meet or exceed the

applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green Building Code.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check prior to issuance of building permit; Once after completion of LEED Gold Certification or equivalent operation commissioning activities during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; Field inspection signoff that indicates the Project operates within the expected parameters to achieve the number of points required for LEED Gold Certification or equivalent.

## Noise

### Project Design Features

**NOI-PDF-1: (Construction Equipment Maintenance).** During plan check for each phase of the Project, the contractor will provide a statement to the City attesting that their powered construction equipment (including combustion engines), fixed or mobile, will be properly maintained to ensure that no additional noise, due to worn or improperly maintained parts, would be generated.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Pre-operation
- **Monitoring Frequency:** Once at Project plan check; Once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; Field inspection signoff

**NOI-PDF-2: (Mechanical Equipment Noise).** Prior to issuance of building permits, the Applicant shall provide documentation to show that all outdoor mounted building mechanical equipment and/or ventilation systems not fully enclosed will be designed to not exceed the noise level limits specified in the LAMC through the use of quiet fans, duct silencers, parapets, enclosures, mufflers, or similar noise attenuation methods.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety

- **Monitoring Phase:** Pre-construction; Pre-operation
- **Monitoring Frequency:** Once at Project plan check; Periodic field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; Field inspection signoff

**NOI-PDF-3: (Impact Pile Drivers Prohibited).** The Project will not require or allow the use of impact pile drivers. Lower noise- and vibration-generating augured, drilled, or vibratory piles will be permitted.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction; Construction
- **Monitoring Frequency:** Once at Project plan check; Periodic field inspections
- **Action Indicating Compliance:** Issuance of building permit; Field inspection sign-off

## Mitigation Measures

**NOI-MM-1: Noise Barriers.** The Project shall provide a temporary 20-foot-tall construction noise barrier equipped with noise blankets or equivalent noise reduction materials rated to achieve sound level reductions of at least 15 dBA along the western boundary of the Hilton Property, to block the line of sight with nearby receptors such as the adjacent hotel's lower floors, from the start of demolition through the completion of architectural coating activities. The barrier shall be placed on top of the Project parking structure at the same level as the existing Project building entrance.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once at Project plan check; Once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of any demolition, grading or building permit; Submittal of compliance report from qualified noise consultant

**NOI-MM-2: Construction Equipment Noise Shielding and Muffling Devices.** Prior to any construction activities, the Applicant shall provide a list of equipment and attachments such that demonstrates that construction equipment, fixed or mobile, are equipped with properly operating and maintained noise shielding and muffling devices, consistent with

manufacturers' specifications. Prior to any construction activities, the Applicant shall provide documentation prepared by a noise consultant verifying compliance with this measure to the City Planning Department. The equipment shall be equipped with muffler systems that provide a minimum reduction of 8 dBA compared to the same equipment without an installed muffler system.. The construction contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturers' specifications.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-Construction; Construction
- **Monitoring Frequency:** Once at Project plan check; Periodic field inspections
- **Action Indicating Compliance:** Plan check approval and issuance of any demolition, grading or building permit; Field inspection sign-offs

## Police Protection

### Project Design Features

**POL-PDF-1: Security Features During Construction.** During construction, on-site security measures will include security lighting and a construction security fence with gated and locked entry around active construction areas.

- **Enforcement Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Construction
- **Monitoring Frequency:** Periodic field inspections
- **Action Indicating Compliance:** Field inspection sign-offs

**POL-PDF-2: Operational Security Features.** During operation, the Hotel would continue to implement its comprehensive 24 hours per day/seven days per week security program, which includes comprehensive coverage and monitoring of key areas through closed circuit television (CCTV), electronically controlled and locking access cards for non-public areas, full time 24-hour, security provided by Hotel staff at the front desk and security personnel. Security personnel duties include, but are not limited to, assisting guests and visitors with Project Site access; monitoring entrances and exits of buildings; managing and monitoring fire/life/safety systems; and patrolling the Project Site. Initial alarms such as intruder alarms or duress alarms will be the responsibility of site security personnel as

first responders. Access to the parking garage will be controlled by an electronic access gate and is monitored by CCTV.

