



FINAL ENVIRONMENTAL IMPACT REPORT

Harbor LA Community Plans Update

Environmental Case: ENV-2019-3379-EIR
State Clearinghouse No.: 2019080248

Project Location: The Harbor LA Community Plans consist of the boundaries of the Harbor Gateway Community Plan Area (CPA) and the Wilmington-Harbor City Community Plan Area (CPA). The two community plan areas are collectively known as the Harbor LA Plans. The plan areas are geographically continuous of one another. The combined area of the Harbor LA Community Plans is approximately 15.3 square miles.

The Harbor Gateway CPA contains approximately 3,229 acres and is situated in the southern portion of Los Angeles. The CPA is a narrow corridor which links the City's harbor, San Pedro, Wilmington and Harbor City communities to the main body of the City. The Harbor Gateway CPA is bordered by the South and Southeast Los Angeles CPAs to the north (at 120th Street); the cities of Gardena and Torrance to the west; and Carson and unincorporated Los Angeles County to the east; and it shares a common boundary with the Wilmington-Harbor City CPA to the south (at Sepulveda Blvd).

The Wilmington-Harbor City CPA contains approximately 6,481 acres and is situated in the far southern portion of the City, near Los Angeles Harbor. It is bordered by the Harbor Gateway CPA to the north; the San Pedro CPA and the Port of Los Angeles to the south; and is adjacent to the cities of Torrance, Lomita, and Rancho Palos Verdes to the west; and the cities of Carson, Long Beach, and unincorporated Los Angeles County to the east.

Council District: 15 (McOsker)

Project Description: The proposed project includes amending both the policy documents and General Plan Land Use Maps for the Harbor Gateway and Wilmington-Harbor City Community Plans. The Proposed Plans would also adopt several zoning ordinances to implement the updates to the Community Plans, including rezoning all parcels in the CPAs to regulate specific uses and apply development standards (including height of structures, Floor Area Ratios, and site configuration) using the New Zoning Code. The amendments to the Policy Documents and the General Plan Land Use Maps for the Harbor LA Community Plans are intended to guide development through the year 2040 by establishing the City's broad planning goals, policies, and objectives, the arrangement of land uses and intensities, as well as specific development standards for the Plan areas. The Harbor LA Community Plans are intended to improve the link between land use and transportation in a manner that is consistent with the City's adopted General Plan Framework Element, Mobility Element, Senate Bill 375 and other state laws.

PREPARED FOR:
The City of Los Angeles
Department of City Planning
200 North Spring Street, Room 667
Los Angeles, CA 90012

PREPARED BY:
Impact Sciences, Inc.
811 W. 7th Street, Suite 200
Los Angeles, CA 90017

June 2025

HARBOR LA COMMUNITY PLANS UPDATE

Final Environmental Impact Report

Prepared for:

City of Los Angeles
Department of City Planning
200 North Spring Street, Room 667
Los Angeles, California 90012

Prepared by:

Impact Sciences, Inc.
811 W. 7th Street, Suite 200
Los Angeles, California 90017

June 2025

TABLE OF CONTENTS

Section	Page
1.0 Introduction	1.0-1
2.0 Corrections and Additions.....	2.0-1
3.0 Responses to Comments.....	3.0-1
4.0 Mitigation Monitoring Program.....	4.0-1
5.0 List of Preparers and Persons Consulted	5.0-1

Harbor LA Community Plan Update Appendices

A	Policy Documents
B	Proposed General Plan Land Use Map
C	General Plan Land Use Maps & Matrices
D	Zone Change Maps & Matrices
E	Zoning Maps
F	Mobility 2035 Amendments
G	Code Amendment Ordinance for Chapter 1A of the LAMC

LIST OF FIGURES

Figure	Page
4.14-2 Schools Serving the Harbor LA Community Plan Areas.....	2.0-14

LIST OF TABLES

Table	Page
1.0-1 Nomenclature District Name Changes.....	1.0-10
3.0-1 List of Commenters on the DEIR.....	3.0-2
4.0-1 Mitigation Monitoring Program Matrix.....	4.0-5

1.0 INTRODUCTION

This Final Environmental Impact Report ('Final EIR' or 'FEIR') has been prepared by the Los Angeles Department of City Planning (DCP) for the proposed project, which includes the Wilmington-Harbor City and Harbor Gateway Community Plans (referred to as the 'Proposed Plans'). This FEIR complies with the requirements of the California Environmental Quality Act (CEQA) statutes (Cal. Pub. Res. Code, Section 21000 et. seq.) and implementing guidelines (Cal. Code Regs., Title 14, Section 15000 et. seq.) (the "State CEQA Guidelines").

1.1 CEQA REQUIREMENTS

Before approving a project that may cause a significant environmental impact, CEQA requires the lead agency to prepare and certify a FEIR. According to the *State CEQA Guidelines*, Section 15132, the FEIR shall consist of:

1. The Draft EIR (DEIR) or a revision of the DEIR;
2. Comments and recommendations received on the DEIR, either verbatim or in summary;
3. A list of persons, organizations, and public agencies commenting on the DEIR;
4. The responses of the lead agency to significant environmental points raised in the review and consultation process; and
5. Any other information added by the lead agency.

As shown, under the *State CEQA Guidelines*, the FEIR includes the DEIR as well as the other items listed. For purposes of clarity, the term "Final EIR" in this document refers to everything contained in this document (as described in **Section 1.3, Content of the FEIR**) and not the DEIR. The term "EIR" in this document refers to the FEIR and the DEIR.

1.2 PUBLIC REVIEW PROCESS

At the outset of the environmental review process, the Department of Community Planning (DCP) prepared a Notice of Preparation (NOP) for the Proposed Project (State Clearinghouse No. 2019080248). The NOP was published and distributed to the State Clearinghouse, trustee agencies, responsible agencies, and other interested parties for a 30-day public review period from August 15, 2019, to September 16, 2019.

A public scoping meeting was held on August 22, 2019. The Draft EIR was circulated for a 60-day public review period September 21, 2023, to November 20, 2023.

1.3 CONTENT OF THE FEIR

As discussed above, the primary intent of the FEIR is to provide a forum to air and address comments pertaining to the analysis contained within the DEIR. Pursuant to Section 15088 of the *State CEQA Guidelines*, the City has reviewed and addressed all comments raising significant environmental issues on the DEIR, which the City received by the comment period deadline. Included in the FEIR are all of the written comments that were submitted during the public comment period.

In order to adequately address the comments provided by interested agencies and the public in an organized manner, this FEIR includes the following chapters and appendices:

- **Chapter 1.0, Introduction.** This chapter summarizes the contents of the FEIR and the environmental review process.
- **Chapter 2.0, Corrections and Additions.** This chapter provides a list of changes that were made to the DEIR. These revisions are shown in strikeout and additions are shown in underline text.
- **Chapter 3.0, Responses to Comments.** The City received 20 comment letters during the DEIR public review period, and an additional two after the close of the comment period. Of these, six letters are directed exclusively at the Proposed Plans rather than the DEIR. This chapter contains summaries of these comment letters and the City's responses to those comments that raise significant environmental points. A list of individuals, organizations, and public agencies commenting on the DEIR is provided. All comment letters, including those that did not raise significant environmental points, are included in **Chapter 3.0, Responses to Comments**.
- **Chapter 4.0, Mitigation Monitoring Program.** This chapter includes the Mitigation Monitoring Program (MMP) prepared in compliance with the requirements of Section 21081.6 of the California Public Resources Code and Section 15091(d) and 15097 of the *State CEQA Guidelines*.
- **Chapter 5.0, List of Preparers.** This chapter provides a list of the individuals involved in the preparation of the EIR.

1.4 REVIEW AND CERTIFICATION OF THE FEIR

Consistent with CEQA (Public Resource Code Section 21092.5), responses to agency comments are being forwarded to each commenting agency prior to certification of the FEIR. Separately, responses are also being distributed to all commenters via email. The FEIR can be downloaded at:

<https://planning.lacity.org/development-services/eir>

1.5 SUMMARY OF THE PROPOSED PLAN

The Proposed Plans have two components, one is a long-term planning effort, and the other is implementation of portions of the New Zoning Code (Chapter 1A) for the Harbor LA Community Plan Areas (CPAs), both of which are summarily described below.

1.5.1 Harbor LA Community Plans Update (Proposed Plans)

The Proposed Plans provide updates to the Harbor LA Community Plans, inclusive of Wilmington-Harbor City and Harbor Gateway. The Harbor LA Community Plans are the principal component of the Proposed Plans. A community plan update requires: (i) amending the text of the community plan, including the goals, policies, and programs; (ii) amending the designations on the community plan land use maps, which express a range of development intensities, distribution of land uses, and provide zoning consistency tables; (iii) adopting implementing zoning ordinances, including adopting zone changes to amend the Zoning Map; and (iv) any other necessary and related actions to implement the community plan amendments, including adopting amendments to other elements of the City's General Plan (e.g., the Framework or Mobility Elements) to ensure consistency, or adopting other land use related ordinances (such as amendments to housing regulations). This EIR uses the terms 'Harbor LA Community Plans Update' or 'Proposed Plans' to refer to the components of the Proposed Plans that update the Harbor LA Community Plans, including adopting changes to re-designate property in the Harbor LA CPAs through zone classifications in the New Zoning Code, as discussed below, as well as the other required actions to update the community plan. The project areas for this EIR are the properties regulated by the Harbor LA Community Plans which areas are referred to collectively in this EIR as "Community Plans Areas" or "CPAs." Although they are two distinct plans for purposes of CEQA and this EIR, the plans are evaluated together.

No new development would be entitled or built as a direct result of adopting the Proposed Plans. Future development projects would require additional discretionary and/or administrative approvals. These development projects are expected to occur over the next two decades. The exact type, place, and intensity of each new development cannot be assured through the adoption of the Proposed Plans, as the level of

activity will be determined largely by private investment in the Harbor LA CPAs and the condition of the local economy.

1.5.2 New Zoning Code

This component of the Proposed Plans includes implementation of parts of the New Zoning Code in the CPAs. The New Zoning Code is a citywide program to comprehensively update the City's zoning ordinances through amendments to the Los Angeles Municipal Code (LAMC). The LAMC amendments will add a new Chapter 1A to the LAMC, which will establish a new zoning code for the City; this action is not part of the Harbor LA Proposed Plans or analyzed in this EIR. The existing Zoning Code is found in Chapter 1 of the LAMC. Adoption of the full text of the New Zoning Code is expected to occur over multiple future community plan updates and code amendments and is beyond the scope of the Proposed Plans. Implementation of the New Zoning Code is expected to occur through the community plan update process or through other planning and zoning efforts to re-designate land utilizing the zoning designations from the new Chapter 1A.

As part of the Proposed Plans, the City intends to adopt new zones and zoning regulations from Chapter 1A that implement the New Zoning Code within the Harbor LA CPAs. The Proposed Plans will adopt amendments to Chapter 1A that include at a minimum: (i) the new zoning modules to be used in the Harbor LA CPAs, including substantive requirements for those zoning modules, and (ii) adopting all of the background parts of the New Zoning Code that do not already exist that would allow the new zoning to be implemented, which may potentially include general zoning definitions, processes, general development standards, rules for non-conforming uses, and zoning incentive programs, among others. The component of the Proposed Plans to adopt or amend the new Chapter 1A to the LAMC in the Harbor LA CPAs is referred to in this EIR as the "New Zoning Code."

1.5.3 Project Objectives

In accordance with *State CEQA Guidelines* Section 15124(b), the specific project objectives identified below support the underlying purpose of the Proposed Plans, assist the City as Lead Agency in developing a reasonable range of alternatives to evaluate in this EIR, and will ultimately aid the decision maker in preparing findings and overriding considerations, if necessary.

The **Primary Objectives** of the Proposed Plans are as follows:

- Accommodate projected population, housing and employment growth forecasted through the planning horizon year of 2040 consistent with the policies of the City of Los Angeles General Plan Framework Element;
- Address the history of contamination and incompatible land use patterns;
- Create hybrid industrial areas that prioritize jobs-producing uses and serve as a physical buffer between residential and heavy industrial uses;
- Address housing needs for all income levels and minimize displacement of existing residents;
- Encourage mixed-use and equitable transit-oriented development at key locations;
- Revitalize existing commercial areas through zoning regulations for improved street frontage and pedestrian-oriented design standards and by promoting a diversity of uses;
- Refine the intensity and enhance the form of existing commercial areas and create new commercial areas along corridors and at centers in select locations;
- Preserve appropriate industrial districts and improve their function and visual character through new zoning regulations for improved street frontage, screening and quality building design;
- Maintain stable single- and multi-family residential neighborhoods and add new zoning regulations to add design standards for appropriate neighborhood massing; and
- Create a Regional Center in Harbor Gateway CPA, as referenced in the Framework Element.

The **Secondary Objectives** of the Proposed Plans are as follows:

- Preserve the historic character and commercial building forms of select corridors, such as portions of Gardena Boulevard. and Avalon Boulevard;
- Protect identified eligible historic resources through new zoning regulations;
- Coordinate local planning efforts with anticipated changes at the Port of Los Angeles and adjacent jurisdictions;
- Update existing zoning and land use designations to reflect on the ground uses;

- Develop new standards that create a cohesive design while preserving neighborhood character;
- Improve consistency between land use and zoning regulations where needed and update land use nomenclature to reflect the General Plan Framework designations;
- Implement the new zoning code districts and rules as applicable to this geography, through the adoption of the Harbor LA Community Plans;
- Improve circulation to be consistent with street designations and abutting land uses;
- Create and update overlays such as Clean Up Green Up, as needed;
- Update zoning regulations and land uses surrounding the Del Amo and Montrose Superfund Sites to create a buffer and minimize environmental impacts to the surrounding community; and
- Protect existing open space in the Harbor LA CPAs and increase access to open space by incorporating active frontages, building breaks, and outdoor amenity space where appropriate.

1.6 SUMMARY OF THE PROPOSED PROJECT IMPACTS

Section 15382 of the *State CEQA Guidelines* defines a significant effect on the environment as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.” In order to approve a project with significant and unavoidable impacts, the lead agency must adopt a written Statement of Overriding Considerations (in accordance with Section 15093 of the *State CEQA Guidelines*) demonstrating that the decisionmaker has found that on balance the benefits of approving the Proposed Plans outweigh the unavoidable, negative environmental consequences.

Impacts found to be significant and unavoidable are the project and cumulative impacts to Air Quality from exceedance of criteria air pollutant emission standards including construction related nitrogen oxides (NO_x), operation-related volatile organic compounds (VOCs), sensitive receptors from toxic air contaminants (TACs) associated with operations of distribution facilities; impacts to cultural resources due to the loss of historical and archeological resources; noise impacts for temporary construction-related noise and construction-related vibration impacts; impacts to recreation due to deterioration of existing parks; and impacts to transportation and traffic, particularly to the vehicle miles traveled (VMT) and traffic safety impacts related to highway off-ramp queuing. Impacts found to be potentially significant but able to be reduced to less than significant level with the imposition of proposed mitigation include impacts to sensitive receptors from construction-related activities, impacts from ground-disturbing activities to

archaeological, tribal, and paleontological resources or hazardous contamination or materials resulting from contaminated soils.

1.7 MODIFICATIONS AND TECHNICAL REFINEMENTS TO THE PROPOSED PLANS AND ENVIRONMENTAL EFFECTS

Changes to the Proposed Plans have been made in the Community Plans (plan text), General Plan Framework, land use and zoning maps, overlays, and the Mobility Element based on comments received on the Draft Environmental Impact Report (EIR), through the Proposed Plans public hearing process during and following the November 2023 public hearing, along with recommended changes from the City Planning Commission (CPC). As described below, the changes to the Proposed Plans make only minor changes to the overall project described in **Chapter 3.0, Project Description**. The changes have been analyzed in the EIR and this Chapter 1 discusses how the minor modifications to the Proposed Plans do not result in “significant new information” under State CEQA Guidelines Section 15088.5 causing a new significant impact or substantial increase in the severity of an environmental impact. Although these changes do not constitute significant new information per CEQA, they remain subject to final adoption by the City Council and Mayor.

The section below outlines updates made to the Draft Harbor LA Community Plans text (Policy Document), Harbor LA Community Plans General Plan Land Use Maps and Zoning Maps, the Draft New Zoning Code, and Overlay.

Proposed Harbor LA Community Plans (Policy Document)

Based on comments received during and after the November 2023 public hearing and recommendations from the City Planning Commission during the February 8, 2024, public hearing, the following modifications and refinements have been made to the policy document:

Wilmington-Harbor City Community Plan Update

Chapter 1 (Introduction & Community Profile):

- Update definition for General Plan Land Use Descriptions
- Revisions to General Plan Land Use acreages based on General Plan Land Use application changes

Chapter 6 (Implementation):

- Minor edits to add clarifying language to Program 26

Harbor Gateway Community Plan Update

Chapter 1 (Introduction & Community Profile):

- Update definition for General Plan Land Use Descriptions
- Revisions to General Plan Land Use acreages based on General Plan Land Use application changes

Chapter 2 (Land Use & Urban Form):

- Enumerate and revise select policies (LU 4.1, LU 4.2, LU 4.3, LU 5.6, LU 6.1, and LU 6.8)

Chapter 6 (Implementation):

- Minor edits to add clarifying language to Program 25

Proposed Changes to the Draft Zoning Maps and General Plan Land Use Map

Wilmington-Harbor City Community Plan Update

Form Districts:

- Change of Low-Medium 5 (LM5) to Low-Medium 4 (LM4) for all Neighborhood Center, Community Commercial, and Villages General Plan Land Use Designations to correct a mapping error.
- Change of Very-Low Rise Full (VF1) to Very-Low Rise Full 2 (VF2) for all Open Space Land Use Designations to correct a mapping error.

Frontage Districts:

- Change of Workshop 1 (WS1) to Flex 3 (FX3) for all Light Industrial Land Use Designations to allow more flexibility and development on a lot.

Development Standards Districts:

- Change of Development Standard District 15 to District 18 for all Light Industrial Land Use Designations to correct a mapping error.
- Change of Development Standard District 18 to District 16 for all Open Space Land Use Designations to correct a mapping error.

- Change of Development Standard District 9 to District 15 for select Neighborhood Center Land Use Designations to correct a mapping error.

Supplemental Districts:

- Removal of the “Conservation District (CD)” suffix to parcels along Avalon Boulevard between E Street and Harry Bridges Boulevard. Properties are not within SurveyLA’s Historic Planning District.
- New Individual Resources Review District to include a total of 10 Individual Historic Resources to capture the three Historic Resources removed from the Conservation District along Avalon Boulevard and seven additional resources that abut the commercial corridor.

Additional Updates to the Zoning Map as a Result of CPC:

The City Planning Commission (CPC) initially considered and recommended approval of the Wilmington-Harbor City Community Plan as a part of the Harbor LA Community Plans Update, and its accompanying ordinances, at its February 8, 2024, hearing. Subsequently, Los Angeles City Planning presented a proposed land use and zoning modification to the CPC on January 23, 2025, where the CPC recommended approval of the proposed modification for 1020 North McFarland Avenue (Assessor Parcel Number: 7425008009).

