

# **Addendum to the Hollywood Community Plan Environmental Impact Report (EIR) Mitigation Monitoring Program**

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## **Hollywood Community Plan**

CPC-2016-1450-CPU; ENV-2016-1451-EIR; ENV-2016-1451-EIR-ADD1  
SCH No. 2016041093.

For consideration by the Los Angeles City Council.

### ***Contents:***

- Amendments to the Mitigation Monitoring Program (MMP)

September 24, 2024

**Addendum to the Hollywood Community Plan Update EIR,  
ENV-2016-1451-EIR-ADD1, SCH No. 2016041093**

**1. Purpose**

Pursuant to CEQA Guidelines Section 15164, the following mitigation measures, MM CR-9 and MM CR-10, are added to the Mitigation & Monitoring Program (MMP) for the Hollywood Community Plan Update Environmental Impact Report, EIR No. ENV-2016-1451-EIR, certified on May 3, 2023 (EIR). The mitigation measures are added to address the Housing Crisis Act, Government Code Sections 66300, et seq., which prohibits non-objective design standards after January 1, 2020, unless they are adopted to implement a mitigation measure. (Gov. Code Sec. 66300(b)(1)(C) and (e)(3)(D).) The EIR recognized the following measures would be project design features (PDFs) and implemented on subsequent approvals in the CPIO subarea boundaries. As such, the measures were not included in the MMP, or adopted as mitigation measures for the Project when it was first approved on May 3, 2023. Adopting the measures as mitigation measures is necessary to ensure these measures determined feasible in the EIR are enforced on projects in the Subarea boundaries. These measures will not result in new significant impacts or more severe significant impacts than those impacts analyzed in the EIR because the EIR assumed implementation of the measures as PDFs. Based upon the above and pursuant to CEQA Guidelines Section 15162, there is no need for a supplemental or subsequent EIR.

**2. Incorporation by Reference**

The following documents are incorporated herein by reference consistent with Section 15150 of the California Environmental Quality Act (CEQA) Guidelines: Final Environmental Impact Report (EIR), Draft EIR, and the Partially Recirculated Draft EIR, referred to as the Hollywood Community Plan EIR.

- Final Environmental Impact Report:  
<https://planning.lacity.gov/development-services/eir/hollywood-community-plan-update-1>
- Draft Environmental Impact Report:  
<https://planning.lacity.gov/development-services/eir/hollywood-community-plan-update>
- Partially Recirculated Draft Environmental Impact Report:  
<https://planning.lacity.gov/development-services/eir/hollywood-community-plan-update>
- A physical Hollywood Community Plan EIR is available for review by appointment at the City of Los Angeles Department of City Planning at 200 N. Spring Street, Room 667, Los Angeles. Appointments must be made in advance by emailing [hollywoodplan@lacity.org](mailto:hollywoodplan@lacity.org).

### 3. New Mitigation Measures (MM-CR-9 and MM-CR-10)

#### MM-CR-9

Projects with a **designated historic resource** in a CPIO District Subarea shall be subject to the following:

- (a) The Project shall be consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties, as determined by the Director in consultation with OHR.
- (b) The Project shall not demolish or remove any building or structure, within a National Register Historic District, or California Register of Historical Places, that is designated as a Contributing Element, or Altered Contributing Element, unless the Owner can demonstrate to the Director that the owner would be deprived of all economically viable use of the property. In making its determination, the Director shall consider any evidence presented concerning the following:
  - (i) An opinion regarding the structural soundness of the structure and its suitability for continued use, renovation, Restoration or Rehabilitation from a licensed engineer or architect who meets the Secretary of the Interior’s Professional Qualification Standards as established by the Code of Federal Regulation, 36 CFR Part 61. This opinion shall be based on the Secretary of the Interior’s Standards for Architectural and Engineering Documentation with Guidelines;
  - (ii) An estimate of the cost of the proposed Demolition, and replacement project and an estimate of the cost that would be incurred to execute a Secretary of the Interior’s Standards for Rehabilitation alternative to the project, as identified in an Environmental Impact Report (EIR), or in the absence of an EIR, when appropriate under CEQA, as identified by the Director of Planning in consultation with the Cultural Heritage Commission or its designee;
  - (iii) An estimate of the market value of the property in its current condition; after completion of the proposed Demolition and replacement project; and after any expenditure necessary to execute a Secretary of the Interior’s Standards for Rehabilitation alternative to the project, as identified in an EIR, or in the absence of an EIR, when appropriate under CEQA, as identified by the Director of Planning in consultation with the Cultural Heritage Commission or its designee;  
An estimate from architects, developers, real estate consultants, appraisers, or other real estate professionals experienced in Rehabilitation as to the economic feasibility of Restoration, renovation or Rehabilitation of any existing structure or objects. This shall include tax incentives and any special funding sources, or government incentives which may be available.

For purposes of this mitigation measure, **designated historic resource** shall mean a building, structure, object, landscaping element, or natural feature listed or designated as a historical resource, either individually, or as a contributor to a district, at the local, state, or national level.

<b>Implementing Agency</b>	City Council; Applicant for Individual Projects
<b>Enforcement/Monitoring Agency</b>	DCP, DBS
<b>Monitoring Phase/Actions</b>	Adoption of CPIO; Prior to project approval, building permit issuance

**MM CR10**

Projects with **eligible historic resources** in a CPIO District Subarea shall be subject to the following:

- (a) **Non-Demolitions.** If the Project does not involve the Demolition of the Eligible Historic Resource, the following requirements shall be met:
  - (i) The Director, in consultation with the Office of Historic Resources, determines, based upon a Phase 1 Historic Resource Assessment and substantial evidence, that the Eligible Historic Resource is not an historical resource, as defined by Public Resources Code Section 21084.1;
  - (ii) The Director, in consultation with the Office of Historic Resources, determines, based upon substantial evidence, that the Project is consistent with the Secretary of Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings; or,
- (b) **Demolitions.** If the Project involves the Demolition of an Eligible Historic Resource, the following requirements shall be met:
  - (i) The Director, in consultation with the Office of Historic Resources, determines, based upon a Phase 1 Historic Resource Assessment and substantial evidence, that the Eligible Historic Resource is not an historical resource, as defined by Public Resources Code Section 21084.1; or
  - (ii) Environmental review in compliance with CEQA was completed on the Project, including if necessary, the adoption of a statement of overriding considerations.
- (c) **CEQA Review for Eligible Historic Resources.** In complying with this Subdivision 7, if at any time the Director, in consultation with the Office of Historic Resources, determines the Eligible Historic Resource is not a historical resource as defined by Public Resources Code Section 21084.1, approval of the Project through an Administrative Clearance (involving no other discretionary approvals) shall be a ministerial approval. If the Director, in consultation with the Office of Historic Resources, determines the Eligible Historic Resource is a historical resource as defined by Public Resource Code Section 21084.1, the Director shall have discretion to impose feasible mitigation measures or deny the CPIO Approval if a necessary statement of overriding considerations is not adopted, and the CPIO approval shall be discretionary.

For purposes of this mitigation measure, **eligible historic resource** shall mean a building, structure, object, site, landscape, natural feature, or historic district identified as eligible for listing either individually or as a contributor to a historic district under a local, state, or federal designation program through Survey LA (the Los Angeles Historic Resources Survey), the January 2020 Historic Resources Survey Report prepared by CRA-LA Designated Local Authority, or any subsequent historic resource survey completed by a person meeting the Secretary of the Interior’s Professional Qualification Standards for Historic Preservation and accepted as complete by the Director, in consultation with the Office of Historic Resources. This term does not include a non-contributor to an eligible or designated historic district.

