

**EXHIBIT C**

**Mitigation Monitoring and Reporting Program**

## MITIGATION MONITORING PLAN

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Section 2.0 and Section 4.0 of the Final EIR identify the mitigation measures that will be implemented to reduce the impacts associated with the 9900 Wilshire project. The California Environmental Quality Act (CEQA) was amended in 1989 to add Section 21081.6, which requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in Section 21081.6 of the Public Resources Code,

*... the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.*

Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to final certification of the EIR.

The mitigation monitoring table lists those mitigation measures that may be included as conditions of approval for the project. These measures correspond to those outlined in Section 2.0 and discussed in Section 4.0. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The project applicant will have the responsibility for implementing the measures, and the various City of Beverly Hills departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

Mitigation Monitoring Plan

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Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box      Date
<b>Aesthetics, Light, and Glare</b>				
LG-1 Project light sources shall be shielded, directed downward when intended to illuminate walking or working surfaces, and focused on the project site, to prevent light spillover onto adjacent properties or roadways.	Community Development Department	The project lighting plan filed with the Department of Community Development/Building & Safety Division shall comply with this requirement. The plan check engineers will review the plans to ensure that they comply with this requirement.	This measure shall be implemented prior to issuance of certificate of occupancy and shall remain effective throughout the life of the project.	

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<b>Air Quality</b>					
AQ-1 The Developer shall prepare a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.	Community Development Department	The project applicant shall submit a Construction Traffic Emission Management Plan to the Director of Community Development prior to issuance of any grading or construction permits. The plan shall be reviewed by the Community Development Department and filed with the Building and Safety Division Prior to the issuance of grading permits. The plan check engineer will review the plan to insure that it complies with this measure. The inspectors in the field will also review the work to ensure that it complies with the requirements noted in the Construction Traffic Emission Management Plan.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.		
AQ-2 The Contractor shall ensure that the use of all construction equipment is suspended during first-stage smog alerts.	See above.	See above.	See above.		

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AQ-3 The Contractor shall promote the use of electricity or alternate fuels for on-site mobile equipment instead of diesel equipment to the extent feasible.	See above.	See above.	See above.		
AQ-4 The Contractor shall maintain construction equipment by conducting regular tune-ups according to the manufacturers' recommendations.	See above.	See above.	See above.		
AQ-5 The Contractor shall promote the use of electric welders to avoid emissions from gas or diesel welders, to the extent feasible.	See above.	See above.	See above.		
AQ-6 The Contractor shall promote the use of on-site electricity or alternative fuels rather than diesel-powered or gasoline-powered generators to the extent feasible.	See above.	See above.	See above.		

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AQ-7 Prior to use in construction, the project applicant and contractor will evaluate the feasibility of retrofitting the large off-road construction equipment that will be operating for significant periods. Retrofit technologies such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., will be evaluated. These technologies will be required if they are verified by the California Air Resources Board (CARB) and/or the U.S. Environmental Protection Agency (U.S. EPA) and are commercially available and can feasibly be retrofitted onto construction equipment.	See above.	See above.	See above.	
AQ-8 The Contractor shall ensure that traffic speeds on all unpaved roads are reduced to 15 mph or less.	See above.	See above.	See above.	
AQ-9 The Contractor shall ensure that the project site is watered at least three times daily during dry weather.	See above.	See above.	See above.	
AQ-10 The Contractor shall install wind monitoring equipment on site, to the extent feasible, and suspend grading activities when wind speeds exceed 25 mph per Southern California Air Quality Management District (SCAQMD) guidelines.	See above.	See above.	See above.	

*Mitigation Monitoring Plan*

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AQ-11 The Contractor shall water storage piles by hand or apply cover when wind events are declared (wind speeds in excess of 25 miles per hour).	See above.	See above.	See above.		
AQ-12 The Contractor shall apply nontoxic chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).	See above.	See above.	See above.		
AQ-13 The Contractor shall replace ground cover in disturbed areas as quickly as possible.	See above.	See above.	See above.		