The following section outlines updates to the Draft Zoning Maps and General Plan Land Use Map:

- Parcel with the APN 7425008009 was changed from the proposed zone [H1-FY1-12][RG2-1L][O] to the zone [LB3-G3-14][IX6-15][O].
- Parcel with the APN 7425008009 was changed from the proposed Low Residential General Plan Land Use designation to a Hybrid Industrial General Plan Land Use designation.

Harbor Gateway Community Plan Update

Form Districts:

- Change of Low-Medium 5 (LM5) to Low-Medium 4 (LM4) for all Neighborhood Center and Community Commercial Land Use Designations to correct a mapping error.
- Change of Very-Low Rise Full (VF1) to Very-Low Rise Full 2 (VF2) for all Open Space Land Use Designations to correct a mapping error.

- Change of GPLU/ Zone for LADWP owned parcel located at 8120 S Normandie Avenue from Medium Neighborhood Residential/ [LM3-MU4-11][RX4-8] to Public Facilities/ [H1-FY1-11][P1-1L] to correct a mapping error on City owned site.

Frontage Districts:

- Change of Workshop 1 (WS1) to Flex 3 (FX3) for all Production, Market and Light Industrial Land Use Designations to allow more flexibility and development on a lot.

Development Standards Districts:

- Change of District 8 to District 14 for the GPLUs designated Neighborhood Center parcels zoned [MB5-SH4-8][CX8-4] and [LM5-SH4-8][CX8-8] to correct a mapping error.

Supplemental Districts:

- New Individual Resources Review District to include a total of 19 Individual Historic Resources.

Proposed Changes to the New Zoning Code

Chapter 1A – Changes to Introductory Provisions:

Amendments to the New Zoning Code (LAMC Chapter 1A) include nomenclature district name changes to Form, Frontage and Use Districts. Former district names are denoted in a strikethrough, and the revised name is denoted by an underline. The New Zoning Code (LAMC Chapter 1A) is amended as follows, in **Table 1.0-1, Nomenclature District Name Changes:**

**Table 1.0-1
Nomenclature District Name Changes**

Form Districts	Frontage Districts	Use Districts
Hillside Estate 3 (HE3) <u>Large Lot (LG2)</u>	Workshop 1 (WS1) <u>General 3 (G3)</u>	Residential General 3 (RG3) <u>Residential General 2 (RG2)</u>
Very Low Rise Narrow 3 (VN3) <u>Very-Low Rise Narrow 2 (VN2)</u>	Flex 3 (FX3) <u>Flex 1 (FX1)</u>	Industrial Mixed, Live-Work Neighborhood (IX5) <u>Industrial-Mixed, Live-Work Neighborhood (IX6)</u>
Very Low Rise Narrow 4 (VN4) <u>Very-Low Rise Narrow 3 (VN3)</u>		Industrial Mixed, Transition (IX6) <u>Industrial-Mixed, Transition (IX7)</u>

Low-Rise Medium 3 (LM3) <u>Low-Rise Medium 7 (LM7)</u>	Industrial Mixed, M1 Translation (IX7) <u>Industrial-Mixed, M1 Translation (IX8)</u>
Low-Rise Medium 4 (LM4) <u>Low-Rise Medium 8 (LM8)</u>	
Low-Rise Broad 2 (LB2) <u>Low-Rise Broad 3 (LB3)</u>	
Low-Rise Broad 3 (LB3) <u>Low-Rise Broad 4 (LB4)</u>	
Mid-Rise Broad 5 (MB5) <u>Mid-Rise Broad 4 (MB4)</u>	
Mid-Rise Broad 6 (MB6) <u>Mid-Rise Broad 5 (MB5)</u>	
Source: DCP, July 2024	

Amendments to the New Zoning Code (LAMC Chapter 1A) are denoted in a tracked change format. New text is underlined, while deleted text is indicated by a strikethrough. The New Zoning Code (LAMC Chapter 1A) is amended as follows:

Section 1

Section I.5.12. (Hazardous Sites Map) of Chapter 1A of the LAMC shall be introduced to Division 1.5. (Zoning Code Maps) of Chapter 1A to read as follows:

SEC. 1.5.12. HAZARDOUS SITES MAP

A. Applicability

The Hazardous Sites Map identifies lots with potential or known hazards which are subject to additional regulations intended to address the specific nature of development activities in hazardous sites. These additional regulations are outlined in this Zoning Code (Chapter 1A) and are applicable by reference to this Zoning Code Map.

B. Boundaries

Any land designated, using the Department of Public Works, Bureau of Engineering land base dataset, as any of the following designations in the Hazardous Sites Map.

- Potentially Contaminated Soils Areas with potential contamination and parcels formally designated as brownfields, Hazardous Waste Areas, Border Zone Properties, or superfund sites as

identified by Envirostor, CalGEM, Cortese List Data Resources, National Registry, or other registries from a public agency.

2. Contaminated Soils Areas with known contamination and parcels formally designated as brownfields, Hazardous Waste Areas, Border Zone Properties, or superfund sites as identified by Envirostor, CalGEM, National Registry and Cortese List Data Resources.

C. Amendments

This map is intended to reflect the most current hazardous sites information provided by responsible agencies in place that are responsible for protecting the public from hazardous conditions. The Hazardous Sites Map will be updated as the identified datasets are updated and published by the responsible agencies.

Section 2

Subparagraph C and D of Section 2C.2.3. (Building Setbacks) of Chapter 1A of the LAMC shall be amended to read as follows:

C. Standards

1. All buildings and structures on the lot shall be located on or behind a minimum building setback, except where allowed in Sec. 2C.2.2.E. (Exceptions).
2. Through lots where a primary street setback is designated along one street lot line, shall provide a secondary street setback along the street lot line running parallel, or roughly parallel, to the primary street lot line. The secondary street setback shall comply with the primary street setback of the Form District applied to the abutting lot having the shallowest primary street setback.

D. Measurement

All building setbacks are measured perpendicular to the applicable lot line:

1. A primary street setback is measured from the primary street lot line.
2. A side street setback is measured from the side street lot line.
3. A side setback is measured from the side lot line.
 - a. Where a side, interior setback is specified, the setback is applied only to lots within a unified development and shall be measured from abutting lots within the same unified development.

- b. Where a lot within a unified development shares a lot line with a property outside of the unified development, the standard side setback requirement applies.
- 4. A rear setback is measured from the rear lot line.
 - a. For the purpose of measuring rear setback on triangular or gore-shaped lots, the rear lot line is determined based on a line 10 feet wide, parallel to the primary street lot line that intersects two lot lines at its endpoints.
 - b. Where the primary street lot line is not straight, the rear lot line shall be parallel to a line connecting the end points of the primary street lot line.
- 5. An alley setback is measured from the alley lot line.
- 6. A special setback is measured from the special lot line.
 - a. Where a special setback is specified by the applied Form District (Part 2B) as "Special: All", the setback is measured from all special lot lines.
 - b. Where a special setback is specified by the applied Form District (Part 2B) as "Special: River" or "Special: Alley", the setback is measured from the special lot line as designated according to Sec. 14.1.11.E. (Special Lot Line).
 - c. Where a special setback is specified by the applied Form District (Part 2B) as "Special: Other", the setback is measured from all special lot lines that are not otherwise specified.
- 7. Where applicable to through lots, a secondary street setback is measured from the street lot line running parallel, or roughly parallel, to the designated primary street lot line.
- 8. For measurement on portions of a lot required for land dedication, see Sec. 14.1.11. (Lot).

Section 3

Subparagraph C of Section 2C.3.1. (Lot Amenity Space) of Chapter 1A of the LAMC shall be amended as follows:

C. Standards

1. General

- a. The cumulative area of lot amenity space provided on a lot shall not be less than that specified by the applied Form District in Part 2B. (Form Districts).

- b. Each area provided to meet a lot amenity space requirement shall comply with the standards for one or more of the following eligible amenity space types.

Eligible Amenity Space Types	
Amenity Space Type	
Common Outdoor Amenity Space (Sec. 2C.3.3.C.1.)	Yes
Pedestrian Amenity Space (Sec. 2C.3.3.C.2.)	Yes
Public Amenity Space (Sec. 2C.3.3.C.3.)	Yes
Private Outdoor Amenity Space (Sec. 2C.3.3.C.4.)	Yes
Common Indoor Amenity Space (Sec. 2C.3.3.C.5.)	Yes

- c. A maximum of 25% of the total required lot amenity space may be private, provided it meets the design standards in Sec. 2C.3.3.B. (Pedestrian Amenity Space).
- d. Private lot amenity space shall abut and provide direct access to the assigned tenant space.
- e. All required lot amenity space that is not private shall be made available to all tenants of the building, at no cost, from sunrise to sunset daily or during the hours of operation of the building, whichever results in a longer period of time. The space may not be reserved or in any way exclude any tenant during the time it is required to be available to all tenants.
- f. Lot amenity space may be eligible for credit toward the fee and dedication requirements in Div. 10.4. (Park Fees and Dedications), according to Sec. 10.4.8.B. (Privately Owned Park and Recreational Facilities).
- g. Lot amenity space located above the ground story may be required to set back from the roof edge - see LAMC Sec. 57.317 (Rooftop Gardens and Landscaped Roofs).
- h. Mechanical and utility equipment shall not be located within a lot amenity space, or between a lot amenity space and the adjacent building facade.
- i. All mechanical exhaust outlets shall be located a minimum horizontal distance of 10 feet and a minimum vertical distance of 15 feet from a lot amenity space.

- j. At least 20% of any outdoor lot amenity space shall be shaded by using shade trees or shade structures. Any area that is covered by a shade structure or a shade tree canopy at maturity shall be considered as being shaded.

2. Percentage Required at Grade

- a. The total area of lot amenity space located at grade shall not be less than the minimum percentage specified by the applied Form District (Part 2B).
- b. For amenity spaces being provided at grade, all areas of the amenity space shall be located within the minimum and maximum ground floor elevation as specified by the applied Frontage District.

Section 4. Section 2C.5.3. (Height Transition) of Chapter 1A of the LAMC shall be amended to replace the entirety of Section 2C.5.3. (District Boundary Height Transition) to read as follows:

Sec. 2C.5.3. HEIGHT TRANSITION

A reduction in the maximum height of a building for a limited depth where abutting districts have substantially lower height allowances.

A. Intent

To prevent looming impacts and reduce the perceived bulk and mass of buildings along zoning district boundaries where maximum height standards change significantly.

B. Applicability

- 1. Height transition standards apply to all buildings on a lot where the applied Form District (Part 2B) specifies a height transition is 'required', and meets at least one of the additional applicability criteria below:
 - a. The subject lot abuts a lot with a different applied zone specifying a maximum height of less than or equal to 45 feet or 4 stories.
 - b. The subject lot is located across an alley from a lot with a different applied zone specifying a maximum height of less than or equal to 45 feet or 4 stories.

- c. The subject lot is a through lot that adjoins a lot with a different applied zone specifying a maximum height of less than or equal to 45 feet or 4 stories, located across a collector or local street.
- d. Height transition standards shall not apply when the subject property abuts, adjoins, or is located across an alley from a lot with a different applied form district that specifies a bonus height that exceeds 45 feet or 4 stories.

C. Standards

- 1. All portions of a building or structure located on an applicable lot shall comply with height transition standards unless listed as an exception in Sec. 2C.5.3.E (Exceptions).
- 2. Where a height transition is required, no portion of a building or structure shall be located within a distance of 10 feet of the applicable abutting lot line. Buildings located on lots separated from an applicable lot by an alley are not required to adhere to this standard.
- 3. Where a height transition is required, and the abutting, adjoining, or alley adjacent zone has a maximum height of less than or equal to 36 feet or 3 stories, no portion of a building or structure shall exceed 3 stories within a distance of 30 feet, and 5 stories within a distance of 50 feet of the applicable abutting, adjoining, or alley adjacent lot line.
- 4. Where a height transition is required, and the abutting, adjoining, or alley adjacent zone has a maximum height of less than or equal to 45 feet or 4 stories, no portion of a building or structure shall exceed 4 stories within a distance of 30 feet, and 6 stories within a distance of 50 feet of the applicable abutting, adjoining, or alley adjacent lot line.

D. Measurement

- 1. Distance from an abutting lot line shall be measured as the horizontal distance from any applicable lot line having a common boundary with the subject property, to the edge of any at-grade portion of a building to which a transitional height limitation applies.
- 2. Distance from any applicable lot located across an alley from the subject property shall be measured as the horizontal distance from any applicable lot line, inclusive of the alley width, to the edge of any at-grade portion of a building to which a transitional height limitation applies.

3. Distance from any adjoining lot line shall be measured from the subject lot's street lot line located along the opposite block face of the applicable adjoining lot, to the edge of any at-grade portion of a building to which a transitional height limitation applies.
 4. Story height is measured according to Sec. 2C.4.3. (Height in Stories).
- E. Exceptions

The following are allowed to encroach into the height transition as listed below:

ALLOWED HORIZONTAL ENCROACHMENTS	
Architectural Details (Sec. 14.1.5.A.1.a.)	
Encroachment (max)	2'
Roof Projections (Sec. 14.1.5.A.1.b.)	
Encroachment (max)	2.5'
Unenclosed Structures (Sec. 14.1.5.A.1.c. - Sec. 14.1.5.A.1.d.)	
Encroachment (max)	5'
Enclosed Structures: Projecting (Sec. 14.1.5.A.1.e.)	
Encroachment (max)	2.5'
Mechanical/Electrical Equipment (Sec. 14.1.5.A.1.f. - Sec. 14.1.5.A.1.g.)	
Encroachment (max)	1.5'

ALLOWED VERTICAL ENCROACHMENTS	
Mechanical/Electrical Equipment (See Sec. 14.1.5.B.1.b.)	
Encroachment (max)	5'
Setback from roof edge (min)	3'
Architectural Elements (See Sec. 14.1.5.B.1.c.)	
Encroachment (max)	5'
Setback from roof edge (min)	2'
Safety Barriers (See Sec. 14.1.5.B.1.e.)	
Encroachment (max)	4'

ALLOWED VERTICAL ENCROACHMENTS	
Setback from roof edge (min)	0'
Unenclosed Structures (See Sec. 14.1.5.B.1.f.)	
Encroachment (max)	8'
Setback from roof edge (min)	2'
Flatwork (See Sec. 14.1.5.B.1.g.)	
Encroachment (max)	2.5'
Setback from roof edge (min)	1'
Vegetation (See Sec. 14.1.5.B.1.h.)	
Encroachment (max)	unlimited
Setback from roof edge (min)	1'

F. Relief

1. A reduced height transition distance of 20% or less may be requested in accordance with Sec. 13B.5.2. (Adjustments).
2. A reduced height transition in distance and an increase in the number of stories before height transition begins may be requested only as a variance in accordance with Sec. 13B.5.3. (Variance).

Section 5

Section 2C.5.4. (Street Step-Back) of Chapter 1A of the LAMC shall be amended as follows:

Sec. 2C.5.4. STREET STEP-BACK

A step-like recess in the massing of a building that requires that ~~upper stories to be pushed back from the lower stories from the street.~~ stories above a specified height be set back from the building mass below.

Section 6

Subparagraph C of Section 2C.6.1. (Building Width) of Chapter 1A of the LAMC shall be amended to read as follows:

C. Standards

1. General

- a. No applicable building or collection of abutting buildings located on the same lot shall be wider than the maximum building width specified by the applied Form District (Part 2B).
- b. Buildings that are located on separate lots, share no interior circulation, and are structurally independent, are considered separate buildings for the purpose of measuring building width.
- c. A building on a corner lot within the build-to zone area of overlap is allowed to exceed the maximum building width by up to 40 feet along both primary and side street lot lines.
- d. In order to establish buildings on the same lot as separate buildings for the purpose of measuring maximum building width, a building break meeting the standards in Sec. 2C.2.6.1.E. (Building Break) shall be provided between the buildings.

2. Bonus Building Width

Buildings and structures may exceed the maximum building width up to the bonus building width in feet, as specified by the Form District (Part 2B) as allowed in Div. 9.3. (Community Benefits Program).

Section 7

Section 3C.1.4. (Active Depth) of Chapter 1A of the LAMC shall be introduced to Division 3C.1. (Build-to) of Chapter 1A to read as follows:

Sec. 3C.1.4. ACTIVE DEPTH

The horizontal depth of a building that must contain active uses.

A. Intent

To help minimize the impact of dead space on the public realm and to promote a comfortable, safe, engaging and attractive built environment with active uses along the public realm.

B. Applicability

1. The active depth requirement applies to all portions of a building used to meet the build-to width requirements. See Sec. 3C.1.3. (Build-to Width).

2. The active depth requirement applies to the ground story only.

C. Standards

1. Applicable portions of a building must provide the minimum active depth required by the Form District (see Part 2B).
2. No more than 20% of the floor area of the required active depth can be used for inactive uses, such as storage, hallways, stairwells, elevators and equipment rooms. Parking spaces are not allowed in any applicable portion of the required minimum active depth.

D. Measurement

Active depth is measured from the front building facade inward to the interior of the building.

E. Relief

1. Up to a 20% reduction to the required build-to depth may be requested in accordance with Sec. 13B.5.2. (Adjustments).
2. A reduced minimum build-to width may be requested as a variance in accordance with Sec. 13B.5.3. (Variance).

Section 8

Section 3C.3.3. (Frontage Screen) of Chapter 1A of the LAMC shall be introduced to Division 3C.3 (Landscaping) of Chapter 1A to read as follows:

Sec. 3C.3.3. FRONTAGE SCREEN

A landscaped buffer required along the frontage of a lot.

A. Intent

To provide a visual buffer between the public realm and any land uses on a lot that need screening.

B. Applicability

Frontage screening standards apply to frontage yards specified by the Frontage District (Part 3B).

C. Standards1. General

- a. Where required by the Frontage District (Part 3B), the specified Frontage Screen Type must be provided along all frontage yards.
- b. Planting required to meet a frontage screening standard that conflicts spatially with any existing vegetation is not required.
- c. All plants provided must meet the standards of Div. 4C.6, Plants.

2. Frontage Screen Types

A package of standards, specified by the applied Frontage District (Part 3B).

a. Type B1

Intended for frontage yards where visual screening between the public realm and industrial frontages is needed.	
Dimensional Standards	Sec. 3C.3.3.D.
Depth (min)	6'
Large trees (min per 50')	3

Section 9

Section 4C.9.1. (Grading) of Chapter 1A of the LAMC shall be introduced to Division 4C.9. (Grading & Retaining Walls) of Chapter 1A to read as follows:

SEC. 4C.9.1. GRADING

The modification, or disturbance, or sculpting of an area of land by artificial means for the purposes of safety, construction, drainage, or use of a property other than the preservation of natural topography.

A. Intent

To establish standards for how and where grading is performed on a lot, and establish a variety of limits on grading and hauling of earth to and from a lot which are responsive to the spectrum of needs throughout the City's diverse topographies Hillside Areas. The application of the grading packages in

this Section, or lack thereof, are intended to reflect the goals and objectives of the individual communities.

B. Applicability

This Section applies to any new construction, major demolition, lot modification, or site modification, and addition involving any grading activity on a lot, including cut, fill, and import or export of any soil, rock or other earth materials.

C. Standards

The following grading packages and standards as established by the applied Development Standards District shall regulate any grading activity on a lot.

