

Executive Summary



Executive Summary

In accordance with California Environmental Quality Act (CEQA)¹ Guidelines² Section 15123, this section of this Final Environmental Impact Report (EIR) contains a brief summary of the Cheval Blanc Beverly Hills Project (Project) and its potential environmental effects. More detailed information regarding the Project and its potential environmental effects is provided in the following sections of this Final EIR. Also included in this section is a description of the organization of this Final EIR, a general description of the Project, a summary of the alternatives to the Project evaluated in this Final EIR, including identification of the Environmentally Superior Alternative, and a general description of known areas of controversy.

Final EIR Organization

This Final EIR is comprised of the following sections:

Table of Contents. This section includes a table of contents for this Final EIR.

Executive Summary. This section provides a summary description of the Project and summarizes the Project's environmental impacts and mitigation measures.

1.0 Introduction. This section describes the purpose of this EIR; the lead, responsible, and trustee agencies associated with the Project; the scope and content of the Final EIR; the public review process; and a summary of the Notice of Preparation (NOP) comments received for the Project.

2.0 Project Description. This section describes the Project location, existing conditions, Project objectives, and characteristics of the Project.

¹ *Public Resources Code (PRC) Section 21000 et seq.*

² *Title 14 California Code of Regulations Section 1500 et seq. (Guidelines)*

- 3.0 Environmental Setting.** This section contains a description of the existing physical and built environment and a list of related projects anticipated to be built in the vicinity of the Project Site.
- 4.0 Environmental Impact Analysis.** This section contains the environmental setting, Project and cumulative impact analyses, mitigation measures (where necessary), and conclusions regarding the level of significance after mitigation for each of the following environmental issues: air quality; biological resources (impacts to bat species); cultural resources; energy; geology and soils (paleontological resources); greenhouse gas emissions; land use and planning; noise; transportation; tribal cultural resources; and utilities and service systems (energy infrastructure).
- 5.0 Alternatives.** This section provides an analysis of a reasonable range of alternatives to the Project including: No Project Alternative; Reduced Excavation and Reduced Parking Alternative; Zoning Compliant Alternative; Reduced Height Alternative; and Reduced Project Alternative.
- 6.0 Other CEQA Considerations.** This section provides an analysis of the potential secondary effects that would result from the Project. This section also analyzes potential growth-inducing impacts of the Project and potential secondary effects caused by the implementation of the mitigation measures for the Project.
- 7.0 References.** This section lists the references and sources used in the preparation of this Final EIR.
- 8.0 Acronyms and Abbreviations.** This section provides a list of acronyms and abbreviations used in this Final EIR.
- 9.0 List of Preparers.** This section lists the persons, public agencies, and organizations that were consulted or contributed to the preparation of this Final EIR.
- 10.0 Responses to Comments.** This section presents a matrix of the parties that commented on the Draft EIR. This matrix is followed by the comments provided and numbered responses to each of the comments made regarding the Draft EIR. Copies of the full original comment letters are provided in Appendix J of this Final EIR.

A Mitigation Monitoring and Reporting Program (MMRP) has also been prepared for the Project under separate cover. The MMRP lists project design features and mitigation measures by environmental topic and identifies for each of the project design features and

mitigation measures the action required, when monitoring would occur, how often monitoring would occur, and the applicable responsible agency or party.

This Final EIR includes the environmental analysis prepared for the Project and appendices as follows:

- Appendix A—Initial Study, NOP, and NOP Comment Letters
- Appendix B—Technical Appendix for Air Quality and Greenhouse Gas Emissions
- Appendix C—Bat Habitat Assessment Memorandum
- Appendix D—Technical Appendix for Cultural Resources
- Appendix E—Energy Calculations
- Appendix F—Paleontological Records Search
- Appendix G—Noise Calculation Worksheets
- Appendix H—Technical Appendix for Transportation
- Appendix I—Technical Appendix for Tribal Cultural Resources
- Appendix J—Draft EIR Comment Letters
- Appendix K—Updated Air Quality and Greenhouse Gas Emissions Modeling Worksheets

Project Synopsis

Project Applicant

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456 N RODEO DRIVE LLC
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Project Location

The Project Site encompasses property located at 456 and 468 North Rodeo Drive, 461 through 465 North Beverly Drive, and 449, 451, and 453 North Beverly Drive in the City of Beverly Hills, California 90210. The approximately 1.277-acre (55,608 square feet) Project Site specifically consists of seven legal lots as follows: one legal lot at 456 North Rodeo Drive (Assessor's Parcel Number 4343-016-002); two legal lots at 468 North Rodeo Drive (Assessor's Parcel Number 4343-016-001); three legal lots at 461–465 North Beverly Drive (Assessor's Parcel Number 4343-016-023); and one legal lot at 449–453 North Beverly Drive (Assessor's Parcel Number 4343-016-019). The Project Site also includes a portion of the existing north-south alley located east of North Rodeo Drive and west of North Beverly Drive. In addition, the Project Site includes subterranean encroachments into the public right-of-way for subsurface utility improvements and parking. Specifically, a request for an encroachment permit is included as part of the Project to allow the subterranean parking area to be located at least 10 feet below grade to extend to the existing curb lines of South Santa Monica Boulevard, Rodeo Drive and Beverly Drive.³

The Project Site is bounded by South Santa Monica Boulevard to the north, North Beverly Drive to the east, commercial buildings to the south, and by North Rodeo Drive to the west.⁴ The existing alley that bisects the Project Site runs north-south through the Project Site and currently is accessible from South Santa Monica Boulevard.

³ *Encroachment Permits are requested as part of the Project to allow: (i) subsurface utility vaults to encroach into the public right-of-way; (ii) parking spaces and aisles to extend under the public sidewalk from ten (10) feet below grade and out no farther than to the line of the existing curb; (iii) installation and maintenance of landscaped parkways and special paving in the public right of way along North Rodeo Drive, South Santa Monica Boulevard and North Beverly Drive.*

⁴ *For ease of reference, these directions consider that South Santa Monica Boulevard is due north of the Project Site.*

Existing Project Site Conditions

The Project Site is currently occupied by commercial and institutional uses comprising approximately 56,787 square feet. Specifically, 456 North Rodeo Drive is developed with a two-story, 6,895-square-foot commercial structure and nine surface parking spaces, 468 North Rodeo Drive is currently developed with a two-story, 20,265-square-foot commercial structure and six surface parking spaces, 461–465 North Beverly Drive is currently developed with a two-story, 23,351-square-foot institutional use and five surface and 45 underground parking spaces, and 449, 451, and 453 North Beverly Drive is developed with a one-story, 6,276-square-foot commercial structure.