<b>Implementing Agency</b>	City Council; Applicant for Individual Projects
<b>Enforcement/Monitoring Agency</b>	DCP, DBS
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## 5.0 AMENDED MITIGATION MONITORING PROGRAM

Public Resources Code (PRC) Section 21081.6 and California Environmental Quality Act (CEQA) Guidelines Section 15097 require adoption of a Mitigation Monitoring Program (MMP) for all projects for which an Environmental Impact Report (EIR) has been prepared. Specifically, PRC Section 21081.6 states that "...the agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment... [and that the program] ...shall be designed to ensure compliance during project implementation."

CEQA Guidelines Section 15097 provides guidelines for implementing monitoring and reporting programs. Specific monitoring requirements to be enforced during project implementation must be defined prior to final approval of a project by the decision-maker. Although the Lead Agency (the City of Los Angeles) may delegate monitoring responsibilities to other agencies or entities, the Lead Agency "...remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program."

The MMP describes the procedures for the implementation of the mitigation measures adopted for the Proposed Plan. The MMP for the Proposed Plan will be in place through the planning horizon of the Plan (2040) or until the Plan and EIR are updated again, whichever is later. The City of Los Angeles Department of City Planning (DCP) staff and staff of other City Departments (e.g., Department of Building and Safety) shall be responsible for administering the MMP activities or delegating them to consultants, or contractors. The Monitoring or Enforcing Agencies identified herein, at their discretion, may require a project applicant or operator to pay for one or more independent environmental monitor(s) to be responsible for monitoring implementation of mitigation measures (e.g., City building inspector, project contractor, certified professionals, etc., depending on the requirements of the mitigation measures) required of project applicants or operators. Monitors would be hired by the City or by the applicant or operator at the City's discretion.

Each mitigation measure is identified in **Table 5-1** and is categorized by environmental topic and corresponding number, with identification of:

- The Implementing Agency – this is in most cases, the applicant for individual projects who will be required to implement most of the measures.
- The Enforcement Agency and Monitoring Agency – this is the agency or agencies that will monitor each measure and ensure that it is implemented in accordance with this MMP.
- Monitoring Phase / Monitoring Actions – this is the timeframe that monitoring would occur and the criteria that would determine when the measure has been accomplished and/or the monitoring actions to be undertaken to ensure the measure is implemented.

Many of the mitigation measures are implemented through the adoption of environmental standards in the Hollywood Community Plan Implementation Overlay District (CPIO). Others are to be implemented through the City's imposition of conditions of approval on future discretionary projects.

For the mitigation measures implemented through the CPIO, the CPIO shall do all of the following:

- (1) Adopt environmental standards to implement, and that are consistent with, the mitigation measures required on projects in the CPIO;
- (2) Require projects in the CPIO subareas to substantially conform with all applicable environmental standards, subject to the discretion of the enforcing and monitoring agency; and

- (3) Provide for the modification or a deletion of an environmental standard subject to the following:
  - a. The decision-maker finds in writing, based upon substantial evidence, the environmental standard is not necessary to mitigate the impact identified in the EIR, including on the basis of the existence of a similar or more effective regulation that applies to the project (such as an Air District rule) or a project design feature; or
  - b. The decision-maker finds in writing, based on substantial evidence, that the environmental standard is infeasible, and the decision-maker has adopted a new equally or more effective measure and the new measure will not result in any new significant impact and the decision-maker finds under CEQA Guidelines Section 15162, the new mitigation measures does not require a subsequent environmental clearance to the EIR; or
  - c. The City complies with CEQA Guidelines Sections 15162 and/or 15164, including by preparing an addendum or subsequent environmental clearance to the EIR to analyze the impacts from the modifications to the mitigation measure in the EIR; or
  - d. The City prepares a new CEQA clearance for an individual project that supports the modification or deletion of the mitigation measure in the EIR.
- (4) Authorize any City implementing, monitoring, or enforcing agency, to require the applicant to hire an outside consultant, subject to City approval, that will monitor and certify compliance with the environmental standards, or develop any other administrative procedures to ensure compliance with the environmental standards, including but not limited to requiring applicant's to sign acknowledgement of environmental standards and provide affidavit committing to comply with applicable environmental standard, and maintain records for certain period of time and hold records available for City inspection to demonstrate compliance.

Mitigation measures required outside of the CPIO shall be imposed as a condition of approval subject to the City's authority to condition the applicable entitlement for any subsequent approval and environmental review associated with the Hollywood Community Plan Update EIR pursuant to CEQA Guidelines Sections 15162, 15163, 15164, or 15168, or tiered clearance to the Hollywood Community Plan Update EIR, pursuant to the procedures in CEQA Guidelines Section 15152, or streamlining CEQA Clearance permitted in PRC Sections 21083, 21094.5, 21155-21155.2, 21155.4 or CEQA Guidelines Sections 15183 or 15183.3. Mitigation measures imposed as a condition of approval shall be imposed with a MMP that includes all of the following provisions:

- (1) This MMP shall be enforced throughout all phases of development projects subject to the mitigation measures. The Applicant shall be responsible for implementing each project design feature and mitigation measure and shall be obligated to provide certification, as identified below, to the appropriate monitoring agency and the appropriate enforcement agency that each project design feature and mitigation measures has been implemented. The Applicant shall maintain records demonstrating compliance with each project design feature and mitigation measure. Such records shall be made available to the City upon request. Further, specifically during the construction phase and prior to the issuance of building permits, the 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 project design features and mitigation measures 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 project design features and mitigation measures 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 Annual Compliance Report. The Construction Monitor shall be obligated to immediately report to the

Enforcement Agency any non-compliance with the mitigation measures and project design features within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

- (2) Modifications. The project shall be in substantial conformance with the mitigation measures contained in this MMP. The enforcing departments or agencies may determine substantial conformance with mitigation measures in the MMP in their reasonable discretion. If the department or agency cannot find substantial conformance, a mitigation measure may be modified or deleted as follows: the enforcing department or agency, or the decision maker for a subsequent discretionary project related approval, complies with CEQA Guidelines Sections 15162 and 15164, including by preparing an addendum or subsequent environmental clearance to analyze the impacts from the modifications to or deletion of the mitigation measures. Any addendum or subsequent CEQA clearance shall explain why the mitigation measure is no longer needed, not feasible, or the other basis for modifying or deleting the project design feature or mitigation measure. Under this process, the modification or deletion of a mitigation measure shall not require a modification to any project discretionary approval unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the Project or the non-environmental conditions of approval.

<b>TABLE 5-1: MITIGATION MONITORING PROGRAM</b>				
<b>No.</b>	<b>Mitigation Measure</b>	<b>Implementing Agency</b>	<b>Enforcement and Monitoring Agency</b>	<b>Monitoring Phase and Monitoring Actions <sup>/a/ /b/</sup></b>
<b>AESTHETICS</b>				
<b>AE1</b>	For any new construction on a building requiring site plan review, prior to the issuance of any building permits, the applicant shall submit plans and specifications for all exterior building materials to the Department of City Planning (DCP) and the Department of Building and Safety (DBS) for review and approval. Glass as part of the external façade of buildings shall be no more reflective than necessary to comply with Green Building Code or other state or local UV requirements.	Applicant for individual project	DCP, DBS	Prior to the issuance of building permits requiring site plan review: review and approval of building and construction plans by DBS.
<b>AIR QUALITY</b>				
<b>AQ1</b>	<p>The City shall require all projects that are in a CPIO District subarea or are discretionary to include in the agreements with contractors and subcontractors the following, or equivalent, best management practices in contract specifications:</p> <ul style="list-style-type: none"> <li>• All off-road diesel-powered construction equipment greater than 50 horsepower shall meet the USEPA Tier 4 emission standards, where available. In the event that Tier 4 engines are not available for any off-road equipment larger than 100 horsepower, that equipment shall be equipped with a Tier 3 engine, or an engine that is equipped with retrofit controls to reduce exhaust emissions of NOX and DPM to no more than Tier 3 levels unless certified by engine manufacturers or the on-site air quality construction mitigation manager that the use of such devices is not practical for specific engine types. For purposes of this condition, the use of such devices is "not practical" for the following, as well as other, reasons: <ul style="list-style-type: none"> <li>○ There is no available retrofit control device that has been verified by either the CARB or USEPA to control the engine in question to Tier 3;</li> <li>○ The construction equipment is intended to be on site for five days or less; or</li> <li>○ Relief may otherwise be granted from this requirement if a good faith effort has been made to comply with this requirement and that compliance is not practical for technical, legal, economic, or other reasons.</li> </ul> </li> <li>• All construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.</li> </ul>	Applicant for individual project  <b>Council for adoption of CPIO</b>	DBS  <b>Council for adoption of environmental standards in CPIO</b>	Prior to construction: submission to DBS contract specifications required of each project.  <b>Adoption of CPIO which includes environmental standard.</b>

/a/ The Monitoring Phase/Monitoring Actions are applicable to projects that are subject to the measures as described within each measure.

