




Chapter 1

Environmental Protection Measures Handbook

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: July 24, 2025

TO: City Departments
Interested Parties

FROM: Vincent P. Bertoni, AICP 
Director of Planning
Department of City Planning

SUBJECT: AMENDMENT OF CHAPTER 1 ENVIRONMENTAL PROTECTION MEASURES

On July 23, 2025, the Mayor adopted Emergency Executive Order No. 8 (EO8). EO8 provides expanded local streamlining for zoning-compliant single-family residential projects that are seeking to rebuild structures damaged or destroyed by the Palisades wildfires within the Coastal Zone. EO8 was intended to be consistent with and implement the Governor's Executive Order No. N-29-25. The Governor's Executive Order No. N-29-25 suspends the California Environmental Quality Act and the California Coastal Act for a project to repair, restore, demolish, or replace any primary or accessory structure or facility on a residential property on which a single-family dwelling was substantially damaged or destroyed as a result of the wildfire emergency, or to any new accessory structure or facility, subject to conditions, which among others, required the project will not significantly impact biological resources.

To implement EO8, the Mayor ordered the Director of Planning to adopt an Environmental Protection Measure to protect biological resources for EO8 Eligible Projects. Specifically, EO8 provides:

Pursuant to the procedures established in LAMC Section 11.5.15, the Director of Planning shall prepare and adopt feasible Environmental Protection Measures (EPMs) to protect biological resources from any project approved under this Order. For purposes of this Order, "biological resources" shall mean candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 commencing with Section 1900) of Division 2 of the Fish and Game Code).

Pursuant to E08 and Los Angeles Municipal Code (LAMC) Section 11.5.15 (Environmental Protection Measures), the Chapter 1 Environmental Protection Measures Handbook is amended to add Section 4 (Environmental Protection Measures for Eligible E08 Projects in the Palisades Burn Area), as shown on pages 14-16 of the attached Chapter 1 Environmental Protection Measures Handbook. I find that Section 4 and the measures within Subsection C (E08 Environmental Protection Measures) of Section 4 will ensure that development in reliance on E08 will not result in detrimental impacts to biological resources.

TABLE OF CONTENTS

SECTION 1. ADMINISTRATIVE PROVISIONS	6
SECTION 2. REQUIRED NOTICES	10
SECTION 3. ENVIRONMENTAL PROTECTION MEASURES	12
A. Hazardous Materials Standards (HM1)—Hazardous Materials Site.	12
SECTION 4. ENVIRONMENTAL PROTECTION MEASURES FOR ELIGIBLE E08 PROJECTS IN THE PALISADES BURN AREA	15
A. Introduction.	15
B. Administrative Provisions.	15
C. E08 Environmental Protection Measures	16
APPENDIX 1. BEST PRACTICES	19
A. Archaeological Resources	19
B. Biological Resources	20
C. Paleontological Resources.	21
D. Tribal Cultural Resources.	22
E. Vibration.	24
F. Hazardous Materials and Contamination	24
APPENDIX 2. STATEMENT OF COMPLIANCE	25
APPENDIX 3. CONTRACTOR ACKNOWLEDGMENT.	27

SECTIONS



SECTION 1. ADMINISTRATIVE PROVISIONS

- A. **Authority.** These Environmental Protection Measures are adopted pursuant to Chapter I (General Provisions and Zoning), Sec. 11.5.15 (Environmental Protection Measures) of the LAMC.
- B. **Applicability.** An Environmental Protection Measure (EPM) applies to work involving New Construction, Major Remodel, Site Modification, or Demolition as defined in Sec. 14.2.15. (Project Activities) of Chapter 1A of the LAMC, that:
1. Is subject to Chapter 1 of the LAMC; and
 2. Meets the applicability threshold for that specific EPM set forth in Section 3. (Environmental Protection Measures) of this Handbook.
- C. **Required Compliance with Environmental Protection Measures (EPM).** Failure to comply with any applicable EPM as required in Subsection B. (Applicability), above, will be subject to all civil, criminal and administrative remedies available for a violation of the LAMC pursuant to Chapter I (General Provisions and Zoning), Sec. 11.5.15 (Environmental Protection Measures) of the LAMC.
- D. **Additional Requirements.** In addition to complying with any applicable EPM as required in Subsection B. (Applicability), above, an Applicant and Owner shall comply with all of the following:
1. Imprint all Notices in Section 2. and all EPMs in Section 3. on all plans that are reviewed and approved by LADBS. An Applicant may also include in the Project description and/or plans described above any best practices from Appendix 1 (Best Practices) the Applicant intends to implement as part of the Project, as they deem them necessary and/or desirable to: (i) ensure compliance with applicable local, state, and federal laws; (ii) protect public health and safety; or (iii) meet other elective performance standards, such as LEED designation.
 2. Imprint and sign, on plans that are reviewed and approved by LADBS at Plan Check, prior to the issuance of any grading, excavation, or building permit, an affidavit that is substantially the same as the Statement of Compliance in Appendix 2, which acknowledges the requirements of the EPM standards and declares an intent to comply.
 3. Notify any contractor hired by the Applicant or Owner who is doing work subject to one or more EPM standards of the requirement to comply with the applicable EPM(s); and collect a signed acknowledgment of the notice from the contractor, consistent with the Contractor Acknowledgment in Appendix 3 attached to this EPM Handbook.
 4. Maintain a copy of all EPM(s) on the Project site at all times during construction.
 5. Obtain a qualifications sheet or statement demonstrating proof of qualifications for any Qualified Expert, as defined below in Section 1.G. (Definitions), who is required in the applicable EPMs and retained for purposes of preparing a survey, study or report; performing site monitoring activities; or otherwise ensuring compliance with the applicable EPM(s).

