

Mitigation Monitoring and Reporting Program

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Cheval Blanc Beverly Hills Specific Plan Project. The purpose of the MMRP is to ensure that the required Mitigation Measures and Project Design Features identified in the Final Environmental Impact Report (Final EIR) are implemented as part of the overall Project implementation. In addition to ensuring implementation of Mitigation Measures and Project Design Features, the MMRP provides feedback to agency staff and decision-makers during Project implementation and identifies the need for enforcement action before irreversible environmental damage occurs.

The following tables summarize the Mitigation Measures and Project Design Features for each issue area identified for the Project in the Final EIR. Where an impact was identified to be less than significant, no Mitigation Measures were required. The tables identify each Mitigation Measure and Project Design Feature, the action required for the Mitigation Measure/Project Design Feature to be implemented, the time at which the monitoring is to occur, the monitoring frequency, and the agency or party responsible for ensuring that the monitoring is performed. In addition, the tables include columns for compliance verification. These columns will be filled out by the monitoring agency or responsible party and will document the timing of monitoring compliance.

This MMRP will be used by City staff or the City's consultant to determine compliance with permit conditions. Violations of these conditions may cause the City to revoke the operating permit.

| Mitigation Measure | Action Required | When Monitoring to Occur | Monitoring Frequency | Responsible Agency or Party | Compliance Verification | | |
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| Biological Resources | | | | | | | |
| <p>Mitigation Measure BIO-MM-1: At least 30 days prior to construction, surveys shall be conducted by a qualified biologist, on all roosting habitat adjacent to the construction area, to identify the presence of bats and any active or potential bat-roosting cavities. During the non-breeding and active season (typically October), bats shall be safely evicted from these areas, if feasible, under the direction of a qualified biologist. Pre-construction bat surveys of the palm tree crowns from a man-lift shall be conducted by a qualified bat specialist immediately prior to tree removal within the Biological Study Area, to determine whether or not there are bats within the construction area. If the presence or absence of bats cannot be confirmed in potential roosting habitat, a biological monitor shall be on-site during tree and building removal. If bats are disturbed during tree or building removal, work shall be safely suspended until all bats leave the vicinity on their own. Work shall resume only once it has been determined that all bats have left the site, as determined by the qualified biologist. In the event a maternal colony of bats is found, no work shall be conducted within 100 feet of the maternal roosting site until the maternal season (April 1–September 15) is over or the bats have left the site, or as otherwise determined by a qualified biologist. The site shall be designated as a sensitive area and protected as such until the bats have left the site. No clearing and grubbing shall be authorized adjacent to</p> | <p>The Project Applicant shall conduct a pre-construction bat survey at least 30 days prior to the start of construction activities.</p> <p>The City shall verify and review completion of a bat survey and survey results.</p> <p>During the non-breeding and active season (typically October): If bats are found, bats shall be safely evicted under the direction of a qualified biologist. If it cannot be determined during preconstruction survey that bats are present and bats are disturbed during tree or building removal, the City shall verify work is safely suspended until all bats leave the vicinity on their own.</p> <p>During the maternal season (April 1–September 15): In the event a maternal colony of bats is found, the City shall verify no work is conducted within 100 feet of the maternal roosting site until the maternal season is over</p> | <p>Review and verification prior to issuance of any construction permit and during tree and building removal if bats are present or if their presence cannot be determined.</p> | <p>Once prior to issuance of any demolition and/or construction permit to verify surveys have been conducted. Throughout all tree and building removal activities and periodic monitoring as directed by the Project Biologist if maternal colony is found.</p> | <p>Project Applicant, Construction Contractor, Community Development Department, Project Biologist</p> | | | |

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| the roosting site. Combustion equipment, such as generators, pumps, and vehicles, shall not be parked nor operated within 100 feet of the roosting site. Fencing or other barriers shall be installed around the buffer area, and construction personnel shall not be authorized to enter areas beneath the colony, especially during the evening exodus. All qualified biologists shall be retained by the Applicant and proof of such retention shall be submitted to the City prior to the commencement of construction and prior to conducting any of the above described activities. | or the bats have left the site, or as otherwise determined by a qualified biologist. | | | | | | |
| Mitigation Measure BIO-MM-2: If bats or any active bat-roosting cavities are found to be present on-site or in the adjacent street trees, construction activities shall be conducted during daylight hours, and no construction work shall be conducted at night until all bats leave the vicinity on their own. Once all bats have left the vicinity on their own, as determined by a qualified biologist, construction activities during nighttime hours may resume, consistent with all other applicable requirements. | In the event bats or any active bat-roosting cavities are found to be present on-site or in the adjacent street trees, the City shall verify construction activities be conducted during daylight hours, and no construction work shall be conducted at night until all bats leave the vicinity on their own. | If bats are found, review and verification throughout the construction period, as deemed necessary by the City and Project Biologist. | If bats are found, continuously throughout the construction period, as deemed necessary by the City and Project Biologist. | Project Applicant, Construction Contractor, Community Development Department, Project Biologist | | | |
| Mitigation Measure BIO-MM-3: ¹ Tree removal activities associated with the Project are required to be conducted outside of the nesting season (February | The City shall verify that construction is scheduled outside of the bird nesting season; if | City review and verification during tree removal | Once by City prior to issuance of initial demolition and/or construction | Project Applicant, Construction Contractor, Community | | | |