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<p>AQ-14</p> <p>The project applicant shall retain a third-party air quality consultant to conduct continuous monitoring of the PM10 (dust) concentrations during the project demolition, excavation and grading phases of project construction (approximately 92 work days) to determine compliance with applicable air quality standards and regulations. Monitoring shall be accomplished using DustTrak™ aerosol monitors or other similar monitoring networks and shall meet the following requirements:</p> <ul style="list-style-type: none"> <li>• The third-party consultant shall be approved by the City of Beverly Hills Planning Department.</li> <li>• Costs for the monitoring network and tests by the third-party consultant shall be borne by the project applicant.</li> </ul>	Community Development Department	<p>The Community Development Department shall hire a third-party air quality consultant. Weekly monitoring reports shall be submitted to the Community Development Department for review. The project proponent shall submit a corrective action plan and have such plan approved prior to commencement of demolition activities.</p>	<p>During demolition and grading.</p>



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<ul style="list-style-type: none"> <li>Monitors shall be located in such a manner that appropriate upwind (background) and two downwind locations from the project are selected. The locations shall be selected in order to monitor the project's contribution to ambient PM<sub>10</sub> concentrations and to minimize the influence of dust contributions from outside sources. One downwind monitoring station shall be located at or near the El Rodeo School's southern perimeter. The other downwind monitor shall be located in an area beyond the project boundary where the general public could be present for a period of more than one hour. The upwind and downwind directions shall be based on the prevailing daytime wind direction in the vicinity of the project site. All locations shall be approved by the third-party air quality consultant and the Community Development Director.</li> </ul>			

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<ul style="list-style-type: none"> <li>The monitoring network shall include at least one anemometer to measure wind speeds and directions.</li> <li>Each monitoring station shall be secured in such a manner to prevent access and tampering by unauthorized persons and to prevent damage to the equipment.</li> <li>Each monitoring station shall be sited in a location with access to necessary infrastructure (e.g., electricity needs, foundation requirements, internet connectivity).</li> <li>Monitors shall be calibrated using collocated filter-based samplers (Mini-Vol or other similar equipment). The third-party consultant shall calibrate the DustTrak™ monitors as needed to ensure that data is within acceptable margins of error as determined by manufacturer's specifications.</li> </ul>				

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<ul style="list-style-type: none"> <li>The 5-hour rolling average dust concentration threshold is equal to the threshold specified in SCAQMD Rule 403 (50 micrograms per cubic meter) as determined by the difference between the upwind and downwind stations. The 1-hour average dust concentration threshold shall be set at a level of 150 micrograms per cubic meter to provide sufficient warning for on-site construction managers or supervisors to implement corrective measures. An exceedance of the 1-hour threshold shall not be deemed as a violation of any air quality standard or regulation.</li> <li>Monitoring shall be continuous and provide data at 5-minute intervals. The data shall report rolling 5-hour and rolling 1-hour average PM10 concentrations. Monitoring shall be active on any day that construction activity occurs during the demolition, excavation, and grading phases of project construction. Data shall be made available to the third-party consultant, the City of Beverly Hills, the project applicant, and the on-site contractor on a secured internet website. The general public shall have access to 5-hour rolling average PM10 concentrations on a publicly accessible website.</li> </ul>				

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<ul style="list-style-type: none"> <li>Monitors shall be equipped with a visual alarm (strobe light or similar) that shall notify appropriate on-site construction managers or supervisors if established thresholds are exceeded. Additionally, an email shall be sent to appropriate on-site construction managers or supervisors if specified PM<sub>10</sub> thresholds are exceeded.</li> <li>All corrective measures, as necessary to reduce emissions to acceptable levels, shall be implemented immediately. If immediate implementation of a specific corrective measure will result in the creation of a hazardous situation, as determined by the Environmental Monitor, construction activity shall be allowed to continue for a reasonable period of time, as determined by the Environmental Monitor, until such time that it is safe to implement that corrective measure. Corrective measures shall be documented by the construction contractor in a log book accessible to the third-party air quality consultant and the City of Beverly Hills. Records shall be maintained of the specific action taken, the time and date the corrective action was taken, and written verification by the appropriate on-site construction manager or supervisor that the corrective action was taken.</li> </ul>				
<p>Impact Sciences, Inc 713-62</p> <p>B0785-1425\103676702.doc</p>		11		9900 Wilshire Project Final EIR February 2008



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<p>AQ-15</p> <p>The project applicant and/or contractor shall comply with SCAQMD Rule 403 by ensuring visible dust emissions from the project site do not go beyond the property line.</p> <ul style="list-style-type: none"> <li>The project applicant and/or contractor shall designate a person located on-site who is trained and certified by the California Air Resources Board to conduct visible emissions evaluations (VEE). The designated person shall ensure compliance with SCAQMD Rule 403 by observing for visible dust emissions beyond the property line during daytime working hours. Observations shall be conducted in accordance with U.S. Environmental Protection Agency Method 9 (Title 40, Code of Federal Regulation, Part 60, Appendix A).</li> </ul>	See above.	See above.	See above.		