6. Maintain a copy of all records documenting compliance with the EPM Handbook for a minimum of five years after the Certificate of Occupancy is issued. Records of compliance include but are not limited to any reports, studies, certifications, or surveys required in any applicable EPM in Section 3 (Environmental Protection Measures); the qualifications sheet or statement for any retained Qualified Expert; and any acknowledgment, notice, or Statement of Compliance required in this Section 1 (Administrative Provisions) or Section 2 (Required Notices) of the EPM Handbook.
 7. Upon request of a City inspector or officer, produce records of compliance, referenced in paragraph 6, above, for inspection as follows:
 - a. Immediately, while construction activities are on-going at the site.
 - b. At any other time, within 72 hours' notice.
- E. Best Practices.** Attached in Appendix 1 (Best Practices) to this EPM Handbook is a set of best practices to avoid or reduce adverse impacts to certain environmental resources. The best practices in Appendix 1 are intended to be used as guidelines but are not mandated.
- F. Acronyms.** For purposes of this EPM Handbook, the following acronyms used herein are defined as follows:
- CEQA.** California Environmental Quality Act, Public Resources Code Sections 21000–21189.57, and California Code of Regulations, Title 14, Chapter 3, Sections 15000–15387 (CEQA Guidelines).
- DTSC.** Department of Toxic Substances Control.
- LADBS.** City of Los Angeles Department of Building and Safety.
- LADPW.** City of Los Angeles Department of Public Works.
- LAFD.** City of Los Angeles Fire Department.
- SCAQMD.** South Coast Air Quality Management District.
- USEPA.** United States Environmental Protection Agency.
- G. Definitions.** For purposes of this EPM Handbook, the following words and phrases used herein are defined as follows:
- Active Nest.** An Active Nest is one that contains viable eggs and/or chicks. A nest becomes active when the first egg is laid and remains active until fledged young are no longer dependent on the nest. Nests that are empty, contain nonviable eggs, or are being built but do not yet have an egg in them are considered inactive.
- Applicant.** The person or entity who applies with the City for the official permission to develop and construct a Project. This excludes persons whose only responsibility is to process permits. Once an application has been approved, the Applicant includes any successor or assignee of the original Applicant.

Ground Disturbance Activities. Any earthwork activity including, but not limited to, excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil or a similar activity at a Project site.

Hazardous Materials. Any substance or material that has been determined to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce.

Hazardous Waste. A solid waste with properties that make it dangerous or capable of having a harmful effect on human health or the environment.

Housing Development. Defined pursuant to Chapter I (General Provisions and Zoning), Sec. 12.03 (Definitions).

Owner. Any person, association, partnership, firm, corporation, or public entity, identified as the holder of title on any property as shown on the records of the City Engineer or on the last assessment roll of the County of Los Angeles, as applicable. For purposes of this Handbook, Owner also refers to: 1) an appointed representative of an association, partnership, firm, corporation, or public entity, which is a recorded Owner; or 2) anyone authorized by the Owner to undertake a Project on the Owner's property.

Project. Work involving New Construction, Major Remodel, Site Modification, or Demolition as defined in Sec. 14.2.15. (Project Activities) of Chapter 1A of the LAMC.

Qualified Expert. A person with specified knowledge, skill, education, experience and/or training in a specialized field, including the following types of experts:

- **Archaeological Monitor.** An archaeologist who has a minimum of a bachelor's or equivalent degree in archaeology, anthropology, paleontology, or another closely related field and no less than one year of experience conducting archaeological monitoring and/or excavation in similar regional archaeological contexts.
- **Paleontological Monitor.** A paleontologist who has a minimum of a bachelor's or equivalent degree in geology or paleontology and no less than one year of experience performing paleontological monitoring and salvaging fossil materials in the relevant geologic province; or an equivalent degree in biology or pursuit of a degree in geology or paleontology and no less than two years of comparable experience.
- **Qualified Archaeologist.** A professional archaeologist who meets the *Secretary of the Interior's Archeology and Historic Preservation Professional Qualification Standards* and is eligible for listing on the Register of Professional Archaeologists or the Society for American Archaeology; holds a graduate degree in archaeology or a related field; and has a minimum of five years of experience completing and supervising field work in archaeological contexts similar to the Project site.
- **Qualified Biologist.** A biologist with the appropriate education, training and experience to conduct biological surveys, monitor Project activities that have the potential to affect biological resources, provide construction worker education programs related to the protection of biological resources, and supervise or perform other tasks related to biological resources; possesses a bachelor's or equivalent degree in biology, ecology, or a related environmental

science; and has at least five years of professional experience that requires knowledge of natural history, habitat affinities, and identification of flora and fauna species, and relevant local, state and federal laws and regulations governing the protection of biological resources.