/b/ As a substitute for receiving any reports, studies, documents, any City department can require the applicant to hire an outside consultant to monitor compliance with mitigation measures and certify compliance to the applicable City Department.

<b>TABLE 5-1: MITIGATION MONITORING PROGRAM</b>				
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	<ul style="list-style-type: none"> <li>• Construction contractors shall use electricity from power poles rather than temporary gasoline or diesel power generators, as feasible, or solar where available.</li> <li>• Construction contractors shall use prepainted construction materials, as feasible.</li> <li>• Construction contractors shall provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.</li> <li>• Construction contractors shall provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site, as feasible.</li> <li>• Construction contractors shall reroute construction trucks away from congested streets or sensitive receptor areas, as feasible.</li> <li>• Construction contractors shall appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.</li> </ul>			
<b>BIOLOGICAL RESOURCES</b>				
<b>BR-1</b>	<p>For discretionary projects that are in or within 200 feet of Griffith Park, dedicated open space or are required to comply with the City's Baseline Hillside Ordinance, project applicants shall be required to conduct a biological resources assessment report to characterize the biological resources on-site and to determine the presence or absence of sensitive species. The report shall identify 1) approximate population size and distribution of any sensitive plant or animal species, 2) any sensitive habitats (such as wetlands or riparian areas), and 3) any potential impacts of proposed project on wildlife corridors and wildlife movement across the property or within the property vicinity. Off-site areas that may be directly or indirectly affected by the individual project shall also be surveyed. Survey times should correspond with the most likely time the potential species would be observed. The report shall include site location, literature sources, methodology, timing of surveys, vegetation map, site photographs, and descriptions of on-site biological resources (e.g., observed and detected species, as well as an analysis of those species with the potential to occur onsite). The biological resources assessment report and surveys shall be conducted by a qualified biologist, and any special status species surveys shall be conducted according to standard methods of surveying for the species as appropriate. The biological resources assessment report will document the potential for the sensitive species to occur on the site.</p>	Applicant for individual project	DCP, CDFW	<p>Prior to the issuance of grading permits: submit completed biological resources assessment report to DCP and CDFW.</p> <p>On completion of ground disturbing activities: submit a follow-up report documenting construction monitoring, relocation methods, and results of monitoring.</p>

/a/ The Monitoring Phase/Monitoring Actions are applicable to projects that are subject to the measures as described within each measure.

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	<p>If sensitive species and/or habitat are absent from or there is no suitable habitat to support the sensitive species on the individual project site and adjacent lands potentially affected by the individual project, a written report substantiating such shall be submitted to DCP prior to issuance of a grading permit.</p> <p>If sensitive species and/or habitat are identified, the biological resources assessment report shall require pre-construction surveys for sensitive species and/or construction monitoring to ensure avoidance, relocation, or safe escape of the sensitive species from the construction activities, as appropriate. If sensitive species are found to be nesting, brooding, denning, etc. on-site during the pre-construction survey or during construction monitoring, construction activities shall be halted until offspring are weaned, fledged, etc. and are able to escape the site or be safely relocated to appropriate off-site habitat areas. A qualified biologist shall be on-site to conduct surveys, for construction monitoring, to perform or oversee implementation of protective measures, and to determine when construction activity may resume. Additionally, the biological resources assessment report shall be submitted to DCP and CDFW prior to any ground-disturbing activities. A follow-up report documenting construction monitoring, relocation methods, and the results of the monitoring and species relocation shall also be submitted to DCP and CDFW following construction.</p>			
<b>BR-2</b>	<p>If indicated as appropriate by the biological resources assessment report required in BR1, focused surveys for special status plants shall be conducted. Prior to vegetation clearing for construction in open space areas, special status plants identified in the focused surveys shall be counted and mapped and a special-status plant relocation plan shall be developed and implemented to provide for translocation of the plants. The plan shall be prepared by a qualified biologist and shall include the following components: (1) identify an area of appropriate habitat, on-site preferred; (2) depending on the species detected, determine if translocation will take the form of seed collection and deposition, or transplanting the plants and surrounding soil as appropriate; (3) develop protocols for irrigation and maintenance of the translocated plants where appropriate; (4) set forth performance criteria (e.g., establishment of quantitative goals, expressed in percent cover or number of individuals, comparing the restored and impacted population) and remedial measures for the translocation effort; and (5) establish a five-year monitoring procedures/protocols for the translocated plants. Five years after initiation of the restoration activities, a report shall be submitted to DCP and CDFW, which shall at a minimum discuss the implementation, monitoring, and</p>	Applicant for individual project	DCP, CDFW, USFWS	<p>Prior to the issuance of grading permits: submission of Plant Relocation Plan to DCP and CDFW.</p> <p>Five years after initiation of restoration activities: submit report discussing implementation, monitoring, and management of restoration activities to DCP, CDFW and USFWS as applicable. Receipt of sign-off from agencies that performance criteria have been met. If no ongoing restoration to be undertaken until performance criteria accepted as met by applicable agencies.</p>

/a/ The Monitoring Phase/Monitoring Actions are applicable to projects that are subject to the measures as described within each measure.

/b/ As a substitute for receiving any reports, studies, documents, any City department can require the applicant to hire an outside consultant to monitor compliance with mitigation measures and certify compliance to the applicable City Department.

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	management of the restoration activities over the five-year period and indicate whether the restoration activities have, in part or in whole, been successful based on the established performance criteria. The restoration activities shall be extended if the performance criteria have not been met at the end of the five-year period to the satisfaction of DCP, CDFW, and USFWS, when applicable.			<b>Adoption of CPIO which includes environmental standard.</b>
<b>BR-3</b>	During environmental review for projects that are discretionary or in a CPIO District subarea, in areas potentially containing jurisdictional waters or riparian habitat, including streams, wetlands, riparian habitat, and other water bodies, affected sites as well as off-site areas that may be directly or indirectly affected by the individual development project shall be surveyed by a qualified biologist for Waters of the U.S. and Waters of the State (e.g., streams, wetlands, or riparian habitat). Whenever possible, individual projects shall be designed and/or sited to avoid disturbance to or loss of jurisdictional resources. If Waters of the U.S. or Waters of the State cannot be avoided and would be affected by the individual project, the regulatory agencies shall be consulted regarding the required permits. Individual project applicants shall demonstrate to DCP, if the lead agency, the regulating agency that the requirements of agencies with jurisdiction over the subject resource can be met prior to obtaining grading permits. This will include, but not be limited to, consultation with those agencies, securing the appropriate permits, waivers, or agreements, and arrangements with a local or regional mitigation bank including in lieu fees, as needed.	Applicant for individual project  <b>Council for adoption of CPIO</b>	DCP  <b>Council for adoption of environmental standards in CPIO</b>	Prior to project approval: submit report to regulating agencies demonstrating compliance with requirements.  <b>Adoption of CPIO which includes environmental standard.</b>
<b>BR-4</b>	At the discretion of the regulatory agencies, including DCP, if applicable, discretionary development projects resulting in the modification, change, and/or loss of Waters of the U.S. and Waters of the State (e.g., streams, wetland, or riparian habitat) under jurisdiction of the regulatory agencies shall be required to contribute to a mitigation bank, contribute to an in-lieu fee program, establish on-site or off-site restoration of in-kind habitat, or establish on-site or off-site restoration of out-of-kind habitat that is of high value to the watershed and provides important watershed functions. Individual project applicants shall submit a compensatory plan for review and approval by relevant regulatory agencies, including DCP, if applicable. The compensatory plan shall be developed by a qualified biologist or restoration ecologist and approved by the relevant regulatory agencies prior to issuance of a grading permit. The plan shall be based on the ACOE Final Mitigation Guidelines and Monitoring Requirements (April 19, 2004) and the Los Angeles District's	Applicant for individual project	DCP	Prior to the issuance of all building permits; submit compensatory plan for review and approval of regulatory agencies.  Prior to Certificate of Occupancy: document compliance with compensatory plan and submit to DCP.