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<ul style="list-style-type: none"> <li>The Beverly Hills Unified School District (BHUSD) shall provide the City of Beverly Hills with its schedule of outdoor activities and athletic events at El Rodeo School and Beverly Hills High School during the construction period as soon as the information becomes available. The City shall immediately provide this information to the project applicant and contractor. The project applicant and contractor shall require coordination of all construction activities so as minimize the occurrence of high-emitting fugitive dust construction activities during the scheduled outdoor events to the extent feasible.</li> </ul>				





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<b>Cultural Resources</b>					
CR-1 The Robinsons-May department store shall be photographed with large-format black-and-white photography, and a written report, which follows Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER) standards at a minimum Level 3 Recordation. The documentation shall be donated to a suitable repository, such as the City of Beverly Hills Public Library. The cost shall be borne by the Applicant.	Community Development Department	The project applicant shall hire an architectural historian qualified under the Secretary of the Interior's Standards. The project applicant shall provide applicable photographs and reports to the Community Development Department.	Prior to issuance of grading and building permits.		
CR-2 The Applicant shall fund the production of a video of the Robinsons-May property showing the interiors and exteriors of the building and site to show its history. The video shall be placed in the City of Beverly Hills Public Library and posted on the City of Beverly Hills' website.	Community Development Department	The project applicant shall hire an architectural historian qualified under the Secretary of the Interior's Standards to produce the video.	Prior to issuance of demolition permits.		
CR-3 Potentially historic street lights adjacent to the project site shall be preserved and reinstalled along this section of Wilshire Boulevard and Santa Monica Boulevard, as appropriate, in consultation with the project proponents, the City of Beverly Hills, and an architectural historian qualified under the Secretary of the Interior's Standards.	Community Development Department	The project applicant shall hire an architectural historian qualified under the Secretary of the Interior's Standards. Historic street lights will be relocated, as advised.	Prior to issuance of grading and building permits.		

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CR-4 If buried cultural resources are encountered during construction, all work shall be halted in the vicinity of the archaeological discovery until a qualified archaeologist can assess the nature and significance of the archaeological discovery, per CEQA Section 15064.5 (f). Recovery of significant archaeological deposits, if necessary, shall include but not be limited to, manual or mechanical excavations, monitoring, soils testing, photography, mapping, or drawing to adequately recover the scientifically consequential information from and about the archaeological resource. Further treatment may be required, including site recordation, excavation, site evaluation, and data recovery. Any artifacts uncovered shall be recorded and removed for storage at a location to be determined by the archaeologist.	Community Development Department	The project applicant shall provide proof that a certified archaeologist has investigated and has made appropriate recommendations.	During project construction.	

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CR-5 If human remains are discovered during construction, the coroner and designated Native American representatives shall be notified in accordance with Public Resources Code Section 5097.98, Health and Safety Code Section 7050.5, and Section 15064.5 (d) of the State CEQA Guidelines. State Health and Safety Code Section 7050.5 states that if human remains are unearthed during construction, no further disturbance shall occur until the county coroner has made the necessary findings as to the origin and disposition of the remains pursuant to Public Resources Code Section 5097.98. In accordance with applicable regulations, construction activities shall halt in the event of discovery of human remains, and consultation and treatment shall occur as prescribed by law. If human remains discovered are of Native American origin, it shall be necessary to comply with state laws relating to the disposition of Native American burials that fall within the jurisdiction of the California Native American Heritage Commission (Public Resources Code Section 5097). According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052).	Community Development Department	The project applicant shall provide proof that a certified archaeologist has investigated and has made appropriate recommendations.	During project construction.		

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<p>If the remains are determined to be Native American, the coroner shall contact the California Native American Heritage Commission to determine the most likely living descendant(s). The most likely living descendant shall determine the most appropriate means of treating the human remains and any associated grave artifacts and oversee disposition of the human remains and associated artifacts by the project archaeologists.</p>				
<p>CR-6 In the event a previously unknown fossil is uncovered during project construction, all work shall cease until a certified paleontologist can investigate the finds and make appropriate recommendations. Any artifacts uncovered shall be recorded and removed for storage at a location to be determined by the monitor.</p>	Community Development Department	The project applicant shall provide proof that a certified paleontologist has investigated and has made appropriate recommendations.	During project construction.	