1. Grading Packages

<u>Standard</u>	<u>Grading Package 1</u>	<u>Grading Package 2</u>	<u>Grading Package 3</u>	<u>Grading Package 4</u>
<u>Grading Permit Issuance</u>	<u>n/a</u>	<u>applicable</u>	<u>applicable</u>	<u>applicable</u>
<u>"By-Right" Grading Maximum</u>				
<u>Base Grading Maximum</u>	<u>n/a</u>	<u>500 c.y.</u>	<u>500 c.y.</u>	<u>500 c.y.</u>
<u>Lot Percentage Maximum</u>	<u>n/a</u>	<u>5%</u>	<u>5%</u>	<u>5%</u>
<u>Absolute Grading Maximum</u>				
<u>Base Grading Maximum</u>	<u>n/a</u>	<u>1,000 c.y.</u>	<u>500 c.y.</u>	<u>1,000 c.y.</u>
<u>Lot Percentage Maximum</u>	<u>n/a</u>	<u>10%</u>	<u>5%</u>	<u>10%</u>
<u>"By-Right" Remedial Grading Maximum</u>	<u>n/a</u>	<u>n/a</u>	<u>1,000 c.y.</u>	<u>1,000 c.y.</u>
<u>Maximum Lot Disturbance</u>	<u>n/a</u>	<u>0.5 acre</u>	<u>1 acre</u>	<u>2 acre</u>
<u>Import/Export Limits</u>				
<u>Standard Hillside Limited Streets or Larger</u>	<u>n/a</u>	<u>no more than the "by-right" grading maximum</u>	<u>no more than the "by-right" grading maximum</u>	<u>no more than the "by-right" grading maximum</u>
<u>Substandard Hillside Limited Streets</u>	<u>n/a</u>	<u>75% of the "by-right" grading maximum</u>	<u>75% of the "by-right" grading maximum, not to exceed 6,000 c.y.</u>	<u>75% of the "by-right" grading maximum not to exceed 10,000 c.y.</u>

<u>Standard</u>	<u>Grading Package 1</u>	<u>Grading Package 2</u>	<u>Grading Package 3</u>	<u>Grading Package 4</u>
<u>New Graded Slopes</u>	n/a	applicable	applicable	applicable
<u>Grading on 100% Slopes</u>	n/a	applicable	applicable	prohibited
<u>Grading Plan Check Criteria</u>	n/a	applicable	applicable	applicable
<u>Hauling Truck Trips</u>	applicable	applicable	applicable	applicable
<u>Hauling Truck Operations</u>	applicable	applicable	applicable	applicable
<u>Grading & Hauling Equipment</u>	applicable	applicable	applicable	applicable
<u>Operating Hours & Construction Activity</u>	applicable	applicable	applicable	applicable
<u>Exempted Grading Activities</u>	applicable	applicable	applicable	n/a
<u>Grading on Hazardous Sites</u>	applicable	applicable	applicable	applicable
<u>Grading on Sensitive Sites</u>	n/a	applicable	applicable	applicable
See Subdivision 2. (Grading Package Standards) below for further details.				

2. Grading Package Standards

a. Grading Permit Issuance

No grading permits shall be issued until a building permit is approved.

b. “By-Right” Grading Maximum

See Subdivision D.1. (“By-Right” Grading Maximum) below.

c. Absolute Grading Maximum

The absolute grading maximum, or portion thereof, may only be granted by the Zoning Administrator pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit). See Subdivision D.2. (Absolute Grading Maximum) below.

d. “By-Right” Remedial Grading Maximum

In no event shall the by-right remedial grading exceed the quantity set by the applied grading package.

e. Maximum Lot Disturbance

In no event shall the disturbance on a lot exceed the maximum lot disturbance set by the applied grading package.

f. Import/Export Limits

The import or export of any soil, rock or other earth materials shall be limited to the maximum quantity set by the applied grading package. Any import or export activities may take place only between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday.

g. New Graded Slopes

All new Graded Slopes shall be no steeper than 2:1 (horizontal:vertical), except when the Department of Building and Safety - Grading Division has determined that Slopes may exceed 2:1 pursuant to Section 91.105 of Division 1 (Administration) of Article 1 (Buildings - Building Code) of Chapter 9 (Building Regulations) of the LAMC.

h. Grading on 100% Slopes

- i. Except when prohibited by the applied grading package, regardless of the grading, cut (also referred to as excavations), and fill provisions in Chapter 9 (Building Regulations) of the LAMC, when any grading activity is proposed on any slope of 100 percent or greater, as identified on the slope analysis map, the Department of Building and Safety - Grading Division shall require the Geotechnical Investigation Report (also referred to as a soils and/or geological report) to include the most stringent level of geotechnical analysis and reporting feasible, and in sufficient detail to substantiate and support the design and construction methods being proposed.
- ii. Except when prohibited by the applied grading package, a Deputy Grading Inspector, also referred to as a Registered (Licensed) Deputy Inspector, paid for by the owner, will be required to be on site when said grading activity is being conducted in order to ensure that all work is being done in accordance with the recommendations of the Geotechnical Report, the approved plans, and/or the applicable grading requirements of Chapter 9 (Building Regulations) of the LAMC for applicable grading or foundation earthwork in Hillside Areas.

iii. When prohibited by the applied grading package, grading is prohibited on any slopes of 100 percent or greater, as identified on a slope analysis map.

i. Grading Plan Check Criteria

Grading plans and reports shall be submitted for approval with building plans, and shall include those items required by Section 91.7006. (Conditions Precedent to Issuing a Grading Permit) of Division 70 (Grading, Excavations and Fills) this of Article 1 (Buildings - Building Code) of Chapter 9 (Building Regulations) of the LAMC.

j. Hauling Truck Trips

The import or export of any soil, rock or other earth materials is limited to a maximum of four hauling trucks per hour; these hauling trucks must meet the requirements of Paragraph c. (Equipment) below. A grouping or convoy of hauling trucks shall not be allowed; only one hauling vehicle is permitted per project site at any one time.

k. Hauling Truck Operations

As conditions for the issuance of a grading or building permit, each of the following hauling truck operation standards shall be met:

- i. Projects involving the import and/or export of 1,000 cubic yards or more soil, rock or other earth materials are required to obtain a Haul Route approval from the Board of Building and Safety Commissioners. The final action letter with the approved Haul Route staff report shall be prominently posted on the job site at all times.
- ii. No grading shall be performed within any Hillside Areas unless a copy of the grading permit is prominently posted on the job site at all times.
- iii. All hauling vehicles must be identified by a placard identifying the project address which shall be prominently displayed on each hauling vehicle.

l. Grading & Hauling Equipment

As conditions of the issuance of a grading or building permit, each of the following equipment standards shall be met:

- i. 10-wheeler dump trucks (with a 10 cubic yard capacity) or smaller are the only type of trucks permitted for hauling of earth. Notwithstanding the foregoing, the Board of Building and Safety Commissioners may authorize the use of other types of hauling vehicles for a project through the Haul Route approval process.
- ii. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
- m. Operating Hours & Construction Activity

Compliance with each of the following standards shall be required for the issuance of a grading or building permit. However, if a Haul Route approval by the Board of Building and Safety Commissioners is required for import and/or export of 1,000 cubic yards or more, then the conditions set by the Board of Building and Safety Commissioners during the Haul Route approval process shall prevail and the following standards shall not apply.

- i. Hauling operations shall be conducted only on Monday through Friday, between the hours of 9:00 a.m. and 3:00 p.m. Hauling operations on Saturdays, Sundays, or State and Federally designated holidays are strictly prohibited.
- ii. Haul trucks shall be staged off-site and outside of the Hillside Area. As deemed necessary, the Board of Building and Safety Commissioners may permit staging on-site or in any alternate staging area by special condition during the Haul Route Approval process.
- iii. Construction activity shall be limited to Monday through Friday, between the hours of 8:00 a.m. to 6:00 p.m. Exterior construction work at any other time is strictly prohibited. However, interior construction work may be conducted on Saturdays between the hours of 8:00 a.m. to 6:00 p.m. Excess exterior illumination of the site through the use of flood lights and/or similar lighting devices is strictly prohibited after 6:00 p.m. on any day of the week.
- iv. A log noting the dates of hauling activity and the number of hauling truck trips per day shall be available on the job site at all times.
- v. The owner or contractor shall control dust caused by grading and hauling and provide reasonable control of dust caused or exacerbated by wind at all times. Grading and hauling activities shall be discontinued during periods of high winds and Red Flag days as determined by the Los Angeles Fire Department.

- vi. Loads shall be secured by trimming and shall be covered to prevent spillage and dust. Haul trucks are to be contained at the export site to prevent blowing of dirt and are to be cleaned of loose earth at the export site to prevent spilling.
- vii. Streets shall be cleaned of spilled materials at the termination of each workday.
- viii. Truck Crossing" warning signs shall be placed 300 feet in advance of the exit from the project site in each direction.
- ix. Flag person(s) shall be required for all project sites. Flag persons with radio control and warning signs shall be in compliance with the latest edition of the "Work Area Traffic Control Handbook." Flag persons provided at the job site shall assist trucks in and out of the project area.

3. Grading on Hazardous Sites

For lots identified as "Potentially Contaminated Soils" or "Contaminated Soils" in the Hazardous Sites Map, projects shall require initial approval from the California Department of Toxic Substance Control (DTSC) prior to the issuance of grading approval California Health and Safety Code Division 20, Chapter 6.8, Section 25319.5 (HSC §25319.5) from the Department of Building and Safety. A Preliminary Endangerment Assessment may be required by DTSC, prior to issuance of any grading permits, based on DTSC standards, California Health and Safety Code Division 20, Chapter 6.8, Section 25319.5 (HSC §25319.5).

4. Grading on Environmentally Sensitive Sites

Grading on environmentally sensitive sites shall require approval by the Director of Planning as established in Sec. 4C.14.1.C.4.a.vi. (Project Review Thresholds).

D. Measurement

1. "By-Right" Grading Maximum

The "by-right" grading maximum shall be the cumulative quantity of grading, or the total combined value of both cut and fill or incremental cut and fill, for any one lot, and is calculated by adding a "base grading maximum" plus the "lot percentage maximum" which is the numeric value equal to a percentage of the total lot area in cubic yards. For example, a 5,000 square-foot lot with

an applied grading package 2 would have an absolute grading maximum of 750 cubic yards (500 cubic yards for the base amount + 250 cubic yards for the 5% calculation).

2. Absolute Grading Maximum

The absolute grading maximum, or the total combined value of both cut and fill or incremental cut and fill, for any one lot, and is calculated by adding a "base grading maximum" plus the "lot percentage maximum" which is the numeric value equal to a percentage of the total lot area in cubic yards. For example, a 5,000 square-foot lot with an applied grading package 2 would have a "by-right" grading maximum of 1,500 cubic yards (1,000 cubic yards for the base amount + 500 cubic yards for the 10% calculation).

3. Remedial Grading

A plan indicating the areas and quantities of any proposed remedial grading, determined in accordance with the definition in Div. 14.2. (Glossary), and highlights any remedial grading proposed on 60% slopes or greater, shall be submitted as part of a grading permit application. All remedial grading on or of slopes greater than or equal to 60% shall be counted toward the maximum by-right grading quantity, except for the correction of hazardous soil and earth conditions, when notified by LADBS in accordance with LABC Section 7005.7

4. Import/Export Limits

A plan indicating the destination and/or source (i.e., exempted grading activity or non-exempted grading activity) of any import or export, in cubic yards, shall be submitted as part of a grading permit application.

5. Maximum Lot Disturbance

A plan indicating the areas of the lot where grading activities are proposed, in square-feet, shall be submitted as part of a grading permit application.

E. Exceptions

1. Exempted Grading Activities

The grading activities outlined below shall be exempt from the grading and/or import/export limitations established in the applied grading package. Wherever any excavation from an

exempted activity is used as fill outside of a 5-foot perimeter from the exempted grading activities for any other on-site purpose shall be counted towards the limits established in applied grading package.

- i. Cut and/or fill for deepened foundation systems (such as caissons and piles), water storage tanks, required stormwater retention improvements, and required animal keeping site development that do not involve the construction of any freestanding retaining walls.
- ii. Cut and/or fill, up to 500 cubic yards, for driveways to the required parking or fire department turnaround closest to the accessible street for which a lot has ingress/egress rights. However, this exemption does not apply where grading package 4 is applied.
- iii. Remedial grading that is not subject to "by-right" remedial grading maximums is exempt. However, where grading package 4 is applied, any remedial grading on slopes of 60 percent or greater is not exempt.
- iv. Fill resulting from cut underneath the building footprint, not to exceed 50 percent of the amount of cut underneath the building footprint. However, this exemption does not apply in grading package 4.

2. Import/Export Exemptions

Earth quantities which originate from, or will be utilized for any exempted grading activity listed in Subdivision 1. (Exempted Grading Activities) above shall be exempted from the maximum import and export quantities established in the applied grading package.

F. Relief

1. Grading in Excess of "By-Right" Grading Maximum

Grading in excess of the "by-right" grading maximum and requiring access to the absolute grading maximum may be allowed by the Zoning Administrator pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit).

2. Grading in Excess of Absolute Grading Maximum

Grading in excess of the absolute grading maximum may be allowed by the Zoning Administrator pursuant to Sec. 13B.5.3. (Variance).

a. Supplemental Findings

In addition to the findings established in Sec. 13B.5.3. (Variance), the Zoning Administrator must find that the grading is proposed in accordance with the Landform Grading Manual.

3. "By-Right" Remedial Grading Maximum

Remedial grading in excess of the "by-right" remedial grading maximum may be allowed by the Zoning Administrator pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit).

a. Supplemental Findings

In addition to the findings established in Sec. 13B.2.1. (Class 1 Conditional Use Permit), in cases where the remedial grading will result in substantial landform alteration, the Zoning Administrator shall find that all project alternatives which could be utilized to provide equivalent geologic stability, including but not limited to, deepened foundations, caissons, soldier piles, are not feasible.

4. Import/Export Limits

The import or export of any soil, rock or other earth materials in excess of the limits set by the applied grading package may be allowed by the Zoning Administrator pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit).

5. Maximum Lot Disturbance

Grading in excess of the maximum lot disturbance established by the applied grading package may be allowed by the Zoning Administrator pursuant to Sec. 13B.2.1. (Class 1 Conditional Use Permit).

6. Other Grading Package Standards

Any deviations for a grading package standards that is not listed in the Subdivisions above may be allowed by the Zoning Administrator pursuant to Sec. 13B.5.3. (Variance).

Section 10

Section 4C.14.1.B.3. (Development Review Threshold Package 3) of Chapter 1A of the LAMC shall be introduced to Division 4C.14. (Development Review) of Chapter 1A to read as follows:

1. Development Review Threshold Package 3

a. Project Review Thresholds

When the applicable Development Standards District (Part 4B) specifies development review threshold package 1, the following development projects are subject to Sec. 13B.2.4. (Project Review).

- i. Any development project which creates, or results in an increase of, 100,000 square feet or more of nonresidential floor area.
- ii. Any development project which creates, or results in an increase of, 100 or more dwelling units.
- iii. Any development project that includes drive-through lanes which results in a net increase of 500 or more average daily trips.
- iv. Any change of use which results in a net increase of 1,000 or more average daily trips.
- v. Any one unit development with a floor area of 17,500 square feet or larger located in the Hillside Area Map (Sec. 1.4.4).
- vi. Major Development Project Review Thresholds

When the applied Development Standards District (Part 4B) specifies Development Review Threshold Package 1, development projects having one or more of the characteristics listed below are subject to Sec. 4C.14.C.3. (Supplemental Procedure):

- vii. Any development project that creates or results in an increase of 250,000 square feet or more of warehouse floor area.
- viii. Any development project that creates or results in an increase of 250 or more lodging units.
- ix. Any development project that creates or results in an increase of 200,000 square feet or more of floor area in other non-residential or non-warehouse uses.

Section 11

Section 5B.7.6. (Industrial-Mixed 6) of Chapter 1A of the LAMC (as brought before Council through Council File 23-0861) shall be amended to read as follows:

Use	Permission	Use Standard	Specification
Dwelling	S*	(see Residential)	
		In conjunction with:	Manufacturing, Light General, Artistic & Artisanal, and/or Garment & Accessory
			<u>Productive Space</u> (Sec. 5C.3.34.)
			and/or Legacy Small Business (Sec. 5C.4.6.)
		Floor Area (min)	0.5 FAR
		Inclusionary Housing Program	Sec. 5C.4.5.

Live/Work	P*	(see Residential)	
		In conjunction with:	<u>Designated Work Space</u> (Sec. 5C.3.35.)
		<u>Floor Area (min)</u>	<u>20%</u>
		<u>Designated Work Space</u>	<u>20%</u>
		<u>Work space dimensions (min/max)</u>	<u>Depth: 20'</u>
			<u>Width: 15' (frontage)</u>
			<u>Height: 14'</u>
		<u>Location</u>	<u>Ground floor</u>

Note, only the portion of the Use District being amended is shown above.

Section 12

Section 5C.3.34. (Productive Space) of Chapter 1A of the LAMC shall be introduced to Division 5C.3. (Use Standards) of Chapter 1A to read as follows:

Sec. 5C.3.34. PRODUCTIVE SPACE

A. Intent

To ensure that a specified amount of floor area on a site is dedicated to uses that generate economic activity and employment.

B. Applicability

Applies only when specified by the Use District as a required use standard.

C. Standards

1. Sites shall provide productive space at a minimum floor area ratio as specified by the use district, meeting the design standards below:
 - i. Shall occupy the ground story of a building
 - ii. Shall be designed and intended for General Commercial or Light Industrial uses.
 - iii. Shall provide an entrance that is connected to the public sidewalk via a linked pedestrian accessway in compliance with Sec. 4C.1.1.C.2.a.i. (Linked Pedestrian Accessway Type)
 - iv. Shall have a minimum width of 15 feet
 - v. Shall have a minimum depth of 30 feet
 - vi. Shall have a minimum floor to ceiling height of 15 feet

D. Measurement

1. Productive Space as a minimum floor area ratio shall be calculated as the total floor area qualifying as productive space on the subject lot, divided by the total area of the subject lot represented as a ratio.
2. For calculating the floor area, see Sec. 14.1.7. (Floor Area).
3. For determining the ground story, see Sec. 14.10.A. (Ground Story).
4. Productive space depth is measured from the street facing building facade inward to the interior of the building.
5. Productive space width is measured along the interior edge of the street facing building facade.
6. Floor to ceiling height is measured vertically from the top of the finished ground story to the top of the ceiling above.

7. Only portions of the interior space that meet that minimum depth, width, and floor to ceiling height dimensions shall be counted towards meeting the productive space standard.

E. Relief

1. A reduction in any dimensional standard of up to 20% may be requested in accordance with Sec. 13B.5.2. (Adjustments).
2. A reduction in the minimum floor area required to be provided on site of up to 20% may be requested in accordance with Sec. 13B.5.2. (Adjustments).
3. A reduction in the productive space requirement may be requested in accordance with Sec. 13B.5.3. (Variance).

Section 13

Section 5C.3.35. (Designated Work Space) of Chapter 1A of the LAMC shall be introduced to Division 5C.3. (Use Standards) of Chapter 1A to read as follows:

Sec. 5C.3.35. DESIGNATED WORK SPACE

A. Intent

To ensure that a specified amount of floor area as part of a live/work unit is dedicated to uses that generate economic activity and employment.