- **Enforcement Agency:** City of Los Angeles Police Department, City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning, City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Post-construction
- **Monitoring Frequency:** Once at Project plan check; Once during field inspection
- **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; Issuance of Certificate of Occupancy

## Transportation

### Project Design Features

**TRAF-PDF-1: Transportation Demand Management Program.** The Applicant shall implement a TDM Program for the Project aimed at discouraging single-occupancy vehicle trips and encouraging alternative modes of transportation, such as carpooling, taking transit, walking, and biking. The Existing Hotel Building currently implements these four strategies and will continue to do so upon completion of the Project. The strategies in the TDM Program will include:

- **Transit Subsidies:** Transit fare subsidies will be proactively offered to each employee at least once annually for a minimum of five years. At the time of initial opening, the Project will offer a daily transit subsidy to all employees. This TDM strategy is currently implemented by the Existing Hotel Building and will continue to be upon completion of the Project.
- **Promotions and Marketing:** The Project will utilize promotional and marketing tools to educate and inform employees about alternative transportation options and the effects of their travel choices. Rather than two-way communication tools or tools that would encourage an individual to consider a different mode of travel at the time the trip is taken (i.e., smartphone application, daily email, etc.), this TDM strategy includes passive educational and promotional materials, such as posters, information boards, or a website with information that employees can choose to read at their own leisure. This TDM strategy is currently implemented by the Existing Hotel Building and will continue to be upon completion of the Project.
- **Include Bicycle Parking** per the Los Angeles Municipal Code: Table 12.21 A.16(a)(2) in the LAMC provides the required short-term and long-term bicycle parking spaces for the Project. The Project will provide the LAMC-required number of short-term and long-term bicycle parking spaces on-site.

The bicycle parking ratios for both short term and long term are as follows:

- Hotel (395 guestrooms): 1 space per 20 guestrooms (20 spaces);
- Restaurant (11,933 s.f.): 1 space per 2,000 s.f. (6 spaces);
- Bar and Lounge (1,590 s.f.): 1 space per 2,000 s.f. (2 spaces);
- Spa (8,630 s.f.): 1 space per 2,000 s.f. (4 spaces); and
- Meeting Rooms (3,400 s.f.): 1 space per 10,000 s.f. (2 spaces).

The long-term bicycle parking ratios are as follows:

- Hotel (395 guestrooms): 1 space per 10 guestrooms (40 spaces);
- Restaurant (11,933 s.f.): 1 space per 2,000 s.f. (6 spaces);
- Bar and Lounge (1,590 s.f.): 1 space per 2,000 s.f. (2 spaces)
- Spa (8,630 s.f.): 1 space per 2,000 s.f. (4 spaces); and
- Meeting Rooms (3,400 s.f.): 1 space per 10,000 s.f. (2 spaces)

Based on the above, the Project is required to provide 54 short-term and 54 long-term bicycle parking spaces, for a total of 108 bicycle parking spaces. The Project will provide 54 short-term and 64 long-term bicycle parking spaces (10 more than required by the LAMC).

- **Include Secure Bicycle Parking and Showers:** This strategy involves implementation of additional end-of-trip bicycle facilities to support safe and comfortable bicycle travel by providing amenities at destinations. This strategy applies to projects that include bicycle parking on-site per the LAMC. As noted above, the long-term bicycle parking would be secured from the general public in accordance with LAMC Section 12.21 A.16(d)(2). In addition, the Project will ensure showers will be provided for employees within the Existing Hotel Building in accordance with LAMC Section 91.6307.
  - **Enforcement Agency:** City of Los Angeles Department of Transportation, City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning
  - **Monitoring Agency:** City of Los Angeles Department of Transportation; City of Los Angeles Department of Building and Safety
  - **Monitoring Phase:** Pre-construction; Construction
  - **Monitoring Frequency:** Once at plan check prior to issuance of applicable demolition or building permit; Periodic field inspections

- **Action Indicating Compliance:** Approval of Traffic Demand Management measures from the Los Angeles Department of Transportation prior to issuance of applicable demolition or building permit; Field inspection sign-offs

**TRAF-PDF-2: Construction Management Plan.** Prior to the issuance of a demolition permit for the Project, a detailed Construction Management Plan (CMP), including street closure information, traffic management strategies, detour plans, haul routes and a staging plan, shall be prepared and submitted to LADOT for review and approval. The CMP will formalize how construction traffic will be regulated and identify specific actions that will be required to reduce effects on the surrounding community. The CMP will be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site and will include, but not be limited to, the following elements, as appropriate:

- Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation.
- Ensure that access will remain unobstructed for land uses in proximity to the Project Site during project construction.
- Coordinate with the City and emergency service providers to ensure adequate access, including emergency access, is maintained to the Project Site and neighboring businesses and residences. Emergency access points will be marked accordingly in consultation with LAFD, as necessary.
- Prohibition of construction worker or equipment parking on adjacent streets;
- Prohibition of haul truck staging on any streets adjacent to the Project, unless specifically approved as a condition of an approved haul route;
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding Arterial Streets;
- Containment of construction activity within the Project Site boundaries;
- Implementation of safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers;
- Scheduling of construction-related deliveries, haul trips, etc., to occur outside the commuter peak hours;
- Spacing of trucks so as to discourage a convoy effect;
- Sufficient watering of the construction area to control dust caused by grading and hauling and reasonable control at all times of dust caused by wind;