- **Qualified Environmental Professional.** An environmental professional who is credentialed through the Institute of Professional Environmental Practice (IPEP); holds a bachelor's or equivalent degree in physical, earth or natural sciences, engineering, or mathematics; and has at least five years of professional environmental work experience, or eight years of professional environmental work experience with a degree in a discipline other than those listed above.
- **Qualified Paleontologist.** A paleontologist who meets the Society of Vertebrate Paleontology standards for a Principal Investigator or Project Paleontologist; has demonstrated competence in field techniques, preparation, identification, curation, and reporting and/or a graduate degree in paleontology or geology or a publication record in peer reviewed journals; at least two years professional experience with administration and project management experience; proficiency in recognizing fossils in the field and determining their significance; expertise in local geology, stratigraphy, and biostratigraphy; and experience collecting vertebrate fossils in the field.
- **Qualified Tribal Monitor.** A tribal representative who possesses the knowledge, skills, abilities and experience established by the *Native American Heritage Commission's (NAHC) Guidelines for Native American Monitors/Consultants (2005)*, and as may be amended.

Sensitive Uses. Any of the following uses: any Residential use; Medical, Regional or Medical, Local; School (including Preschool/Daycare, K-12, and Post-secondary); Recreation, Public; or Open Space, Public.

Statement of Compliance. A written statement that acknowledges the EPM(s) and provides an affidavit of intent to comply with applicable EPM(s), signed by the Applicant and Owner. The Statement of Compliance is provided in Appendix 2 attached to this EPM Handbook.

- H. While the Environmental Protection Measures and Notices may be considered in any environmental analysis for a Project, consistent with the California Environmental Quality Act and its Guidelines, nothing herein is intended to control any analysis or mitigation measure required by the City, acting as a lead or responsible agency.

SECTION 2. REQUIRED NOTICES

In addition to any other requirement in this EPM Handbook, Applicants and Owners are responsible for reading and making themselves familiar with the notices in this Section.

A. Projects Requiring Grading or Excavation. Prior to issuance of a permit for grading or excavation prior to issuance of a permit for grading or excavation, Applicants and Owners shall read the following notices:

1. Archaeological, Paleontological, and Tribal Cultural Resources Notice: Several laws regulate the treatment of archaeological, paleontological, and tribal cultural resources and make it a criminal violation to destroy those resources. These regulations include, but are not limited to:
 - California Penal Code Section 622½ provides the following: “Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor.”
 - Public Resources Code Section 5097.5(a) provides: “A person shall not knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.” A violation of Section 5097.5 is a misdemeanor subject to a fine up to \$10,000 and/or a year in jail, and potential restitution.

Appendix 1 (Best Practices) to this City of Los Angeles EPM Handbook includes suggested best practices to avoid damage to archaeological, paleontological, and tribal cultural resources.

2. Hazardous Waste, Materials, and Contamination. Hazardous waste and materials are regulated at the federal, state, and local level, including the contamination of soil with hazardous waste or materials. Owners and applicants are responsible for compliance with all laws prior to and during grading, excavation, and construction activities.

Appendix 1 (Best Practices) to this City of Los Angeles EPM Handbook includes suggested best practices to avoid causing impacts related to hazardous waste, materials, and contamination related to ground disturbing activities.

B. Projects Requiring Grading, Excavation, or Building. Prior to issuance of a permit for grading, excavation, or building, Applicants and Owners shall read the following notices:

1. **Nesting Bird Notice.** Under the federal Migratory Bird Treaty Act, among other prohibitions, it is unlawful to destroy migratory birds or remove bird nests. Under California Fish and Game Code Section 3503, et seq., among other prohibitions, it is unlawful to destroy nests and eggs of any bird. Appendix 1 (Best Practices) to this City of Los Angeles EPM Handbook includes suggested best practices to avoid damage to Active Nests.

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2. **Noise and Vibration Notice.** The Los Angeles Municipal Code (LAMC) regulates excessive noise, including from construction activities and uses of property, including but not limited to those regulations in LAMC Chapter XI, 'Noise Regulation.' Appendix 1 (Best Practices) to this City of Los Angeles EPM Handbook includes suggested best practices to avoid excessive vibration.

Appendix 1 (Best Practices) to this City of Los Angeles EPM Handbook includes suggested best practices to avoid excessive vibration.

SECTION 3. ENVIRONMENTAL PROTECTION MEASURES

For each Environmental Protection Measure (EPM) provided in this Section there is an applicability threshold and a standard. Projects that meet all of the criteria in the applicability thresholds shall comply with the associated EPM standards, as provided in Section 1. (Administrative Provisions).

A. Hazardous Materials Standards (HM1)—Hazardous Materials Site

1. HM1-1: Unanticipated Hazards

a. Applicability Threshold

Any Housing Development that results in the construction of five or more residential units and requires a grading, or excavation permit from LADBS.

a. Standard

In the event that suspected Hazardous Materials, contamination, debris, or other features or materials that could present a threat to human health or the environment are discovered during earthwork or construction, such activities shall cease immediately until the affected area is evaluated by a Qualified Environmental Professional. If the Qualified Environmental Professional determines that a hazard exists, a remediation plan shall be developed by the Qualified Environmental Professional in consultation with the appropriate regulatory agency, and the remediation identified shall be completed. Work shall not resume in the affected area until appropriate actions have been implemented in accordance with the remediation plan, to the satisfaction of the regulatory agency.