¹ Section 4.2, Biological Resources, of the Draft EIR, includes Mitigation Measure BIO-MM-3 to ensure compliance with the Migratory Bird Treaty Act and California Fish and Game Code. Conditions of Approval were previously included in the Initial Study to ensure compliance with the Migratory Bird Treaty Act and California Fish and Game Code. However, to further ensure compliance with the MBTA and the CFG Code, these Conditions of Approval are incorporated as mitigation.

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| 1–August 31), to the extent feasible. Should vegetation removal activities occur during the nesting season, a biological monitor would be present during the removal activities to ensure that no active nests would be impacted. If active nests are found, a buffer would be established until the fledglings have left the nest. | construction is to occur during the bird nesting season, the City shall verify that a biological monitor would be present during the removal activities to ensure that no active nests would be impacted. | activities. Biological monitor required if tree removal activities occur during bird nesting season. | permits to confirm when vegetation removal activities will occur. Ongoing biological monitor during tree removal activities if occurring during bird nesting season. | Development Department, Project Biologist | | | |
| Cultural Resources | | | | | | | |
| Mitigation Measure CUL-MM-1: A qualified archaeologist shall be retained to perform periodic inspections of excavation and grading activities at the Project Site. The frequency of inspections shall be based on consultation with the archaeologist and the City and shall depend on the rate of excavation and grading activities and the materials being excavated. If archaeological materials are encountered, the archaeologist shall temporarily divert or redirect grading and excavation activities within 100-feet of the exposed material to facilitate evaluation and, if necessary, salvage. The archaeologist shall then assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The Applicant shall then comply with the recommendations of the evaluating archaeologist, and a copy of the archaeological survey report shall be submitted to the City Planning Division. Ground-disturbing activities may resume once the archaeologist's recommendations have been implemented to the satisfaction of the | The Project Applicant or Contractor will verify that a qualified archaeologist is retained and verify that the specialist is on-site during ground-disturbing activities. If resources are found and exposed, the Project Applicant shall provide proof that a qualified specialist as listed in the Mitigation Measure has investigated and has made appropriate recommendations. | City review and verification prior to issuance of any construction permit. Project Archaeologist monitoring during ground-disturbing activities. | Once by City prior to issuance of initial demolition and/or construction permits to confirm retention of qualified archeologist. Periodic monitoring by Project Qualified Archaeologist throughout all ground-disturbing activities. | Project Applicant, Construction Contractor, Community Development Department, Project Qualified Archaeologist | | | |

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| archaeologist. | | | | | | | |
| Mitigation Measure CUL-MM-2: ² Retain a Qualified Principal Investigator. A qualified principal investigator, defined as an archaeologist who meets the Secretary of the Interior’s Standards for professional archaeology and has a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California, shall be retained by the Applicant or their successor to carry out all Mitigation Measures related to archaeological and historical resources (hereafter qualified archaeologist). The qualified archaeologist shall be contacted in the event of an inadvertent archaeological discovery. Following completion of construction, the qualified archaeologist shall provide an archaeological monitoring report to the City and SCCIC with the results of the cultural monitoring program. | The Project Applicant shall retain a qualified archaeologist that meets the Secretary of the Interior’s Standards for professional archaeology and has had a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Principal Investigator shall provide proof that the procedures and Measures listed in this Mitigation Measure have been implemented and complied with. | City review and verification prior to issuance of any construction permit. Project Archaeologist monitoring during ground-disturbing activities. | Once by City prior to issuance of initial demolition and/or construction permits to confirm retention of Project Qualified Archeologist. As required during the construction period in the event of an inadvertent discovery. | Project Applicant, Construction Contractor, Community Development Department, Project Qualified Archeologist | | | |
| Geology and Soils (Paleontological Resources) | | | | | | | |
| Mitigation Measure GEO-MM-1: A Qualified Paleontologist meeting the Society of Vertebrate Paleontology (SVP) 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 | The Project Applicant shall retain a Qualified Paleontologist that meets the SVP Standards. The Qualified Paleontologist shall provide proof that the procedures and Measures listed in this | City review and verification prior to issuance of any construction permit. Qualified Paleontologist overseen monitoring during | Once by City prior to issuance of initial demolition and/or construction permits Continuous monitoring overseen by Qualified | Project Applicant, Construction Contractor, Community Development Department, Qualified Paleontologist | | | |

² The Draft EIR included this mitigation as Mitigation Measure TCR-MM-1; however, since it relates to archaeological resources, the Mitigation Measure is most applicable to Cultural Resources.