B. Applicability

Applies to all live/work units on a lot where required by the Use District.

C. Standards

Each live/work unit shall dedicate a minimum percentage of its total floor area, as specified by the use district, to a designated work space meeting the design standards below:

- i. Shall be contained within each live/work unit provided
- ii. Shall occupy the ground story of a building
- iii. Shall be designed and intended for General Commercial or Light Industrial uses.

- iv. Shall provide an entrance that is connected to the public sidewalk via a linked pedestrian accessway in compliance with Sec. 4C.1.1.C.2.a.i. (Linked Pedestrian Accessway Type)
- v. Shall have a minimum width of 10 feet
- vi. Shall have a minimum depth of 15 feet
- vii. Shall have a minimum floor to ceiling height of 12 feet

D. Measurement

- 1. Designated work space area as a percentage of each live/work unit shall be calculated as the total floor area of the designated work space area divided by the total floor area of the live/work unit.
- 2. For determining the ground story, see Sec. 14.10.A. (Ground Story).
- 3. Designated work space depth is measured from the ground story building facade inward to the interior of the building.
- 4. Designated work space width is measured along the interior edge of the ground story building facade.
- 5. Floor to ceiling height is measured vertically from the top of the finished ground story to the top of the ceiling above.
- 6. Only portions of the interior space that meet that minimum depth, width, and floor to ceiling height dimensions shall be counted towards meeting the designated work space standard.

E. Relief

- 1. A reduction in any dimensional standard of up to 20% may be requested in accordance with Sec. 13B.5.2. (Adjustments).
- 2. A reduction in the minimum floor area required to be designated work space of up to 20% may be requested in accordance with Sec. 13B.5.2. (Adjustments).
- 3. A reduction in the designated work space requirement may be requested in accordance with Sec. 13B.5.3. (Variance).

Section 14

Section 5C.4.6. (Legacy Small Business Special Use Program) of Chapter 1A of the LAMC (as brought before Council through Council File 23-0861) shall be amended to incorporate the following:

Modify paragraph 3 of Sec. 5C.4.6.C. (Standards) to incorporate the following:

3. The floor area provided to accommodate the legacy small business shall meet the following design standards:

- a. Shall occupy the ground story of a building
- b. Shall be designed and intended for General Commercial or Light Industrial uses.
- c. Shall provide an entrance that is connected to the public sidewalk via a linked pedestrian accessway in compliance with Sec. 4C.1.1.C.2.a.i. (Linked Pedestrian Accessway Type)
- d. Shall have a minimum width of 15 feet
- e. Shall have a minimum depth of 15 feet
- f. Shall have a minimum floor to ceiling height of 12 feet

Section 15

Section 7B.3.1. (Small Lot 1) of Chapter 1A of the LAMC (as brought before Council through Council File 23-0861) shall be amended to read as follows:

4. Modify paragraph 1 of Sec. 7B.3.1.A. (Eligibility) as follows:

1. Eligible Districts

FORM	FRONTAGE	STANDARD	USE	DENSITY
V_ & L_	MU_C_LF_ & WH_	1, 2, 3, & 4	RC_ RX_ C_ CX_ & IX_	FA through 60
<u>All</u>	<u>All</u>	<u>All</u>	<u>All</u>	

2. Remove paragraph 2 of Sec. 7B.3.1.A. (Eligibility) as follows:

~~2. Eligible Lots~~

~~Small Lot Subdivision 1 Alternate Typology is eligible on lots having a lot width no greater than 80 feet. For lots greater than 80 feet wide, see Small Lot Subdivision 2 Alternate Typology (Sec. 7B.3.2.).~~

G. Use Standards

~~Set by the applied Use District (Part 5B.).~~

1. For a minimum of 20 years after the issuance of a Certificate of Occupancy, no less than 75% of the total floor area on the lot shall be designated for dwelling units or live/work units.
2. The remaining 25% of floor area on the lot may be designated for any use allowed in the applied Use District (Part 5B).
3. Once 20 years have elapsed, all floor area on the lot may be designated for any use allowed in the applied Use District (Part 5B).
4. For additional Use District standards, see the applied Use District (Part 5B).

Section 16.

Section 8.2.7. (Conservation Districts) of Chapter 1A of the LAMC shall be amended to replace the entirety of Section 8.2.7. (Conservation Districts) to read as follows:

Sec. 8.2.7. CONSERVATION DISTRICTS (CD)

A. Intent

A Conservation District can be applied to an area of the City that has been identified in a Historic Resources Survey as a historic district made up of Surveyed Historic Resources. The intent of a Conservation District is to maintain a district's character-defining features and retain the district's integrity. A Conservation District includes properties that have been identified in a Historic Resources Survey as a Contributing Element or Non-Contributing Element.

B. Applicability

1. Definition of Project

A project is any demolition, new construction, addition, facade modification, change of use, or maintenance and repair of the exterior, regardless of whether a building permit is required or not, of contributing and non-contributing properties within a Conservation District.

2. Reconciling Provisions

Where the provisions of a Conservation District conflict with those of a Specific Plan, the underlying zone, or any other regulation, the Conservation District shall prevail.

C. Standards

1. For contributing properties, the Secretary of the Interior's Standards for Rehabilitation shall be applied to projects.
2. For non-contributing properties, all zoning district standards as denoted in the zone string shall be applied to projects.

D. Procedures

1. Establishing a Conservation District

Conservation District boundaries are established and amended in accordance with Sec.13.B.1.1 (General Plan Adoption/Amendment) or Sec.13B.1.2. (Specific Plan Adoption/Amendment), and are represented as part of the third bracket set of the zone of a lot with the acronym "CD." Conservation Districts shall be within to the boundaries of a Surveyed Historic District as identified in a Historic Resources Survey and shall meet the following requirements:

- a. Be within the boundaries of an area identified in Survey LA or another officially recognized Historic Resources Survey as eligible for historic designation.
- b. Encompass at least one block face.
- c. Be applied in conjunction with a Character Frontage District, as established in Div. 3B.9. (Character Frontage).

2. Issuance of Permits

- a. A project shall be processed as an Administrative Review in accordance with Sec. 13B.3.1. when:
 - i. A project involving a contributing property is found to comply with the Secretary of the Interior's Standards.
 - ii. A project involving demolition of a contributing property is determined by the Director of Planning, in consultation with the Office of Historic Resources, based upon a Phase 1 Historic Resources Assessment and substantial evidence that the contributing property is not a historical resource, as defined by Public Resources Code Section 21084.1.
 - iii. A project involving a non-contributing property is found to comply with the requirements of the applied zoning district standards.
- b. A project shall be processed as a Director's Determination in accordance with Sec. 13B.2.5. when:
 - i. A project involving a contributing property is found not to comply with the Secretary of the Interior's Standards for Rehabilitation.
 - 1. No Director's Determination shall be issued under this section unless:
 - a. Pursuant to subsection 8.2.7. D.2.ii, above, a project involving demolition is determined by the Director of Planning, in consultation with the Office of Historic Resources, based upon a Phase 1 Historic Resources Assessment and substantial evidence that the contributing property is not a historical resource, as defined by Public Resources Code Section 21084.1.; or
 - b. The Owner can demonstrate that the owner/applicant would be deprived of all economically viable use of the property; or
 - c. The project will result in retention of the contributing status of the property; or
 - d. Environmental review is completed in compliance with CEQA, including if necessary, the adoption of a statement of overriding considerations

- c. Approval of a replacement project is required prior to the issuance of any demolition permit. Surface parking lots do not qualify as a replacement project.

Section 17

Section 8.2.8. (Individual Historic Resource (IHR) Review) of Chapter 1A of the LAMC shall be introduced to Division 8.2. (Supplemental Districts) of Chapter 1A to read as follows:

Sec 8.2.8 INDIVIDUAL HISTORIC RESOURCE (IHR) REVIEW

A. Intent

Individual Historic Resource Review can be applied to any building, structure, object, site, landscape, or natural feature identified through a Historic Resources Survey as an individually Surveyed Historic Resource. Individual Historic Resource Review shall not be applied to formally designated resources. The intent of Individual Historic Resource Review is to maintain an individual property's character-defining features.

B. Applicability

1. Definition of Project

A project is any demolition, new construction, addition, facade modification, change of use, or maintenance and repair of the exterior, regardless of whether a building permit is required or not, of properties specified as requiring Individual Historic Resource Review.

2. Reconciling Provisions

Where the provisions of an Individual Historic Resource Review conflict with those of a Specific Plan, the underlying zone, or any other regulation, the Individual Historic Resource Review shall prevail.

C. Standards

- 1. The Secretary of the Interior's Standards for Rehabilitation shall be applied to projects.

D. Procedures

- 1. Establishing Individual Historic Resource Review

Properties requiring Individual Historic Resource Review are established and amended in accordance with Sec.13.B.1.1 (General Plan Adoption/Amendment) or Sec.13B.1.2. (Specific Plan Adoption/Amendment), and are represented as part of the third bracket set of the zone of a lot with the acronym "IHR." Properties identified for Individual Historic Resource Review shall be:

- i. Identified as an individually Surveyed Historic Resource as identified in a Historic Resources Survey.
- ii. Adopted in a batch with a minimum of 10 properties within the same Community Plan Area.

2. Issuance of Permits

For all projects subject to Individual Historic Resource Review, the Department of Building and Safety shall not issue a grading, building, or demolition permit unless approved by the Department of City Planning in accordance with the following procedures.

- a. A project shall be processed as an Administrative Review in accordance with Sec. 13B.3.1. when:
 - 1. A project is found to comply with the Secretary of the Interior's Standards.
 - 2. A project involving demolition is determined by the Director of Planning, in consultation with the Office of Historic Resources, based upon a Phase 1 Historic Resources Assessment and substantial evidence that the contributing property is not a historical resource, as defined by Public Resources Code Section 21084.1.
- b. A project shall be processed as a Director's Determination in accordance with Sec. 13B.2.5. when:
 - i. A project is found not to comply with the Secretary of the Interior's Standards for Rehabilitation.
 - 1. No Director's Determination shall be issued under this section unless:
 - a. Pursuant to subsection 8.2.8 D.2.a.ii, above, a project involving demolition is determined by the Director of Planning, in consultation with the Office of Historic Resources, based upon a Phase 1 Historic Resources Assessment and substantial

evidence that the contributing property is not a historical resource, as defined by Public Resources Code Section 21084.1.; or

- b. The Owner can demonstrate that the owner/applicant would be deprived of all economically viable use of the property; or
- c. The project will result in retention of the contributing status of the property; or
- d. Environmental review is completed in compliance with CEQA, including if necessary, the adoption of a statement of overriding considerations
- c. Approval of a replacement project is required prior to the issuance of any demolition permit. Surface parking lots do not qualify as a replacement project.

Section 18

Section 9.4.8. (Legacy Small Business Program) of Chapter 1A of the LAMC (as brought before Council through Council File 23-0861) shall be amended to incorporate the following:

Modify paragraph 2 of Sec. 9.4.8.B. (Eligibility) to incorporate the following:

- 3. Projects receiving a floor area exemption for preserving or accommodating a legacy small business in accordance with this section shall not be eligible for the floor area bonus incentive granted by Sec. 9.3.4.C.9. (Legacy Small Business Incentive Area).

Section 19

Section 9.4.9. (Nonresidential Project Incentive Program) of Chapter 1A of the LAMC shall be introduced to Division 9.4. (General Incentive Programs) of Chapter 1A to read as follows:

SEC. 9.4.9. NONRESIDENTIAL PROJECT INCENTIVE PROGRAM

A. Purpose

To provide opportunities for nonresidential developments to access additional floor area in exchange for uses and amenities that benefit the local community.

B. Applicability

This Section shall apply to any project using an incentive program as follows:

1. The project is eligible as established in this Section;
2. The applied Form District provides for bonus FAR, bonus height, or bonus stories.

C. Eligibility

A project must meet the following criteria in order to obtain additional development incentives through the programs contained in this Division:

1. Nonresidential Project

The project does not involve the construction of dwelling units or live/work units.

2. Bonus Floor Area, Stories, or Building Width

The project provides one or more of the Public Benefits established in Sec. 9.4.8.E. (Public Benefits).

D. Bonus

1. A Nonresidential Project providing a Public Benefit may utilize the corresponding bonus FAR, bonus stories, and bonus building width altogether.
2. The total Bonus utilized may not exceed the maximum bonus allowed by the subject property's applied Form District.
3. If a combination of Public Benefits results in a Bonus that is greater than the bonus FAR, stories, or building width specified by the applied Form District, then the maximum bonus shown in the applied Form District prevails.
4. When calculating the total Bonus of multiple Public Benefits, the FARs may be added together into a total FAR bonus, but the additional number of stories and additional building width shall default to the greatest number shown.
5. For example, when combining the Publicly Accessible Open Space with a Full-Service Grocery store, a 0.5 FAR bonus may be added to a 2.5 FAR bonus to create a 3.0 FAR bonus for a Nonresidential Project, but the bonus stories and bonus building widths may not be added together, and would default to 3 additional stories and 75' of additional building width.

6. Eligible nonresidential projects shall be granted an increase in the allowable FAR, number of stories, and building width as follows:

<u>Public Benefit</u>	<u>Bonus</u>
<u>Publicly Accessible Open Space, upper story</u>	<u>0.5 FAR, 1 additional story, 25' building width</u>
<u>Publicly Accessible Open Space, at grade</u>	<u>1 FAR, 2 additional story, 50' building width</u>
<u>Day Care Facility</u>	<u>1.5 FAR, 2 additional stories, 50' building width</u>
<u>Small Scale Tenant Spaces</u>	<u>2 FAR, 2 additional stories, 75' building width</u>
<u>Full-Service Grocery Store</u>	<u>2.5 FAR, 3 additional stories, 100' building width</u>
<u>Off-Site Affordable Housing</u>	<u>3 FAR, 3 additional stories, 100' building width</u>

E. Public Benefits

A Nonresidential Project may obtain additional floor area, stories, and building width for providing one or more of the following Public Benefits, subject to the following standards:

1. Publicly Accessible Open Space, upper story
 - a. The publicly accessible open space is located above the ground story of a building.
 - b. The qualifying publicly accessible open space shall meet all of the amenity design standards specified for public amenity space, in accordance with Sec. 2C.3.3.C.3. (Public Amenity Space)
 - c. The qualifying publicly accessible open space shall have a cumulative area of no less than 10% of the site's total lot area.
 - d. All portions of the publicly accessible open space shall be contiguous by way of a horizontal dimension of no less than 15 feet.
 - e. The publicly accessible open space shall be unenclosed, as established in Sec. 14.1.3. (Enclosure).
 - f. Any access walkways to the privately owned public space from the public sidewalk or public right-of-way shall be a minimum of 7 feet wide.

- g. Way-finding signs shall be provided at each of the access points, whether externally or internally, located on or in the building, to guide people to the publicly accessible open space. Standards include the following:
 - i. Minimum sign dimension, no less than 16 inches by 20 inches;
 - ii. Required posting of the hours of operation; and
 - iii. Mandatory language regarding public access.
- 2. Publicly Accessible Open Space, at grade
 - a. All areas of the publicly accessible open space shall be located within the minimum and maximum ground floor elevation as specified by the subject property's applied Frontage District
 - b. The qualifying publicly accessible open space shall meet all of the amenity design standards specified for public amenity space, in accordance with Sec. 2C.3.3.C.3. (Public Amenity Space)
 - c. The qualifying publicly accessible open space shall meet all of the amenity design standards specified for public amenity space, in accordance with Sec. 2C.3.3.C.2. (Pedestrian Amenity Space)
 - d. The qualifying publicly accessible open space shall have a cumulative area of no less than 10% of the site's total lot area.
 - e. All portions of the publicly accessible open space shall be contiguous by way of a horizontal dimension of no less than 15 feet.
 - f. The publicly accessible open space shall be unenclosed, as established in Sec. 14.1.3. (Enclosure).
 - g. Any access walkways to the privately owned public space from the public sidewalk or public right-of-way shall be a minimum of 7 feet wide.
 - h. Way-finding signs shall be provided at each of the access points, whether externally or internally, located on or in the building, to guide people to the publicly accessible open space. Standards include the following:

- a. Minimum sign dimension, no less than 16 inches by 20 inches;
 - b. Required posting of the hours of operation; and
 - c. Mandatory language regarding public access.
2. Daycare Facility
 - a. The daycare facility shall be in compliance with all requirements of California Code of Regulations, Title 22 (Social Security), Division 12 (Child Care Facility Licensing Regulations), Chapter 1 (Child Care Center General Licensing Requirements).
 - b. The daycare facility shall be appropriately licensed by the California Department of Social Services.
 - c. Floor area used as a daycare facility shall be used for such purpose for a minimum of 55 years after the Certificate of Occupancy is issued. For the purposes of this provision, the time in which the daycare facility space is vacant does not count towards the required minimum.
 - d. A minimum 10-year lease with a licensed daycare provider, with 5 year renewal option, shall be required prior to the issuance of a Certificate of Occupancy. This requirement does not mean that the licensed daycare provider is required to complete the term of the lease. If the lease is not completed prior to the 10-year term, the property owner or their representative shall find a new licensed daycare provider to complete the 10-year term. For the purposes of this provision, the time in which the daycare facility space is vacant does not count towards the required minimum.
 - e. The floor area devoted to a daycare facility shall be located on-site.
 - f. For a project which is obtaining additional floor area for providing a daycare facility, no other Certificate of Occupancy for the project shall be issued prior to a Certificate of Occupancy for the daycare facility required pursuant to this Section.
3. Small-Scale Tenant Spaces
 - a. A minimum of five small-scale tenant spaces shall be provided as a part of the Nonresidential Project to be eligible for the corresponding bonus.

- b. Each individual small scale tenant space shall possess at least 800 square feet in floor area but may not exceed 2,000 square feet in floor area.
 - c. Each small scale tenant space shall be located at the ground floor of the building.
 - d. The pedestrian access requirements for each small scale tenant space shall defer to the corresponding Development Standards District of the property's zone string.
 - e. Each small scale tenant space shall feature a street-facing Storefront Bay entry feature, pursuant to Section 3C.5.2.2.g, regardless of the Frontage District of the property.
 - f. For a project which is obtaining additional floor area, height, and/or building width for providing a five small scale tenant spaces, no other Certificate of Occupancy for the project shall be issued prior to the Certificates of Occupancy for the five small scale tenant spaces required pursuant to this Section.
4. Full-Service Grocery Store
- a. The full-service grocery store shall have at least 10,000 square feet of floor area.
 - b. At least 25% of the floor area of the full-service grocery store shall be dedicated to perishable food items.
 - c. The floor plans of a proposed full-service grocery store shall designate specific areas for the sale of produce (including fruits and vegetables), fresh meats (e.g. a deli), and dairy products (including refrigeration).
 - d. The full-service grocery store shall accept EBT or other forms of government assistance.
 - e. Floor area used as a full-service grocery store shall be used for such purpose for a minimum of 55 years after the Certificate of Occupancy is issued. For the purposes of this provision, the time in which the full-service grocery store space is vacant does not count towards the required minimum.
 - f. A minimum 10-year lease with a full-service grocery store, with 5 year renewal option, shall be required prior to the issuance of a Certificate of Occupancy. This requirement does not mean that the full-service grocery store is required to complete the term of the lease. If the lease is not completed prior to the 10-year term, the property owner or their representatives shall find

- a new full-service grocery store to complete the 10-year term. For the purposes of this provision, the time in which the full-service grocery store space is vacant does not count towards the required minimum.
- g. The floor area devoted to a full-service grocery store shall be located on-site.
 - h. For a project which is obtaining additional floor area for providing a full-service grocery store, no other Certificate of Occupancy for the project shall be issued prior to a Certificate of Occupancy for the full-service grocery store required pursuant to this Section.