The existing structure at 456 North Rodeo Drive was constructed in 1948. The building has been occupied by a variety of commercial tenants over the years, including electronics retailers, art galleries, and clothing and accessories boutiques. The building at 456 North Rodeo Drive is currently occupied by luxury retailer Celine. The existing structure at 468 North Rodeo Drive was constructed in 1997 as a flagship retail store for the clothing brand Tommy Hilfiger Corp., and later served as a flagship retail store for the Brooks Brothers clothing brand. The building is currently vacant. The existing structure at 461–465 North Beverly Drive was constructed in 1994–1996 as an extensive remodel of two previously existing structures. The building formerly housed The Paley Center for Media and is currently leased to an art exhibitor. The existing structure at 449, 451, and 453 North Beverly Drive was constructed in 1921 and appears to have been significantly expanded around 1926. This building is currently vacant.⁵

The Project Site has a General Plan land use designation of Low Density General Commercial and is zoned C-3 Commercial.

Project Description

The Project proposes the creation of the Cheval Blanc Beverly Hills Specific Plan, which would facilitate the orderly and efficient development of the Project Site by, among other things, establishing appropriate size, height, and density limits. Under the Cheval Blanc Beverly Hills Specific Plan, proposed development could include up to 220,950 square feet and up to 115 hotel guest rooms.

⁵ *This space has been leased for art storage on a temporary basis. However, the analysis in this Final EIR conservatively assumes no baseline activity in this location (e.g., traffic trips).*

The Project, as currently proposed, includes the development of a single 212,034-square-foot⁶ multiple-use building that would include a luxury hotel with 109 guest rooms, including a penthouse, a private club offering facilities for social and recreational purposes, restaurant and retail uses, and other appurtenant uses related to hotel and club services and functions such as a wellness center and spa.

To allow for development of the Project, the existing commercial and institutional uses on the Project Site comprising approximately 56,787 square feet of floor area would be removed. Additionally, the portion of the existing public alley bisecting the Project Site would be relocated to the southern portion of the Project Site as part of the tentative parcel map process. Overall, the Project could result in a net floor area increase of up to 164,163 square feet (under the Specific Plan maximums) on the Project Site. The submitted conceptual plan (212,034-square-foot hotel) identifies an increase of approximately 155,247 square feet of floor area over existing conditions. The proposed Specific Plan identifies a total floor area ratio (FAR) maximum of 4.2:1 and an above ground maximum of 3.91:1. The total FAR calculation for the submitted conceptual plan is 4.03:1 and the above ground maximum is 3.75:1.

The proposed building would vary in height from four stories and a maximum height of 51 feet along North Rodeo Drive, stepping back to a partial ninth-story penthouse with a maximum height of 115 feet along North Beverly Drive. The Project would incorporate modulation of building heights and massing, articulation of building façades at all elevations, and pedestrian-friendly treatments along the public right-of-ways.

The Project would provide 185 vehicle parking spaces for the proposed uses in three subterranean parking levels beneath the hotel building. Primary access to the building and parking would be from South Santa Monica Boulevard via a valet motor court. The existing alley that runs north-south and is currently accessed from South Santa Monica Boulevard would be relocated to the southern portion of the Project Site and be accessible from the west side of North Beverly Drive.

The proposed Project plans identify approximately 45,201 square feet of open space. This includes a publicly accessible 670 square-foot pedestrian plaza at the corner of South Santa Monica Boulevard and North Rodeo Drive that would be contiguous to the sidewalk and include private artwork. Additionally, 4,760 square feet of outdoor restaurant

⁶ *Per the Specific Plan, exterior walls, stair shafts, elevators, elevator lobbies less than 100 square feet per cab, parking spaces and access, maintenance equipment/machinery rooms, outdoor dining areas, decks and balconies, and up to 6,000 square feet of storage per below grade level (2,000 square feet per parking level) are not included in the floor area calculations.*

and bar spaces on levels six and seven and the 742-square-foot outdoor terrace on the seventh level may be publicly accessible by reservation only unless otherwise reserved for hotel guests or club members and their respective guests. The remaining open space area would be for private use by hotel guests and club members and would include hotel room balcony/patio areas, hotel pool deck, wellness center outdoor area, and penthouse pool deck.

Construction of the Project is anticipated to commence in 2022 and would occur in two phases, which would overlap in their duration. Full operation of the Project is expected to occur in 2026. Table ES-1 on page ES-8 provides a summary of the various components of the Project.

**Table ES-1
Summary of Project Characteristics**

Project Uses	Proposed Conceptual Plan^a	Projected Buildout to Specific Plan Maximum^c
Hotel Guest Rooms	98,673 sf (109 rm)	104,400 sf (115 rm)
Hotel Lobby and Circulation	23,413 sf	24,772 sf
Wellness Center	4,924 sf	4,924 sf
Spa	12,226 sf	12,936 sf
Employee Facilities/Office/BOH (includes Central Kitchen)	19,290 sf	20,410 sf
Club Meeting Room/Screening Room/ Lounge	7,001 sf	7,001 sf
Club Lobby and Circulation	1,197 sf	1,197 sf
Subtotal for Specific Plan Use Category: Hotel Rooms, Club and Appurtenant Uses	166,724 sf	175,640 sf (Specific Plan Maximum: 167,500 sf) ^b
Subtotal for Specific Plan Use Category: Retail Uses	24,976 sf	24,976 sf (Specific Plan Maximum: 25,000 sf) ^b
Subtotal for Specific Plan Use Category: Restaurants/Lounges/Bars/ Restaurant Kitchen	20,334 sf	20,334 sf (Specific Plan Maximum: 20,500 sf) ^b
Total Floor Area	212,034 sf	220,950 sf
Total FAR	4.03:1 (3.75:1 above-ground)	4.2:1 (3.91:1 above-ground)
Number of Floors/Stories	4 stories to 9 stories	
Height	51 feet (4 stories) to 115 feet (9 stories)	
Parking Spaces	185 parking spaces within 3 subterranean levels	
<hr/> <p><i>ac = acres</i> <i>rm = rooms</i> <i>sf = square feet</i></p> <p>^a <i>Per the Specific Plan, exterior walls; stair shafts; elevators; elevator lobbies less than 100 sf per cab; parking spaces and access; maintenance equipment/machinery rooms; 45,201 square feet of outdoor areas including the pool deck, pool deck outdoor dining and bar area, other outdoor dining and bar area, wellness center outdoor deck, and balconies; and 2,000 sf of storage per below grade parking level are not included in the floor area calculations.</i></p> <p>^b <i>The Specific Plan maximum is the regulatory limit, as listed on Page 5 of the Specific Plan. As such, the Specific Plan maximum sets a limit on the size of each of the three broad use categories and allows the square footage in each use category to be adjusted by up to 5 percent as long as the overall floor area does not exceed 220,950 sf.</i></p> <p>^c <i>All floor areas listed are approximate and conceptual for CEQA analysis purposes. The Specific Plan maximums include the maximum number of hotel rooms and the approximate amount of floor area that may be allocated to each use in the building should the Project be built to the Specific Plan maximums. Adjustments in floor area may occur between uses up to a five percent increase for any</i></p>		