/a/ The Monitoring Phase/Monitoring Actions are applicable to projects that are subject to the measures as described within each measure.

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	<p>Recommended Outline for Draft and Final Compensatory Mitigation and Monitoring Plans.<sup>1</sup> In broad terms, this plan shall at a minimum include:</p> <ul style="list-style-type: none"> <li>• Description of the project/impact and mitigation sites</li> <li>• Specific objectives</li> <li>• Implementation plan</li> <li>• Success criteria</li> <li>• Required maintenance activities</li> <li>• Monitoring plan</li> <li>• Contingency measures</li> </ul> <p>At the discretion of DCP and relevant regulatory agencies, Waters of the U.S. and Waters of the State shall be replaced at a minimum 3:1 ratio. The specific success criteria and methods for evaluating whether an individual development project has been successful at meeting those criteria shall be determined by the qualified biologist or restoration ecologist and included in the compensatory plan.</p> <p>Implementation of the compensatory plan shall commence prior to issuance of a grading permit for individual projects. If the compensatory plan involves establishment or restoration activities, these activities shall be implemented over a five-year period. The establishment or restoration activities shall incorporate an iterative process of annual monitoring and evaluation of progress, and allow for adjustments to the activities, as necessary, to achieve desired outcomes and meet the success criteria. Five years after initiation of establishment or restoration activities, a final report shall be submitted to the relevant regulatory agencies and DCP, which shall at a minimum discuss the implementation, monitoring, and management of the activities over the five-year period, and indicate whether the activities have, in part, or in whole, been successful based on established success criteria. The establishment or restoration activities shall be extended if the success criteria have not been met to the satisfaction of DCP and relevant regulatory agencies.</p>			

<sup>1</sup> The USACE's Final Mitigation Guidelines and Monitoring Requirements (April 19, 2004) is available at the Army Corps of Engineers Los Angeles District Regulatory Division webpage at [www.spl.usace.army.mil/regulatory/](http://www.spl.usace.army.mil/regulatory/). This document contains the Los Angeles District's Recommended Outline for Draft and Final Compensatory Mitigation and Monitoring Plans. This publication is intended to serve as a technical guide for permit applicants preparing compensatory mitigation plans and identifies the types and extent of information that agency personnel need to assess the likelihood of the success of mitigation proposals. The Los Angeles District's outline is adapted to specific issues encountered in the region.

/a/ The Monitoring Phase/Monitoring Actions are applicable to projects that are subject to the measures as described within each measure.

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<b>No.</b>	<b>Mitigation Measure</b>	<b>Implementing Agency</b>	<b>Enforcement and Monitoring Agency</b>	<b>Monitoring Phase and Monitoring Actions <sup>/a/ /b/</sup></b>
<b>BR-5</b>	For projects that are discretionary or in a CPIO District subarea, prior to construction activities on properties that contain seasonal or perennial streams, year-round or intermittent wetlands, riparian habitat, or the Los Angeles River, project applicants shall be required to prepare and submit to the U.S. Army Corps of Engineers a "Preliminary Delineation Report for Waters of the U.S." (which shall delineate any on-site wetlands) and, as appropriate, a Streambed Alteration Notification package to CDFW. If these agencies determine that project features are not regulated under their jurisdiction, then no further protection measure is necessary. However, if the U.S. Army Corps of Engineers determines that a federally-protected wetland is located on-site or considers the feature to be jurisdictional through a "significant nexus" test per recent U.S. Army Corps of Engineers and USEPA guidance, <sup>2</sup> then a Clean Water Act Section 404 permit shall be obtained from the U.S. Army Corps of Engineers, and any permit conditions shall be agreed to, prior to the start of construction activities in the affected area. If CDFW determines that the drainage is a regulated "streambed", then a Streambed Alteration Agreement shall be entered into with CDFW and any associated conditions shall be agreed to prior to the start of construction in the affected area.	Applicant for individual project  <b>Council for adoption of CPIO</b>	U.S. Army Corps of Engineers, CDFW  <b>Council for adoption of environmental standards in CPIO</b>	Prior to construction: prepare and submit a Preliminary Delineation Report for Waters of the U.S. to the U.S. Army Corp of Engineers and Streambed Alteration Notification package to CDFW. Obtain 404 permit and Streambed Alteration Agreement as needed.  <b>Adoption of CPIO which includes environmental standard.</b>
<b>BR-6</b>	For discretionary projects that are in or within 200 feet of Griffith Park, dedicated open space, or are required to comply with the City's Baseline Hillside Ordinance, the biological resources assessment report, as mentioned in <b>Mitigation Measure BR-1</b> , shall analyze how the individual development project could affect wildlife corridors and wildlife movement. The biological resources assessment report shall include a biological constraints analysis that shall identify measures (such as providing native landscaping to provide cover on the wildlife corridor) that the individual project would be required to implement such that the existing wildlife corridor would remain. Wildlife corridors identified in the biological resources assessment report shall not be entirely obstructed from wildlife passage by the discretionary project. Measures to support wildlife movement include but are not limited to: retention of onsite native trees and vegetation, or unobstructed setbacks or wildlife friendly fencing on at least two edges of the property, or minimum 25-foot buffers from the edge of stream, reservoir, riparian or wetland habitat.	Applicant for individual project	DCP	Prior to construction: submit biological resources assessment report to DCP. Address recommendations to protect wildlife corridors if any and document in report to DCP document.

<sup>2</sup> U.S. Environmental Protection Agency and U.S. Department of the Army, Clean Water Act Jurisdiction Following the US. Supreme Court's Decision in *Rapanos v United States & Carabell v. United States*. June 5, 2007.