5. Off-Site Affordable Housing

- a. The developer of the Nonresidential Project shall partner with an affordable housing developer that provides at least 30 percent of the total units for low-income households or at least 15 percent of the total units for very low-income households.
- b. The developer of the Nonresidential Project shall submit to HCID information describing a commercial development bonus approved pursuant to this section, including the terms of the agreements between the Nonresidential developer and the affordable housing developer, and the developers and the local jurisdiction, and the number of affordable units to be constructed as part of the agreements.
- c. The developer of the Nonresidential Project may not partner with themselves for the purposes of constructing affordable housing elsewhere. The Project will only qualify for the bonus when a separate, affordable housing developer is established for the purposes of developing the affordable housing.

Section 20

Section 14.2. (Glossary) of Chapter 1A of the LAMC shall be amended to read as follows:

Unified Development: A ~~commercial, industrial, or mixed-use~~ development consisting of multiple lots which is unified by a combination of functional linkages, such as pedestrian or vehicular connections, include common architectural and landscape features which constitute distinctive design elements of the development, and when viewed from adjoining streets appears to be a consolidated whole. A unified development may include lots that abut or are separated only by an alley or are located across the street from any portion of each other.

Cut. A portion of land surface or areas from which earth has been removed or will be removed by excavation.

Export. The removal of any soil, rock or other earth materials from a lot by artificial means for the purposes of safety, construction, drainage, or use of a property other than the preservation of natural topography.

Fill. The depositing of soil, rock or other earth materials by artificial means.

Grading. See Sec. 4C.9.1. (Grading).

Import. The addition of any soil, rock or other earth materials into a lot by artificial means for the purposes of safety, construction, drainage, or use of a property other than the preservation of natural topography.

Remedial Grading. Grading recommended by a California Licensed Geologist and/or Licensed Engineer prepared in accordance with Sections 91.7006.2, 91.7006.3, and 91.7006.4 of this Code, and approved by the Department of Building and Safety - Grading Division, that is necessary to mitigate a geologic or geotechnical hazard on a site (including for access driveways), including, but not limited to: 1) correction of hazardous soil and earth conditions, when notified by the Department of Building and Safety in accordance with Section 91.7005.7 of this Code, 2) removal and re-compaction of soil for a Building site to remediate expansive, compressible or seismically unstable soils, 3) grading required to provide a minimum factor of safety of 1.5 for stability of slopes, and/or 4) grading to bring existing steep non-conforming graded slopes into conformance with current Code requirements for fill and excavated slope gradients.

Slope Analysis Map. A map, prepared pursuant to Sec. 2C.4.5.D.2. (Slope Analysis Map), depicting the portions of a lot within the designated slope bands identified in Sec. 2C.4.5.D.1. (Slope Bands).

Standard Hillside Limited Street. A street (public or private) with a minimum width of 36 feet and paved to a minimum roadway width of 28 feet, as determined by the Bureau of Engineering.

Substandard Hillside Limited Street. A street (public or private) which does not meet the minimum requirements of a Standard Hillside Limited Street, with a width less than 36 feet and paved to a roadway width of less than 28 feet, as determined by the Bureau of Engineering.

Lot Disturbance

Disturbance on a lot resulting from development activities, both temporary and permanent, including, but not limited to, grading activities, construction of any structure, driveway and access, landscaping, or direct habitat disturbances associated with the development.

Environmentally Sensitive

Environmental sensitivity shall be determined by the site's location on a mapped resource, or by its proximity to features such as ridgelines, open space, lakes, reservoirs, ponds, marshes, seeps, springs, streams, creeks, rivers, riparians, open flood channels, storm drains, and public easements, which may be mapped or unmapped and shall be identified by the project or project reviewer when they exist on site. Sensitive resources may include many geologic features, or the presence of unique rock outcropping, atmospheric features, water features, vegetation, animal species, wildlife corridors, and ecosystem services which contribute to the overall quality of the natural and built environment.

1.8 ENVIRONMENTAL IMPACTS OF MODIFICATIONS AND TECHNICAL REFINEMENTS TO THE PROPOSED PLANS

The modifications and technical refinements to the Proposed Plans include items such as:

- Minor changes to the General Plan Framework designation and zoning maps for parcels that are designated as Community Centers.
- Minor changes to the Mobility Plan 2035 for proposed modified street designations.
- Addition and clarification of policies and programs to: enhance and protect local small businesses.
- Addition of Hazardous Sites Map, Grading standards, Conservation District standards, Development Review Threshold, and Electric Vehicle Charging Facilities, Standard Vehicle and Electric Vehicle Charging Facilities Regulations.
- Addition of Public Facilities - Freeway Land General Plan Use designation to distinguish between the Public Facilities General Plan Land Use designation.
- Minor zoning maps and matrices revisions to correct zone district names.
- Omit superfluous Zoning Article pages not applicable to the Harbor LA Community Plans and retain only pages pertaining to zoning districts introduced through the Proposed Plans.
- Change the general plan land use designation and zone for the property located 1020 North McFarland (Assessor Parcel Number: 7425008009).
 - Parcel with the APN 7425008009 was changed from the zone [H1-FY1-12][RG2-1L][O] to the zone [LB3-G3-14][IX6-15][O].

- Parcel with the APN 7425008009 was changed from Low Residential General Plan Land Use designation to a Hybrid Industrial General Plan Land Use designation.

The modifications would not result in notable physical changes with the potential to result in significant environmental impacts as they would not generally result in changes to allowable building size or density. The modifications would not result in necessary updates to the Reasonably Anticipated Development (RAD) considered in the DEIR. No zoning changes resulted in increased Base FAR regulations that would result in substantial changes to building size or development. Further, it should be noted that while these changes occur at the parcel level, the overall development capacity of the CPAs has not changed, either increased or decreased. As projects are developed and buildout of the Proposed Plans occurs, it is unlikely that all parcels with identified land use changes will be redeveloped or that parcels will be redeveloped to the full potential that the proposed zoning allows. The EIR for the Proposed Plans identifies and discloses impacts for the entirety of the CPAs and does not identify any one parcel where impacts could occur but rather identifies the types of impacts that could occur throughout the CPAs as build out of the Proposed Plans occurs. Therefore, these modifications to the Proposed Plans are found to not result in new significant impacts or a substantial increase in the severity of an impact identified in the DEIR and are found to not constitute significant new information for purposes of *State CEQA Guidelines* Section 15088.5.

2.0 CORRECTIONS & ADDITIONS

As required by *California Environmental Quality Act (CEQA) Guidelines* Section 15088, this chapter provides corrections or clarifications of certain statements in the Draft Environmental Impact Report (DEIR). The correction(s) and/or addition(s) do not constitute significant new information, because none of the defined criteria in 15088.5(a) would be met, including that the correction(s) or addition(s) would not result in new significant impacts or a substantial increase in the severity of any impact already identified in the DEIR. Specifically, Section 15088.5(a) defines significant new information that requires recirculation to be any of the following:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
4. The DEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Corrections or information have been added to the DEIR pursuant to *State CEQA Guidelines* Section 15132, as part of the preparation of the Final EIR (FEIR). Additions to the text of the DEIR are shown by underline and deletions from the text of the DEIR are shown by ~~striketrough~~ unless otherwise described. Where mitigation measures are replaced or revised, the replacement or revised measures are listed under the relevant impact section; however, the revisions also apply to mitigation measures listed in the Executive Summary. As noted above, the following corrections and additions included herein involve minor modifications that clarify or amplify information contained in the DEIR and none would result in new or more severe significant impacts from those identified in the DEIR impact analysis or conclusions.

2.0 Executive Summary

Page 2.0-15 –**Mitigation Measures MM GEO-1** and **MM GEO-2** have been removed in their entirety and replaced as follows:

MM GEO-1: Paleontological Resources. Any Project that requires a permit for grading or excavation, if a probable paleontological resource is uncovered during earthwork or construction, all work shall cease within a minimum distance of 50 feet from the find until a Qualified Paleontologist has been retained to evaluate the find in accordance with the Society of Vertebrate Paleontology's Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources. Temporary flagging shall be installed around the find in order to avoid any disturbance from construction equipment. Any paleontological materials that are uncovered shall not be moved or collected by anyone other than a Qualified Paleontologist or his/her designated representative such as a Paleontological Monitor. If cleared by the Qualified Paleontologist, Ground Disturbance Activities may continue unimpeded on other portions of the site. The found deposit(s) shall be treated in accordance with the Society of Vertebrate Paleontology's Standard Procedures. 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 Paleontologist. A report that describes the resource and its disposition, as well as the assessment methodology, shall be prepared by the Qualified Paleontologist according to current professional standards and maintained for five years after certificate of occupancy. If appropriate, the report should also contain the Qualified Paleontologist's recommendations for the preservation, conservation, and curation of the resource at a suitable repository, such as the Natural History Museum of Los Angeles County, with which the Applicant or Owner must comply.

Page 2.0-17 – The following paragraph under **Mitigation Measure MM GEO-3** has been revised to read as follows:

~~MM GEO-32:~~ Notification of Intent to Excavate Language. For all projects ~~not subject to MM GEO-1 that are~~ seeking excavation or grading permits, the Department of Building and Safety shall issue the following notice and obtain an acknowledgement of receipt of the notice from applicants:

- California Penal Code Section 622.5 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."
- PRC Section 5097.5 provides protection for cultural and paleontological resources, where Section 5097.5(a) states, in part, that: "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.”

- ~~California Code of Regulations, Title 14, Section 4308 states that “No person shall destroy, disturb, mutilate, or remove earth, sand, gravel, oil, minerals, rocks, paleontological features, or features of caves.” Section 1427 “No Person shall collect or remove any object or thing of archeological or historical interest or value, nor shall any Person injure, disfigure, deface or destroy the physical site, location or context in which the object or thing of archeological or historical interest or value is found.”~~
- ~~Best practices to ensure unique geological and paleontological resources are not damaged include compliance with MM GEO 2.~~

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.

Page 2.0-28 – **Mitigation Measure MM TC-2** has been revised to read as follows:

MM TC-2: Notices for Non-Discretionary Projects. All projects that are seeking excavation or grading permits, prior to issuance of a permit for grading or excavation, ~~the Department of Building and Safety shall issue the following notice: and obtain a signed acknowledgement that the notice was received and read by the applicant and owner.~~

- Several federal and state laws regulate the treatment of tribal cultural resources and make it criminal violation to destroy those resources. These include, but are not limited to:

- California Penal Code Section ~~622.5~~622-1/2 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) states, in part, that: “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 written permission of the public agency having jurisdiction over the lands.”
- ~~– California Code of Regulations, Title 14, Section 4307 states: “No person shall remove, injure, deface or destroy any object of paleontological, archaeological, or historical interest or value.” Section 1427 “recognizes that California’s archaeological resources are endangered by urban development and population growth and by natural forces... Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archaeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor. It is a misdemeanor to alter any archaeological evidence found in any cave, or to remove any materials from a cave.”~~

Best practices to ensure that tribal cultural resources are not damaged include but are not limited to the following steps:

- 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.
- 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 a qualified archaeological monitor shall be retained. ~~Any qualified tribal monitor(s) shall~~

~~be approved by a Native American tribe traditionally and culturally affiliated with the geographic area of the Project. Any qualified archaeological monitor(s) shall be approved by the Department of City Planning, Office of Historic Resources (“OHR”).~~

- A qualified tribal monitor or qualified 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 qualified 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 archaeological monitor to ensure the find is not damaged or any other potential tribal cultural resources on or near the project site.
- If tribal resources are uncovered ~~(in either a previously disturbed or undisturbed area),~~ all work should cease in the appropriate radius determined by the qualified tribal monitor and in accordance with federal, state, and local guidelines.
- Any find shall 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.~~
- The location of the tribal cultural resources find and the type and nature of the find should not be published beyond providing it to public agencies with jurisdiction or responsibilities related to the resources any affected tribal representatives.
- 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).
- The applicant and owner shall provide any affected tribe a reasonable period of time, not less than five business 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.

- 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.
- Consistent with Public Resources Code Section 21083.2, the handling, treatment, preservation, and recordation of tribal cultural resources shall occur as follows:
- The find shall be preserved in place or left in an undisturbed state unless the Project would damage the resource.
- 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.
- 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.
- 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.
- Personnel of the project should not collect or move any tribal cultural resources or associated materials or publish the location of tribal cultural resources.

4.1 Aesthetics

Page 4.1-7 – The last paragraph has been revised to read as follows:

The City’s Mobility Plan designates scenic highways that traverse an urban area of cultural, historic, or aesthetic value within the City of Los Angeles. City-designated scenic highways consist of land that is visible from the highway right-of-way and is comprised primarily of scenic and/or natural features. The only City-designated Scenic Highways within the Harbor LA CPAs are Vermont Avenue, the longest north-south corridor in the Harbor Gateway CPA, between 120th Street and Gardena Boulevard ~~the Southern Pacific right-of-way located just north of Redondo~~

~~Beach Boulevard~~ (see **Figure 4.1-5, Vermont Avenue at 135th Street, looking north**)¹ and John S. Gibson Boulevard, east of Harry Bridges Boulevard in the Wilmington-Harbor City Plan Area.

4.2 Air Quality

Page 4.2-59 – The following mitigation measure has been added to Threshold 4.2-3, below **Mitigation Measure AQ-9**:

AQ-10: Air Quality Standard–Compliance with Assembly Bill 617 (Community Air Initiatives). For any Project requiring a grading, excavation, or building permit from LADBS and which is located within an area identified in the AB 617 Community Map which:

- Generates more than 100 truck trips per day, or
- Exceeds 250,000 square feet of floor area, or
- Includes a Heavy Commercial, Heavy Industrial Use or a Transportation Use as defined in Part 5D. (Use Definitions) of Chapter 1A of the LAMC, or
- Is located on a lot greater than an acre and is within 500 feet of a Sensitive Receptors and/ or Noise-Sensitive Use.

Prior to demolition, grading/excavation, or construction, and/or or issuance of building permits, the Applicant and Owner shall coordinate with SCAQMD and other agencies identified within the CERP to identify project design features. The Applicant and Owner shall maintain proof of compliance with the project design features identified with the CERP pursuant to Sec. I.D.6.

4.6 Geology and Soils

Page 4.6-23 – The first paragraph has been revised to read as follows:

City of Los Angeles Oil and Gas Drilling Ordinance. The Oil and Gas Drilling Ordinance (Oil Ordinance) was adopted on December 2, 2022 (City Council File No. CF 17-0447), which amends the Los Angeles Municipal Code to prohibit all new oil and gas drilling activities and make any

¹ City of Los Angeles, *Draft Harbor Gateway Plan*, 2022. Available online at: https://planning.lacity.org/odocument/17f8994e-7093-45b2-a271-d4c9e33e55f9/HarborGatewayCPU_Book_FINAL.pdf, accessed May 31, 2022.

existing extraction a nonconforming use in all zones of the City. The Oil Ordinance phases out extraction activities, which are known hazards to public health and safety, by immediately banning new oil and gas extraction and requiring the removal of existing operations after an amortization period. In a legal action challenging the Oil Ordinance, a trial court in 2024 ruled that the Oil Ordinance was preempted by state law from regulating oil and gas extraction. Subsequently, Governor Newsom signed into law Assembly Bill (AB) 3233, which authorizes a local jurisdiction, by ordinance, to limit or prohibit oil and gas operations or development in its jurisdiction. This legislation authorizes cities and counties to restrict oil and gas development, including specifying methods and locations of such operations, even if state-level approvals have been granted. Separately, Senate Bill (SB) 1137, adopted in 2022, establishes 3,200-foot Health Protection Zones around sensitive areas such as homes, schools, and hospitals and prohibits new oil and gas wells within these zones. It also requires operators of existing wells to develop leak detection and response plans. The bill aims to protect public health by reducing pollution from oil and gas operations near communities. While AB 3233 took effect on January 1, 2025, the trial court's decision remains in place. Presently, the City has begun the process to rescind the Oil Ordinance and readopt a revised version of the Oil Ordinance as permitted under recent State laws.

4.7 Greenhouse Gas Emissions

Page 4.7-47 – The second paragraph has been revised to read as follows:

Oil and Gas Ordinance. The Oil and Gas Drilling Ordinance (Oil Ordinance) has been prepared in response to City Council File No. CF 17-0447, which amends the Los Angeles Municipal Code to prohibit all new oil and gas drilling activities and make any existing extraction a nonconforming use in all zones of the City.

In 2022, the Los Angeles City Council adopted a motion to ban all oil drilling within City limits. The Oil Ordinance would phase out oil drilling activities, which are known hazards to public health and safety, by immediately banning new oil and gas extraction and requiring the removal of existing operations after an amortization period. In a legal action challenging the Oil Ordinance, a trial court in 2024 ruled that the Oil Ordinance was preempted by state law from regulating oil and gas extraction. Subsequently, Governor Newsom signed into law Assembly Bill (AB) 3233, which authorizes a local jurisdiction, by ordinance, to limit or prohibit oil and gas operations or development in its jurisdiction. This legislation authorizes cities and counties to restrict oil and gas development, including specifying methods and locations of such operations, even if state-level approvals have been granted. Separately, Senate Bill (SB) 1137, adopted in 2022, establishes 3,200-foot Health Protection Zones around sensitive areas such as homes, schools, and hospitals and

prohibits new oil and gas wells within these zones. It also requires operators of existing wells to develop leak detection and response plans. The bill aims to protect public health by reducing pollution from oil and gas operations near communities. While AB 3233 took effect on January 1, 2025, the trial court's decision remains in place. Presently, the City has begun the process to rescind the Oil Ordinance and readopt a revised version of the Oil Ordinance as permitted under recent State laws.

While the Proposed Plans would not directly preclude oil and gas drilling and extraction, the Proposed Plans include a guiding principle to reduce the footprint of the oil and gas industry within residential neighborhoods and subsequent policy to support the expedited preparation of plans and programs for the abandonment, plugging, and remediation of all oil-related sites.