Table ES-1 (Continued)
Summary of Project Characteristics

Project Uses	Proposed Conceptual Plan ^a	Projected Buildout to Specific Plan Maximum ^c
<p><i>general use category as provided for in the proposed Cheval Blanc Beverly Hills Specific Plan but shall not exceed 220,950 square feet of floor area. In particular, the square footage of the Hotel Rooms, Club and Appurtenant Uses category may increase as a result of buildout of 115 hotel guest rooms as per the Specific Plan, as compared to 109 hotel guest rooms as per the conceptual plan.</i></p> <p>Source: Eyestone Environmental, 2022.</p>		

Project Objectives

Section 15124(b) of the California Environmental Quality Act (CEQA) Guidelines states that the project description shall contain “a statement of the objectives sought by the proposed project.” Section 15124(b) of the CEQA Guidelines further states that “the statement of objectives should include the underlying purpose of the project.” The underlying purpose of the Project is to revitalize the Project Site by developing a high quality hotel-driven anchor development project that provides new lodging opportunities within the City to serve the region and tourists as well as publicly accessible neighborhood-serving restaurant and bar uses that encourage pedestrian activity in the vicinity of the Project Site. The Project’s specific objectives are set forth below:

- Support and expand tourism and business activity by developing new lodging opportunities that are easily accessible to entertainment and commercial destinations in the City of Beverly Hills.
- Provide short- and long-term employment opportunities and maximize transient occupancy tax revenue for the City through the development of a one-of-a-kind luxury hotel that will attract visitors to the Business Triangle and Beverly Hills.
- Reduce vehicular trips and promote local and regional mobility objectives by developing a hotel use with convenient access to a variety of alternative transportation options including walking, biking, and public transit, and in close proximity to popular tourist destinations.
- Replace existing uses and structures with an economically viable and aesthetically attractive anchor development on a physically constrained site that will be physically and programmatically compatible with the variety of urban uses in the vicinity.
- Improve the pedestrian experience and enhance walkability through a pedestrian friendly design that includes pedestrian amenities at ground level.

- To accommodate vehicle flow on adjacent City streets and promote multiple transportation modes (walking, bicycling) by relocating the portion of the alley which bisects the Project Site, placing parking underground, limiting driveway access points, and enhancing the pedestrian environment on all of the adjoining streets.

Summary of Alternatives

This Final EIR examined five alternatives to the Project in detail, which include the No Project Alternative, the Reduced Excavation and Reduced Parking Alternative, the Zoning Compliant Alternative, the Reduced Height Alternative, and the Reduced Project Alternative. A general description of these alternatives is provided below. Refer to Section 5.0, Alternatives, of this Final EIR for a more detailed description of these alternatives, a comparative analysis of the impacts of these alternatives with those of the Project, the extent to which the alternatives meet the Project objectives, and a description of the alternatives considered but rejected as infeasible. Based on the alternatives analysis included in Section 5.0, Alternatives, of this Final EIR, Alternative 3 was determined to be the environmentally superior alternative.

Alternative 1: No Project Alternative

Alternative 1, the No Project Alternative, assumes that the Project would not be approved, and no new development would occur within the Project Site. Thus, the physical conditions of the Project Site would generally remain as they are today. Under Alternative 1, the Project Site would continue to be developed with the existing commercial and institutional buildings comprising approximately 56,787 square feet and surface and underground parking spaces. Specifically, 456 North Rodeo Drive would continue to be developed with a two-story, 6,895-square-foot commercial structure and nine surface parking spaces, 468 North Rodeo Drive would continue to be developed with a two-story, 20,265-square-foot commercial structure and six surface parking spaces, 461–465 North Beverly Drive would continue to be developed with a two-story, 23,351-square-foot institutional use and five surface and 45 underground parking spaces, and 449, 451, and 453 North Beverly Drive would continue to be developed with a one-story, 6,276-square-foot commercial structure. As detailed in Section 2.0, Project Description, of this Final EIR, the buildings within the Project Site have been occupied by a variety of commercial and institutional tenants over the years and one or more of the existing on-site buildings have been vacant for a period of time over the years. As further described in Section 2.0, Project Description, of this Final EIR, as of the writing of the Draft EIR, the existing structure at 468 North Rodeo Drive and the existing structure at 449, 451, and 453 North Beverly Drive are vacant. However, for purposes of this analysis, it is assumed that the No Project Alternative includes all buildings being occupied by uses that have historically occupied the Project Site and which are permitted by the existing zoning.

The No Project Alternative would eliminate the Project's impacts as no changes to the existing conditions would occur. However, Alternative 1 would not meet the underlying purpose of the Project or the Project objectives.

Alternative 2: Reduced Excavation and Reduced Parking Alternative

Alternative 2, the Reduced Excavation and Reduced Parking Alternative, would develop the Project Site similar to the Project except with regard to the number of subterranean parking levels provided. Specifically, Alternative 2 would eliminate the third subterranean parking level proposed as part of the Project. Overall, like the Project, Alternative 2 would allow for up to 220,950 square feet of floor area with up to 115 hotel guest rooms under the Specific Plan maximum with an above-ground FAR of 3.91:1 and total FAR of 4.2:1.

While Alternative 2 would reduce construction activities due to the elimination of one level of subterranean parking proposed by the Project, it would not eliminate any of the Project's impacts, which are less than significant or less than significant with mitigation. Impacts under Alternative 2 would be similar to, or less than, those of the Project.

Regarding the Project's underlying purpose and objectives, with the same mix of uses as the Project, Alternative 2 would meet the underlying purpose of the Project to the same extent as the Project by providing the same high quality hotel development as the Project, providing new lodging opportunities within the City to serve the region and tourists as well as providing publicly accessible neighborhood-serving restaurant and bar uses that encourage pedestrian activity in the vicinity of the Project Site, at the same design and service standard levels as the Project. In addition, Alternative 2 would achieve all of the Project objectives.

Alternative 3: Zoning Compliant Alternative

Alternative 3, the Zoning Compliant Alternative, would develop the Project Site consistent with the Project Site's current zoning of C-3 (Commercial) and the General Plan's land use designation for Low Density Commercial uses. The General Plan provides that the Project Site may be used for general commercial uses, including hotels and ancillary uses. Additionally, the Low Density Commercial designation limits development at the Project Site to a FAR density of 2.0:1 and a height of 45 feet. Accordingly, Alternative 3 would include the development of a 36-room hotel (compared to the Project's 115 guest rooms) with ground floor and second floor retail on North Rodeo Drive and South Santa Monica Boulevard. The Project's proposed restaurant, bar, wellness center, spa, club, and penthouse uses would be eliminated along with all public access to the Project Site except for the ground-floor and second floor retail uses. Overall, Alternative 3 would provide

105,214 square feet of floor area with a FAR of 2.0:1, compared to the 220,950 square feet of floor area and 3.91:1 above-ground FAR and 4.2:1 total FAR as proposed by the Project (a reduction of 115,735 square feet of floor area).

Alternative 3 would reduce construction and operational activities due to the reduction in development and, more specifically, elimination of the Project's proposed restaurant, bar, wellness center, spa, club, and penthouse uses as well as the pool decks, the garden porte cochere over the motor court, the 742-square-foot outdoor terrace on the seventh level, the hotel room balcony/patio areas, and two levels of subterranean parking. However, it would not eliminate any of the Project's impacts, which are less than significant or less than significant with mitigation. Impacts under Alternative 3 would be similar to, or less than, those of the Project.