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| oversight of all work as it relates to paleontological resources and shall be responsible for monitoring and overseeing paleontological monitors (meeting SVP standards) that will observe Project grading and excavation activities. | Mitigation Measure have been implemented and complied with. | ground-disturbing activities. | Paleontologist during grading and excavation activities. | | | | |
| Mitigation Measure GEO-MM-2: The Qualified Paleontologist shall have the authority to temporarily halt or divert work away from exposed fossils or potential fossils in the event such paleontological resources are encountered at the Project Site during construction or the course of any ground disturbance activities. If paleontological resources are encountered, the Applicant shall notify the City and consult with the Qualified Paleontologist to assess the significance of the find. The assessment shall be prepared in accordance with Society of Vertebrate Paleontology standards. If any find is determined to be significant, appropriate avoidance Measures recommended by the consultant and approved by the City shall be followed unless avoidance is determined to be unnecessary or infeasible by the City. If avoidance is determined to be unnecessary or infeasible, other appropriate Measures (e.g., data recovery, excavation) shall be instituted. | The Project Applicant and Contractor will verify that exposed fossils or potential fossils unearthed by project construction activities shall be evaluated by the Qualified Paleontologist. If resources are found and exposed, the Project Applicant shall provide proof that the Qualified Paleontologist has investigated and has made appropriate recommendations. | Qualified Paleontologist review and verification during ground-disturbing activities in the event of a find. City verification of avoidance Measures in the event of a significant find. | Could periodically occur during ground-disturbing activities in the event of a find. | Project Applicant, Construction Contractor, Community Development Department, Project Qualified Paleontologist | | | |
| Mitigation Measure GEO-MM-3: 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 | In the event significant fossils are collected during construction, the fossils will be prepared to the point of identification and curated into an accredited repository | Qualified Paleontologist preparation and curation during grading and excavation activities with a | Qualified Paleontologist periodically during the construction period in the event of a find. Qualified Paleontologist once | Project Applicant, Construction Contractor, Community Development Department, Project Qualified | | | |

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| monitoring and mitigation report for submittal to the City in order to document the results of the monitoring effort and any discoveries. If there are significant discoveries, fossil locality information and final disposition will be included with the final report which will be submitted to the appropriate repository and the City. | with retrievable storage. Qualified Paleontologist required to complete final monitoring report. | final report required at the conclusion of monitoring. | for preparation of a final monitoring and mitigation report. City once for acceptance of final monitoring and mitigation report. | Paleontologist | | | |
| Noise | | | | | | | |
| <p>Mitigation Measure NOI-MM-1: Prior to start of construction, the Applicant shall retain the services of a structural engineer to visit the two off-site buildings adjacent to the Project Site to the south to inspect and document (video and/or photographic) the apparent physical condition of the buildings. In addition, the structural engineer shall establish baseline structural conditions of the buildings and prepare a shoring design. Prior to construction, the Applicant shall retain the services of a qualified acoustical engineer to review proposed construction equipment and develop and implement a vibration monitoring program capable of recording and documenting the construction-related ground vibration levels at the two off-site buildings during demolition, shoring and excavation phase, as follows:</p> <ul style="list-style-type: none"> The vibration monitoring system shall measure (in vertical and horizontal directions) and continuously store the peak particle velocity (PPV) in inch/second. The system shall also be programmed for two preset velocity levels: a warning level of 0.4 inch/second (PPV) and a regulatory | The Project Applicant or Contractor will retain a structural engineer and a qualified acoustical engineer and submit the required procedures and Measures listed in this Mitigation Measure to the Community Development Department for review and approval. The Construction Contractor must implement the required vibration monitoring system during construction activities. In the event of vibration monitoring system alert, the required procedures in the Mitigation Measure must be followed by the Construction Contractor and City Building Official. | City review and verification of required inspection, documentation and monitoring program prior to issuance of any construction permit. Construction Contractor vibration monitoring throughout the construction period. In the event warning levels are exceeded, City review and monitoring for compliance with requirements of Mitigation Measure. | City review and verification prior to the start of construction. Construction Contractor vibration monitoring throughout the construction period. Building Official monitoring in the event of exceedance of a vibration alert level. | Project Applicant, Construction Contractor, Community Development Department, City Building Official | | | |

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| <p>level of 0.5 inch/second (PPV). The system shall also provide real-time alert when the vibration levels exceed the two preset levels.</p> <ul style="list-style-type: none"> • The vibration monitoring program shall be submitted to the Community Development Department, prior to initiating any construction activities. • In the event the warning level 0.4 inch/second (PPV) is triggered, the contractor shall identify the source of vibration generation and provide feasible steps to reduce the vibration level, including but not limited to staggering concurrent activities (if doing so would not pose a safety risk to personnel or damage risk to buildings) and utilizing lower vibratory techniques. The additional Measures shall be submitted to the Building Official for review and approval. • In the event the regulatory level 0.5 inch/second (PPV) is triggered, the contractor shall halt the construction activities in the vicinity of the building and visually inspect the building for any damage. Results of the inspection must be logged. The contractor shall identify the source of vibration generation and provide feasible steps to reduce the vibration level. Construction activities may then restart once the vibration level is re-measured and below the warning level. The additional Measures shall be submitted to the Building Official for review and approval. | | | | | | | |