4.11 Mineral Resources

Page 4.11-4 – The first paragraph has been revised to read as follows:

City of Los Angeles Oil and Gas Drilling Ordinance

The Oil and Gas Drilling Ordinance (Oil Ordinance) was adopted on December 2, 2022 (City Council File No. CF 17-0447), which amends the Los Angeles Municipal Code to prohibit all new oil and gas drilling activities and make any existing extraction a nonconforming use in all zones of the City. The Oil Ordinance phases out oil drilling activities, which are known hazards to public health and safety, by immediately banning new oil and gas extraction. In a legal action challenging the Oil Ordinance, a trial court in 2024 ruled that the Oil Ordinance was preempted by state law from regulating oil and gas extraction. Subsequently, Governor Newsom signed into law Assembly Bill (AB) 3233, which authorizes a local jurisdiction, by ordinance, to limit or prohibit oil and gas operations or development in its jurisdiction. This legislation authorizes cities and counties to restrict oil and gas development, including specifying methods and locations of such operations, even if state-level approvals have been granted. Separately, Senate Bill (SB) 1137, adopted in 2022, establishes 3,200-foot Health Protection Zones around sensitive areas such as homes, schools, and hospitals and prohibits new oil and gas wells within these zones. It also requires operators of existing wells to develop leak detection and response plans. The bill aims to protect public health by reducing pollution from oil and gas operations near communities. While AB 3233 took effect on January 1, 2025, the trial court's decision remains in place. Presently, the City has begun the process to rescind the Oil Ordinance and readopt a revised version of the Oil Ordinance as permitted under recent State laws.

4.14 Public Services & Recreation

Page 4.14-39 – **Figure 4.14-2, Schools Serving the Harbor LA Community Plan Areas**, has been revised as follows:

4.15 Transportation and Traffic

Page 4.15-57 second paragraph has been revised to read as follows:

The Harbor LA CPAs include underserved communities that have historically suffered from investment shortfalls. This has resulted in a limited public transit network. The existing transit service in the Harbor LA CPAs includes limited local bus lines and a bus rapid transit line that connects north south to Downtown Los Angeles and the ports. Metro regularly adjusts its bus network, routes, frequencies, and stops to address changes in population and employment. In 2020, Metro developed the NextGen Bus Plan and as part of that process helped establish Metro's Transit Service Policy (TSP). The TSP establishes criteria and guidelines to ensure that the transit system is developed and managed consistent with policy guidance approved by the Metro Board of Directors, including a formal process for evaluating services, service design guidelines, and a process for implementing service changes.² This process helps create a system that can be responsive and realign its routes, frequency, and service to better serve its customers. However, despite the TSP there is a minimal amount of bus enhancements that have been identified within the Harbor LA CPAs. The NextGen Bus Plan Draft Proposals identifies some increased frequency and network modifications to some of the existing bus lines in the CPAs; ~~however, without high quality or permanent service, a large shift to transit that could be reflected in the model is unlikely to occur.~~³ Specifically, an additional 910 trips under the Silver Line are proposed to operate in place of Line 950 between El Monte and Harbor Gateway Transit Center.^{4,5} This would allow for the transition to operating new Zero Emission Buses on the Silver Line. According to the NextGen Bus Plan, a new bus line, Line 450 (San Pedro –Harbor Gateway Transit Ctr) would extend the existing Line 950 to operate between Harbor Freeway Station and San Pedro via the I-110 Freeway.

As discussed above, existing issues related to the City's TDF Model, the type of VMT in the Plan Areas, including higher than average truck traffic, geographical and land use constraints, historic employment and housing mismatches, and lack of existing public transit infrastructure all contribute to the higher VMT per Service Population. While the City anticipates a lower VMT in

² Los Angeles Metropolitan Transportation Authority, *Metro's Transit Service Policy*, 2020.

³ Los Angeles Metropolitan Transportation Authority, *Metro NextGen Bus Plan*, 2020. Available online at: <https://la-metro.maps.arcgis.com/apps/MapSeries/index.html?appid=8decc337ba35474ba28d0b4e9ad71647>, accessed May 31, 2023.

⁴ Line 950 is a bus route that begins El Monte and ends at the Harbor Gateway Transit Center. The number of transit stops located within the Harbor LA CPAs is the Harbor Gateway Transit Center stop.

⁵ Los Angeles Metropolitan Transportation Authority.

the future from that forecast by the City's TDF model based on the qualitative analysis discussed above, to be conservative, the City finds that impacts related to VMT are *potentially significant*.

4.17 Utilities and Service Systems

Page 4.17-40 – The second paragraph has been revised to read as follows:

City wastewater is treated at several wastewater treatment facilities: the HTP located in Playa del Rey; the TIWRP located in San Pedro; the DCTWRP located in Van Nuys; and the LAGWRP located in Los Angeles, adjacent to the City of Glendale. Each of these treatment plants is capable of treating a maximum of approximately 450, 30, 80, and 20 mgd of wastewater, respectively, and experience average daily flows of 260, 15, 45, and 20 mgd, respectively.^{55, 56} Wastewater generated within the Harbor LA CPAs can also be treated at the A.K. Warren Water (AKWW) Resource Facility, a wastewater treatment facility, located in the City of Carson and is owned and operated by the Los Angeles County Sanitation District. The AKWW Resource Facility is capable of treating a maximum of approximately 400 mgd and currently experience average daily flows of approximately 243 mgd.⁶

Page 4.17-59 – A new paragraph has been added below **Table 4.17-15, Future (2040) Estimated Wastewater Generation for the Harbor LA Community Plan Areas**, to read as follows:

The generated increase in wastewater would comprise of approximately two percent of the average daily flow that the AKWW facility experiences, and one percent of the AKWW facility overall treatment capacity. As such, the existing treatment facilities under the Los Angeles County Sanitation District have sufficient capacity to serve the Plan Areas by 2040.

Page 4.17-66 – The second paragraph has been revised to read as follows:

Table 4.17-16, Solid Waste Facilities Serving the City of Los Angeles, lists the location, permitted capacity, remaining capacity, permitted daily intake capacity, and the average daily volume of solid waste disposed of at the landfills serving the City of Los Angeles at each landfill. ~~“Commerce Refuse to Energy and the Southeast Resource Recovery” are alternate solid waste disposal methods that help extend the landfill capacity by converting solid waste to energy that is sold to local utility companies. While they do not encounter capacity maximum issues, they are restricted in regard to the daily amount and type of solid waste that they can accept and process. Another alternate solid~~

⁶ Los Angeles County Sanitation District, A.K. Warren Water Resource Facility, available online: <https://www.lacsd.org/services/wastewater-sewage/facilities/ak-warren-water-resource-facility>, accessed November 20, 2023.

~~waste disposal method includes recycling businesses, with the most notable location being the Azusa Reclamation facility. The Azusa Reclamation facility is a solid waste disposal method that helps extend the landfill capacity and includes a recycling business.~~

5.0 Alternatives

Page 5.0-44 – The last paragraph has been revised to read as follows:

Alternative 3 would accommodate less development and associated growth than the Proposed Plans. Alternative 3 would result in 936 fewer housing units (-2 percent), 3,274 fewer residents (-2 percent), and 4,927 (-8 percent) fewer jobs through 2040. Therefore, it is reasonable to assume that implementation of Alternative 3 would result in less overall energy consumption than the Proposed Plans commensurate with the reduction in population. As discussed in Section 4.5, Energy, (Table 4.5-7 through Table 4.5-9) implementation of the Proposed Plans would increase energy consumption in the overall Harbor LA CPAs above 2019 baseline conditions. Furthermore, per capita transportation energy, electricity and natural gas consumption would be greater in 2040 as compared to 2019 baseline conditions. However, because Alternative 3 would result in reduced development intensity around transit in the Wilmington-Harbor City CPA, Alternative 3 ~~would result in an increase in VMT compared to the Proposed Plans and 2019 baseline conditions~~ may result in higher levels of growth in other areas of the City or the region where transit availability is lower and per capita VMT is higher, and impacts would be significant and unavoidable. As a result, Alternative 3 may contribute to greater overall regional energy use than would the Proposed Plans. Like the Proposed Plans, however, Alternative 3 would not result in inefficient, wasteful, or unnecessary consumption of energy resources. In addition, neither Alternative 3 nor the Proposed Plans would conflict with applicable federal, state, and local energy conservation policies aimed at decreasing reliance on fossil fuels and increasing reliance on renewable energy sources. Overall, impacts would be greater than the Proposed Plans, but would remain less than significant.

Page 5.0-56 – The first paragraph has been revised to read as follows:

Alternative 3 would accommodate less development overall and thus accommodate less growth in the Wilmington-Harbor City CPA, as compared to the Proposed Plans. Due to the overall lower development potential under Alternative 3 in comparison to the Proposed Plans, fewer historical resources are likely to be disturbed, and impacts related to historical resources would be less than that of the Proposed Plans. Similarly, reduced development potential under Alternative 3 compared to the Proposed Plans would result in lesser impacts related to construction and operational air quality and noise, construction vibration, and deterioration of existing parks.

Nevertheless, despite accommodating less development potential as compared to the Proposed Plans, Alternative 3 would result in the same impact conclusions as the Proposed Plans in most impact categories. However, Alternative 3 would result in a less than significant VMT impact, ~~similar compared to a significant and unavoidable impact under the Proposed Plans. Therefore, w~~
While the following significant impacts from the Proposed Plans would be less under Alternative 3, they would remain significant and unavoidable: historical resources, air quality, construction noise and vibration, transportation safety impacts related to freeway off-ramp queuing, and recreational facilities.

Appendix 4.16, Tribal Cultural Resources Correspondence

Impact Sciences requested a Native American Heritage Commission (NAHC) Sacred Lands File (SLF) search on December 21, 2021. The search results were negative. The following correspondence with the NAHC is added to **Appendix 4.16**:



811 West 7th Street, Suite 200
Los Angeles, California 90017
www.impactsciences.com

Sent via email on December 21, 2021 to: Emily.Archer@nahc.ca.gov

NATIVE AMERICAN HERITAGE COMMISSION

Environmental and Cultural Department
1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691
(916) 373-3710

Information Below is Required for a Sacred Lands File Search

Project: Harbor LA Community Plans Update

County: Los Angeles

USGS Quadrangle Name: Torrance and Long Beach, California

Township: 4 South, 4 South **Range:** 13 West, 14 West

Company/Firm/Agency: Impact Sciences, Inc.

Contact Person: Yasmeen Hussain

Street Address: 811 W. 7th Street, Suite 200

City: Los Angeles **Zip:** 90017

Phone: 909-472-1464

Email: yhussain@impactsciences.com

PROJECT DESCRIPTION

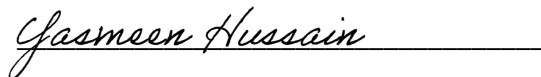
The Proposed Project is an update to the Harbor LA Community Plans. The Harbor LA Community Plans Update includes the Harbor Gateway Community Plan and the Wilmington-Harbor City Community Plan (hereinafter, collectively referred to as the "Harbor LA Plans"), two of the community plans located in the City of Los Angeles' harbor area. The Proposed Project will adopt and implement portions of the new zoning code for Harbor LA.

The Project Area for the Harbor LA Community Plans component is the Harbor Gateway and Wilmington-Harbor City CPAs. The Harbor LA Plan Areas are geographically contiguous, sharing a common boundary along Sepulveda Boulevard. The combined area of the Harbor LA Community Plans is approximately 15.3 square miles. The Harbor Gateway CPA encompasses approximately 5.1 square miles and is situated in the southern portion of Los Angeles. The CPA is a narrow corridor which links the City's harbor communities to the main body of the City. Immediately to the south of Sepulveda Boulevard is the Wilmington-Harbor City CPA, which encompasses approximately 10.2 square miles and is situated in the far southern portion of the City, near the Los Angeles Harbor. The Plan Area boundaries are shown in the map enclosed **(Harbor LA Community Plan Areas)**

Thank you for your assistance in responding to this query. Your responses will help us ensure that our analysis is accurate and complete. In order to ensure a timely completion of our analysis, please provide your response (via mail, or email) no later than January 21, 2022.

If you have any questions or require any additional information, please contact me at (909) 472-1464 or via email at yhussain@impactsociences.com.

Sincerely,



Yasmeen Hussain

Planner III



811 W. 7th Street, Suite 200
Los Angeles, CA 90017
yhussain@impactsociences.com

Attachments:

- Harbor LA Community Plan Areas Map
- Regional Context Map



NATIVE AMERICAN HERITAGE COMMISSION

February 24, 2022

Yasmeen Hussain
Impact Sciences, Inc.

Via Email to: yhussain@impactsociences.com

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

PARLIAMENTARIAN
Russell Attebery
Karuk

SECRETARY
Sara Dutschke
Miwok

COMMISSIONER
William Mungary
Paiute/White Mountain
Apache

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

COMMISSIONER
Wayne Nelson
Luiseño

COMMISSIONER
Stanley Rodriguez
Kumeyaay

EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: Harbor LA Community Plans Update Project, Los Angeles County

Dear Ms. Hussain:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Andrew.Green@nahc.ca.gov.

Sincerely,

Andrew Green
Cultural Resources Analyst

Attachment

**Native American Heritage Commission
Native American Contact List
Los Angeles County
2/24/2022**

**Gabrieleno Band of Mission
Indians - Kizh Nation**

Andrew Salas, Chairperson
P.O. Box 393
Covina, CA, 91723
Phone: (626) 926 - 4131
admin@gabrielenoindians.org

Gabrieleno

**Juaneno Band of Mission
Indians Acjachemen Nation -
Belardes**

Matias Belardes, Chairperson
32161 Avenida Los Amigos
San Juan Capistrano, CA, 92675
Phone: (949) 293 - 8522
kaamalam@gmail.com

Juaneno

**Gabrieleno/Tongva San Gabriel
Band of Mission Indians**

Anthony Morales, Chairperson
P.O. Box 693
San Gabriel, CA, 91778
Phone: (626) 483 - 3564
Fax: (626) 286-1262
GTTribalcouncil@aol.com

Gabrieleno

**Juaneno Band of Mission
Indians Acjachemen Nation -
Belardes**

Joyce Perry, Tribal Manager
4955 Paseo Segovia
Irvine, CA, 92603
Phone: (949) 293 - 8522
kaamalam@gmail.com

Juaneno

Gabrielino /Tongva Nation

Sandonne Goad, Chairperson
106 1/2 Judge John Aiso St.,
#231
Los Angeles, CA, 90012
Phone: (951) 807 - 0479
sgoad@gabrielino-tongva.com

Gabrielino

**Santa Rosa Band of Cahuilla
Indians**

Lovina Redner, Tribal Chair
P.O. Box 391820
Anza, CA, 92539
Phone: (951) 659 - 2700
Fax: (951) 659-2228
Isaul@santarosa-nsn.gov

Cahuilla

**Gabrielino Tongva Indians of
California Tribal Council**

Robert Dorame, Chairperson
P.O. Box 490
Bellflower, CA, 90707
Phone: (562) 761 - 6417
Fax: (562) 761-6417
gtongva@gmail.com

Gabrielino

**Soboba Band of Luiseno
Indians**

Joseph Ontiveros, Cultural
Resource Department
P.O. BOX 487
San Jacinto, CA, 92581
Phone: (951) 663 - 5279
Fax: (951) 654-4198
jontiveros@soboba-nsn.gov

Cahuilla
Luiseno

**Gabrielino Tongva Indians of
California Tribal Council**

Christina Conley, Tribal
Consultant and Administrator
P.O. Box 941078
Simi Valley, CA, 93094
Phone: (626) 407 - 8761
christina.marsden@alumni.usc.edu

Gabrielino

**Soboba Band of Luiseno
Indians**

Isaiah Vivanco, Chairperson
P. O. Box 487
San Jacinto, CA, 92581
Phone: (951) 654 - 5544
Fax: (951) 654-4198
ivivanco@soboba-nsn.gov

Cahuilla
Luiseno

Gabrielino-Tongva Tribe

Charles Alvarez,
23454 Vanowen Street
West Hills, CA, 91307
Phone: (310) 403 - 6048
roadkingcharles@aol.com

Gabrielino

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Harbor LA Community Plans Update Project, Los Angeles County.

3.0 RESPONSES TO COMMENTS

This section includes comments received during the circulation of the Draft Environmental Impact Report (DEIR or Draft EIR) prepared for the Harbor Gateway Community Plan Update and the Wilmington-City Harbor Community Plan Update (hereafter referred to as Harbor LA CPAs and Proposed Plans). The comment letters were submitted to the City of Los Angeles by public agencies, tribes, organizations, and private citizens. Responses to written comments received have been prepared to address the environmental concerns raised by the commenters and to indicate where and how the DEIR addresses pertinent environmental issues. Any changes made to the text of the DEIR updating or clarifying information, data, or intent (either in response to comments or as a result of staff-initiated text changes), other than minor typographical corrections or minor working changes, are identified in Chapter 2.0, Corrections and Additions.

The DEIR was submitted to the State Clearinghouse Office of Planning and Research and circulated for a 60-day public review, beginning on September 21, 2023, and ending on November 20, 2023.

The City received 20 comment letters during the DEIR public review period plus an additional two after the close of the comment period. Of these, six letters are directed exclusively at the Proposed Plans rather than the DEIR and are not addressed in this Response to Comments.

A list of commenters on the DEIR is shown in **Table 3.0-1, List of Commenters on the DEIR**.

As discussed further in **Master Response 1: General Comments and Non-CEQA Issues**, below, CEQA only requires lead agencies to respond to comments that relate to significant environmental issues, including the adequacy of the analysis in the DEIR (*State CEQA Guidelines* Sections 15088 and 15204). As such, the City has not responded here to comments that raise no significant environmental issues and/or do not pertain to the adequacy of the DEIR. Comments on the Proposed Plans and other non-CEQA issues are addressed in the City Planning Staff Recommendation Report to the City Planning Commission (CPC).

The original bracketed comment letters are provided followed by a numbered response to each bracketed comment. Individual comments within each letter are numbered and the response is given a matching number. For the letters that pertain to the DEIR, each separate DEIR comment, if more than one, has been assigned a number. The responses to each DEIR comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1-1, for example, indicates that the response is for the first issue raised in comment Letter No. 1). For the letters that pertain only partially to the DEIR, only the comments on the DEIR are bracketed and numbered. The letters that pertain only to the Proposed Plans and include no DEIR comments are included here, but as noted above, responses to those comments can

be found in the City Planning Staff Recommendation Report to the CPC. In making their decision on whether to approve the Proposed Plans decisionmakers will take into account all comments and responses and other information as they deem appropriate.

Table 3.0-1
List of Commenters on the DEIR

Letter Number	Organization	Commenter Name	Comment Date	Response Page Number
1	California Department of Transportation, District 7	Frances Duong	November 20, 2023	
2	LA Metro	Shine Ling, AICP	November 20, 2023	
3	Los Angeles County Sanitation Districts	Patricia Horsley	November 8, 2023	
4	South Coast Air Quality Management District	Sam Wang	November 17, 2023	
5	Los Angeles Department of Water and Power	Katherine Rubin	October 24, 2023	
6	Los Angeles Unified School District	Bryan Ramos Fernandez	October 30, 2023	
7	Athens on the Hill Community Association	Herman Bilbrew	November 15, 2023	
8	Communities for a Better Environment	Laura Gracia	November 20, 2023	
9	Del Amo Action Committee	Cynthia Babich	November 2023	
10	Harbor Gateway North Neighborhood Council	Miguel Vazquez	November 16, 2023	
11	NAIOP Commercial Real Estate Development Association	Mihran Toumajan	November 20, 2023	
12	Wilmington Neighborhood Council	Gina Martinez	November 14, 2023	
13	Allen Matkins Leck Gamble Mallory & Natsis LLP	Paige H. Gosney	November 20, 2023	
14	Allen Matkins Leck Gamble Mallory & Natsis LLP	Paige H. Gosney	November 28, 2023	
15	Individual	Amanda DePierro	November 20, 2023	
16	Jeffer Mangels Butler and Mitchell LLP	Daniel Freedman	November 9, 2023	
17	Kuhr Properties LLC	Paul L Kuhr	November 20, 2023	
18	Individual	Lucas Simmons	November 13, 2023	
19	Individual	Rosa Lagunas	November 6, 2023	
20	Individual	Rosalie Preston	November 20, 2023	
Late Comments				
21	Communities for a Better Environment	Laura Gracia	January 29, 2024	
22	Advocates for the Environment	Dean Wallraff	February 1, 2024	

3.1 MASTER RESPONSES TO COMMENTS ON THE DRAFT EIR

A number of the comments raise common issues relating to air quality, displacement, utilities, cultural and tribal resources, transportation and traffic, as well as general concerns and non-CEQA issues. Therefore, rather than responding to each comment on these topics individually, the following Master Responses have been prepared to provide single comprehensive responses to address comments that were brought up in multiple instances.