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Geology and Soils					
GEO-1 The proposed project shall be designed and constructed in accordance with recommendations contained in the Report of Geotechnical Investigation prepared by Mactec Engineering and Consulting, Inc. and in accordance with all applicable local, state, and federal regulations, such as the Uniform Building Code (UBC) and Title 9 of the Beverly Hills Municipal Code.	Community Development/ Building & Safety Division	The construction plans filled with the Department of Community Development/Building & Safety Division shall comply with this requirement. The plan check engineers will review the plans to ensure that they comply with this requirement.	This requirement shall be met prior to the issuance of relevant building permits.		
Hazards and Hazardous Materials					
HAZ-1 Any suspect lead based paint shall be sampled prior to any renovations or demolition activities. Any identified lead based paint located within buildings scheduled for renovation or demolition, or noted to be damaged, shall be abated by a licensed lead-based paint abatement contractor, and disposed of according to all state and local regulations.	Community Development/ Building & Safety Division Department of Public Works	The remediation plans shall include notes and specific instructions outlining the process for implementation of this mitigation measure. The plan check engineers will review the plans to ensure that they comply with this requirement.	This measure shall be in effect until the issuance of the certificate of occupancy.		
HAZ-2 In the event that the building is maintained on the site, the property owner shall ensure that the source(s) of moisture intrusion resulting in the growth of mold within the building are repaired.	Community Development Department	The site shall be inspected for moisture intrusion, and a written report submitted to the Community Development Department.	Prior to the issuance of the certificate of occupancy.		

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HAZ-3 All old unused fluorescent light ballasts potentially containing PCBs shall be properly removed and disposed of prior to demolition activities.	Community Development Department/ Building & Safety Division  Department of Public Works	The remediation plans shall include notes and specific instructions outlining the process for implementation of this mitigation measure. The plan check engineers will review the plans to ensure that they comply with this requirement.	This measure shall be in effect until the issuance of the certificate of occupancy.		

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<p><b>Hydrology and Water Quality</b></p> <p>HYDRO -1</p> <p>Prior to start of soil-disturbing activities at the site, a Notice of Intent (NOI) and Stormwater Pollution and Prevention (SWPPP) shall be prepared by the applicant in accordance with, and in order to partially fulfill, the California State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 (General Construction Permit). The SWPPP shall meet the applicable provisions of Sections 301 and 402 of the CWA and Title 9, Chapter 4, Article 5, Storm Water and Urban Runoff Pollution Control from the Beverly Hills Municipal Code by requiring controls of pollutant discharges that utilize best available technology (BAT) and best conventional pollutant control technology (BCT) to reduce pollutants. Examples of BAT/BCT that may be implemented during site grading and construction could include straw hay bales, straw bale inlet filters, filter barriers, and silt fences.</p>	Community Development Department	The project applicant will prepare a NOI and SWPPP.	Prior to the issuance of grading and building permits.	

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HYDRO -2 Prior to issuance of any grading or building permits, the project applicant shall prepare and submit to the City of Beverly Hills a SWPPP to be administered throughout all phases of grading and project construction. The SWPPP shall incorporate BMPs to ensure that potential water quality impacts during construction phases are minimized. Examples of practices that may be implemented during grading and construction could include straw hay bales, straw bale inlet filters, filter barriers, and silt fences.	Community Development Department	The project applicant will prepare a Storm Water Pollution Prevention Plan.	Prior to the issuance of grading and building permits.		



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<p><b>Noise</b></p> <p><b>NOISE-1</b></p> <p>Prior to issuance of grading permits, the applicant shall submit a Construction Management Plan satisfactory to the Director of Community Development and the Building Official. The Building Official shall enforce noise attenuating construction requirements. The Construction Management Plan shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>Excavation, grading, and other construction activities related to the proposed project shall be restricted to the hours of operation allowed under Section 5-1-206, Restrictions on Construction Activity, of the City Municipal Code. Any deviations from these standards shall require the written approval of the Community Development Director.</li> <li>Stockpiling and vehicle staging areas shall be located as far away from occupied residences as possible, and screened from these uses by a solid noise attenuation barrier. Noise attenuation barriers constructed to the specifications identified in the bullet point below are capable of reducing noise levels by 7.7 dB(A).</li> </ul>	<p>Community Development Department</p> <p>School District</p>	<p>The project applicant shall submit a Construction Management Plan to the Director of Community Development prior to issuance of any grading or construction permits. The plan shall be reviewed by the Community Development Department and filed with the Building and Safety Division Prior to the issuance of grading permits. The plan check engineer will review the plan to insure that it complies with this measure. The inspectors in the field will also review the work to ensure that it complies with the requirements noted in the Construction Management Plan.</p>	<p>This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.</p>		