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| Transportation | | | | | | | |
| <p>Mitigation Measure TRA-MM-1: A Construction Traffic Management Plan shall be prepared prior to the commencement of construction activities. The Construction Traffic Management Plan shall be implemented during construction to accomplish the following:</p> <ul style="list-style-type: none"> • Maintain existing access for land uses in proximity of the Project Site during Project construction. • Schedule deliveries and pick-ups of construction materials to non-peak travel periods, to the maximum extent feasible. • Coordinate deliveries and pick-ups to reduce the potential of trucks waiting to load or unload for protracted periods of time. • Minimize obstruction of through traffic lanes on North Beverly Drive and South Santa Monica Boulevard. • Construction equipment traffic from the contractors shall be controlled by flagman. • Identify designated transport routes for heavy trucks (in addition to haul trucks) to be used over the duration of the proposed Project. • Schedule vehicle movements to ensure that there are no vehicles waiting off-site and impeding public traffic flow on the surrounding streets. • Establish requirements for loading/unloading and storage of materials on the Project Site, where | <p>The Project Applicant shall submit a Construction Traffic Management Plan and a Construction Workers Parking Management Plan to the Director of Community Development prior to issuance of grading or construction permits.</p> <p>The plan shall be reviewed by the Community Development Department and Public Works Department—Transportation Division and filed with the Building and Safety Division Prior to the issuance of grading permits.</p> <p>The City Plan Check Engineer shall review the plan to ensure that it complies with this Measure. City Building Inspectors in the field shall also review the work to ensure that it complies with the requirements noted in the Construction Traffic Management Plan and the Construction Workers Parking Management Plan.</p> | <p>City review and approval prior to issuance of construction permit and City monitoring throughout all construction phases.</p> | <p>City review and approval once prior to issuance of construction permit. City field verification continuously throughout all construction phases until issuance of a Certificate of Occupancy.</p> | <p>Project Applicant, Construction Contractor, Community Development Department/Building and Safety Division, Public Works Department/Transportation Division</p> | | | |

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| <p>parking spaces would be encumbered, length of time traffic travel lanes can be encumbered, sidewalk closings or pedestrian diversions to ensure the safety of the pedestrian and access to local businesses.</p> <ul style="list-style-type: none"> Coordinate with adjacent businesses and emergency service providers to ensure adequate access exists to the Project Site and neighboring businesses. | | | | | | | |
| <p>Mitigation Measure TRA-MM-2: A Construction Workers Parking Plan identifying parking locations for construction workers shall be submitted to the City prior to the commencement of construction activities. To the maximum extent feasible, all worker parking shall be accommodated on the Project Site. During phases when construction worker parking cannot be accommodated on the Project Site, the Construction Workers Parking Plan shall identify alternate parking locations for construction workers and the method of transportation to and from the Project Site for approval by the City 30 days prior to commencement of construction. The Construction Workers Parking Plan must include appropriate Measures to ensure that the parking location requirements for construction workers would be strictly enforced. These include but are not limited to the following Measures:</p> <ul style="list-style-type: none"> Provide all construction contractors with written information on where their workers and their subcontractors are permitted to park and provide clear | <p>The Project Applicant and Construction Contractor shall submit to the Community Development Department a Construction Workers Parking Plan and affidavit attesting to the compliance with this Measure, which shall be reviewed by the Community Development Department/Building and Safety Division and Public Works Department/Transportation Division. The Construction Workers Parking Plan shall be adhered to.</p> | <p>City review prior to issuance of any construction permit. City monitoring during all construction phases.</p> | <p>City review and approval once prior to issuance of construction permits. City field verification periodically throughout all construction phases.</p> | <p>Project Applicant, Construction Contractor, Community Development Department/Building Safety Division, Public Works Department/Transportation Division</p> | | | |

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| <p>consequences to violators for failure to follow these regulations. This information would clearly state that no parking is permitted on residential streets north of North Santa Monica Boulevard or in public parking structures.</p> <ul style="list-style-type: none"> No construction worker parking shall be permitted within 500 feet of the nearest point of the Project Site except within designated areas. The contractor shall be responsible for informing subcontractors and construction workers of this requirement, and if necessary, for hiring a security guard to enforce these parking provisions. Contractor shall be responsible for all costs associated with enforcement of this Mitigation Measure. In lieu of the above, the Project developer/construction contractor has the option of phasing demolition and construction activities such that all construction worker parking can be accommodated on the Project Site throughout the entire duration of demolition and construction activities. | | | | | | | |
| <p>Mitigation Measure TRA-MM-3: The developer for the Project shall coordinate with the City of Beverly Hills regarding the following:</p> <ul style="list-style-type: none"> All temporary roadway closures shall be coordinated to limit overlap of roadway closures. All major deliveries shall be coordinated to limit the occurrence of simultaneous deliveries to the Project and other major construction projects. The | <p>The Project Applicant and/or Construction Contractor shall regularly report future construction activity to the Community Development Department and the Public Works Department/Engineering Division. Reporting frequency is subject to</p> | <p>City compliance verification throughout all construction phases.</p> | <p>Periodic throughout all construction phases.</p> | <p>Project Applicant, Construction Contractor, Community Development Department/Building Safety Division and Public Works Department/Engineering Division</p> | | | |