Master Response 1: General Comments and Non-CEQA Issues

Purpose of EIR and EIR Process

CEQA's statutory framework sets forth a series of analytical steps intended to promote the fundamental goals and purposes of environmental review – information, participation, mitigation, and accountability. The purpose of an EIR is to provide public agencies and the public in general with detailed information about the effect that a project is likely to have on the physical environment, to list ways in which any significant adverse effects might be minimized, and to indicate alternatives that reduce any identified adverse impacts (Public Resources Code Section 21061). Thus, the purpose of this EIR is to evaluate potential impacts on the environment resulting from the Proposed Plans and to identify mitigation measures and alternatives that would avoid or substantially lessen significant environmental impacts while attaining most of the objectives of the Proposed Plans.

Opinions and Support for, or Opposition to, the Project and Non-CEQA Issues

A number of comments raise issues that are not within the purview of CEQA, such as suggestions for changes to the Proposed Plans unrelated to potential significant adverse environmental impacts. Some commenters raise issues that are important to the decision-making process but are not properly addressed as part of the CEQA process. Commenters also express their opinions in support or opposition to the Proposed Plans, or outline concerns associated with specific features or provisions of the Plans that do not relate either to significant environmental issues or adequacy of the environmental analysis in the EIR.

While the City welcomes all comments, opinions and expressions of opposition or support unrelated to physical environmental impacts, these comments are appropriately addressed outside the CEQA process.

The purpose of the EIR is to present objective information as to the potential physical environmental impacts of the Proposed Plans. Moreover, the purpose of allowing the public and agencies to comment on a DEIR is to allow any errors to be identified and corrected. Opinions concerning issues not addressed by CEQA, unsupported opinions regarding environmental issues already addressed in an EIR, as well as

expressions of opposition or support for a project, are made a part of the administrative record and are forwarded to the decision-makers for their consideration in taking action on the project, but they are not responded to in a CEQA document.

Many of the comments received expressed support for or opposition to the Proposed Plans or components of the Proposed Plans, rather than comments on the analysis in the DEIR. Lead agencies need only respond to comments related to significant environmental issues associated with a project and do not need to provide all the information requested by commenters, as long as a good faith effort at full disclosure is made in the EIR (*State CEQA Guidelines* Section 15204). Responses are not required for comments that do not relate to significant environmental issues, including the adequacy of the analysis in the EIR; other issues raised by comments are generally addressed outside the CEQA process (*State CEQA Guidelines* Sections 15088 and 15204). These include comments that:

- a. Suggest changes to all or part of the Proposed Plans unrelated to significant environmental issues, including the adequacy of the EIR's analysis of significant environmental impacts.
- b. Express support or opposition to the Proposed Plans that do not relate to significant environmental issues, including the adequacy of the EIR's analysis of significant environmental impacts.
- c. Raise concerns or ask questions with specific features or provisions of the Proposed Plans that do not relate to significant environmental issues.
- d. Raise concerns regarding existing environmental conditions and impacts of the environment on the Proposed Plans where the Proposed Plans do not exacerbate conditions (for example geologic conditions and impacts of pollutant emissions from freeways on residential uses, see further discussion below).

State CEQA Guidelines Section 15088 provides guidance on the preparation of response to comments and indicates that while lead agencies must evaluate all comments received on a DEIR, they need only respond to comments related to significant environmental issues. *State CEQA Guidelines* Section 15204 further provides that lead agencies in responding to comments do not need to provide all the information requested by commenters, as long as a good faith effort at full disclosure is made in the EIR. *State CEQA Guidelines* Section 15204 recommends that commenters focus on the sufficiency of the EIR in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Section 15204 further indicates that commenters should provide an explanation and evidence supporting their comments. Lead agencies are not obligated to undertake every suggestion given to them and are also not required to conduct every test or perform all research, study, and experimentation recommended by commenters (*State CEQA Guidelines* Section 15204). Under CEQA,

the decision as to whether an environmental effect should be considered significant is reserved at the discretion of the lead agency based on substantial evidence in the record.

Adequacy of Analysis

The focus of the responses to comments received on the DEIR is the “disposition of significant environmental issues raised” in the comments (*State CEQA Guidelines* Section 15088(c)). Detailed responses are not necessarily provided for comments that do not relate either to significant environmental issues or adequacy of the analysis in the DEIR. This includes comments that raise issues that are not environmental impacts as identified by CEQA (e.g., socio-economic concerns and Environmental Justice issues except as they may lead to physical environmental effects) or relate to unsupported opinions regarding the adequacy of the DEIR analysis and/or the DEIR’s findings of significance.

State CEQA Guidelines Section 15204 provides that lead agencies in responding to comments do not need to provide all the information requested by commenters, as long as a good faith effort at full disclosure is made in the EIR. Section 15204 recommends that commenters focus on the sufficiency of the EIR in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Section 15204 further indicates that commenters should provide an explanation and evidence supporting their comments. An effect shall not be considered significant in the absence of substantial evidence supporting such a conclusion (*State CEQA Guidelines* Section 15064). CEQA case law has held that lead agencies are not obligated to undertake every suggestion given to them and are also not required to conduct every test or perform all research, study, and experimentation recommended by commenters. Under CEQA, the decision as to whether an environmental effect should be considered significant is reserved at the discretion of the lead agency based on substantial evidence in the record.

In 2015 CEQA was amended to reflect case law to clarify that CEQA is focused on the analysis of impacts of the project on the environment and not impacts of the environment on the project.¹ So for example, geotechnical issues are only of concern with respect to an analysis under CEQA, if a project could exacerbate existing conditions. Or with respect to residential uses located in proximity to a freeway, impacts of existing air pollution need only be addressed in a CEQA document if a project would exacerbate existing conditions. That is not to say that geotechnical concerns and freeway pollution are not concerns to be addressed in the entitlement process, they are just addressed outside the CEQA process. The EIR

¹ See California Supreme Court’s decision in *California Building Industry Association v Bay Area Air Quality Management District* (S213478, December 17, 2015) and California Court of Appeals decision in *California Building Industry Association v Bay Area Air Quality Management District* (August 12, 2016).

evaluates these existing conditions in relation to the Proposed Plans in order to determine if the Proposed Plans have the potential to exacerbate impacts.

The analysis in the EIR is based on scientific and factual data which has been reviewed by the lead agency and reflects its independent judgment and conclusions. CEQA permits disagreements between experts with respect to environmental issues addressed in an EIR. As stated in Section 15151 of the *State CEQA Guidelines*, disagreement among experts does not make an EIR inadequate. The courts have looked not for perfection but for adequacy, completeness and a good faith effort at full disclosure.

Opinions regarding the significance of environmental impacts already addressed in the EIR without additional substantial evidence in support of the opinions(s) do not require a response. Comments regarding topics not addressed by CEQA (e.g., purely socio-economic issues that the commenter does not relate to physical environmental impacts) are not addressed as part of the CEQA process.

Plan Comments

The EIR is not intended or required to provide justification for the Proposed Plans nor is it a vehicle for making changes to the Proposed Plans with respect to the land use designation of individual properties absent the proposed change reducing one or more identified significant adverse environmental impacts. Rather, the EIR is an informational document that is intended to provide public agencies and the public with detailed information about the effect that the Proposed Plans are likely to have on the environment. The EIR also identifies ways in which the significant effects of the Proposed Plans might be minimized and identifies alternatives to the Plans. Comments regarding suggested changes to the Proposed Plans are not addressed in detail as part of the CEQA process unless such changes could result in reducing or avoiding a significant adverse environmental impact. Requests for changes to the Proposed Plans on individual properties are addressed outside the CEQA process.

Master Response 2: Industrial Zone Changes

The City received several comments regarding the change from industrial to hybrid industrial land use in certain areas of the Community Plan Areas (CPAs), with commenters expressing concerns including the displacement of industrial uses or locating incompatible uses in close proximity to sensitive uses. The Proposed Plans include the adoption of zoning changes and General Plan land use designation amendments, utilizing the zone classifications in the New Zoning Code; as well as the other required actions to update the community plans. One of the key objectives of the Harbor LA Community Plans is to address the history of contamination and incompatible land use patterns, while prioritizing job producing uses that serve as a buffer between residential and heavy industrial uses. Many existing industrial uses are proposed to be allowed through a ministerial review process but may require additional design regulations

if they abut sensitive uses. Many of the proposed regulations offer a form of administrative relief if there are constraints to meeting the regulation. A discretionary process is proposed for cases where specific industrial uses abut or are proximate to sensitive uses a discretionary process is proposed.

A near majority of the land uses in both CPAs are currently designated as residential uses. The current land use breakdown in the Harbor Gateway CPA includes 39 percent Residential, 4 percent Commercial, 39 percent Industrial, 15 percent Public Facilities, and three percent Open Space. The current land use breakdown in the Wilmington-Harbor City CPA includes 34 percent Residential, 6 percent Commercial, 38 percent Industrial, 7 percent Public Facilities, and 15 percent Open Space. The Proposed Plans would introduce new land use designations and zone changes for parcels within the Harbor LA CPAs. The proposed land use breakdown for the Harbor Gateway CPA includes 38 percent Residential, 1 percent Residential-Mixed, 9 percent Commercial, 3 percent Industrial-Mixed, 32 percent Industrial, 14 percent Public Facilities, and 3 percent Open Space. The proposed land use breakdown for the Wilmington-Harbor City CPA includes 30 percent Residential, 7 percent Residential-Mixed, 6 percent Commercial, 4 percent Industrial-Mixed, 32 percent Industrial, 8 percent Public Facilities, and 13 percent Open Space. The Proposed Plans also include nomenclature changes to several General Plan land use categories.

Land use changes included in the Proposed Plans would include targeted areas for changes to development potential. As discussed on pages 3.0-36 through 3.0-37 of the EIR, these targeted areas would include the following:

- **Opportunity Areas:** Targeted areas proposed for new zoning and in some cases General Plan Amendments that result in greater development potential (increase in height, FAR and/or density) from what is allowed today along portions of major corridors and transit-served areas.
- **Corridor Consistency:** Areas proposed for the application of new zoning with tailored form, frontage, and development standards and/or the removal of qualified conditions that may limit density or regulate uses along select commercial corridors in order to bring into consistency with existing uses and General Plan land use designations. Although technically an upzone, these changes generally do not include a proposed increase in the maximum height or FAR. These areas may include nomenclature updates to General Plan land use designations.
- **Industrial Transition Areas:** Areas proposed to change from industrial to either hybrid industrial or commercial land use and zoning. These areas will serve as “buffer zones” that create greater distance between traditional heavy industrial uses and nearby residential uses. The proposed density and intensity of these areas will be tailored to the context of each area and compatibility with surrounding

uses. In a few areas, the current industrial land use and zoning is reduced to a lower intensity industrial designation and zoning.

- **Residential Alignment Areas:** Areas where the land use and zoning will change to reflect as-built conditions. This occurs primarily in areas zoned for low density residential (R1 and R2) where a majority of properties have existing multi-unit housing. In a few areas, the proposed zoning and land use will reflect the embedded services (e.g., small neighborhood stores and churches) that currently exist within residential neighborhoods.

Land use changes in these targeted areas would allow flexibility to incorporate compatible uses between adjacent properties in the CPAs. In addition, the Proposed Plans' policies support the preservation of established industrial districts to promote equitable jobs/housing balance and help ensure appropriately located land accommodates existing, new and relocating industrial businesses, including small-scale or niche manufacturing and emerging industries. However, some existing industrial uses may no longer be consistent with the uses allowed under the new land use designations and zoning requirements. Following adoption of the Proposed Plans, these properties would not be displaced, but would be considered legal nonconforming uses. Future development or renovation of these properties may require a Conditional Use Permit (CUP) to continue to operate the existing use. As discussed in **Chapter 3.0, Project Description**, the key objectives of the Proposed Plans are to address the history of contamination and incompatible land use patterns; create hybrid industrial areas that prioritize job producing uses and serve as a buffer between residential and heavy industrial uses; encourage mixed-use and equitable transit-oriented development at key locations; revitalize existing commercial areas through zoning regulations for improved street frontage and pedestrian- oriented design standards, and promote a diversity of uses that serve the needs of the community; preserve industrial districts and improve their function and visual character through new zoning regulations for improved street frontage, screening and quality building design; and maintain stable single- and multi- family residential neighborhoods and apply new zoning regulations for appropriate neighborhood massing.

Several comments request changes to the existing land use designations from more industrial uses to cleaner uses such as light-industrial or residential uses. While such recommendations could reduce impacts associated with existing uses, they would not reduce impacts associated with the Proposed Plans as identified in the EIR. These comments will be forwarded to decision-makers for their consideration in taking action on the Proposed plans. Please see **Master Response 1: General Comments and Non-CEQA Issues**, regarding impacts associated with existing conditions. Additionally, these areas would be zoned various Use Districts, which would tailor the permitted uses in these areas to those compatible in proximity to residential uses in terms of air quality, noise and other environmental effects.

The Proposed Plans would also require new heavy industrial developments within the Harbor LA CPAs to meet specific buffering standards to prevent potential adverse impacts. In many cases, the proposed land use changes would provide land use designations that are more compatible with the existing built environment. For example, compatibility and accessibility of some residential neighborhoods is anticipated to improve as adjacent/abutting industrial land uses that currently create access difficulties (due to truck traffic, etc.) are transitioned over time into more compatible lighter industrial uses. In addition, the Proposed Plans would implement policies that discourage disruptive or hazardous activities along streets bordering sensitive uses. For example, the Proposed Plans would implement zone changes for industrial areas that are located near residential neighborhoods such as along Normandie Avenue, Vermont Boulevard, Pacific Coast Highway, and Anaheim Street in the Wilmington-Harbor City CPA, and Figueroa Boulevard, Redondo Beach Boulevard, and the area near the Dominguez Channel in the Harbor Gateway CPA. These proposed zone changes would limit future uses to cleaner uses including light manufacturing, indoor storage and distribution, and office space.

The Proposed Plans include policies and zoning changes that aim to maximize opportunities for small and local businesses by limiting the sizes of new commercial tenant spaces to help maintain affordability, avoid displacement, and diversity of uses, while encouraging mixed-use and commercial developments to provide commercial tenant spaces that are appropriately scaled for neighborhood-serving small businesses. As discussed in **Section 4.10, Land Use and Planning**, it would be speculative to determine whether the proposed land use changes in the Harbor LA CPAs would result in the displacement of industrial uses and associated jobs. Additionally, if existing industrial uses were displaced, it is unclear where they would go as there are many areas in the Southern California region that can accommodate industrial uses. Displacement of existing industrial uses could result in additional adverse impacts to air quality, GHG, and transportation if employee work trips became longer and/or if such displacement resulted in new construction (and associated impacts) outside the areas of the Proposed Plans. Conversely, industrial uses could be displaced to areas within closer proximity to some residential uses, resulting in shorter work trips. As discussed in **Section 4.15, Transportation and Traffic**, trips within the Harbor LA CPAs are generally longer than those outside the CPAs in part due to the effects of workers traveling longer distances to the ports. The location of industrial uses and jobs elsewhere in the region could alleviate some of the current VMT and GHG burden on the Harbor LA CPAs. Location of more residential uses in the CPAs could also shorten some of these worker trips. However, without details of specific projects, it is not possible to determine whether such displacement would occur and if it were to occur whether it would result in impacts such as decreased or increased VMT.

Per the *State CEQA Guidelines*, socio-economic impacts including impacts to businesses are not considered impacts under CEQA unless such impacts could result in a physical environmental impact (see also MR-1

above). The Proposed Plans recognize the importance of industrial uses and include policies aimed at preserving established industrial districts within the Harbor LA CPAs. As discussed above, changes in land use designation would not directly displace existing uses nor would they reasonably foreseeably result in such displacement. As a result, it is not anticipated that the Proposed Plans would result in significant physical environmental effects related to industrial uses.

Master Response 3: Oil and Gas Ordinance

The City received comments on the Proposed Plans' approach to oil drilling, specifically within the Wilmington-Harbor City CPA. Historically the Wilmington-Harbor City CPA has been a local hub of the oil industry with heavy industrial uses such as oil refineries and production. In addition, the Wilmington-Harbor City CPA has the highest number of oil well sites within the City and surrounding region. The Wilmington Oil Field is the third largest oil field in the US. Several commenters expressed opinions that the Proposed Plans are in conflict with the Oil and Gas Ordinance (or Oil Ordinance) or that the Proposed Plans should include a similar ban on oil drilling. The Oil Ordinance is a separate process undertaken by the City and its implementation is discussed throughout the Harbor LA EIR. On December 2, 2022, the Los Angeles City Council adopted the Oil Ordinance No. 187,709, which became effective on January 18, 2023. The Oil Ordinance amended Sections 12.03, 12.20, 12.23, 12.24, and 13.01 of the Los Angeles Municipal Code (LAMC) to prohibit new oil and gas extraction and make existing extraction activities a nonconforming use in all zones within the City. Specifically, the Ordinance amends the LAMC Chapter 1 and 1A to (1) eliminate the provisions of the LAMC that allow for the creation of new "O" Oil Drilling Supplemental Use Districts; (2) end by-right oil and gas extraction in the M3-Heavy Industrial Zones; (3) declare existing oil and gas extraction within the City a nonconforming use to terminate within 20 years; and (4) prohibit new or expanded oil and gas extraction activities (such as the drilling of new wells or the redrilling or deepening of existing wells). The Ordinance permits maintenance of the wells that the Zoning Administrator determines are necessary to protect public health, safety or the environment. The Ordinance exempts from its requirements wells that are operated by a public utility that is regulated by the California Public Utilities Commission. Twenty years from the effective date of the Ordinance (January 18, 2023), all nonconforming, non-exempt oil and gas extraction uses will terminate. In a legal action challenging the Oil Ordinance, a trial court in 2024 ruled that the Oil Ordinance was preempted by state law from regulating oil and gas extraction. Subsequently, Governor Newsom signed into law Assembly Bill (AB) 3233, which authorizes local jurisdictions, by ordinance, to limit or prohibit oil and gas operations or development in its jurisdiction. This legislation authorizes cities and counties to restrict oil and gas development, including specifying methods and locations of such operations, even if state-level approvals have been granted. Separately, Senate Bill (SB) 1137, adopted in 2022, establishes 3,200-foot Health Protection Zones around sensitive areas such as homes, schools, and hospitals and prohibits new oil and gas wells within these

zones. It also requires operators of existing wells to develop leak detection and response plans. The bill aims to protect public health by reducing pollution from oil and gas operations near communities. While AB 3233 took effect on January 1, 2025, the trial court's decision remains in place. Presently, the City has begun the process to rescind the Oil Ordinance and readopt a revised version of the Oil Ordinance as permitted under recent State laws.