A report that describes the Hazardous Materials, contamination or debris and its disposition, shall be prepared by the Qualified Environmental Professional, according to current professional standards and maintained pursuant to the proof of compliance requirements in Sec. 1.D.6. (Additional Requirements).

2. HM1-2: Environmental Site Assessment(s)

a. Applicability Threshold

Any Housing Development that results in the construction of five or more residential units, and requires a grading or excavation permit from LADBS; and which is:

- i. Located on or within 500 feet of a Hazardous Materials site listed in any of the following databases:
 - State Water Resources Control Board GeoTracker (refer to <https://geotracker.waterboards.ca.gov>);
 - DTSC EnviroStor (refer to <https://www.envirostor.dtsc.ca.gov/public>);

- DTSC Hazardous Waste Tracking System (refer to <https://hwts.dtsc.ca.gov>);
 - LAFD Certified Unified Program Agency (refer to the active, inactive, and historical inventory lists at <https://www.lafd.org/fire-prevention/cupa/public-records>);
 - Los Angeles County Fire Department Health Hazardous Materials Division (refer to the active and inactive facilities, site mitigation, and California Accidental Release Prevention inventory lists at <https://fire.lacounty.gov/public-records-requests>); or
- ii. Located on or within 500 feet of a Hazardous Materials site designated as a Resource Conservation and Recovery Act (RCRA) Small Quantity Generator or Large Quantity Generator (refer to the USEPA Envirofacts database at <https://enviro.epa.gov/index.html>); or
- iii. Located within the following buffers as identified by the California Geologic Energy Management Division (refer to <https://www.conservation.ca.gov/calgem/Pages/WellFinder.aspx>);
- 1,000 feet of a property identified as having an active oil well or an oil field; or
 - 200 feet of a property identified as having an idle oil well or field; or
 - 100 feet of a property identified as having a plugged oil well or field; or
- iv. Located on land currently or previously used for a gas station or dry cleaning facility.

Or:

- v. The Applicant or Owner are aware or have reason to be aware that the Project site previously had industrial zoning; or was previously used for an industrial use, gas station, or dry cleaner.

And:

- vi. The site has not been previously remediated to the satisfaction of the relevant regulatory agency/agencies for any contamination associated with the above uses or site conditions, or the site was not previously assessed in a Phase I Environmental Site Assessment (ESA) in the prior two years, which found no Recognized Environmental Conditions (REC), or a subsequent Phase II that concluded there are no RECs.

b. Standard

- i. A Phase I Environmental Site Assessment shall be prepared by a Qualified Environmental Professional in accordance with State standards/guidelines and current professional standards, including the American Society for Testing and Materials' (ASTM) Standard Practice for Environmental Site Assessments, to evaluate whether the site, or the surrounding area, is contaminated with hazardous substances from any past or current land uses, including contamination related to the storage, transport, generation, or disposal of toxic or Hazardous Waste or materials.

If the Phase I identifies a Recognized Environmental Condition (REC) and/or if

recommended in the Phase I, a Phase II Environmental Site Assessment shall also be prepared by a Qualified Environmental Professional. The Phase I and/or Phase II Environmental Site Assessment(s) shall be maintained pursuant to the proof of compliance requirements in Section 1.D.6 and made available for review and inclusion in the case file by the appropriate regulatory agency, such as the State Water Resources Control Board, the State Department of Toxic Substances Control, or the LAFD Hazard Mitigation Program. Any remediation plan recommended in the Phase II Environmental Site Assessment or by the appropriate regulatory agency shall be implemented and, if required, a No Further Action letter shall be issued by the appropriate regulatory agency prior to issuance of any permit from LADBS, unless the regulating agency determines that remedial action can be implemented in conjunction with excavation and/or grading. If oversight or approval by a regulatory agency is not required, the Qualified Environmental Professional shall provide written verification of compliance with and completion of the remediation plan, such that the site meets the applicable standards for the proposed use, which shall be maintained pursuant to the proof of compliance requirements in Sec. 1.D.6. (Additional Requirements).

- ii. Additionally, sites within 100 feet of an active, idle, or plugged oil well or field shall have a Phase 1 Environmental Site Assessment and/or additional studies reviewed in consultation with the Department of City Planning. After this initial review, the Department of City Planning reserves the right to request a Phase II Environmental Site Assessment, and/or additional studies, for a more extensive review of hazardous substances on the project site. Sites within 100 feet of an idle or plugged oil well shall be required to submit a Soils Management Plan approved by a Qualified Environmental Professional. Sites within 100 feet of an active, idle, or plugged oil well shall also be referred to the appropriate regulatory agency for any applicable review, as determined by the Department of City Planning, prior to issuance of any permit from LADBS.