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| <p>Project applicant shall ensure that deliveries of items such as concrete and other high-volume items shall be reported to the City's major delivery schedule and reporting shall be incorporated as a requirement into the Construction Traffic Management Plan to ensure that simultaneous deliveries are avoided when feasible.</p> <ul style="list-style-type: none"> • The Project applicant shall coordinate with the City regarding the loading and unloading of delivery vehicles. Any off-site staging areas for delivery vehicles shall be consolidated and shared with the other major construction projects where feasible. • The Project applicant or their representative shall meet on a regular basis during construction with the City to address any outstanding issues related to construction traffic, deliveries, and worker parking. • If construction on other major projects in the vicinity is occurring simultaneously with this Project, the City can require as part of the Construction Traffic Management Plan that the applicant meet with other applicants and the City to address construction traffic, deliveries, and worker parking. | <p>the City's discretion, in order to meet the requirements of this Mitigation Measure.</p> | | | | | | |
| Tribal Cultural Resources | | | | | | | |
| <p>Mitigation Measure TCR-MM-1: Preconstruction Worker Training. At the Project kickoff and before construction activities begin, the qualified archaeologist or their designee shall provide training to construction personnel</p> | <p>The Project Applicant or Contractor will provide the City written verification (e.g., course materials, sign in sheets, etc.) that the Qualified</p> | <p>Verification prior to the start of construction activities. Additional verification that</p> | <p>Once prior to start of construction activities and as needed at the City's discretion during construction</p> | <p>Project Applicant, Construction Contractor, Community Development Department, Project</p> | | | |

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| on information regarding regulatory requirements for the protection of cultural resources including tribal cultural resources. As part of this training, construction personnel will be briefed on proper procedures to follow should unanticipated cultural resources discoveries be made during construction. Workers will be provided contact information and protocols to follow in the event that inadvertent discoveries are made. If necessary, the qualified archaeologist can create a training video, PowerPoint presentation, or printed literature that can be shown to new workers and contractors to avoid continuous training throughout the course of the Project. | Archaeologist has provided training to all construction personnel prior to the start of construction. | that construction workers new to the Project site have received the training. | to ensure workers new to the Project Site have received training. This Measure shall apply continuously throughout all grading activities. | Qualified Archeologist | | | |
| Mitigation Measure TCR-MM-2: Retain Native American Monitoring. Native American monitoring shall be retained by the Applicant or their successor and conducted by a representative of the Gabrieleño Band of Mission Indians-Kizh Nation, hereafter referred to as the "Monitoring Tribe". Monitoring shall occur during all Project-related, initial ground-disturbing construction activities (i.e., grubbing, pavement removal, tree removal, boring, grading, excavation, potholing, drilling and trenching etc.). The tribal monitor shall complete daily monitoring logs that shall provide descriptions of the day's activities, including construction activities, locations, soil and any cultural materials identified. Once excavation is completed for a portion of the Project Site and entered into the daily monitoring log, the | The Project Applicant or Construction Contractor will verify to the City that the approved Native American monitors are retained and verify that the monitors are on-site during ground-disturbing activities. The Project Applicant shall provide to the City that proof that the procedures and Measures listed in this Mitigation Measure have been implemented and complied with. | City review and verification that monitors have been retained prior to start of construction activities. Monitoring Tribe monitoring shall occur during ground-disturbing activities. | City review and verification prior to start of construction activities. Monitoring Tribe monitoring to occur continuously throughout ground-disturbing activities. | Project Applicant, Construction Contractor, Community Development Department, Monitoring Tribe, | | | |