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<b>CULTURAL RESOURCES</b>				
<b>CR1</b>	For all discretionary projects or projects in a CPIO District Subarea, that involve disturbance of previously undisturbed soils, a qualified archaeologist shall be required to monitor excavation and grading activities in soils that have not been previously disturbed, to identify, record, and evaluate the significance of any archaeological finds during construction. If archaeological resources are uncovered (in either a previously disturbed or undisturbed area), the City Department of Building and Safety shall be notified immediately, and all work shall cease in the area of the find until a qualified archaeologist has evaluated the find in accordance with federal, state, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Personnel of the project shall not collect or move any archaeological materials or associated materials. Construction activity may continue unimpeded on other portions of the project site. The found deposits shall be treated in accordance with federal, state, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. Construction activities in the area where resources were found may commence once the identified resources are properly assessed and processed by a qualified archeologist.	Applicant for individual projects  <b>Council for adoption of CPIO</b>	DBS  <b>Council for adoption of environmental standards in CPIO</b>	Construction: if resources are found memorandum from archaeologist recommending actions and final report documenting assessment and processing of resources to be submitted to DBS.  <b>Adoption of CPIO which includes environmental standard.</b>
<b>CR2</b>	For all discretionary projects or projects in a CPIO District Subarea, the City shall require that all cultural resources identified on a site be assessed and treated in a manner consistent with PRC Section 21083.2, as determined appropriate by a qualified archaeologist in consultation with the City's Office of Historic Resources. A report shall be prepared according to current professional standards that describes the resource, how it was assessed, and disposition.	Applicant for individual project  <b>Council for adoption of CPIO</b>	DCP - Office of Historic Resources  <b>Council for adoption of environmental standards in CPIO</b>	Construction: completion of report documenting finds and disposition and submission to DCP - Office of Historic Resources.  <b>Adoption of CPIO which includes environmental standard.</b>
<b>CR3</b>	For all projects that are not subject to <b>Mitigation Measures CR1</b> and <b>CR2</b> that are seeking excavation or grading permits, the Department of Building and Safety shall issue the following notice and obtain an acknowledgement of receipt of the notice from applicants: <ul style="list-style-type: none"> <li>California Penal Code Section 622.5 provides the following: "Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor."</li> <li>Best practices to ensure archaeological resources are not damaged</li> </ul>	Applicant for individual project	DBS	Pre-construction: DBS receipt of acknowledgement.

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	<p>include but are not limited to the following steps:</p> <ul style="list-style-type: none"> <li>○ A qualified archaeologist monitors excavation and grading activities in soils that have not been previously disturbed, to identify, record, and evaluate the significance of any archaeological finds during construction.</li> <li>○ If archaeological resources are uncovered (in either a previously disturbed or undisturbed area), all work ceases in the area of the find until a qualified archaeologist has evaluated the find in accordance with federal, state, and local guidelines.</li> <li>○ Personnel of the project shall not collect or move any archaeological materials or associated materials.</li> <li>○ If cleared by a qualified archaeologist, construction activity may continue unimpeded on other portions of the project site.</li> <li>○ The found deposits shall be treated in accordance with federal, state, and local guidelines and regulations.</li> <li>○ As provided in Public Resources Code Section 21083.2, archaeological resources should be preserved in place or left in an undisturbed state. When preserving in place or leaving in an undisturbed state is not possible, excavation should occur unless testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, and this determination is documented by an archaeologist.</li> <li>○ Construction activities in the area where resources were found may commence once the identified resources are properly assessed and processed by a qualified archeologist and the archaeologist clears the site for construction activity.</li> </ul>			
<b>CR4</b>	<p>At the time of application for discretionary projects or project in a CPIO District Subarea that involve grading, trenching, or other new ground disturbance in areas with high paleontological resource sensitivity, the project applicant shall conduct a paleontological assessment to further evaluate the potential impacts to paleontological resources and, as necessary, take actions to preserve significant paleontological resources. Specific requirements include:</p> <p>a) <b>Retain a Qualified Paleontologist.</b> Prior to initial ground disturbance, the applicant shall retain a project paleontologist, defined as a paleontologist who meets the SVP standards for Qualified Professional Paleontologist, to direct all mitigation measures related to paleontological resources. A qualified paleontologist (Principal Paleontologist) is defined</p>	<p>Applicant for individual project</p> <p><b>Council for adoption of CPIO</b></p>	<p>DBS</p> <p><b>Council for adoption of environmental standards in CPIO</b></p>	<p>Prior to construction: completion of report as required in measure and submission to DBS.</p> <p>Construction: monitoring of excavation as needed and completion of report as appropriate documenting findings to be submitted to DBS.</p> <p><b>Adoption of CPIO which includes environmental standard.</b></p>

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	<p>by the SVP standards as an individual preferably with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, preferably southern California, and who has worked as a paleontological mitigation project supervisor for a least one year.</p> <p>b) <b>Paleontological Resources Assessment.</b> Prior to any construction activity in areas determined to have a low to high paleontological sensitivity that increases with depth, a Qualified Professional Paleontologist shall prepare a Paleontological Resources Assessment to the satisfaction of the City to evaluate potential for impacts to paleontological resources from development of the proposed project. The Paleontological Resources Assessment may require a museum records search from the Natural History Museum of Los Angeles County to identify whether previous paleontological localities exist within the development area and if so, at what depth(s). If the project paleontologist determines that sediments on a development site are sensitive for scientifically important paleontological resources, steps <b>Mitigation Measure CR4c to g</b> shall be taken prior to, during, and after construction activities. A Paleontological Resources Assessment shall not be required for development areas already identified as having a high paleontological sensitivity at the surface.</p> <p>c) <b>Paleontological Mitigation and Monitoring Program.</b> Prior to construction activity a qualified paleontologist shall prepare a Paleontological Mitigation and Monitoring Program, subject to City approval, to be implemented during ground disturbance activity for the proposed project. This program should outline the procedures for construction staff Worker Environmental Awareness Program (WEAP) training, paleontological monitoring extent and duration, salvage and preparation of fossils, the final mitigation and monitoring report, and paleontological staff qualifications.</p> <p>d) <b>Paleontological Worker Environmental Awareness Program (WEAP).</b> Prior to the start of construction, the project paleontologist or his or her designee shall conduct training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. The WEAP shall be fulfilled at the time of a preconstruction meeting at which a qualified paleontologist shall attend. In the event of a fossil discovery by construction personnel, all work in the immediate vicinity of the find shall cease and a qualified paleontologist shall be contacted to</p>			

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	<p>evaluate the find before restarting work in the area. If it is determined that the fossil(s) is(are) scientifically significant, the qualified paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources.</p> <p>e) <b>Paleontological Resource Construction Monitoring.</b> Ground disturbing construction activities (including grading, trenching, foundation work and other excavations) in undisturbed sediments, below five feet, with high paleontological sensitivity should be monitored on a full-time basis by a qualified paleontological monitor during initial ground disturbance. The Paleontological Mitigation and Monitoring Program shall be supervised by the project paleontologist. Monitoring should be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources. The duration and timing of the monitoring will be determined by the project paleontologist. If the project paleontologist determines that full-time monitoring is no longer warranted, he or she may recommend that monitoring be reduced to periodic spot-checking or cease entirely. Monitoring would be reinstated if any new or unforeseen deeper ground disturbances are required and reduction or suspension would need to be reconsidered by the Supervising Paleontologist. Ground disturbing activity that does not occur in undisturbed sediments with high paleontological sensitivity would not require paleontological monitoring.</p> <p>f) <b>Fossil Salvage.</b> If fossils are discovered, the project paleontologist or paleontological monitor shall recover them. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the Natural History Museum of Los Angeles County), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the project paleontologist.</p> <p>g) <b>Final Paleontological Mitigation Report.</b> Upon completion of ground</p>			