With the elimination of the Project's proposed restaurant and bar uses, Alternative 3 would not meet the underlying purpose of the Project. Alternative 3 would achieve the following Project objective, albeit to a lesser extent than the Project, due to its limited number of hotel rooms (2/3 fewer than those provided by the Project) and lack of amenities typically provided as part of a luxury hotel, including restaurants and bars, spa and pools.

- Reduce vehicular trips and promote local and regional mobility objectives by developing a hotel use with convenient access to a variety of alternative transportation options including walking, biking, and public transit, and in close proximity to popular tourist destinations.

The following objectives are either not met or only partially met by Alternative 3:

- Replace existing use and structures with an economically viable and aesthetically attractive development on a physically constrained site that will be physically and programmatically compatible with the variety of urban uses in the vicinity.
- Support and expand tourism and business activity by developing new lodging opportunities that are easily accessible to entertainment and commercial destinations in the City of Beverly Hills.
- Provide short- and long-term employment opportunities and maximize transient occupancy tax revenue for the City through the development of a one-of-a-kind luxury hotel that will attract visitors to the Business Triangle and Beverly Hills.
- Improve the pedestrian experience and enhance walkability through a pedestrian friendly design that includes pedestrian amenities at ground level.

- To accommodate vehicle flow on adjacent City streets and promote multiple transportation modes (walking, bicycling) by relocating the alley bisecting the Project Site, placing parking underground, limiting driveway access points, and enhancing the pedestrian environment on all of the adjoining streets.

Alternative 4: Reduced Height Alternative

Alternative 4, the Reduced Height Alternative, would develop the Project Site with the same uses, floor area, and parking spaces as proposed by the Project, providing 220,950 square feet of floor area with an above-ground FAR of 3.91:1 and a total FAR of 4.2:1. However, Alternative 4 redistributes the massing of the building to reduce the overall height to seven stories, and reorients the Project's proposed U-shaped building to the south, such that the bulk of its massing would be positioned between the outdoor spaces—where the proposed uses include amplified sound—and the residential neighborhoods to the north. The proposed hotel building would consist of seven stories with a maximum height of 89 feet, as compared to the proposed building of the Project which would vary in height from four stories and a maximum height of 51 feet along North Rodeo Drive (an increase of 38 feet in height) to nine stories with a maximum height of 115 feet along North Beverly Drive (a reduction of 26 feet in height).

While Alternative 4 would redistribute the massing of the hotel building to reduce the overall height to 89 feet consisting of seven stories as well as reorient the Project's proposed U-shaped building to the south, this alternative would develop the same uses, floor area, and parking as the Project. As such, Alternative 4 would not eliminate any of the Project's impacts which are less than significant or less than significant with mitigation. In addition, Alternative 4 would result in greater impacts with regard to land use and planning as Alternative 4 would not be consistent with applicable land use policies. Overall, impacts under Alternative 4 would be similar to or greater than those of the Project.

While the Reduced Height Alternative provides the same square footage of building and FAR as the Project, as well as the same number of hotel rooms and range of uses, building step backs, modulation and articulation are eliminated, and a large number of guest rooms as well as the restaurant, spa, wellness center with gym, and club uses have very limited access to natural light. The majority of private and publicly accessible open space is eliminated, as is greenery at the façade, and the majority of the sidewalk improvements. Therefore, Alternative 4 would only partially meet the underlying purpose of the Project.

With a similar mix of uses, and the same floor area and FAR as the Project, Alternative 4 would achieve the following Project objectives:

- Support and expand tourism and business activity by developing new lodging opportunities that are easily accessible to entertainment and commercial destinations in the City of Beverly Hills.
- Reduce vehicular trips and promote local and regional mobility objectives by developing a hotel use with convenient access to a variety of alternative transportation options including walking, biking, and public transit, and in close proximity to popular tourist destinations.
- To accommodate vehicle flow on adjacent City streets and promote multiple transportation modes (walking, bicycling) by relocating the alley bisecting the Project Site, placing parking underground, limiting driveway access points, and enhancing the pedestrian environment on all of the adjoining streets.

However, Alternative 4 would not meet the following objectives of the Project:

- Provide short- and long-term employment opportunities and maximize transient occupancy tax revenue for the City through the development of a luxury hotel that will attract visitors to the Beverly Hills Business Triangle.
- Replace existing uses and structures with an economically viable and aesthetically attractive development on a physically constrained site that will be physically and programmatically compatible with the variety of urban uses in the vicinity.
- Improve the pedestrian experience and enhance walkability through a pedestrian friendly design that includes pedestrian amenities at ground level.

Alternative 5: Reduced Project Alternative

Alternative 5, the Reduced Project Alternative, would develop the Project Site similar to the Project but at a reduced scale, including by eliminating the third subterranean level proposed under the Project as well as all publicly-accessible uses except for the ground-floor retail on Rodeo Drive. Overall, Alternative 5 would provide 168,403 square feet with a FAR of 3.0:1 above-ground FAR and 3.2:1 total FAR as compared to the 220,950 square feet of floor area and 3.91:1 above-ground FAR and 4.2:1 total FAR of the Project (a reduction of 52,546 square feet). The proposed 85-room hotel building (a reduction of 30 guest rooms compared to the Project) would consist of five stories with a maximum height of 66 feet along North Rodeo Drive (an increase of 15 feet as compared to the proposed four stories and 51 feet of the Project along North Rodeo Drive) and seven stories with a maximum height of 95 feet (a reduction of 20 feet in height as compared to the nine stories with a maximum height of 115 feet of the Project along North Rodeo Drive).

Alternative 5 would reduce construction and operational activities due to the reduction in uses, floor area, and parking. However, Alternative 5 would not eliminate any of the Project's impacts, which are less than significant or less than significant with mitigation. Impacts under Alternative 5 would be mostly similar to, or less than, those of the Project, except for impacts regarding land use and planning, which would be greater under Alternative 5 compared to the Project.

While Alternative 5 would provide a similar mix of uses as the Project, such uses would be reduced. As such, Alternative 5 would only partially meet the underlying purpose of the Project. Alternative 5 would achieve the following Project objectives:

- Support and expand tourism and business activity by developing new lodging opportunities that are easily accessible to entertainment and commercial destinations in the City of Beverly Hills.
- Reduce vehicular trips and promote local and regional mobility objectives by developing a hotel use with convenient access to a variety of alternative transportation options including walking, biking, and public transit, and in close proximity to popular tourist destinations.

The following objectives are either not met or only partially met by Alternative 5:

- Provide short- and long-term employment opportunities and maximize transient occupancy tax revenue for the City through the development of a one-of-a-kind luxury hotel that will attract visitors to the Business Triangle and Beverly Hills.
- Replace existing uses and structures with an economically viable and aesthetically attractive development on a physically constrained site that will be physically and programmatically compatible with the variety of urban uses in the vicinity.
- To accommodate vehicle flow on adjacent City streets and promote multiple transportation modes (walking, bicycling) by relocating the alley bisecting the Project Site, placing parking underground, limiting driveway access points, and enhancing the pedestrian environment on all of the adjoining streets.
- Improve the pedestrian experience and enhance walkability through a pedestrian friendly design that includes pedestrian amenities at ground level.