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| <p>monitoring of an area shall be considered complete. The on-site monitoring shall end when all ground-disturbing activities at the Project Site are completed, or when the representatives of the Monitoring Tribe has indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources of their Tribe. Should the Gabrieleño Band of Mission Indians—Kizh Nation not have sufficient qualified staff, or not provide monitoring services at market rates, after consultation between the Tribe and the City's Director of Community Development, the Applicant may contract with a different firm to provide a Native American monitor, subject to approval by the City of Beverly Hills Director of Community Development and reasonable and timely concurrence of the Gabrieleño Band of Mission Indians-Kizh Nation. Native American and Archaeological monitoring during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of Tribal Cultural Resources shall be taken.</p> | | | | | | | |
| <p>Mitigation Measure TCR-MM-3: Unanticipated Discovery of Tribal Cultural Resources. In the event a Native American monitor identifies cultural or archaeological resources, the monitor shall be given the authority to temporarily halt construction in the immediate vicinity and within 50 feet of the discovery and to contact the qualified archaeologist to investigate the find and determine if it is a</p> | <p>The Project Applicant and Contractor will verify that archaeological resources unearthed by project construction activities shall be evaluated by the Qualified Archaeologist and Native American monitor. If resources are</p> | <p>During ground-disturbing activities in the event of a find.</p> | <p>Periodically during ground-disturbing activities in the event of a find.</p> | <p>Project Applicant, Construction Contractor, Community Development Department, Project Qualified Archeologist, Monitoring Tribe</p> | | | |

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| Tribal Cultural Resource under CEQA by the City of Beverly Hills in consultation with the ancestrally related tribe(s) and qualified archaeologist. Construction activities can continue in areas 50 feet away from the find and not associated with the cultural resource location. In the event of a find during ground-disturbing activities, the Gabrieleño Band of Mission Indians- Kizh Nation shall be notified by the City and will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. A Cultural Resources Monitoring and Mitigation Plan shall be developed to outline monitor procedures. | found and exposed, the Project Applicant shall immediately inform the City of the find and provide proof that the requirements of this Mitigation Measure have been complied with. | | | | | | |
| Mitigation Measure TCR-MM-4: Unanticipated Discovery of Human Remains. In the event that human remains are encountered at the Project Site, all work within 100 feet of the burial must cease, and any necessary steps to ensure the integrity of the immediate area shall be taken, including the placement of an exclusion zone around the discovery location. The Los Angeles County Coroner will be immediately notified. Human remains and grave/burial goods shall be treated alike per PRC section 5097.98(d)(1) and (2). In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that | If human remains are found and/or exposed, the Project Applicant and/or Construction Contractor must ensure that all work within 100 feet of the burial must cease, and any necessary steps to ensure the integrity of the immediate area are taken. The Los Angeles County Coroner must be immediately notified. The Project Applicant shall document and submit written proof to the City that the procedures listed in this Mitigation Measure have been implemented and complied with. | During all ground-disturbing activities in the event of a find. | Periodically during ground-disturbing activities in the event of a find. | Project Applicant, Construction Contractor, Community Development Department, Los Angeles County Coroner, Project Qualified Archeologist, Monitoring Tribe | | | |

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| <p>remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. The Coroner must then determine whether the remains are Native American. Should the Coroner determine the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC), who shall in turn, notify the person they identify as the most likely descendent (MLD). Further actions shall be determined in part by the recommendations of the MLD. The MLD has 48 hours of being granted access to the Project Site to complete their inspection and make recommendations or express preferences for treatment of the remains. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, re-inter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD's recommendations, the owner or the descendent may request mediation by the NAHC. Procedures of conduct following the discovery of human remains have been mandated by Health and Safety Code Section 7050.5, PRC Section 5097.98, and the CEQA Guidelines Section 15064.5(e) (CEQA).</p> | | | | | | | |
| <p>Mitigation Measure TCR-MM-5:</p> | <p>If human remains and/or</p> | <p>During ground-</p> | <p>Periodically during</p> | <p>Project Applicant,</p> | | | |

| Mitigation Measure | Action Required | When Monitoring to Occur | Monitoring Frequency | Responsible Agency or Party | Compliance Verification | | |
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| <p>Reburial Treatment Measures. Prior to the continuation of ground-disturbing activities where human remains and/or ceremonial objects have been identified, the Developer shall arrange a designated site location within the footprint of the Project for the respectful reburial of the human remains and/or ceremonial objects. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can only be moved by heavy equipment shall be placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside of working hours. If feasible, the Project shall be diverted to keep the remains in situ and protected. If the Project cannot be diverted, it may be determined that burials will be removed. The MLD shall work with the qualified archaeologist to ensure that the excavation is treated carefully, ethically, and respectfully. If data recovery is approved by the MLD, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the MLD for data recovery purposes.</p> | <p>ceremonial object have been identified, the Project Applicant must comply with the procedures of this Mitigation Measure. The Project Applicant shall document and submit written proof to the City that the procedures listed in this Mitigation Measure have been implemented and complied with.</p> | <p>disturbing activities in the event of a find.</p> | <p>ground-disturbing activities in the event of a find.</p> | <p>Construction Contractor, Community Development Department, Project Qualified Archeologist, Monitoring Tribe, MLD tribal group, NAHC</p> | | | |

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| <p>Cremations shall either be removed in bulk or by means as necessary to ensure complete recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the MLD and NAHC. The MLD does not authorize any scientific study or utilization of any invasive and/or destructive diagnostics on human remains. Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be, to the extent feasible, on the Project Site but at a location agreed upon between the MLD and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p> | | | | | | | |