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	<p>disturbing activity (and curation of fossils if necessary) the qualified paleontologist shall prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.</p> <p>h) For any discoveries of paleontological resources not covered by the above process, the applicant shall comply with <b>Mitigation Measure CR4f.</b></p>			
<b>CR5</b>	<p>For all discretionary projects or projects in a CPIO District Subarea, the City shall require that all paleontological resources identified on a project site be assessed and treated in a manner determined by a qualified paleontologist in consultation with the City's Office of Historic Resources. A report shall be prepared according to current professional standards that describes the resource, how it was assessed, and disposition. Any reports and surveys shall be submitted to the City's Office of Historic Resources and the Natural History Museum of Los Angeles County.</p>	<p>Applicant for individual project</p> <p><b>Council for adoption of CPIO</b></p>	<p>DCP - Office of Historic Resources</p> <p><b>Council for adoption of environmental standards in CPIO</b></p>	<p>Prior to Certificate of Occupancy: submit report of paleontological resources to the City's Office of Historic Resources and the Natural History Museum of Los Angeles County.</p> <p><b>Adoption of CPIO which includes environmental standard.</b></p>
<b>CR6</b>	<p>For all projects that are not subject to <b>Mitigation Measure CR4</b> and <b>CR5</b> that are seeking excavation or grading permits, the Department of Building and Safety shall issue the following notice and obtain an acknowledgement of receipt of the notice from applicants:</p> <ul style="list-style-type: none"> <li>• California Penal Code Section 622.5 provides the following: "Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor."</li> <li>• Public Resources Code Section 5097.5 (a) states, in part, that: No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, on public lands, except with the express permission of the public agency having jurisdiction over the lands.</li> <li>• Best management practices to ensure unique geological and paleontological resources are not damaged include but are not limited to the following steps: <ul style="list-style-type: none"> <li>○ Prior to excavation and grading activities a qualified paleontologist</li> </ul> </li> </ul>	<p>Applicant for individual project and DBS</p>	<p>DBS</p>	<p>Prior to the issuance of excavation or grading permits; receipt of acknowledgement by DBS.</p>

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	<p>prepares a resource assessment using records from the Natural History Museum of Los Angeles County.</p> <ul style="list-style-type: none"> <li>○ If in the assessment, the soil is identified as potentially containing paleontological resources, a qualified paleontologist monitors excavation and grading activities in soils that have not been previously disturbed, to identify, record, and evaluate the significance of any paleontological finds during construction.</li> <li>○ If paleontological resources are uncovered (in either a previously disturbed or undisturbed area), all work ceases in the area of the find until a qualified paleontologist has evaluated the find in accordance with federal, state, and local guidelines.</li> <li>○ If fossils are discovered, a qualified paleontologist shall recover them. Typically fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist would have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. Once salvaged, significant fossils should be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the Natural History Museum of Los Angeles County), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the project paleontologist. All other federal, state and local laws related to such resources would be complied with.</li> <li>○ Personnel of the project would not collect or move any paleontological materials or associated materials.</li> <li>○ If cleared by the qualified paleontologist, construction activity would continue unimpeded on other portions of the project site.</li> <li>○ Construction activities in the area where resources were found would commence once the identified resources are properly assessed and processed by a qualified paleontologist and if construction activities were cleared by the qualified paleontologist.</li> </ul>			

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<b>CR7</b>	For all discretionary projects or projects in a CPIO District Subarea where excavation could extend below previously disturbed levels, notification shall be provided to California Native American tribes that are traditionally and culturally affiliated with the geographic area of the project site and have submitted a written request to the Department of City Planning to be notified of proposed projects in that area. If the potential for tribal resources exists, excavation in previously undisturbed soils shall be monitored by a qualified Tribal Monitor. If tribal resources are discovered during excavation, grading, or construction activities, work shall cease in the area of the find until an appropriate Tribal Representative has evaluated the find. Construction personnel shall not collect or move any tribal resources. Construction activity may continue unimpeded on other portions of the project site. Any tribal resources shall be treated with appropriate dignity and protected and preserved as appropriate.	Applicant for individual project  <b>Council for adoption of CPIO</b>	California Native American tribes, DCP  <b>Council for adoption of environmental standards in CPIO</b>	Pre-construction: notification to applicable tribes that have submitted request.  Construction: documentation of Tribal Representative evaluation of any finds and disposition submitted to DBS.  <b>Adoption of CPIO which includes environmental standard.</b>
<b>CR8</b>	For all projects that are not subject to <b>Mitigation Measure CR7</b> that are seeking excavation or grading permits, the Department of Building and Safety shall issue the following notice and obtain an acknowledgement of receipt of the notice from applicants:  <ul style="list-style-type: none"> <li>• Several federal and state laws regulate the treatment of tribal resources, as well as make it a criminal violation to destroy those resources. These include but are not limited to: <ul style="list-style-type: none"> <li>○ California Penal Code Section 622.5 provides the following: “Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor.”</li> <li>○ Public Resources Code Section 5097.5 (a) states, in part, that: No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.</li> </ul> </li> <li>• Best practices to ensure tribal resources are not damaged include but are not limited to the following steps: <ul style="list-style-type: none"> <li>○ A qualified tribal monitor or archaeologist qualified to identify tribal resources would monitor excavation and grading activities in soils</li> </ul> </li> </ul>	Applicant for individual project and DBS	DBS	Prior to the issuance of excavation or grading permits: receipt of acknowledgement by DBS.

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	<p>that have not been previously disturbed, to identify, record, and evaluate the significance of any archaeological finds during construction.</p> <ul style="list-style-type: none"> <li>○ If tribal resources are uncovered (in either a previously disturbed or undisturbed area), all work ceases in the area of the find until an appropriate tribal representative has evaluated the find or, if no tribal representative is identified, the qualified archaeologist has evaluated the find in accordance with federal, state, and local guidelines.</li> <li>○ The found deposits shall be treated with appropriate dignity and protected and preserved as appropriate with the agreement of the Tribal Representative, as well as in accordance of federal, state, and local guidelines.</li> <li>○ An agreement would be reached with the Tribe to mitigate or avoid any significant impacts to the Tribal Resources.</li> <li>○ The location of the find of Tribal Resources and the type and nature of the find would not be published beyond providing it to public agencies with jurisdiction or responsibilities related to the resources, the qualified archaeologist, and tribal representatives.</li> <li>○ Absent an agreement with the Tribe, as provided in Public Resources Code Section 21083.2, archaeological resources should be preserved in place or left in an undisturbed state. When preserving in place or leaving in an undisturbed state is not possible, excavation should occur unless testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, and this determination is documented by a qualified archaeologist.</li> <li>○ Personnel of the project shall not collect or move any archaeological or tribal resources or associated materials, or publish the location of the tribal resources.</li> <li>○ Construction activity may continue unimpeded on other portions of the project site if cleared by the tribal representative or the qualified archaeologist.</li> <li>○ Construction activities in the area where resources were found may commence once the identified resources are properly assessed and processed by a tribal representative, or if no tribal representative is identified, a qualified archeologist.</li> </ul>			

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<b>CR9</b>	<p>Projects with a <b>designated historic resource</b> in a CPIO District Subarea shall be subject to the following:</p> <ul style="list-style-type: none"> <li>• The Project shall be consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties, as determined by the Director in consultation with OHR.</li> <li>• The Project shall not demolish or remove any building or structure, within a National Register Historic District, or California Register of Historical Places, that is designated as a Contributing Element, or Altered Contributing Element, unless the Owner can demonstrate to the Director that the owner would be deprived of all economically viable use of the property. In making its determination, the Director shall consider any evidence presented concerning the following: <ul style="list-style-type: none"> <li>○ An opinion regarding the structural soundness of the structure and its suitability for continued use, renovation, Restoration or Rehabilitation from a licensed engineer or architect who meets the Secretary of the Interior’s Professional Qualification Standards as established by the Code of Federal Regulation, 36 CFR Part 61. This opinion shall be based on the Secretary of the Interior’s Standards for Architectural and Engineering Documentation with Guidelines;</li> <li>○ An estimate of the cost of the proposed Demolition, and replacement project and an estimate of the cost that would be incurred to execute a Secretary of the Interior’s Standards for Rehabilitation alternative to the project, as identified in an Environmental Impact Report (EIR), or in the absence of an EIR, when appropriate under CEQA, as identified by the Director of Planning in consultation with the Cultural Heritage Commission or its designee;</li> <li>○ An estimate of the market value of the property in its current condition; after completion of the proposed Demolition and replacement project; and after any expenditure necessary to execute a Secretary of the Interior’s Standards for Rehabilitation alternative to the project, as identified in an EIR, or in the absence of an EIR, when appropriate under CEQA, as identified by the Director of Planning in consultation with the Cultural</li> </ul> </li> </ul>	City Council; Applicant for Individual Projects	DCP, DBS	Adoption of CPIO; Prior to project approval, building permit issuance