- Maintenance of a log, available on the job site at all times, documenting the dates of hauling and the number of trips (i.e., trucks) per day; and
- Identification of a construction manager and provision of a telephone number for any inquiries or complaints from residents regarding construction activities posted at the site readily visible to any interested party during site preparation, grading, and construction.
  - **Enforcement Agency:** City of Los Angeles Department of Transportation, City of Los Angeles Department of Building and Safety; City of Los Angeles Department of City Planning
  - **Monitoring Agency:** City of Los Angeles Department of Transportation; City of Los Angeles Department of Building and Safety
  - **Monitoring Phase:** Pre-construction; Construction
  - **Monitoring Frequency:** Once at plan check prior to issuance of applicable demolition or building permit; Periodic field inspections
  - **Action Indicating Compliance:** Approval of Construction Traffic Management Plan from the Los Angeles Department of Transportation prior to issuance of applicable demolition or building permit; Field inspection sign-offs

## Tribal Cultural Resources

### Project Design Features

#### TCR-PDF-1: Construction Tribal Monitoring

**Monitor Retention.** Prior to commencing any Ground Disturbance Activities (as defined below) at the Project Site, the Applicant, or its successor, shall retain a qualified tribal monitor from and approved by the *Gabrieleño Band of Mission Indians – Kizh Nation*, as well as a qualified tribal monitor from and approved by the *Fernandeño Tataviam Band of Mission Indians* (Tribes), and a qualified archaeological monitor. Ground Disturbance Activities shall include demolition, excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil, potholing, pavement removal, grubbing, tree removals, boring or a similar activity at the Project Site. A qualified archaeological monitor shall be identified as principal personnel who must meet the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation, have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in Southern California, and shall ensure that all other personnel associated with and hired for the archaeological monitoring are appropriately trained and qualified. The Applicant, or its successor, the archaeological monitor, and the tribal monitor(s) shall execute a monitoring agreement prior to the earlier of the commencement of any Ground Disturbing Activity, or the issuance of any permit necessary to commence a Ground Disturbing Activity.



**WEAP.** Prior to commencing any Ground Disturbance Activities, the archaeological monitor, in consultation with the tribal monitor(s), shall provide Worker Environmental Awareness Program (WEAP) training to construction crews involved in Ground Disturbance Activities that includes information on regulatory requirements for the protection of tribal cultural resources. As part of the WEAP training, construction crews shall be briefed on proper procedures to follow should a crew member discover tribal cultural resources during Ground Disturbance Activities. In addition, workers will be shown examples of the types of resources that would require notification of the archaeological monitor and tribal monitor(s). The Applicant shall maintain on the Project Site, for potential City inspection, documentation establishing the WEAP training was completed for all members of the construction crew involved in Ground Disturbance Activities.

**On-Site Monitoring.** The archaeological and tribal monitor(s) shall observe all Ground Disturbance Activities on the Project Site at all times any Ground Disturbance Activities are taking place. If Ground Disturbance Activities are simultaneously occurring at multiple locations on the Project Site, an archaeological monitor and a tribal monitor(s) shall be assigned to each location where the Ground Disturbance Activities are occurring. The tribal monitor(s) will complete daily monitoring logs that will provide descriptions and locations of the relevant Ground Disturbing Activities, the type of construction activities performed, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe(s). Monitor logs will identify and describe any discovered “tribal cultural resources” as defined in California Public Resources Code Section 21074, 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 will be provided to the Project Applicant and/or the City upon request to the Tribe(s). If any Project scheduled activities require the tribal monitor(s) to leave the Project Site for a period of time and return, confirmation shall be submitted to the Tribe(s) by the Applicant, in writing, upon completion of each set of scheduled activities and five (5) days’ notice (if possible) shall be submitted to the Tribe(s) by the Applicant, in writing, prior to the start of each set of scheduled activities. The on-site monitoring shall end when either 1) confirmation is received from the Applicant, in writing, that all scheduled activities pertaining to tribal monitoring and all Ground Disturbing Activities are completed; or 2) the Tribe(s) provides a determination, in writing, that no future, planned construction activity, and/or development/construction phase at the Project Site possesses the potential to impact any tribal cultural resources.