SECTION 4. ENVIRONMENTAL PROTECTION MEASURES FOR ELIGIBLE E08 PROJECTS IN THE PALISADES BURN AREA

A. Introduction

1. On July 23, 2025, the Mayor in Emergency Executive Order No. 8 (2025) directed the following:

Pursuant to the procedures established in LAMC Section 11.5.15, the Director of Planning shall prepare and adopt feasible Environmental Protection Measures (EPMs) to protect biological resources from any project approved under this Order. For purposes of this Order, "biological resources" shall mean candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 commencing with Section 1900) of Division 2 of the Fish and Game Code).

2. This Section of the Environmental Protection Measure Handbook (Handbook) is adopted to implement the Mayor's order.

B. Administrative Provisions

1. Section 1 (Administrative Provisions) of this Handbook do not apply to this Section (Environmental Protection Measures for Eligible E08 Projects in the Palisades Burn Area), with the exception of Section A (Authority), Section C (Required Compliance with Environmental Protection Measures (EPM)), and Paragraph G (Definitions).
2. This Section is applicable to any Eligible E08 Project as described in the Mayor's Emergency Executive Order No. 8 (2025).
3. The Applicant and Owner shall notify any contractor of the EPMs required in this Section and shall maintain a copy of all applicable EPMs on the Project site at all times during construction, as well as any necessary measures identified through compliance with the EPM.
4. The Applicant and Owner shall maintain a copy of all records created or required pursuant to this Section for a minimum of five years after the Certificate of Occupancy is issued. Upon request of a City inspector or officer, the Owner and Applicant, or any representative or contractor of the Owner or Applicant, shall produce these records of compliance immediately while construction activities are on-going or at any other time within 72 hours of the request.

5. In addition to the definitions in Paragraph G of Section 1, the following definitions shall apply to this Section 4:
 - a. "Biological resources" shall mean candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 commencing with Section 1900) of Division 2 of the Fish and Game Code).
6. The following are violations of this Section, the Handbook and the EPMs:
 - a. Failure by any person, including the Owner or Applicant, to comply with any requirement in this Section.
 - b. Qualified Biologist to intentionally make a misrepresentation in any report, study, survey, or statement.

C. E08 Environmental Protection Measures

Any Eligible E08 Projects that relies on the Emergency Executive Order No. 8 to develop a primary structure, accessory structure and/or supportive infrastructure shall comply with the following Environmental Protection Measures:

1. Biological Resources Assessment and Qualified Biologist Final Statement

If a subject site is identified as having "Medium" or "High" potential for biological resources in the City of Los Angeles, Department of City Planning Zone Information and Map Access System ("ZIMAS"), the Owner or Applicant shall hire a Qualified Biologist to conduct a site visit to determine if a biological resources assessment or report is necessary. If a biological resources assessment or report is not necessary because the site does not have the potential to have an impact to Biological Resources, habitat for Biological Resources, or wildlife corridors, the Qualified Biologist shall provide a signed statement with that conclusion to the City. If the Qualified Biologist determines there is the potential for an impact, the Qualified Biologist shall conduct a full biological resources report *subject to the reporting standard* to characterize the Biological Resources on-site and to determine the presence or absence of Biological Resources. Off-site areas that may be directly or indirectly affected by the Project shall also be surveyed. Any biological resource surveys conducted for the biological resources report shall be conducted according to standard methods of surveying for the species as appropriate. The report shall also identify any potential wildlife corridors on or off-site that may be directly or indirectly affected by the Project.

The report shall identify: 1) approximate population size and distribution of any sensitive plant or animal species, 2) any sensitive habitats (such as wetlands or riparian areas), 3) any potential impacts from the Project to Biological Resources, 4) any potential impacts of the Project on wildlife corridors, and 5) feasible measures that would reduce impacts to Biological Resources,

habitat for Biological Resources, and/or wildlife corridors (such as providing native landscaping to provide cover on the wildlife corridor). Any measures for identified wildlife corridors shall include a measure that no wildlife corridor shall be obstructed by the Project.

The report shall include site location, literature sources, methodology, timing of surveys, vegetation map, site photographs, and descriptions of on-site biological resources (e.g., observed and detected species, as well as an analysis of those species with the potential to occur on-site).

The Qualified Biologist who prepared the biological resources assessment shall prepare a final statement signed by the biologist ("Final Statement") that includes all of the following:

1. a 'Yes' or 'No' conclusion as to whether the Project has the potential to significantly impact any Biological Resources, habitat for Biological Resources, or wildlife corridors;
2. if the conclusion in subparagraph (1) is 'Yes', a list of all necessary and feasible measures to avoid or reduce impacts from the Project to Biological Resources, habitat for Biological Resources, and/or wildlife corridors to less than significant;
3. if measures are required in subparagraph (2), a 'Yes' or 'No' conclusion as to whether after compliance with all of the measures in subparagraph (2), the Project will have significant impacts to Biological Resources, habitat for Biological Resources, or wildlife corridors.

The Qualified Biologist's Final Statement shall be provided to the City of Los Angeles Planning Department before any work is approved by the City or undertaken by the Owner or Applicant on the Project.

The Applicant and Owner and their contractors shall fully implement and comply with all measures identified in the Qualified Biologist's Final Statement as necessary to avoid significant impacts to Biological Resources, habitat for Biological Resources, and wildlife corridors.

The Applicant or Owner shall provide a signed final report by the Qualified Biologist to City Planning confirming that all required measures identified in the Final Statement were implemented and completed.