Areas of Known Controversy

Based on the NOP comment letters provided in Appendix A of this Final EIR, issues known to be of concern include, but are not limited to, Project impacts associated with

aesthetics, air quality, biological resources, greenhouse gas emissions, land use, and transportation. Refer to Appendix A of this Final EIR for copies of the NOP comment letters. In addition, responses to the comments received during the NOP public review process are provided in Section 1.0, Introduction, of this Final EIR.

Based on the Draft EIR comment letters provided in Appendix J of this Final EIR, issues known to be of concern include, but are not limited to, Project impacts associated with air quality, greenhouse gas emissions, and transportation. Refer to Appendix J of this Final EIR for copies of the Draft EIR comment letters. In addition, responses to the comments received during the Draft EIR public review process are provided in Section 10.0, Responses to Comments, of this Final EIR.

Issues to be Resolved

The Project would require the discretionary approval of the City of Beverly Hills. Specifically, the City's Planning Commission will provide a recommendation to the City Council. The City Council has the project approval authority. The discretionary entitlements, reviews, permits and approvals required to implement the Project include, but are not necessarily limited to, the following:

- Certification of the Final EIR.
- A General Plan Amendment designating the Project Site as the "Cheval Blanc Beverly Hills Specific Plan" on the City's General Plan Land Use map and Amendment of General Plan Text, specifically concerning land use policy LU 9.4 Anchor Location Design Criteria.
- A Zoning Map and Zone Text Amendment to create a new Specific Plan, "Cheval Blanc Beverly Hills," and to modify the official City Zoning Maps and add text to apply the Specific Plan zoning to the Project Site.
- A Specific Plan that establishes development standards, such as size, height and density, applicable to the Project Site.
- A Development Agreement to provide for vested development rights and certain community benefits in connection with the Project.
- Amendment to the Master Plan of Streets: (i) to relocate the existing surface right-of-way for public alley purposes; (ii) to dedicate additional surface right of way for public sidewalk purposes along South Santa Monica Boulevard; and (iii) to allow the public roadway along North Rodeo Drive and South Santa Monica Boulevard to remain in their current locations.

- A Vesting Tentative Parcel Map to merge the existing contiguous lots and relocate the surface right-of-way of the public alley.
- Encroachment Permits to allow: (i) subsurface utility vaults to encroach into the public right-of-way; (ii) parking spaces and aisles to extend under the public sidewalk from ten (10) feet below grade and out no farther than to the line of the existing curb; (iii) installation and maintenance of landscaped parkways and special paving in the public right of way along North Rodeo Drive, South Santa Monica Boulevard and North Beverly Drive.
- Other approvals as required by the City, applications for which have not yet been submitted:
 - Construction Stormwater General Permit
 - Approval of Architectural Review (by the Architectural Commission).
 - Approval of an After Hours Construction Permit (by the Building Official).
 - City of Beverly Hills Traffic Management Plan, Building Permit, Grading Permit, Dewatering Permit.
- Other approvals required by other agencies (such as the City of Los Angeles and the State of California Department of Transportation) including but not limited to the following:
 - State of California, Department of Transportation permits for haul routes and to allow for transportation of heavy construction equipment and/or materials which require the use of oversized-transport vehicles on State facilities.
 - City of Los Angeles permits for disposal of materials and haul routes.

In addition to the entitlements identified above, subsequent or additional approvals may also be required from the City for the Project, including, but not limited to, demolition permit, excavation permit, shoring permit, foundation permit, and various building permits.

Draft EIR Focus and Effects Found Not to Be Significant

The City determined through the Initial Study the potential for significant impacts in the following environmental issue areas, which are studied in detail in this Final EIR:

- Air Quality
- Cultural Resources
- Energy

- Geology and Soils (Paleontological Resources)
- Greenhouse Gas Emissions
- Land Use and Planning
- Noise
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems (Energy Infrastructure)

Additionally, while the Initial Study fully evaluated the Project's potential impacts to biological resources and determined that such impacts would be less than significant, in response to a comment letter received from the California Department of Fish and Wildlife, potential impacts to bat species will also be further evaluated in this Final EIR.

Based on the review of the Project and analysis completed as part of the Initial Study, as well as a review of comments received during the NOP process, the City of Beverly Hills determined that the Project would not have the potential to cause or otherwise result in significant environmental effects related to aesthetics;⁷ agriculture and forestry resources; air quality (odors); cultural resources (human remains); geology and soils (except for paleontological resources); hazards and hazardous materials; hydrology and water quality; land use and planning (division of an established community); mineral resources; noise (airports); population and housing; public services; recreation; transportation (hazards, emergency access); utilities and service systems (water,

⁷ *The Project meets the criteria of Public Resources Code (PRC) 21099 as an employment center project in a transit priority area. The Project is considered an employment center project because it is located on property that is zoned for commercial uses with a floor area ratio greater than 0.75. In addition, the Project Site is located on an infill site, as that term is defined in PRC Section 21099(a)(4), because the Project Site consists of lots located within an urban area that have been previously developed. The Project Site is also located within a Transit Priority Area (TPA), as that term is defined in PRC Section 21099(a)(7), because it is located within 0.5 mile of an existing "major transit stop." In particular, the Project Site is located within approximately 0.25 miles of several Los Angeles County Metropolitan Transit Authority (Metro) bus routes, including Bus Routes 4, 16, 17, 704, and Rapid 720, with a service interval of 15 minutes or less during peak hours. In addition, construction of the Metro Purple (D) Line Extension, which includes a subway station at Wilshire/Rodeo, is currently underway and is anticipated to be completed in 2025. The Project Site is located approximately 0.3 mile north of the proposed Wilshire/Rodeo station. Therefore, in accordance with PRC Section 21099(d)(1), the Project's aesthetic impacts shall not be considered significant impacts on the environment and therefore do not have to be evaluated under CEQA. Nonetheless, the Initial Study includes a discussion of aesthetics for informational purposes only and is attached as Appendix A to this Final EIR.*

wastewater, stormwater drainage, and telecommunications); and wildfires. Therefore, these areas are not analyzed further in this Final EIR as they have been fully evaluated in the Initial Study. The Initial Study, which provides evidence supporting the conclusions that no significant impacts would occur for these issue areas, is included in Appendix A of this Final EIR.

Summary of Environmental Impacts and Mitigation Measures

Table ES-2 on page ES-20 provides a summary of the environmental impacts of the Project evaluated in this Final EIR, lists the proposed mitigation measures, and identifies the impacts after incorporation of mitigation. Based on the analysis in Section 4.0, Environmental Impact Analysis, of this Final EIR, implementation of the Project would not result in any significant and unavoidable Project-level or cumulative impacts.