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| Greenhouse Gas Emissions | | | | | | | |
| <p>Project Design Feature GHG-PDF-1: The Project shall meet the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) standards for certification of environmentally sustainable buildings. The Project shall incorporate LEED features achieving Gold certification. The design of the new building will incorporate the following sustainability features:</p> <ul style="list-style-type: none"> • Use of Energy Star-labeled products and appliances. • Use of light-emitting diode (LED) lighting or other energy-efficient lighting technologies, such as occupancy sensors or daylight harvesting and dimming controls, where appropriate, to reduce electricity use. • Water-efficient plantings with drought-tolerant species; • Fenestration designed for solar orientation, including recessed windows, balconies and overhangs to shade window glazing, while allowing reflected and diffuse daylight into the building to enhance the use of natural light and reduce the need for artificial light sources; • Pedestrian- and bicycle-friendly design in close proximity to public transportation and with bicycle parking, including charging facilities for e-bicycles, as well as employee lockers and showers, and provision of transit passes to hotel and club employees | <p>The Project Applicant shall submit a LEED Checklist and design drawings to the Director of Community Development prior to issuance of grading or construction permits.</p> <p>The plans shall be reviewed by the Community Development Department prior to the issuance of grading permits.</p> <p>The City Plan Check Engineer shall review the plans to ensure that they comply with this project design feature. City Building Inspectors in the field shall also review the work to ensure that it complies with the requirements in this project design feature.</p> | <p>City review and approval prior to issuance of construction permit and City monitoring throughout building construction.</p> | <p>City review and approval once prior to issuance of construction permit. City field verification continuously throughout building construction until issuance of a Certificate of Occupancy.</p> | <p>Project Applicant, Construction Contractor, Community Development Department</p> | | | |

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| <p>who use public transportation to travel to and from work. Transit passes would also be provided to hotel guests on request;</p> <ul style="list-style-type: none"> • Landscaping and exterior design utilizing subterranean parking and landscaped and shaded non-roof surfaces, light-colored, low-albedo roof surfaces to reduce local heat island effects; • The reduction of chlorofluorocarbons (CFCs) from the building systems; • The selection of materials, such as adhesives, sealants, paints, and carpeting, that reduce off-gassing to improve internal air quality; • The involvement of during design and construction of a LEED Accredited Professional; • Installation of electric vehicle charging equipment and bicycle parking spaces, including charging facilities for e-bicycles, as well as employee lockers and showers; • Solar ready collectors for 15 percent of the roof area excluding skylight areas for energy efficiency; • Track energy usage through advanced energy metering; • Recycling of a minimum of 65 percent of demolition and construction debris; • The use of stormwater for irrigation for landscape; • The use of greywater to offset building systems use of potable water; • Reduce the Project's embodied carbon | | | | | | | |

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| through the reduction of petroleum-based insulation products; <ul style="list-style-type: none"> Achieve energy savings of 18 percent over ASHRAE (American Society of Heating, Refrigerating and Air-Conditioning Engineers); and During construction, treat and reuse any water collected from dewatering operations. | | | | | | | |
| Noise | | | | | | | |
| Project Design Feature NOI-PDF-1: Power construction equipment (including combustion engines), fixed or mobile, will be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment will be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated. | The Project Applicant or Construction Contractor shall submit specifications for the shielding and muffling devices to be used to the Community Development Department for review and approval. The Construction Contractor must implement the required shielding and muffling devices during construction activities. | City review and verification of required devices prior to issuance of any construction permit. Construction Contractor monitoring of device use throughout the construction period. | City review and verification prior to the start of construction. Construction Contractor monitoring throughout the construction period. | Project Applicant, Construction Contractor, Community Development Department | | | |
| Project Design Feature NOI-PDF-2: Project construction will not include the use of driven (impact) pile systems. | The Project Applicant shall submit a construction plan to the Director of Community Development prior to issuance of grading or construction permits showing construction techniques to be used. The plan shall be reviewed by the Community Development Department prior to the | City review and approval prior to issuance of construction permit and City monitoring throughout grading and excavation. | City review and approval once prior to issuance of construction permit. City field verification continuously throughout grading and excavation. | Project Applicant, Construction Contractor, Community Development Department | | | |