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<ul style="list-style-type: none"> <li>Solid noise attenuation barriers (temporary barriers or noise curtains) with a sound transmission coefficient (STC) of at least 20 shall be used along all project boundaries during the construction phases associated with the development of the project. Noise attenuation barriers constructed at the property lines to a height of 8 feet with an STC rating of at least 20 are capable of reducing noise levels by 7.7 dB(A).</li> <li>All stationary construction equipment (e.g., air compressor, generators, etc.) shall be operated as far away from the residential and institutional uses to the north of the project site as possible. If this is not possible, the equipment shall be shielded with temporary sound barriers, sound aprons, or sound skins to the satisfaction of the Director of Community Development.</li> <li>Haul routes for removing excavated materials from the site shall be designed to avoid residential areas, and areas occupied by noise sensitive receptors (e.g., hospitals, schools, convalescent homes, etc.).</li> </ul>		<p>The applicant shall work with the School District to ensure that no construction activity generating the highest noise levels is undertaken during any designated testing periods occurring at El Rodeo School. The exact dates and times shall be determined by the School District.</p>		

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<ul style="list-style-type: none"> <li>Prior to the start of every school year, the applicant shall obtain a schedule of testing periods at El Rodeo School. The applicant shall submit a construction schedule for review and approval by the Community Development Director and the Environmental Monitor that ensures that no construction activity generating the highest noise levels (e.g. demolition and grading) is undertaken during any designated testing periods at the school. Such testing periods typically occur for one week per semester; however, the exact dates and times will be determined by the School District.</li> </ul>					

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<p>NOISE- 2</p> <p>The applicant shall implement sound attenuation features to reduce noise levels at all private outdoor livable spaces (i.e., balconies) on residence and hotel building floors 1 through 6 fronting Wilshire and Santa Monica Boulevards and Merv Griffin Way. Such features may include berms made of sloping mounds of earth, walls and fences constructed of a variety of materials, thick plantings of trees and shrubs, or combinations of these materials, or the use of solid material for balcony construction such as double-paned or laminated glass, Plexiglas, or wood. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels at the exterior livable spaces do not exceed state land use standards for residences. This requirement shall be incorporated into the plans to be submitted by the applicant to the City of Beverly Hills for review and approval prior to the issuance of building permits.</p>	<p>Community Development/ Building &amp; Safety Division</p>	<p>The project plans filed with the Department of Community Development/Building &amp; Safety Division shall comply with this requirement. The plan check engineers will review the plans to ensure that they comply with this requirement.</p>	<p>This requirement shall be met prior to the issuance of relevant building permits.</p>	

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<p><b>NOISE-3</b></p> <p>The applicant shall incorporate building materials and techniques that reduce sound transmission through walls, windows, doors, ceilings, and floors of on-site residences in order to achieve interior noise levels that are below the state land use guidelines standards for interior noise. Such building materials and techniques may include double-paned windows, staggered studs, or sound-absorbing blankets incorporated into building wall design, or outdoor noise barriers erected between noise sources and noise-sensitive areas, such as berms made of sloping mounds of earth, walls and fences constructed of a variety of materials, thick plantings of trees and shrubs, or combinations of these materials. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels in the interior livable spaces do not exceed state standards for residences. This requirement shall be incorporated into the plans to be submitted by the applicant to the City of Beverly Hills for review and approval prior to the issuance of building permits.</p>	See above.	See above.	See above.		

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<p>NOISE-4</p> <p>The 9900 Wilshire project applicant shall coordinate with The Beverly Hilton Revitalization Plan project applicant regarding the following:</p> <ul style="list-style-type: none"> <li>• All temporary roadway closures shall be coordinated to limit overlap of roadway closures;</li> <li>• All major deliveries for both projects shall be coordinated to limit the occurrence of simultaneous deliveries. The applicants shall ensure that deliveries of items such as concrete and other high-volume items shall not be done simultaneously;</li> <li>• The applicants shall coordinate regarding the loading and unloading of delivery vehicles. Any off-site staging areas for delivery vehicles shall be consolidated and shared; and</li> <li>• Applicants or their representatives shall meet on a regular basis during construction to address any outstanding issues related to construction traffic, deliveries, and worker parking.</li> </ul>	Community Development Department	The collective team of the two projects shall submit a signed document explaining their collaborative plans to the Community Development Department for review to enforcement.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.	