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	<p>Heritage Commission or its designee;</p> <p>An estimate from architects, developers, real estate consultants, appraisers, or other real estate professionals experienced in Rehabilitation as to the economic feasibility of Restoration, renovation or Rehabilitation of any existing structure or objects. This shall include tax incentives and any special funding sources, or government incentives which may be available.</p> <p>For purposes of this mitigation measure, <b>designated historic resource</b> shall mean a building, structure, object, landscaping element, or natural feature listed or designated as a historical resource, either individually, or as a contributor to a district, at the local, state, or national level.</p>			
CR10	<p>Projects with <b>eligible historic resources</b> in a CPIO District Subarea shall be subject to the following:</p> <ul style="list-style-type: none"> <li>• Non-Demolitions. If the Project does not involve the Demolition of the Eligible Historic Resource, the following requirements shall be met: <ul style="list-style-type: none"> <li>○ The Director, in consultation with the Office of Historic Resources, determines, based upon a Phase 1 Historic Resource Assessment and substantial evidence, that the Eligible Historic Resource is not an historical resource, as defined by Public Resources Code Section 21084.1;</li> <li>○ The Director, in consultation with the Office of Historic Resources, determines, based upon substantial evidence, that the Project is consistent with the Secretary of Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings; or,</li> </ul> </li> <li>• Demolitions. If the Project involves the Demolition of an Eligible Historic Resource, the following requirements shall be met: <ul style="list-style-type: none"> <li>○ The Director, in consultation with the Office of Historic Resources, determines, based upon a Phase 1 Historic Resource Assessment and substantial evidence, that the</li> </ul> </li> </ul>	City Council; Applicant for Individual Projects	DCP, DBS	Adoption of CPIO; Prior to project approval, building permit issuance

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TABLE 5-1: MITIGATION MONITORING PROGRAM				
No.	Mitigation Measure	Implementing Agency	Enforcement and Monitoring Agency	Monitoring Phase and Monitoring Actions <sup>/a/ /b/</sup>
	<p>Eligible Historic Resource is not an historical resource, as defined by Public Resources Code Section 21084.1; or</p> <ul style="list-style-type: none"> <li>○ Environmental review in compliance with CEQA was completed on the Project, including if necessary, the adoption of a statement of overriding considerations.</li> <li>● CEQA Review for Eligible Historic Resources. In complying with this Subdivision 7, if at any time the Director, in consultation with the Office of Historic Resources, determines the Eligible Historic Resource is not a historical resource as defined by Public Resources Code Section 21084.1, approval of the Project through an Administrative Clearance (involving no other discretionary approvals) shall be a ministerial approval. If the Director, in consultation with the Office of Historic Resources, determines the Eligible Historic Resource is a historical resource as defined by Public Resource Code Section 21084.1, the Director shall have discretion to impose feasible mitigation measures or deny the CPIO Approval if a necessary statement of overriding considerations is not adopted, and the CPIO approval shall be discretionary.</li> </ul> <p>For purposes of this mitigation measure, <b>eligible historic resource</b> shall mean a building, structure, object, site, landscape, natural feature, or historic district identified as eligible for listing either individually or as a contributor to a historic district under a local, state, or federal designation program through Survey LA (the Los Angeles Historic Resources Survey), the January 2020 Historic Resources Survey Report prepared by CRA-LA Designated Local Authority, or any subsequent historic resource survey completed by a person meeting the Secretary of the Interior’s Professional Qualification Standards for Historic Preservation and accepted as complete by the Director, in consultation with the Office of Historic Resources. This term does not include a non-contributor to an eligible or designated historic district.</p>			

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<b>HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>HM1</b>	<p>Discretionary projects or projects in a CPIO Subarea District that involve construction related soil disturbance located on land that is currently or was historically zoned as industrial or, previously had a gas station or dry-cleaning facility on-site, shall conduct a comprehensive search of databases of sites containing hazardous waste or hazardous materials, including on lists prepared pursuant to Government Code, section 65962.2. A report setting forth the results of this database search shall be provided to the City and shall be made publicly available (e.g. historical environmental reports prepared by Enviroscan, EDR or similar firms). If the report indicates the project site or property within one-quarter mile of the project site has the potential to be contaminated with hazardous waste or hazardous materials for any reason, Phase I and, as needed, Phase II Environmental Site Assessments shall be prepared by a qualified Environmental Professional (as defined in Title 40 Code of Federal Regulations §312.10 Definitions). Applicants of the development project shall implement the recommendations provided in the Phase II Environmental Site Assessment report, where such a report was determined to be necessary for the construction or operation of the project, for remedial action. All remediation shall be subject to City review and approval. Applicants shall consult with appropriate oversight agencies, including the Department of Toxic Substances Control and the Los Angeles Regional Water Quality Control Board, and implement remediation measures to minimize human exposure and prevent further environmental contamination. No development shall occur until a letter of No Further Action is obtained, if required, by an appropriate agency.</p>	<p>Applicant for individual project</p> <p><b>Council for adoption of CPIO</b></p>	<p>DBS</p> <p><b>Council for adoption of environmental standards in CPIO</b></p>	<p>Pre-construction: Submission of Phase I Environmental Site Assessment to DBS, if no recognized environmental conditions (REC) no further documentation required. If REC are identified preparation of Phase II ESA, If report indicates minor issues that can be addressed through design and/or regulatory compliance without agency involvement submission of Phase II to DBS is sufficient. If Phase II indicates the need for remediation submit remediation plan to DBS and regulatory agency/agencies as appropriate. Submit agency sign off on remediation plan to DBS. Documentation of completion of remediation shall be submitted to the DBS. Submission of No Further Action letter to DBS as may be needed.</p> <p><b>Adoption of CPIO which includes environmental standard.</b></p>
<b>HM2</b>	<p>For any project not subject to <b>Mitigation Measure HM1</b> that seek to excavate below previously disturbed soils, DBS should issue the following notice and obtain an acknowledgement of the receipt of the following notice to all applicants: Hazardous Materials are regulated at the federal, state and local level through numerous regulatory schemes. Applicants are legally required to comply with these laws when development activities involve soils contaminated with hazardous materials. Best management practices to ensure compliance with these federal, state and local laws may include the following:</p> <ul style="list-style-type: none"> <li>• Prior to doing any soil disturbing activities, a comprehensive search of</li> </ul>	<p>Applicant for individual projects and DBS</p>	<p>DBS</p>	<p>Prior to soil disturbing activities: submission of signed acknowledgement to DBS.</p>