2. If any active bird nest is found during a pre-construction nesting bird survey or is discovered inadvertently during earthwork or construction-related activities, a Qualified Biologist shall be retained by the Applicant or Owner to determine an appropriate avoidance buffer which shall be no less than is necessary to protect the nest, eggs and/or fledglings, from damage or disturbance in consideration of the following factors: the bird species, the availability of suitable habitat within the immediate area, the proposed work activity, and existing disturbances associated with surrounding land uses. The buffer shall be demarcated using bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary of the buffer. All construction personnel shall be notified of the buffer zone and shall avoid entering the protected area. No Ground Disturbing Activities or vegetation removal shall occur within this buffer area until the Qualified Biologist has confirmed that breeding/nesting is complete and the young have fledged the nest and/or that the nest is no longer an Active Nest.

APPENDICES



APPENDIX 1. BEST PRACTICES

Disclaimer: The following best practices were developed by the City in consultation with environmental consultants who specialize in preparing environmental impact reports (EIRs) to comply with the California Environmental Quality Act, Public Resources Code, Sections 21000, et seq. Best practices are professional procedures, methods, or techniques that are accepted or prescribed as industry standards and considered correct or most effective. Nothing provided in this Appendix is intended to be a mandate or to relieve an Applicant and an Owner from their responsibility to comply with any and all applicable laws. The City assumes no responsibility for any Applicant's or Owner's use or reliance upon the best practices provided herein and does not guarantee their adequacy for any purpose. Any use by any person of the best practices provided herein is solely at the discretion and responsibility of that person.

A. Archaeological Resources

The following best practices are recognized by archaeologists and environmental consultants to ensure archaeological resources are not damaged during grading, excavation, or other Ground Disturbance Activities:

1. Records Search. A cultural resources records search should be requested from and conducted by the California Historical Resources Information System's (CHRIS) South Central Coastal Information Center (SCCIC) located at California State University, Fullerton to determine whether any cultural resources have been previously identified on or within a 0.5-mile radius of the Project site. The results of this records search shall be used as an indicator of the archaeological sensitivity of the Project site.
2. A Qualified Archaeologist shall be retained and use all reasonable methods, consistent with professional standards and best practices, to determine the potential for archaeological resources to be present on the Project site.
3. If the Qualified Archaeologist determines there is a medium to high potential that archaeological resources may be located on the Project site and it is possible that such resources will be impacted by the Project, the Qualified Archaeologist shall advise the Applicant and Owner to retain an Archaeological Monitor to observe all Ground Disturbance Activities within those areas identified as having a medium to high potential in order to identify any resources and avoid potential impacts to such resources.
4. Monitoring. An Archaeological Monitor should monitor excavation and grading activities in soils that have not been previously disturbed in order to identify and record any potential archaeological finds and avoid potential impacts to such resources. In the event of a possible archaeological discovery, the Archaeological Monitor shall notify a Qualified Archaeologist. The Archaeological Monitor has the authority to temporarily halt earthwork activities.

- a. Handling, Evaluation, and Preservation. Any archaeological resource materials or associated materials that are uncovered shall not be moved or collected by anyone other than an Archaeological Monitor or Qualified Archaeologist unless they have been determined to be nonunique archaeological resources, as defined in Public Resources Code Section 21083.1(h) by a Qualified Archaeologist. A Qualified Archaeologist shall determine if the resources are unique archeological resources as defined in Public Resources Code Section 21083.2(g).
5. Consistent with Public Resources Code Section 21083.2, the handling, treatment, preservation, and recordation of unique archaeological resources should occur as follows:
 - a. The find should be preserved in place or left in an undisturbed state unless the Project would damage the resource.
 - b. When preserving in place or leaving in an undisturbed state is not possible, excavation and recovery of the find for scientific study should occur unless testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, and this determination is documented by a Qualified Archaeologist.
6. If recommended by the Qualified Archaeologist, the resource(s) shall be curated by a public, non-profit institution with a research interest in the material, such as the Natural History Museum of Los Angeles County or another appropriate curatorial facility for educational purposes.
7. Ground Disturbance Activities in the area where resource(s) were found may recommence once the identified resources are properly assessed and processed by a Qualified Archaeologist.

B. Biological Resources

The following best practices are recognized by biologists to ensure Active Nests are not damaged or disturbed during construction or Ground Disturbance Activities, which is a violation of the Federal Migratory Bird Treaty Act and the State Fish and Game Code:

1. Pre-Construction Survey. If a Project proposes the demolition of a structure or removal of a tree or vegetation during bird nesting season (February 1 to August 31), a pre-construction nesting bird survey of all suitable habitat shall be conducted no more than 10 days prior to the initiation of demolition or tree or vegetation removal to determine if nesting birds are present. The pre-construction nesting bird survey shall be conducted on foot within the Project site boundaries by a Qualified Biologist.
2. No Nests Found. If the pre-construction survey indicates bird nests are not present or are inactive, or if potential habitat is unoccupied, no further avoidance is required.
3. Buffer for Active Nest. If any active bird nest is found during a pre-construction nesting bird survey, a Qualified Biologist shall recommend an avoidance buffer which shall be no less than is necessary to protect the nest, eggs and/or fledglings, from damage or disturbance in consideration of the following factors: the bird species, the availability of suitable habitat within the immediate area, the proposed work activity, and existing disturbances associated

with surrounding land uses. The buffer shall be demarcated using bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary of the buffer. All construction personnel shall be notified of the buffer zone and shall avoid entering the protected area. No Ground Disturbing Activities or vegetation removal shall occur within this buffer area until the Qualified Biologist has confirmed that breeding/nesting is complete and the young have fledged the nest and/or that the nest is no longer an Active Nest.