**Table ES-2
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measure(s)	Residual Impact
Air Quality		
<p>Threshold (a): Conflict with or obstruct implementation of the applicable air quality plan.</p> <p>The Project would not increase the frequency or severity of an existing violation or cause or contribute to new violations for the pollutants evaluated. As the Project would not exceed any of the state and federal standards, the Project would also not delay timely attainment of air quality standards or interim emission reductions specified in the Air Quality Management Plan (AQMP). The Project would support the City's and South Coast Air Quality Management District (SCAQMD)'s objectives of reducing vehicle miles traveled (VMT) and the related vehicular air emissions as an infill development near transit within an existing urbanized area and High Quality Transit Area (HQTA), consistent with AQMP control measures. Thus, the Project would not conflict with or obstruct implementation of the AQMP and impacts to Threshold (a) would be less than significant.</p>	None required.	Less than significant
<p>Threshold (b): Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.</p> <p>According to the SCAQMD, individual projects that exceed the SCAQMD's recommended daily thresholds for project-specific impacts would cause a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in non-attainment. Project construction and operational daily emissions at the Project Site would not exceed any of the SCAQMD's regional thresholds. Construction and operation of the Project also would have a less-than-significant impact with regard to localized emissions. As such, the Project would not result in a</p>	None required.	Less than significant

**Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measure(s)	Residual Impact
<p>cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard, and impacts would be less than significant.</p>		
<p>Threshold (c): Expose sensitive receptors to substantial pollutant concentrations.</p> <p>The maximum daily localized emissions from Project construction would not exceed the SCAQMD-recommended localized screening thresholds for NO_x, CO, PM₁₀ and PM_{2.5}. As a result, Project-related on-site construction activities would result in a less than significant impact with regard to localized emissions.</p> <p>Given the short-term construction schedule, the Project would not result in a long-term (i.e., 70-year) source of Toxic Air Contaminant (TAC) emissions. Additionally, the SCAQMD CEQA guidance does not require a health risk assessment (HRA) for short-term construction emissions. It is, therefore, not necessary to evaluate long-term cancer impacts from construction activities which occur over a relatively short duration. In addition, there would be no residual emissions or corresponding individual cancer risk after construction as all construction equipment and trucks would no longer be operating on-site. As such, Project-related TAC impacts during construction would be less than significant.</p> <p>Operation of the Project would not introduce any major new sources of air pollution within the Project Site and on-site operational emissions would not exceed any of the Localized Significance Thresholds (LSTs). Therefore, localized on-site operational emissions resulting from the Project would result in a less-than-significant air quality impact.</p>	<p>None required.</p>	<p>Less than significant</p>

**Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measure(s)	Residual Impact
<p>At buildout of the Project, the highest average daily trips at an intersection under the Future With Project Conditions⁸ would be approximately 74,000 trips at the Rodeo Drive and North Santa Monica Boulevard intersection, which is significantly below the daily traffic volumes that would be expected to generate CO exceedances as evaluated in the 2003 AQMP.⁹ Therefore, the Project does not trigger the need for a detailed CO hotspots model and would not cause any new or exacerbate any existing CO hotspots. As a result, impacts related to localized mobile-source CO emissions are considered less than significant.</p> <p>As the Project would not contain substantial TAC sources and is consistent with the CARB and SCAQMD guidelines, the Project would not result in the exposure of off-site sensitive receptors to carcinogenic or TACs that exceed the maximum incremental cancer risk of 10 in one million or an acute or chronic hazard index of 1.0, and potential TAC impacts during operation of the Project would be less than significant.</p> <p>Based on the above, the Project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be less than significant.</p>		
Biological Resources		
Threshold (a): Have a substantial adverse effect,	Mitigation Measure BIO-MM-1: At least 30 days prior to	Less than significant with

⁸ As defined in Section 4.9, Transportation, of this Final EIR, the Future With Project Conditions is a traffic scenario that analyzes projected traffic volumes and an assessment of operating conditions under future conditions with the addition of Project-generated traffic.

⁹ The 2003 AQMP estimated that the 1-hour concentration for this intersection was 4.6 ppm, which indicates that the most stringent 1-hour CO standard (20.0 ppm) would likely not be exceeded until the daily traffic at the intersection exceeded more than 400,000 vehicles per day.

**Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measure(s)	Residual Impact
<p>either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</p> <p>Based on the bat habitat assessment, because the palm trees on the street appear to provide marginal bat roosting habitat, impacts to bats and roosts due to removal of the 15 street trees during construction could be potentially significant.</p> <p>With regard to operational impacts, the Project would not result in a loss of foraging habitat as none currently exists on-site, and all street trees to be removed would be replaced at a 1:1 ratio, thereby replacing any loss of roosting habitat. Specifically, the Project would increase the number of trees on-site from zero to 7 trees, and the 15 existing street trees would be replaced at a 1:1 ratio for a combined total of 22 trees. Furthermore, bats utilize undeveloped open spaces for foraging and no such habitat exists on-site, as the Project Site is entirely developed at present. Because the Project would not result in a loss of foraging or roosting habitat, impacts to bats and roosts during operation would be less than significant.</p>	<p>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 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</p>	<p>Mitigation incorporated</p>

Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
	<p>any of the above described activities.</p> <p>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.</p> <p>Mitigation Measure BIO-MM-3:¹⁰ Tree removal activities associated with the Project are required to be conducted outside of the nesting season (February 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.</p>	
<p>Threshold (d): Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</p> <p>As previously discussed in detail above under Biological</p>	<p>Mitigation Measures BIO-MM-1 and BIO-MM-2 included above.</p>	<p>Less than significant with Mitigation incorporated</p>

¹⁰ Section 4.2, Biological Resources, of this Final 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 will be incorporated as mitigation.

**Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measure(s)	Residual Impact
<p>Resources Threshold (a), because the palm trees lining the sidewalks appear to provide marginal bat roosting habitat, removal of the 15 street trees identified lining the sidewalks could potentially interfere with the movement of bat species. As such, impacts to bat movement could be potentially significant.</p> <p>With regard to operational impacts, the Project would not result in a loss of foraging habitat as none currently exists on-site, and all street trees removed would be replaced at a 1:1 ratio, thereby replacing any loss of roosting habitat. Because the Project would not result in a loss of foraging or roosting habitat, impacts to bat movement during operation would be less than significant.</p>		
Cultural Resources		
<p>Threshold (a): Would the Project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</p> <p>There are no historical resources on the Project Site that would be demolished, destroyed, relocated, or altered as a result of the Project. As such, demolition of the existing buildings on the Project Site would not result in a direct impact to an historical resource. Potential direct impacts to historical resources as a result of development of the Project would be less than significant.</p> <p>With regard to potential indirect impacts, the Project Site is located across the intersection of South Santa Monica Boulevard and Rodeo Drive from the Writers and Artists Building at 9507 South Santa Monica Boulevard. The Writers and Artists Building has been designated</p>	None required.	Less than significant

**Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measure(s)	Residual Impact
<p>Landmark No. 24 by the City of Beverly Hills and is the closest identified historical resource to the Project Site. The Project does not include the demolition, relocation, rehabilitation, alteration, or conversion of the Writers and Artists Building. However, there is a potential for construction activities to cause damage to the Writers and Artists Building due to vibration or settlement given the building's proximity to the Project Site. Noise and vibration have been analyzed as part of environmental review for the Project (refer to Section 4.8, Noise, of this Final EIR) and the estimated vibration velocity levels from all construction equipment would be well below the building damage significance threshold for the Writers and Artists Building. As such, the Project would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5, and potential indirect impacts to historical resources would be less than significant.</p>		
<p>Threshold (b): Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?</p> <p>The results of the records search indicate that no archaeological resources have been found within the Project Site or within 0.5-mile of the Project Site. In addition, the Project Site is located within an urbanized area of the City of Beverly Hills and has been subject to grading and development in the past, and there is no record of the discovery of archaeological resources on the Project Site. Therefore, any surficial archaeological resources that may have existed at one time have likely</p>	<p>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</p>	<p>Less than significant with Mitigation incorporated</p>

**Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measure(s)	Residual Impact
<p>been previously disturbed. Notwithstanding, it is always possible that unknown and unanticipated intact archaeological deposits and/or features could be present at subsurface levels. Project excavations could potentially encounter unknown and unanticipated archaeological resources and impacts could be potentially significant.</p>	<p>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 archaeologist.</p> <p>Mitigation Measure CUL-MM-2:¹¹ <u>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.</u></p>	
Energy		
<p>Threshold (a): Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?</p> <p>As discussed in detail in Section 4.4, Energy, of this Final</p>	<p>None required.</p>	<p>Less than significant</p>

¹¹ 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.

**Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measure(s)	Residual Impact
<p>EIR, the Project would not result in potentially significant environmental impacts due to wasteful, inefficient, and unnecessary consumption of energy resources during construction or operation. The Project’s energy usage during peak and base periods would be consistent with electricity and natural gas future projections for the region. Electricity generation capacity and supplies of natural gas and transportation fuels would also be sufficient to meet the needs of Project-related construction and operations. During operations, the Project would comply with existing energy efficiency requirements and would include energy conservation measures. In addition, the Project would be designed to be capable of achieving LEED Silver-Gold energy efficiency requirements. In summary, the Project’s energy demands would comply with existing energy efficiency standards and would not cause wasteful, inefficient, or unnecessary use of energy. Therefore, Project impacts related to energy use under Threshold (a) would be less than significant during construction and operation.</p>		
<p>Threshold (b): Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?</p> <p>The energy conservation policies and plans relevant to the Project include the California Title 24 energy standards and the 2019 CALGreen Code. As these conservation policies are mandatory under the City of Beverly Hills Building Code, the Project would not conflict with applicable plans for renewable energy or energy efficiency. In addition, the Project would be consistent with the goals of the City of Beverly Hills Sustainable City</p>	<p>None required.</p>	<p>Less than significant</p>

Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
<p>Plan. Overall, as detailed in Section 4.4, Energy, of this Final EIR, the Project would not conflict with adopted energy conservation plans or violate state or federal energy standards. Therefore, Project impacts associated with regulatory consistency under Threshold (b) would be less than significant.</p>		
<p>Geology and Soils (Paleontological Resources)</p>		
<p>Threshold (f): Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p> <p>A records search conducted for the Project Site indicates that no paleontological resources have been previously recorded at the Project Site. The paleontological records search indicates that potentially fossil-bearing units are present in the Project Site vicinity, either at the surface or in the subsurface. Thus, the possibility exists that paleontological artifacts that were not recovered during prior construction and other human activity on the Project Site may be inadvertently encountered during Project excavation activities. Therefore, the Project could result in potential significant impacts to paleontological resources during the construction phase of the Project.</p> <p>The operational phase of the Project will commence upon completion of construction. No excavation activities that may inadvertently encounter paleontological resources will occur during the Project's operational phase. Therefore, the Project would not inadvertently encounter paleontological resources during operation and impacts to paleontological resources during the operational phase would be less than significant.</p>	<p>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 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.</p> <p>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</p>	<p>Less than significant with Mitigation incorporated</p>

Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
	<p>appropriate measures (e.g., data recovery, excavation) shall be instituted.</p> <p>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 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.</p>	
Greenhouse Gas Emissions		
<p>Threshold (a): Would the Project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?</p> <p>While there are no local, regional, or statewide significance thresholds to measure GHG impacts for mixed-use project, the SCAQMD has proposed a draft screening criterion of 3,000 MTCO_{2e}/yr for mixed-use projects to determine whether a land use project could presumptively have less than significant GHG impacts if it produced less GHGs than the screening criteria. The Project's estimated annual emissions would be 1,966 MTCO_{2e} per year. Thus, the Project's GHG annual emissions would not exceed the 2008 SCAQMD draft screening threshold of significance of 3,000 MTCO_{2e} per year.</p> <p>Threshold (b): Would the Project conflict with an applicable plan, policy or regulation adopted for the</p>	<p>None required.</p>	<p>Less than significant</p>

**Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measure(s)	Residual Impact
<p>purpose of reducing the emissions of GHG?</p> <p>The plan consistency analysis provided in Section 4.6, Greenhouse Gas Emissions, of this Final EIR, demonstrates that the Project complies with the plans, policies, regulations and GHG reduction actions/strategies outlined in CARB’s 2008 Climate Change Scoping Plan and subsequent updates, the 2020–2045 RTP/SCS, and the Sustainable City Plan. As the Project would not conflict with relevant plans, policies, and regulations adopted for the purpose of reducing the emissions of GHGs, impacts related to regulatory consistency would be less than significant. Therefore, Project-specific impacts with regard to climate change would be less than significant.</p>		
Land Use		
<p>Threshold (b): Would the Project conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?</p> <p>Based on the analysis provided in detail in Section 4.7, Land Use, of this Final EIR, the Project would not conflict with the goals and policies in local (Beverly Hills General Plan and Beverly Hills Municipal Code) and regional plans (SCAG’s Regional Transportation Plan/Sustainable Communities Strategy) that were adopted for the purpose of avoiding or mitigating an environmental effect. As such, impacts related to conflicts with applicable plans, policies, and regulations would be less than significant.</p>	None required.	Less than significant
Noise		
<p>Threshold (a): Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in</p>	None required.	Less than significant

**Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measure(s)	Residual Impact
<p>excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p> <p><u>On-Site Construction</u></p> <p>The maximum estimated noise levels associated with construction of the Project would not exceed 5 dBA (hourly L_{eq}) at the studied off-site noise-sensitive receptor locations. Therefore, noise impacts from on-site construction activities would be less than significant.</p> <p><u>Off-Site Construction</u></p> <p>The estimated increased noise levels generated by construction trucks at all stages of construction would be below the 1 dBA CNEL significance criteria for the haul route segments with sensitive receptors within the City of Beverly Hills. The estimated increased noise levels by construction trucks at all stages of construction would be below the 5 dBA L_{eq} significance criteria for the haul route segments within the City of Los Angeles. Therefore, noise impacts from off-site construction traffic would be less than significant.</p> <p><u>On-Site and Off-Site Operation</u></p> <p>The estimated noise levels associated with on-site operational noise sources would be below the significance threshold at all off-site receptor locations. Therefore, noise impacts would be less than significant.</p> <p>The increase in traffic noise levels would be well below the most stringent 1-dBA CNEL significance threshold. Therefore, traffic noise impacts would be less than significant.</p>		
Threshold (b): Would the Project result in the	Mitigation Measure NOI-MM-1: Prior to start of construction,	Less than significant with

Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
<p>generation of excessive groundborne vibration or groundborne noise levels?</p> <p><u>Building Damage from On-Site Construction</u></p> <p>The estimated vibration velocity levels from all construction equipment would be well below the building damage significance threshold of 0.25 PPV for the Writers and Artists Building to the west and the 0.3 PPV for the single-story commercial building structures to the north, east and west. However, the estimated vibration levels at the multi-story commercial buildings immediately abutting the Project Site to the south would exceed the 0.5-PPV significance threshold. Therefore, vibration impacts associated with potential building damage would be significant without mitigation measures. This potential vibration impact would only occur when heavy construction equipment operates within 6 feet of the commercial buildings to the south. At a distance of 6 feet or greater, the estimated vibration from the construction equipment would be below the 0.5-PPV threshold.</p> <p><u>Human Annoyance from On-Site Construction</u></p> <p>The estimated ground-borne vibration levels from construction equipment would be well below the significance thresholds for human annoyance at off-site noise-sensitive receptor locations. Therefore, vibration impacts during construction of the Project would be less than significant.</p> <p><u>Operation</u></p> <p>Operation of the Project would not result in the generation of excessive ground-borne vibration levels that would be perceptible in the vicinity of the Project Site. As such, vibration impacts associated with operation of the Project</p>	<p>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.</p> <p>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> <p>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 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> <p>The vibration monitoring program shall be submitted to the Community Development Department, prior to initiating any construction activities.</p> <p>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</p>	<p>Mitigation incorporated (building damage from on-site construction)</p> <p>Less than significant (human annoyance from on-site construction)</p> <p>Less than significant (operation)</p>

Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
<p>would be less than significant.</p>	<p>approval.</p> <p>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 Office for review and approval.</p>	
<p>Transportation</p>		
<p>Threshold (a): Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?</p> <p><u>Construction</u></p> <p>Potential construction-related transportation impacts could result during construction of the Project associated with haul truck traffic, the delivery and staging of construction materials and equipment, construction worker traffic, and construction worker parking. As such, construction activities associated with the Project could potentially conflict with a program, plan, ordinance or policy addressing the circulation system, and impacts could be potentially significant.</p> <p><u>Operation</u></p> <p>As evaluated in detail in the Transportation Impact Report and in Section 4.9, Transportation, of this Final EIR, operation of the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation</p>	<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 Wilshire Boulevard <u>North Beverly Drive</u> and <u>South Santa Monica Boulevard</u>. • Construction equipment traffic from the contractors shall be controlled by flagman. • Identify designated transport routes for heavy trucks (in 	<p>Less than significant with Mitigation incorporated (construction)</p> <p>Less than significant (operation)</p>

Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
<p>system, including transit, roadway, bicycle, and pedestrian facilities, and impacts would be less than significant.</p>	<p>addition to haul trucks) to be used over the duration of the proposed Project.</p> <ul style="list-style-type: none"> • 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 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. • 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 	

Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
	<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 Wilshire 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 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 	

Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
	deliveries are avoided when feasible. <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>Threshold (b): Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b) regarding determining the significance of transportation impacts?</p> <p>As detailed in Section 4.9, Transportation, of this Final EIR, the Project will not have a Vehicle Miles Travelled (VMT) impact pursuant to CEQA Guidelines 15064.3. As concluded in the Transportation Impact Report, based on the screening criteria, the Project would have a less than significant VMT impact and is screened out from further VMT analysis.</p>	None required.	Less than significant
Tribal Cultural Resources		
<p>Threshold (a): Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC section 21074 as either a</p>	<p>Mitigation Measure MM-TCR-1: Retain a Qualified Principal Investigator. A qualified principal investigator, defined as an archaeologist who meets the Secretary of</p>	Less than significant with Mitigation incorporated

Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
<p>site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <p>i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC section 5020.1(k), or</p> <p>ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1? In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p> <p>As discussed in Section 4.10, Tribal Cultural Resources, of this Final EIR, no pre-historic archaeological sites, or other resources documented to be related to past Native American activity, have been previously recorded within the Project Site. Furthermore, the Project Site has been previously excavated to install building foundations, and in the case of 461 North Beverly Drive, to construct one level of underground parking. Thus, native subsurface soils with potential to support the presence of cultural deposits have been disturbed by prior demolition and development activities that historically occurred on the Project Site. As such, no known or suspected tribal cultural resources or known cultural resources have been identified that could be impacted by the Project. Nevertheless, based on information provided to the City during the tribal consultation process, the Project Site is located in the ancestral tribal territory of the Gabrieleño Band of Mission Indians—Kizh Nation and the tribe considers this area,</p>	<p>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.</p> <p>Mitigation Measure MM-TCR-21: Preconstruction Worker Training. At the Project kickoff and before construction activities begin, the qualified archaeologist or their designee shall provide training to construction personnel 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.</p> <p>Mitigation Measure MM-TCR-32: 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</p>	

Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
<p>including the Project Site, to be highly sensitive to tribal cultural resources. In addition, construction of the Project would require ground disturbance and excavation to a depth of 44 feet to accommodate three subterranean levels, which would extend below the existing maximum depth of disturbance at the Project Site associated with one subterranean level at 461 N. Beverly Drive. As such, the Project could potentially uncover undiscovered significant tribal cultural resources and could potentially cause a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the California Register or in a local register or a resource determined by the City to be significant pursuant to PRC Section 5024.1. Impacts to tribal cultural resources would be potentially significant.</p> <p>Operation of the Project would not include on-going ground disturbing activities; therefore, operation of the Project would not impact undiscovered significant tribal cultural resources. Impacts from operation of the Project would be less than significant.</p>	<p>“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 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 MM-TCR-43: 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</p>	

Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
	<p>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 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.</p> <p>Mitigation Measure MM-TCR-54: 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 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</p>	

Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
	<p>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 MM-TCR-65: 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</p>	

**Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measure(s)	Residual Impact
	<p>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. 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</p>	

Table ES-2 (Continued)
Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
	regarding any cultural materials recovered.	
Utilities and Service Systems		
<p>Threshold (a): Would the Project require or result in the relocation or construction of new or expanded electric power or natural gas facilities, the construction or relocation of which could cause significant environmental effects?</p> <p>Construction and operation of the Project would not result in an increase in demand for electricity or natural gas that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Therefore, Project impacts related to energy infrastructure capacity would be less than significant during construction and operation.</p>	None required.	Less than significant
<p>Source: <i>Eyestone Environmental, 2022.</i></p>		