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	<p>databases of sites containing hazardous waste or hazardous materials (e.g. historical environmental reports prepared by Enviroscan, EDR or similar firms) is conducted, including on lists prepared pursuant to Government Code, section 65962.2.</p> <ul style="list-style-type: none"> <li>• If the database search indicates the project site, or property is within one-quarter mile of the project site, has the potential to be contaminated with hazardous waste or hazardous materials for any reason, Phase I and, as needed, Phase II Environmental Site Assessments shall be prepared by a qualified Environmental Professional (as defined in Title 40 Code of Federal Regulations §312.10 Definitions).</li> <li>• Recommendations provided in any Phase II Environmental Site Assessment report for the project site shall be implemented for remedial action.</li> <li>• Property owners and/or applicants consult with appropriate oversight agencies, including the Department of Toxic Substances Control and the Los Angeles Regional Water Quality Control Board, and implement remediation measures to minimize human exposure and prevent further environmental contamination.</li> <li>• No development occurs until a letter of No Further Action is obtained, if required, by an appropriate agency.</li> </ul>			
<b>NOISE AND VIBRATION</b>				
<b>N1</b>	<p>The following Vibration Control Plan shall apply to all projects within the Community Plan Implementation Overlay (CPIO) District Subarea, and discretionary projects outside the CPIO subarea, that would include operational heavy-duty construction (e.g., large bulldozer or excavator) equipment within 25 feet of a historical resource, including those in a survey that meets the requirements of Public Resources Code 5024.1, unless determined not to be a historical resource by the Director of Planning, in consultation with the Office of Historical Resource. The Vibration Control Plan shall also apply to all projects that would utilize pile drivers within 135 feet of historic structures.</p> <ul style="list-style-type: none"> <li>• Prepare a Vibration Control Plan. The Vibration Control Plan shall be approved by the City prior to issuance of a building permit. <ul style="list-style-type: none"> <li>○ The Vibration Control Plan shall be completed by a qualified structural engineer.</li> <li>○ The Vibration Control Plan shall include a pre-construction survey letter establishing baseline conditions at potentially affected</li> </ul> </li> </ul>	<p>Applicant for individual projects</p> <p><b>Council for adoption of CPIO</b></p>	<p>DBS</p> <p><b>Council for adoption of environmental standards in CPIO</b></p>	<p>Prior to construction: submission of Vibration Control Plan to DBS.</p> <p><b>Adoption of CPIO which includes environmental standard.</b></p>

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	<p>historical resource structure. The survey letter shall provide a shoring design to protect the historical resource structure from potential damage. The structural engineer may recommend alternative procedures that produce lower vibration levels, such as sonic pile driving or caisson drilling instead of impact pile driving. Development projects shall implement the structural engineer's recommendations.</p> <p>At the conclusion of vibration causing activities, the qualified structural engineer shall issue a follow-up letter describing damage, if any, to any impacted buildings. The letter shall include recommendations for any repair, as may be necessary, in conformance with the Secretary of the Interior's Standards. Repairs shall be undertaken and completed in conformance with all applicable codes including the California Historical Building Code (Part 8 of Title 24).</p>			
<b>N2</b>	<p>Projects within the CPIO subarea and discretionary projects outside the CPIO subarea shall be required to ensure that contractors include best management practices in the contract specifications to reduce damage to vibration-sensitive uses, where appropriate, such as the following:</p> <ul style="list-style-type: none"> <li>• Impact pile drivers shall be avoided to eliminate excessive vibration levels. Drilled piles or the use of a sonic vibratory pile driver are alternatives that shall be utilized where geological conditions permit their use.</li> <li>• Construction activities shall involve rubber-tired equipment rather than metal-tracked equipment.</li> <li>• The construction contractor shall manage construction phasing (scheduling demolition, earthmoving, and ground-impacting operations so as not to occur in the same time period), use low-impact construction technologies, and shall avoid the use of vibrating equipment when allowed by best engineering practices.</li> </ul>	<p>Applicant for individual project</p> <p><b>Council for adoption of CPIO</b></p>	<p>DBS</p> <p><b>Council for adoption of environmental standards in CPIO</b></p>	<p>Prior to construction: prepare and submit to DBS contract specifications identifying required measures.</p> <p><b>Adoption of CPIO which includes environmental standard.</b></p>
<b>N3</b>	<p>The following conditions shall apply to all projects within the CPIO subarea and discretionary projects outside the CPIO subarea:</p> <ul style="list-style-type: none"> <li>• A Noise Study shall be required for Conditional Use Permits for projects that include sources of exterior noise and are located within 500 feet of noise-sensitive uses. Noise-sensitive uses are residences, transient lodgings, schools, libraries, churches (or other places of assembly), hospitals, nursing homes, auditoriums, concert halls, amphitheaters, playgrounds, and parks. The Noise Study shall characterize the proposed noise sources, quantify noise levels at sensitive uses, and</li> </ul>	<p>Applicants for individual projects</p> <p><b>Council for adoption of CPIO</b></p>	<p>DBS</p> <p><b>Council for adoption of environmental standards in CPIO</b></p>	<p>Pre-construction: preparation of a noise study identifying required mitigation and submission to DBS.</p> <p><b>Adoption of CPIO which includes environmental standard.</b></p>

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	<p>require feasible mitigation measures to reduce noise levels to less than 5 dBA CNEL above the existing noise levels. Feasible mitigation measures include:</p> <ul style="list-style-type: none"> <li>○ Installation of sound barriers between noise source and receptor;</li> <li>○ Use of building design to block line-of-sight between noise source and receptor; and</li> <li>○ Decibel and time limitations for stationary sources.</li> </ul> <ul style="list-style-type: none"> <li>● A Noise Study shall be required for projects that include loud source of impulsive sound. The Los Angeles Municipal Code (LAMC) defines impulsive sound as sound of short duration, usually less than one second, with an abrupt onset and rapid decay. By way of example in the LAMC, impulsive sound includes explosions, musical base drum beats, or the discharge of firearms. The Noise Study shall characterize the proposed noise sources, quantify noise levels at sensitive uses, and require feasible mitigation measures to reduce noise levels to less than 20 dBA above the existing noise levels.</li> <li>● Industrial activity yards that include the operation of heavy equipment shall be shielded by sound barriers that block the line-of-sight to sensitive receptors.</li> <li>● Parking structures located within 200 feet of any residential use shall be constructed with a solid wall abutting the residences and utilize textured surfaces on garage floors and ramps to minimize tire squeal.</li> </ul>			
<b>N4</b>	<p>A Noise Study, prepared by a qualified noise expert and reviewed and approved by DCP to meet the requirements herein, shall be required for all projects within the CPIO subarea and discretionary projects outside the CPIO subarea located within 500 feet of noise-sensitive land uses (e.g., residences, schools, hospitals, and recording studios) and have one or more of the following characteristics:</p> <ul style="list-style-type: none"> <li>● Two or more subterranean levels or more or 20,000 cubic yards or more of excavated material;</li> <li>● Construction duration (excluding architectural coatings) of 18 months or more;</li> <li>● Use of large, heavy-duty equipment rated 300 horsepower or greater; or</li> <li>● The potential for impact pile driving.</li> </ul> <p>Noise-sensitive land uses are residences, transient lodgings, schools, libraries, churches (or other places of assembly), hospitals, nursing homes,</p>	<p>Applicant of individual project</p> <p><b>Council for adoption of CPIO</b></p>	<p>DBS</p> <p><b>Council for adoption of environmental standards in CPIO</b></p>	<p>Pre-construction: preparation of a noise study identifying required mitigation and submission to DBS.</p> <p><b>Adoption of CPIO which includes environmental standard.</b></p>

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	<p>auditoriums, concert halls, amphitheatres, playgrounds, and parks. The Noise Study shall characterize sources of construction noise, quantify noise levels at noise-sensitive uses, and identify measures to reduce noise exposure. The Noise Study shall characterize sources of construction noise, quantify noise levels at noise-sensitive uses, and identify measures to reduce noise exposure. Specifically, the Noise Study shall identify reasonably available noise reduction devices or techniques to reduce noise levels to acceptable levels and/or durations including through reliance on any relevant federal, state or local standards or guidelines or accepted industry practices, and in compliance with LAMC standards. Noise reduction devices or techniques, shall include but not be limited to: mufflers, shields, sound barriers, and time and place restrictions on equipment and activities. Each measure in the Noise Study shall identify anticipated noise reductions at noise sensitive land uses.</p> <p>Project applicants shall be required to comply with all measures identified and recommended by the Noise Study and shall provide proof that notice of, as well as compliance with, the identified measures have been included in contractor agreements.</p>			
<p><b>Note:</b> DCP = City of Los Angeles, Department of City Planning; DBS = City of Los Angeles, Department of Building and Safety; CDFW = California Department of Fish and Wildlife; and USFWS = United States Fish and Wildlife Services</p> <p><b>SOURCE:</b> TAHA, 2021.</p>				

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