C. Paleontological Resources

The following best practices are recognized by paleontologists and environmental consultants to ensure paleontological resources are not damaged during construction or Ground Disturbance Activities:

1. A paleontological resources records search shall be requested from and conducted by the Natural History Museum of Los Angeles County to determine whether any paleontological resources have been previously identified on or near the Project site. The results of this records search shall be used as an indicator of the paleontological sensitivity of the Project site.
2. A Qualified Paleontologist shall be retained and use all reasonable methods, consistent with professional standards and best practices, to determine the potential for paleontological resources to be present on the Project site.
3. If the Qualified Paleontologist determines there is a high potential that paleontological resources may be located on the Project site and it is possible that such resources will be impacted by the Project, the Qualified Paleontologist or his/her designated representative such as a Paleontological Monitor shall observe all Ground Disturbance Activities within those areas identified as having an undetermined or high potential in order to identify any resources and avoid potential impacts to such resources. In the event of a possible paleontological discovery, the Qualified Paleontologist or Paleontological Monitor shall have the authority to temporarily halt earthwork activities within an appropriate radius of the find, as determined by the Qualified Paleontologist, necessary to protect the resource or other potential resources on or near the Project site. Temporary flagging shall be installed around the find in order to avoid any disturbance from construction equipment.
4. Prior to the start of construction, the Qualified Paleontologist or his/her designee shall conduct training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.
 - a. If paleontological resources are uncovered (in either a previously disturbed or undisturbed area), all work should cease in the area of the find until a Qualified Paleontologist has evaluated the find in accordance with federal, state, and local guidelines, including the *Society of Vertebrate Paleontology's Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources* (SVP, 2010).
 - b. If fossils are discovered, a Qualified Paleontologist shall recover them. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require

more extensive excavation and longer salvage periods. In this case the paleontologist has the authority to temporarily direct, divert or halt construction activity to ensure the fossil(s) can be removed in a safe and timely manner. Handling and disposition of fossils is done at the direction and guidance of a Qualified Paleontologist.

- c. Personnel of the Project should not collect or move any paleontological materials or associated materials.
- d. If cleared by the Qualified Paleontologist, construction activity may continue unimpeded on other portions of the Project site.
- e. Construction activities in the area where resources were found may commence once the identified resources are properly assessed and processed by a Qualified Paleontologist, and the Qualified Paleontologist clears the site for construction activity.

D. Tribal Cultural Resources

The following best practices are recognized by tribal monitors and environmental consultants to ensure that tribal cultural resources are not damaged during grading, excavation, or other Ground Disturbance Activities:

1. A Sacred Lands File (SLF) records search shall be requested from and conducted by the California Native American Heritage Commission (NAHC) to determine whether cultural resources associated with any Native American tribe(s) with traditional lands or cultural places located within or near the Project site have been previously identified or whether the Project area is considered sensitive for the presence of tribal cultural resources.
2. All tribes listed on the NAHC's Native American Contact List included with the SLF records search shall be contacted, informed of the Project, and given an opportunity to provide input. If the tribe provides substantial evidence of a potential for discovery of tribal cultural resources within the Project site and requests monitoring of Project excavation, grading or other Ground Disturbance Activities, a Qualified Tribal Monitor or an Archaeological Monitor shall be retained.
3. The Qualified Tribal Monitor or Archaeological Monitor shall observe all Ground Disturbance Activities within those areas identified in the records search as sensitive for the presence of tribal cultural resources in order to identify any resources and avoid potential impacts to such resources. In the event of a possible discovery of a tribal cultural resource, the Qualified Tribal Monitor or Archaeological Monitor shall have the authority to temporarily halt earthwork activities within an appropriate radius of the find, as determined by the Qualified Tribal Monitor or Qualified Archaeologist to ensure the find is not damaged or any other potential tribal cultural resources on or near the Project site.
4. If tribal cultural resources are uncovered, all work should cease in the appropriate radius determined by the Qualified Tribal Monitor or Archaeological Monitor.