**Discovery of Resources.** In the event that any objects or artifacts that may be tribal cultural resources are encountered during the course of any Ground Disturbance Activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be 60 feet or otherwise determined by the archaeological monitor in consultation with the tribal monitor(s), until the potential “tribal cultural resources” are properly assessed and addressed by the archaeological monitor and the tribal monitor(s) pursuant to the process set forth below:

1. Upon a discovery of a potential tribal cultural resource, the Applicant, or its successor, shall immediately stop all Ground Disturbance Activities in the immediate vicinity of the find (i.e. 60 feet or otherwise determined by the archaeological monitor) until the find can be assessed by the archaeological monitor and tribal monitor(s).
2. If the archaeological monitor and tribal monitor(s) determine the resources are Native American in origin, the Tribe(s) will recommend steps for treatment of all discovered tribal cultural resources in the form and/or manner the Tribe deems appropriate, in the Tribe's reasonable discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.
3. The Applicant, or its successor, shall implement the Tribe's recommendations if the archaeological monitor, in consultation with the tribal monitor(s), conclude that the Tribe's recommendations are reasonable and feasible.
4. In addition to any recommendations from the Tribe(s), the archaeological monitor shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal cultural resources substantially consistent with best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state or local law, rule or regulation.
5. The Applicant, or its successor, may recommence Ground Disturbance Activities outside of the specified radius of the discovery site, so long as this radius has been reviewed by both the archaeological monitor and tribal monitor(s) and determined to be reasonable and appropriate, and so long as the Applicant has complied with all of the recommendations developed and approved pursuant to the process set forth in Paragraphs 2 through 4 above.
6. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File.
7. Notwithstanding Paragraph 6 above, any information that Los Angeles Department of City Planning, in consultation with the Los Angeles City Attorney's Office, determines to be confidential in nature shall be excluded from submission to the SCCIC or provided to the public under the applicable provisions of the California Public Records Act, California Public Resources Code (PRC), Section 6254(r), and handled in compliance with the City's AB 52 Confidentiality Protocols.
8. Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken.

**Discovery of Human Remains and Funerary Items.** Native American human remains are defined in Public Resources Code (PRC) Section 5097.98(d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, also called associated grave goods in PRC Section 5097.98(d)(2), are also to be treated according to this statute. If Native American human remains and/or grave goods are discovered or recognized on the Project Site, then PRC Sections 5097.9 et seq. as well as Health and Safety Code Section 7050.5 shall be followed. Human remains and grave/burial goods shall be treated alike per PRC section 5097.98(d)(1) and (2). Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

- **Enforcement Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Agency:** City of Los Angeles Department of City Planning; City of Los Angeles Department of Building and Safety
- **Monitoring Phase:** Pre-construction; Construction
- **Monitoring Frequency:** Once, prior to issuance of demolition permit (provide proof of compliance); Ongoing with periodic field inspections during construction if resources are encountered or if construction crews are phased (to ensure all new construction personnel have undertaken training).
- **Action Indicating Compliance:** Issuance of demolition permit; compliance report by qualified archaeologist

## Utilities and Services Systems - Water Supply

### Project Design Features

**WS-PDF-1: Water Conservation Features.** Prior to issuance of building permits, the project shall demonstrate that the following specific water efficiency features are provided within the new construction:

- Fixtures for the entire Project
  - High Efficiency Toilets with a flush volume of 1.0 gallons per flush, or less
  - High-efficiency Energy Star-rated commercial dishwashers
  - Showerheads with a flow rate of 1.5 gallons per minute, or less
  - Waterless Urinals

- Landscape and irrigation
  - 80 percent California Friendly® plants
  - Artificial Turf on all turf areas
  - Drip/Subsurface Irrigation (Micro-Irrigation)
  - Landscaping contouring to minimize precipitation runoff
  - Micro-Spray
  - Proper Hydro-zoning/Zoned Irrigation (groups plants with similar water requirements together)
  - Rotating Sprinkler Nozzles for Landscape Irrigation – 0.5 gallon per minute
- Pool
  - Install a meter on the pool make-up line so water use can be monitored and leaks can be identified and repaired
  - Leak Detection System for swimming pools and Jacuzzi
  - Water-Saving Pool Filter
    - **Enforcement Agency:** City of Los Angeles Department of Water and Power; City of Los Angeles Department of Building and Safety
    - **Monitoring Agency:** City of Los Angeles Department of Building and Safety
    - **Monitoring Phase:** Pre-construction; Construction
    - **Monitoring Frequency:** Once at Project plan check; Once during field inspection prior to Certificate of Occupancy
    - **Action Indicating Compliance:** Plan check approval and issuance of applicable building permit; Field inspection signoff prior to Certificate of Occupancy