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<b>Fire Protection and Emergency Services</b>				
FIRE-1 The proposed signal at the intersection of Santa Monica Boulevard and Merv Griffin Way shall be outfitted with an Opticom device, a traffic signal pre-emption used to control signalized intersections to allow the Beverly Hills Fire Department (BHFD) to provide a safe response route and to decrease response times to emergencies.	Department of Public Works/Civil Engineering Division and Community Development Department  Fire Department	The Department of Public Works/Civil Engineering Division will prepare a plan to accommodate the proposed measure for the BHFD to review. The applicant will pay a fair share contribution to this measure.	This measure shall be implemented prior to issuance of certificate of occupancy and shall remain effective throughout the life of the project.	

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<p>FIRE-2</p> <p>The 8-inch and 10-inch sections of the main feeding Hydrants No. 339, No. 340, No. 341, No. 342, and No. 343 along Wilshire Boulevard shall be replaced with a 12-inch main in order to achieve adequate fire flow for the project. The line shall be replaced from the intersection of Wilshire Boulevard and Santa Monica Boulevard to the western boundary of the project site. The project applicant shall pay its "Fair Share" towards the upgrade of the 8-inch and 10-inch sections of the main feeding Hydrants No. 339, No. 340, No. 341, No. 342, and No. 343 along Wilshire Boulevard prior to the issuance of building permits. Upgrade of the main shall be completed concurrently with project construction and prior to building occupancy. The project applicant shall coordinate with the City so that construction of the upgraded main shall not conflict with construction of the proposed project.</p>	<p>Department of Public Works/Civil Engineering Division and Community Development Department</p>	<p>The Department of Public Works/Civil Engineering Division will prepare a plan to accommodate the proposed measure. The applicant will pay a fair share contribution to this measure.</p>	<p>This measure shall be implemented prior to issuance of certificate of occupancy and shall remain effective throughout the life of the project.</p>		



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<b>Transportation, Traffic, Parking, and Circulation</b>					
<p>TRAF-1</p> <p>An Environmental Monitor shall be retained that will be responsible for monitoring compliance with the mitigation measures in the adopted Mitigation Monitoring Program. The name, phone number, and other contact information for the Environmental Monitor shall be posted on the construction trailer or other location visible to public view as determined by the Community Development Director. The developer shall deposit funds sufficient to pay for the Environmental Monitor who will be hired by and work for the City.</p>	<p>Community Development Department</p>	<p>An independent Environmental Monitor shall be retained. The project applicant shall submit photographs of the posted contact information to the Community Development Department.</p>	<p>This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.</p>		
<p>TRAF-2</p> <p>The Environmental Monitor shall proactively inform the public of the ongoing project progress and exceptions to the expected plans. This shall include sending a quarterly mailer to all property owners within 1,000 feet of the exterior boundaries of the property. The developer shall be responsible for the full cost of the mailer including postage. The Environmental Monitor shall also respond to requests for information and assistance from members of the public when impacts raise special concerns by members of the public.</p>	<p>See above.</p>	<p>See above.</p>	<p>See above.</p>		

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TRAF-3 The Construction Relations Officer shall be assigned and a hotline number shall be published on construction signage placed along the boundary of the project site, along Wilshire Boulevard, Merv Griffin Way, and Santa Monica Boulevard to address day-to-day issues.	Community Development Department	An independent Construction Relations Officer shall be retained. The project applicant shall submit photographs of the posted contact information to the Community Development Department.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.		
TRAF-4 The Developer, Construction Relations Officer, and Environmental Monitor shall each provide monthly project updates to the Community Development Department (CDD) Director, unless otherwise warranted due to resident complaints	Community Development Department	The Developer, Construction Relations Officer, and Environmental Monitor shall each provide monthly project updates to the CDD Director.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.		