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| | <p>issuance of grading permits.</p> <p>The City Plan Check Engineer shall review the plan to ensure that it complies with this project design feature. City Building Inspectors in the field shall also review the work to ensure that it complies with this project design feature.</p> | | | | | | |
| <p>Project Design Feature NOI-PDF-3: Outdoor amplified sound systems will be designed such that the average ambient noise level at the off-site noise sensitive receptors (refer to Table 4.8-7) will not increase by more than 3 dBA. Specifically, the amplified sound systems will include controls that will prevent the volume from exceeding the maximum noise level of 80 dBA (L_{eq-1hr}) at a distance of 15 feet from the amplified sound systems at the Level 7 and Level 8 terraces and 80 dBA (L_{eq-1hr}) at a distance of 25 feet at Level 6 and Penthouse pool terraces.</p> | <p>The Project Applicant shall submit outdoor amplified sound system specifications to the Director of Community Development prior to issuance of grading or construction permits. The plans shall be reviewed by the Community Development Department prior to the issuance of grading permits.</p> <p>The City Plan Check Engineer shall review the plans to ensure that they comply with this project design feature. City Building Inspectors in the field shall also review the work to ensure that it complies with the requirements in this project design feature.</p> | <p>City review and approval prior to issuance of construction permit and City monitoring during installation of outdoor amplified sound systems.</p> | <p>City review and approval once prior to issuance of construction permit. City field verification during installation of outdoor amplified sound systems until issuance of a Certificate of Occupancy.</p> | <p>Project Applicant, Construction Contractor, Community Development Department</p> | | | |

| Project Design Feature | Action Required | When Monitoring to Occur | Monitoring Frequency | Responsible Agency or Party | Compliance Verification | | |
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| <p>Project Design Feature NOI-PDF-4: A 6-foot solid (visually transparent) acoustics barrier will be provided at the Level 6, Level 7, Level 8 and Penthouse terraces to acoustically screen the outdoor spaces from off-site noise-sensitive receptors to the north (receptors R1 and R2).</p> | <p>The Project Applicant shall submit design drawings to the Director of Community Development prior to issuance of grading or construction permits. The plans shall be reviewed by the Community Development Department prior to the issuance of grading permits. The City Plan Check Engineer shall review the plans to ensure that they comply with this project design feature. City Building Inspectors in the field shall also review the work to ensure that it complies with the requirements in this project design feature.</p> | <p>City review and approval prior to issuance of construction permit and City monitoring during building construction.</p> | <p>City review and approval once prior to issuance of construction permit. City field verification during building construction until issuance of a Certificate of Occupancy.</p> | <p>Project Applicant, Construction Contractor, Community Development Department</p> | | | |
| <p>Project Design Feature NOI-PDF-5: The Project’s building façade will incorporate sound insulation such that the interior background noise within the hotel suites will not exceed 45 dBA CNEL per the 2019 California Building Code (Section 1206.04) and within the retail/commercial space will not exceed 50 dBA Leq(1-hour) per the 2019 California Green Code (Section 5.507).</p> | <p>The Project Applicant shall submit design drawings to the Director of Community Development prior to issuance of grading or construction permits. The plans shall be reviewed by the Community Development Department prior to the issuance of grading permits. The City Plan Check</p> | <p>City review and approval prior to issuance of construction permit and City monitoring during building construction.</p> | <p>City review and approval once prior to issuance of construction permit. City field verification during building construction until issuance of a Certificate of Occupancy.</p> | <p>Project Applicant, Construction Contractor, Community Development Department</p> | | | |

| Project Design Feature | Action Required | When Monitoring to Occur | Monitoring Frequency | Responsible Agency or Party | Compliance Verification | | |
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| | Engineer shall review the plans to ensure that they comply with this project design feature. City Building Inspectors in the field shall also review the work to ensure that it complies with the requirements in this project design feature. | | | | | | |
| Transportation | | | | | | | |
| Project Design Feature TRA-PDF-1: The Project proposes an amendment to the Master Plan of Streets to: (1) eliminate an existing surface right of way segment and relocate this segment in the Project Site area for public alley purposes; (2) dedicate additional surface right of way for public sidewalk purposes along South Santa Monica Boulevard to widen the sidewalk; and (3) allow the existing public roadways along North Rodeo Drive and South Santa Monica Boulevard to remain in their current locations. | The Project Applicant shall submit design drawings to the Director of Community Development prior to issuance of grading or construction permits. The plans shall be reviewed by the Community Development Department prior to the issuance of grading permits. The City Plan Check Engineer shall review the plans to ensure that they comply with this project design feature. City Building Inspectors in the field shall also review the work to ensure that it complies with the requirements in this project design feature. | City review and approval prior to issuance of construction permit and City monitoring during building construction. | City review and approval once prior to issuance of construction permit. City field verification during building construction until issuance of a Certificate of Occupancy. | Project Applicant, Construction Contractor, Community Development Department | | | |
| Project Design Feature TRA-PDF-2: The Specific Plan requires that free transit passes be made available to Hotel | The Project Applicant shall submit proof of purchase of transit | City review and approval prior to issuance of | City review and approval once prior to issuance of | Project Applicant, Community Development | | | |

| Project Design Feature | Action Required | When Monitoring to Occur | Monitoring Frequency | Responsible Agency or Party | Compliance Verification | | |
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| and Club employees who use transit to travel to and from the Project Site to work. | passes and/or plan for how transit passes will be made available to employees to the Director of Community Development prior to issuance of Certificate of Occupancy. The proof/plan shall be reviewed by the Community Development Department prior to the issuance of Certificate of Occupancy. | Certificate of Occupancy. | Certificate of Occupancy. | Department | | | |