

CHAPTER 1 ENVIRONMENTAL PROTECTION MEASURES STANDARD SHEET

Section 1. Administrative Provisions

See the Chapter 1 EPM Handbook found at: <https://planning.lacity.gov/zoning/original-code>

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, excavation, or building, 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 6227/2 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. Appendix 1 (Best Practices) to this City of Los Angeles EPM Handbook includes suggested best practices to avoid damage to Active Nests.

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.

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Standards in Section 3 (Environmental Protection Measures) below only apply 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.

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 (HMI)—Hazardous Materials Site

1. HMI-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.

b. 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. HMI-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:

- 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
- 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
- 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
- Located on land currently or previously used for a gas station or dry cleaning facility.

Or:

- 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:

- 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).

- Additionally, sites within 100 feet of an active, idle, or plugged oil well or field shall have a Phase I 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.

Appendices 1-3

See the Chapter 1 EPM Handbook found at: <https://planning.lacity.gov/zoning/original-code>

ENVIRONMENTAL PROTECTION MEASURE HANDBOOK DECLARATION

I hereby certify and affirm, under penalty of perjury, all of the following:

I have read the Chapter 1 Environmental Protection Measures (EPM) Handbook, found at: <https://planning.lacity.gov/zoning/original-code>

I will comply with all EPM Handbook requirements, as applicable.

I understand that failure to comply with any applicable EPM Handbook requirement is subject to all civil, criminal, and administrative penalties available for a violation of the LAMC. I understand if a violation is found, the City may require an applicant or owner to hire an independent consultant to ensure compliance.

I understand it is my responsibility to ensure that all individuals for whom I am responsible and that perform any work or service related to the construction of the project are made aware of the EPM requirements, if any, for the project.

I have read the required notices in Section 2 (Required Notices) of the EPM Handbook and the relevant Best Management Practices in Appendix 1 (Best Practices) of the EPM Handbook.

I understand it is my responsibility to consult with any appropriate professional, including, but not limited to, legal counsel, environmental consultants, or construction contractors, if necessary to understand (i) the applicable LAMC requirement for the project subject to this permit, (ii) the EPM Handbook, and (iii) this affidavit before signing this document or undertaking work under this permit.

By signing below, I certify that:

I accept the Environmental Protection Measure Handbook Declaration above.

Applicant Name (print)	Applicant Signature	Date
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Owner Name (print)	Owner Signature	Date
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1. Applicant is defined in Section 1 (Administrative Provisions) of the EPM Handbook as, "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."
2. Owner is defined in Section 1 (Administrative Provisions) of the EPM Handbook as, "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."

STANDARD SHEET:
CHAPTER 1 ENVIRONMENTAL
PROTECTION MEASURES

This Standard Sheet is required to be attached to all plans subject to Chapter 1 of the LAMC that require a grading, excavation or building permit.

Placeholder for LADBS Stamp of Approval