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<p>TRAF-5</p> <p>The Developer shall revise and finalize the Draft Construction Traffic Management Plan to minimize traffic flow interference from construction activities. The Final Construction Traffic Management Plan shall be submitted to the City and shall include plans to accomplish the following:</p> <ul style="list-style-type: none"> <li>• Maintain existing access for land uses in the proximity of the project site during project construction.</li> <li>• Schedule deliveries and pick-ups of construction materials for non-peak travel periods.</li> <li>• Coordinate haul trucks, deliveries and pick-ups to reduce the potential for trucks waiting to load or unload for protracted periods of time.</li> <li>• Minimize obstruction of through-traffic lanes on Wilshire Boulevard and Santa Monica Boulevard, and prohibit obstruction of these same lanes that accommodate construction during peak hours.</li> <li>• Construction equipment traffic from the contractors shall be controlled by flagman.</li> </ul>	Community Development Department	<p>The project applicant shall submit a Construction Traffic Management Plan and a Construction Working Parking Management Plan to the Director of Community Development prior to issuance of any grading or construction permits. The plan shall be reviewed by the Community Development Department and filed with the Building and Safety Division Prior to the issuance of grading permits. The plan check engineer will review the plan to insure that it complies with this measure. The inspectors in the field will also review the work to ensure that it complies with the requirements noted in the Construction Traffic Management Plan</p>	<p>This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.</p>

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Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Date
<ul style="list-style-type: none"> <li>Designated transport routes for heavy trucks and haul trucks to be used over the duration of the proposed project.</li> <li>Schedule vehicle movements to ensure that there are no vehicles waiting off site and impeding public traffic flow on the surrounding streets.</li> <li>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.</li> </ul>		and the Construction Working Parking Management Plan.			

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Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule
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<ul style="list-style-type: none"> <li>• Prior to submittal to the City of Beverly Hills, the Developer shall provide their Construction Traffic Management Plan and Construction Working Parking Management Plan to the Beverly Hills Unified School District and the Los Angeles County Metropolitan Transit Authority for their review and comment. The Developer shall notify the City of Beverly Hills of all comments received from these agencies related to the Construction Traffic Management Plan.</li> <li>• Coordinate with adjacent businesses and emergency service providers to ensure adequate access exists to the project site and neighboring businesses.</li> </ul>			

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Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box      Date
<ul style="list-style-type: none"> <li>Prohibit parking for construction workers except on the project site and any designated off-site parking locations. These off-site locations will require the approval of the City of Beverly Hills. These off-site parking locations cannot include any parking garage in the City of Beverly Hills or any residential streets including Whittier Drive and those streets which connect to Whittier Drive.</li> </ul> <p>The Final Construction Traffic Management Plan shall be submitted and approved by the City no later than 30 days prior to commencement of construction and shall include 1) a requirement for use of double belly trucks to the maximum extent feasible to reduce the number of truck trips, 2) provisions for the Environmental Monitor to oversee and coordinate concurrent construction activities at 9900 Wilshire and the Beverly Hilton project, 3) an Action Plan to avoid construction-related traffic congestion and how to respond to unforeseen congestion that may occur, and 4) requiring truck access and deliveries in non-peak traffic periods to the greatest extent feasible.</p>				

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Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Date
<p>TRAF-6</p> <p>The Developer shall submit a Construction Workers Parking Plan identifying parking locations for construction workers. To the maximum extent feasible, all worker parking shall be accommodated on the project site. During demolition and construction activities when construction worker parking cannot be accommodated on the project site, the Plan shall identify alternate parking locations for construction workers and specify 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 will be strictly enforced. These include but are not limited to the following measures:</p>	<p>Community Development Department</p>	<p>The primary contractor shall submit to the department a program and affidavit attesting to the compliance with this measure as part of the Construction Workers Parking Plan, which will be reviewed by the Community Development Department/Building &amp; Safety Department.</p>	<p>The program and affidavit shall be submitted prior to the commencement of any work on the project site. This measure shall be in effect until the issuance of the certificate of occupancy.</p>		

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Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box      Date
<ul style="list-style-type: none"> <li>All construction contractors shall be provided with written information on where their workers and their subcontractors are permitted to park and provide clear consequences to violators for failure to follow these regulations. This information will clearly state that no parking is permitted on residential streets north of Wilshire or in public parking structures;</li> <li>No parking for construction workers shall be permitted except only within designated areas. The contractor shall be responsible for informing subcontractors and construction workers of this requirement, and if necessary as determined by the Community Development Director, for hiring a security guard to enforce these parking provisions. The contractor shall be responsible for all costs associated with parking and the enforcement of this mitigation measure; and</li> </ul>				



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<ul style="list-style-type: none"> <li>In lieu of the above, the project applicant/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, excavation and construction activities.</li> </ul>					
TRAF-7	Department of Public Works/Civil Engineering Division and Community Development Department	The Department of Public Works/Civil Engineering Division will prepare a plan to accommodate the proposed measure. The applicant will pay a fair share contribution to this measure.	This measure shall be implemented prior to issuance of certificate of occupancy and shall remain effective throughout the life of the project.		
TRAF-8	Community Development/ Building & Safety Department; City Traffic Engineer	The project design plans filed with the Department of Community Development/Building & Safety Division shall comply with this requirement. The plan check engineers and City Traffic Engineer will review the plans to ensure that they comply with this requirement.	This requirement shall be met prior the issuance of relevant building permits.		