5. Any find should be treated with appropriate dignity and protected and preserved as appropriate with the agreement of the Qualified Tribal Monitor and in accordance with federal, state, and local guidelines.
6. The location of the tribal cultural resource find and the type and nature of the find should not be published beyond providing the information to public agencies with jurisdiction or responsibilities related to the resources and any affected tribal representatives.
7. Personnel of the Project should not collect or move any tribal cultural resources or associated materials or publish the location of tribal cultural resources.
8. Following discovery, the Applicant or Owner shall immediately contact all Native American tribes that have informed the City of Los Angeles they are traditionally and culturally affiliated with the geographic area of the Project, as well as the Department of City Planning, Office of Historic Resources (OHR).
9. The Applicant and Owner shall provide any affected tribe a reasonable period of time, not less than fourteen calendar days, to conduct a site visit and make recommendations to the Applicant or Owner regarding the monitoring of future Ground Disturbance Activities and the treatment and disposition of any discovered tribal cultural resources.
10. The Applicant or Owner shall implement the tribe's recommendations if the Qualified Tribal Monitor or Archaeological Monitor reasonably concludes such recommendations are reasonable and feasible and determined to be supported with substantial evidence.
11. Consistent with Public Resources Code Section 21083.2, the handling, treatment, preservation, and recordation of tribal cultural resources shall occur as follows:
 - a. The find shall be preserved in place or left in an undisturbed state unless the Project would damage the resource.
 - b. When preserving in place or leaving in an undisturbed state is not possible, excavation and recovery of the find for scientific study shall occur unless testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, and this determination is documented by a Qualified Tribal Monitor or Qualified Archaeologist.
12. All collected artifacts and fieldwork notes, if not human remains or other mortuary objects, shall be curated at the Natural History Museum of Los Angeles County or another appropriate curatorial facility.
13. If cleared by the Qualified Tribal Monitor or Archaeological Monitor, Ground Disturbance Activities may continue unimpeded on other portions of the site. Ground Disturbance Activities in the area where resource(s) were found may recommence once the identified resources are properly assessed and processed.

E. Vibration

The following best practices are recognized by structural engineers and environmental consultants to reduce damage to vibration-sensitive uses:

1. The use of impact pile drivers should be avoided to eliminate excessive vibration levels. Drilled piles or sonic vibratory pile drivers are alternatives that should be utilized where geological conditions permit their use.
2. Construction activities should involve rubber-tired equipment rather than metal-tracked equipment.
3. The construction contractor should schedule and phase construction activities, including demolition, earthmoving, and ground-impacting operations, so they do not occur concurrently; use low-impact construction technologies; and avoid the use of vibrating equipment in accordance with best engineering practices.

F. Hazardous Materials and Contamination

The following best practices are recognized by Qualified Environmental Professionals to reduce impacts related to hazardous waste, materials, and contamination:

- Prior to doing any soil disturbing activities, a comprehensive search of databases of sites containing hazardous waste or hazardous materials (e.g. historical environmental reports prepared by Enviroscan, EDR or similar firms) is conducted, including on lists prepared pursuant to Government Code, section 65962.2.
- If the database search indicates the project site or any property within one-quarter mile of the project site has the potential to be contaminated with hazardous waste or hazardous materials for any reason, a Phase I and, as needed, a Phase II Environmental Site Assessments shall be prepared by a Qualified Environmental Professional.
- Recommendations provided in any Phase II Environmental Site Assessment report for the project site shall be implemented for remedial action.
- Property owners and/or applicants consult with appropriate oversight agencies, including the Department of Toxic Substances Control and the Los Angeles Regional Water Quality Control Board, and implement remediation measures to minimize human exposure and prevent further environmental contamination.
- If remediation measures are identified in a Phase II Environmental Site Assessment, no development occurs until a letter of No Further Action is obtained, if required, by an enforcement agency.

any required Qualified Expert, whether such work or service is performed at the Project site address or elsewhere, are aware of and familiar with the applicable EPM requirements for the Project and have received or obtained a copy of the EPM Handbook.

Owner Signature:

Applicant Signature (if different than Owner):

Printed Name:

Printed Name:

Date:

Date:

APPENDIX 3. CONTRACTOR ACKNOWLEDGMENT

Environmental Protection Measures Contractor Acknowledgment

Date: _____

Project Site Address: _____

This Contractor Acknowledgment serves as an affidavit of intent to comply with the City of Los Angeles (City) Environmental Protection Measure (EPM) Handbook.

With regard to this Project, I, hereby _____

Contractor

acknowledge and commit to the following:

1. I have read the EPM Handbook, found at <https://planning.lacity.gov/zoning/original-code>.
2. I understand the Project may be subject to specific EPM standards and related requirements set forth in the EPM Handbook, and I acknowledge pursuant to Chapter I (General Provisions and Zoning), Sec. 11.5.15 (Environmental Protection Measures) of the LAMC that the Applicant and Owner are required to comply with any and all EPM standards applicable to the Project.
3. In fulfilling my responsibilities and contracted services for the Project, I acknowledge that I am obligated to implement and comply with all applicable EPM standards as they relate to the performance of my duties.
4. Documentation demonstrating compliance with all EPM standards applicable to the Project shall be maintained per the proof of compliance requirements in Sec. 1.D.6. (Additional Requirements) of the EPM Handbook.
5. I am obligated to adhere to all recommendations, limitations, or other guidance from any Qualified Expert retained by the Applicant or Owner as part of EPM compliance.
6. I understand that failure to comply with applicable EPM standards is a violation of Chapter I (General Provisions and Zoning), Sec. 11.5.15 (Environmental Protection Measures) of the LAMC of the LAMC and is subject to all civil, criminal, and administrative remedies and penalties pursuant to Chapter I (General Provisions and Zoning), Sec. 11.5.15 (Environmental Protection Measures) of the LAMC.

Contractor Signature: _____

Printed Name: _____

Date: _____



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