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<p>TRAF-9</p> <p>The applicant for the 9900 Wilshire project shall coordinate with the applicant for The Beverly Hilton Revitalization Plan project during all phases of construction regarding the following:</p> <ul style="list-style-type: none"> <li>All temporary roadway closures shall be coordinated to limit overlap of roadway closures;</li> <li>All major deliveries for both projects shall be coordinated to limit the occurrence of simultaneous deliveries. The applicants shall ensure that deliveries of items such as concrete and other high-volume items shall not be done simultaneously;</li> <li>The applicants shall coordinate regarding the loading and unloading of delivery vehicles. Any off-site staging areas for delivery vehicles shall be consolidated and shared; and</li> <li>Applicants or their representatives shall meet on a regular basis during construction to address any outstanding issues related to construction traffic, deliveries, and worker parking.</li> </ul>	Community Development Department	The collective team of the two projects shall submit a signed document explaining their collaborative plans to the Community Development Department for review to enforcement.	This measure shall be met during the construction period. This measure shall be in effect until the issuance of the certificate of occupancy.		

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Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion	
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<p><b>Water</b></p> <p><b>WTR-1</b></p> <p>The 8-inch and 10-inch sections of the main feeding Hydrants No. 339, No. 340, No. 341, No. 342, and No. 343 along Wilshire Boulevard shall be replaced with a 12-inch main in order to achieve adequate fire flow for the project. The line shall be replaced from the intersection of Wilshire Boulevard and Santa Monica Boulevard to the western boundary of the project site. The project applicant shall pay its "Fair Share" towards the upgrade of the 8-inch and 10-inch sections of the main feeding Hydrants No. 339, No. 340, No. 341, No. 342, and No. 343 along Wilshire Boulevard prior to the issuance of building permits. Upgrade of the main shall be completed concurrently with project construction and prior to building occupancy. The project applicant shall coordinate with the City so that construction of the upgraded main shall not conflict with construction of the proposed project.</p>	<p>Department of Public Works/Civil Engineering Division and Community Development Department</p>	<p>The Department of Public Works/Civil Engineering Division will prepare a plan to accommodate the proposed measure. The applicant will pay a fair share contribution to this measure.</p>	<p>This measure shall be implemented prior to issuance of certificate of occupancy and shall remain effective throughout the life of the project.</p>		

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Mitigation Measure	Responsible Department	Monitoring Action	Implementation Schedule	Verification of Completion Check Box	Date
<b>Wastewater</b>					
WW-1 The proposed restaurant shall install a Fat, Oil and Grease (FOG) Interceptor to remove these substances from its wastewater before entering the sanitary sewer system. This device helps prevent these substances from clogging the sanitary sewer system. The device shall be regularly inspected by the Los Angeles County Department of Public Works.	Los Angeles County Department of Public Works	Los Angeles County of Department of Public Works shall regularly inspect the FOG interceptor.	This measure shall be implemented prior to issuance of the proposed restaurant's business license and shall remain effective throughout the life of the project.		
<b>Energy</b>					
ENG-1 Prior to submittal of final plans, the applicant shall make necessary alterations to the generation or distribution system as required by Southern California Edison (SCE). The applicant shall then provide to the Beverly Hills Community Development Department a letter from SCE, which states that electricity will be provided to the proposed project and that all applicable energy conservation features have been incorporated into the project design.	Community Development Department	The applicant shall provide to the Community Development Department a letter from SCE.	This measure shall be implemented prior to submittal of final plans.		

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<p>ENG-2</p> <p>Prior to submittal of final plans, the applicant shall complete a load survey in accordance with the Gas Company procedures and make any necessary alterations to the distribution system as required by the Gas Company. The applicant shall then provide to the Beverly Hills Community Development Department a letter from the Gas Company, which states that natural gas will be provided to the proposed project and that all applicable energy conservation features have been incorporated into the project design.</p>	<p>Community Development Department</p>	<p>The applicant shall provide to the Community Development Department a letter from the Gas Company.</p>	<p>This measure shall be met prior to submittal of final plans.</p>		