While the City of Los Angeles begins the process to readopt Oil Ordinance there are several state, regional, and local goals to move away from reliance on oil and gas energy sources which will serve to reduce long-term GHG emissions and help the State achieve the GHG reductions mandated in AB 32 and SB 32. On December 15, 2022, the California Air Resources Board (CARB) released its 2022 Scoping Plan for Achieving Carbon Neutrality (Scoping Plan). It anticipates the number of barrels of oil to be extracted in the state will decrease to less than half the production rate in 2020. Specifically, the Scoping Plan references California Energy Commission data that shows the total oil extracted in California peaked in 1986 at 402 million barrels. Since then, California's crude oil production has decreased at an average rate of 6 million barrels per year, reaching a production level of 200 million barrels in 2020. The Scoping Plan references a UC Santa Barbara report that estimated that under business-as-usual conditions, the annual production rate will drop to 97 million barrels in 2045. This does not account for the recent regulatory efforts to phase out internal combustion engine vehicles in favor of zero emission vehicles in the state.² The State recently banned the sale of new cars and light trucks solely powered by gasoline in the State after 2035 (Executive Order N-79-20 and its codification in the Advanced Clean Cars II Rule).

The Southern California Association of Governments (SCAG) prepares the regional transportation plan/sustainable communities strategy (RTP/SCS also known as Connect SoCal) for the six-County region that includes Los Angeles County and produces estimates of fuel oil consumption every four years. On March 25, 2024, the Final EIR for the 2024 RTP/SCS was published. The 2024 RTP/SCS is anticipated to be approved on April 4, 2024. The 2024 RTP/SCS builds upon the 2020 RTP/SCS and includes the same themes of encouraging infill development and reducing VMT. The 2020 RTP/SCS estimates a 20 percent reduction in fuel consumption across the region by 2045 as compared to 2019 (see 2020 Connect SoCal Program EIR, 3.6 Energy, Table 3.6-4³) that includes the following statement:

"Despite an increase in total VMT, total fuel consumption would be reduced through improved fuel economy and increased efficiency in the overall network (measured as total hours of delay) ... and

² California Air Resources Board (CARB), 2022 *Scoping Plan for Achieving Carbon Neutrality*, December 2022, p.103. Available online at: <https://ww2.arb.ca.gov/sites/default/files/2023-04/2022-sp.pdf>, accessed on January 25, 2024.

³ Southern California Association of Governments, 2020-2045 *Regional Transportation Plan/Sustainable Communities Strategy, Connect SoCal Program Environmental Impact Report*, May 2020. Available online at: https://scag.ca.gov/sites/main/files/file-attachments/fpeir_connectsocial_complete.pdf?1607981618, accessed on January 25, 2024.

more alternative fuel and zero emissions vehicle types on the road. In accordance with EO B-48-18, five million ZEV's are expected to be on California roadways in 2030. Additionally, CARB's fuel efficiency regulations have reduced diesel fuel consumption in heavy-duty trucks by 500 million gallons in California from 2010 to 2020 through improvements in tractor and trailer aerodynamics, which would reduce fuel consumption ..."

Los Angeles County could see even greater reductions in fuel consumption as more transit-oriented development is proposed and constructed, reducing the need for car travel, and as the regional transit system is further built out. Los Angeles Metro has numerous key transit improvements, many of which are anticipated to be operational by 2028, that will also further reduce the City's reliance on gasoline.

In recent years, both California and Los Angeles have adopted and/or implemented regulations, policies and initiatives that clearly indicate both the City and state are moving away from petroleum dependence. These include:

- *In 2018, California mandated that new single-family homes, as well as multi-family dwellings up to three stories high, must include solar panels starting in 2020. A second mandate was also voted into law, requiring new commercial buildings to have solar panels and battery storage as well.*⁴
- *California plans to ban the sale of new gasoline powered cars by 2035.*⁵
- *Los Angeles City Council unanimously voted in May 2022 to ban gas stoves in new Los Angeles buildings and require only electric stoves and ovens.*⁶
- *Los Angeles Green New Deal proposes:*⁷
 - *LADWP will supply 55% renewable energy by 2025; 80% by 2036; and 100% by 2045.*
 - *All new buildings will be net zero carbon by 2030; and 100% of buildings will be net zero carbon by 2050.*
 - *To increase the percentage of zero emission vehicles in the city to 25% by 2025, 80% by 2035, and 100% by 2050.*
 - *To electrify 100% of Metro and LADOT buses by 2030.*
 - *To reduce port-related GHG emissions by 80% by 2050.*
 - *To improve the raw scores of CalEnviroScreen indicators of L.A. communities in the top 10% by an average of 25% by 2025 and 50% by 2035.*

⁴ "Energy Commission Adopts Standards Requiring Solar Systems for New Homes, First in Nation". State of California Governor's Office of Planning and Research, California Energy Commission (2018)

⁵ Advanced Clean Cars II Regulations Resolution 22-12. State of California Air Resources Board (2022)

⁶ See Council File No. 22-0151 - relative to a plan for the implementation of an Ordinance and/or regulatory framework that will require all new residential and commercial buildings in Los Angeles to be built so that they will achieve zero-carbon emissions. (May 2022)

⁷ City of Los Angeles Green New Deal Plan. Sustainability Plan (2019)

- *To reduce the number of annual childhood asthma-related emergency room visits in most contaminated neighborhoods to less than 14 per 1,000 children by 2025 and 8 per 1,000 children by 2035*

Each of these policies signal a long-term shift away from petroleum and natural gas resources to renewables and electricity. Further, more recent plans prepared by the City, such as the Air Quality Element, Safety Element, Conservation Element, Health, Wellness and Equity Element (Plan for a Healthy Los Angeles), and the Land Use Element (West Adams-Baldwin Hills-Leimert Community Plan, Harbor Gateway Community Plan, and Wilmington Harbor City Community Plan), all include policies geared toward reducing reliance on petroleum and natural gas."

The Harbor LA Plans support future local and state goals, policies, and initiatives to move away from oil and gas operations by including Petroleum Related Activity policies in the plan text that seek to protect the communities from oil-related activities and the phase out of existing oil operations. The Harbor LA Plans seek to provide guidance that recognizes the reality of existing conditions while providing an improved balance between the need for oil resources and the health of the community, while advancing the City's goal of reducing the footprint of the oil and gas industry. In addition, the Proposed Plans include the adoption of zoning changes and General Plan land use designation amendments, utilizing the zone classifications in the New Zoning Code; as well as the other required actions to update the community plans that regulate and prohibit Petroleum related uses. Upon City Council adoption and effectuation, the zoning for the Harbor LA Plans will no longer allow petroleum related uses by-right.

Regarding claims that the EIR's air quality impacts are understated and do not address the impacts of existing oil wells in the CPA, page, p 4.2-51 of the EIR appropriately characterizes potential air quality and associated health risks from existing conditions in the Wilmington Harbor CPA. As stated therein, the California Supreme Court ruling in *California Building Industry Association vs. Bay Area Air Quality Management District* (December 17, 2015) held that, "agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project's future users or residents. But when a proposed project's risks exacerbate those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. In those specific instances, it is the project's impact on the environment – and not the environment's impact on the project – that compels an evaluation of how future residents or users could be affected by exacerbated conditions." As noted above in **Master Response 1, General Comments and Non-CEQA Issues**, assessing air quality and associated health risks from existing conditions and assessing the environment's impact on a project is not an impact under CEQA. As discussed on pages 4.7-68 through 4.7-75 of the EIR, future buildout of the Proposed Plans would adhere to the California Air Resources Boards' (CARB'S) 2022 Scoping Plans, which aims to transition the State of California away from the use of fossil fuels. Furthermore, Pages 4.2-51 through 4.2-61 appropriately analyzes the health risks from toxic air contaminants (TACs) that could result from implementation of the Proposed Plans and concludes that determining how much TACs may be released is not feasible to any

degree of accuracy. Future projects resulting from the Proposed Plans would be evaluated on an individual basis and would be responsible for demonstrating compliance with regulatory thresholds related to project and cumulative carcinogenic risk and noncarcinogenic hazards.

Current impacts associated with the existing oil and gas extraction activities in the City are an existing condition. Oil well remediation and vacation are not part of the Proposed Plans and in the absence of specific project proposals, are not reasonably foreseeable as a result of the Proposed Plans. Therefore, comments related to the Oil Ordinance, or impacts associated with existing oil and gas extraction activities should be directed to the readoption of the Oil Ordinance and not as part of action on the Proposed Plans or the adequacy of the analysis included in the EIR, please see also **Master Response 1, General Comments and Non-CEQA Issues** and additional information included in **Chapter 2.0, Corrections and Additions**.

3.2 RESPONSES TO COMMENTS RECEIVED ON THE DRAFT DEIR

The original bracketed comment letters and numbered responses are provided on the following pages. Individual comments within each letter are numbered and the response is given a matching number.

DEPARTMENT OF TRANSPORTATION

DISTRICT 7
 100 S. MAIN STREET, MS 16
 LOS ANGELES, CA 90012
 PHONE (213) 266-3574
 FAX (213) 897-1337
 TTY 711
 www.dot.ca.gov



*Making Conservation
 a California Way of Life*

November 20, 2023

City of Los Angeles Department of City Planning
 Attn: Christopher Pina
 Case Number: ENV-2019-3379-EIR
 200 N. Spring Street, Room 667
 Los Angeles, CA 90012

RE: Harbor LA Community Plan Update -
 DEIR (Draft Environmental Impact Report)
 GTS #07-LA-2019-04313
 SCH #2019080248
 Vic. LA Multiple

Dear Cristopher Pina,

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The Proposed Plans include amending General Plan text and Land Use Maps for the Harbor Gateway and Wilmington-Harbor City Community Plans. The Proposed Plans would also adopt several zoning ordinances to implement the updates to the Community Plans, including rezoning all parcels in the CPAs to regulate specific uses and apply development standards (including height of structures, Floor Area Ratios, and site configuration) using the New Zoning Code.

1

The amendments to the Policy Documents and the General Plan Land Use Maps for the Harbor LA Community Plans are intended to guide development through the year 2040 by establishing the City's broad planning goals, policies, and objectives, the arrangement of land uses and intensities, as well as specific development standards for the Harbor LA CPAs. The Proposed Plans are intended to improve the link between land use and transportation in a manner that is consistent with the City's adopted General Plan Framework Element, Mobility Element, Senate Bill 375 (SB 375) and other state laws. In addition, the Harbor LA Community Plans consider incompatible land use patterns and environmental justice issues, consistent with Senate Bill 1000 (SB 1000).

2

No new development would be entitled or built as a direct result of the Proposed Plans. Future development projects would require additional discretionary and/or administrative approvals. These development projects are expected to occur over the next several decades. The exact type, place, and intensity of each new development cannot be assured through the adoption of the Proposed Plans, as the level of activity will be determined largely by private investment in the Harbor LA CPAs and the condition of the local economy.

3

Christopher Pina
November 20, 2023
Page 2

After reviewing the DEIR, Caltrans has the following comments:

The DEIR states that, *"Significant and unavoidable impacts may result from project-specific ramp queuing as growth occurs pursuant to the Proposed Plans. Potential mitigation may include transportation demand management strategies to reduce an individual project's trip generation, investments to active transportation infrastructure, or transit system amenities, and/or operational changes to the ramp terminal such as lane reassignment, traffic signalization, signal phasing or timing modifications, etc. However, without specific information on where safety impacts may occur as a result of freeway off ramp queuing, it is not possible to identify appropriate mitigation measures. Therefore, no feasible mitigation can be identified for the Harbor LA CPAs. It is anticipated that subsequent land use development projects that are seeking approval under the Proposed Plans will be required to study freeway queuing and safety impacts in more detail per the Interim Guidance for Freeway Safety Analysis."*

4

For the project's projected Significant Transportation Impacts, we recommend that as more data, factors, and other information are known, further mitigation measures need to be evaluated and implemented. Should a significant impact be identified, mitigation measures to be considered include TDM measures to reduce a project's trip generation, investments in active transportation or transit system amenities, and/or operational changes to the ramp terminal such as lane reassignment, traffic signalization, signal phasing or timing modifications, etc. It is anticipated that some of the subsequent land use development projects that are seeking approval under the Proposed Plans will be required to conduct a freeway safety impact analysis.

Caltrans approves the planning, design, and construction of modifications for all state-controlled facilities, and the associated interchanges. Freeway segments, freeway ramps and intersections associated with freeway on- and off-ramps fall under Caltrans jurisdiction. For projects that may physically affect facilities under its administration, Caltrans requires encroachment permits before any construction work may be undertaken. This work will require additional review and may be subject to additional requirements to ensure current design standards and access management elements are being addressed.

5

Additionally, Caltrans encourages the Lead Agency to consider potential policies that could best support an integrated network of commercial, office, and new housing that would reduce automobile use, improve equitable access to transit, and employ best practices for environmental sustainability and carbon reduction. With the opportunity to connect residents to key economic corridors and places of education and play, improvements to the pedestrian and bikeway network would close gaps and ensure continuity with existing active transportation and transit infrastructure. The most effective methods to reduce pedestrian and bicyclist exposure to vehicles is through physical design and geometrics. These methods include the construction of physically separated facilities such as Class IV bike lanes, wide sidewalks, pedestrian refuge islands, landscaping, street furniture, and reductions in crossing distances through roadway narrowing.

6

Christopher Pina
November 20, 2023
Page 3

These updates can help the City to identify strategies to provide housing that supports existing and projected needs of the community, as well as Caltrans' targets of tripling trips made by bicycle, doubling trips made by walking and public transit, and a 15% reduction in statewide Vehicle Miles Traveled (VMT). By facilitating residential development with sustainable transit infrastructure, this Plan can engage Californians in shifting towards transit-oriented communities, and help the State meet its policy goals to reduce the number of trips made by driving, Greenhouse Gas (GHG) emissions, and provide for multimodal transport options.

6

We look forward to reviewing future specific projects under this proposed plan to confirm there will be a net reduction in VMT, and if there are any specific transportation impacts, that the proposed mitigation measures are adequate.

7

If you have any questions, please contact project coordinator Anthony Higgins, at anthony.higgins@dot.ca.gov and refer to GTS #07-LA-2019-04313.

Sincerely,

Frances Duong

Frances Duong
Acting LDR/CEQA Branch Chief

Cc: State Clearinghouse

Letter 1 **California Department of Transportation, District 7**
Frances Duong, Acting LDR/CEQA Branch Chief
100 S. Main Street, MS 16
Los Angeles, CA 90012
November 20, 2023

Response 1-1

The commenter provides an overview of the proposed land use changes included in the Proposed Plans. The comment is noted. No further response is required.

Response 1-2

The commenter further summarizes the Proposed Plans' intentions related to future development and consistency with other policy documents for the region. The comment is noted. No further response is required.

Response 1-3

The commenter acknowledges that the Proposed Plans would not directly result in new development, and that future development would be required to obtain the appropriate approvals prior to construction activities. The comment is noted. No further response is required.

Response 1-4

The commenter references page 4.15-64 of the EIR and suggests that subsequent land use development projects may require further mitigation measures including, but are not limited to, TDM measures to reduce a project's trip generation, investments in active transportation or transit system amenities, and/or operational changes to the ramp terminal such as lane reassignment, traffic signalization, and signal phasing or timing modifications. The Project includes plan level documents, and no specific improvements are proposed at this time. As stated on page 4.15-64, the EIR does not identify specific mitigation measures as the timing of future projects is unknown. The EIR does not identify the commenter's recommendations as potential mitigation measures for future development projects because, firstly the City already has an existing TDM Ordinance applicable to certain non-residential projects in the City and has been preliminarily approved by the City's Planning and Land Use Management Committee to be updated to include applicability to all future development projects. Secondly, as individual projects are identified, individual measures will be developed appropriate to each project including as necessary the City working with Caltrans to identify project specific mitigation measures as appropriate.

Response 1-5

The commenter notes that future projects that affect Caltrans facilities may require additional permitting and would be subject to additional review by Caltrans prior to construction. The Project includes plan level documents, and no specific improvements are proposed at this time. See also Response 1-4 above.

Response 1-6

The commenter suggests adding policies to support an integrated network, including pedestrian and bicycle policies and strategies to reduce VMT and GHG emissions and to help the City identify development strategies for the future. Citywide transportation and mobility policies are addressed in the General Plan, specifically Mobility Plan 2035, and the Proposed Plans build on that document as appropriate. As discussed on pages 4.15-50 through 4.1-61 of the EIR, the City currently addresses trip reduction and TDM on a Citywide basis per LAMC Section 12.26 J. However, traditional TDM strategies do not substantially alleviate heavy duty trucks such as those associated with Port related trips. Therefore, the suggestions would not substantially reduce impacts compared to the impacts identified in the EIR. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment relates to the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and forwarded to the decision-makers for their consideration prior to taking action on the Proposed Plans.

Response 1-7

The commenter indicates that they will review future projects to confirm there will be a net reduction in VMT and adequate mitigation measures. As individual projects are identified, the City will work with Caltrans to identify project specific mitigation measures as appropriate.



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

November 20, 2023

Christopher Pina
City of Los Angeles, Department of City Planning
200 North Spring Street, Room 667
Los Angeles, CA 90012
Sent by Email: planning.harborlaplans@lacity.org

RE: Harbor Los Angeles Community Plans Update
Notice of Availability of Environmental Impact Report (EIR)

Dear Mr. Pina:

Thank you for coordinating with the Los Angeles County Metropolitan Transportation Authority (Metro) regarding the proposed Harbor LA Community Plans Update (Plan) located in the City of Los Angeles (City). Metro's mission is to provide a world-class transportation system that enhances quality of life for all who live, work, and play within Los Angeles County. As the County's mass transportation planner, builder and operator, Metro is constantly working to deliver a regional system that supports increased transportation options and associated benefits, such as improved mobility options, air quality, health and safety, and access to opportunities.

Per Metro's area of statutory responsibility pursuant to sections 15082(b) and 15086(a) of the Guidelines for Implementation of the California Environmental Quality Act (CEQA: Cal. Code of Regulations, Title 14, Ch. 3), the purpose of this letter is to provide the City with specific detail on the scope and content of environmental information that should be included in the Environmental Impact Report (EIR) for the Project. Effects of a project on transit systems and infrastructure are within the scope of transportation impacts to be evaluated under CEQA.¹

Plan Description

The Plan includes amending both the text and the General Plan Land Use Maps for the Harbor Gateway and Wilmington-Harbor City Community Plans. The amendments are intended to guide development through the year 2040 by establishing the City's broad planning goals, policies, and specific development standards for the Harbor LA CPAs.

1

2

Harbor LA Community Plan Updates
 Notice of Availability – Metro Comments
 November 20, 2023

Recommendations for EIR Scope and Content

Transit Services and Facilities

The Plan and EIR should include updated information on existing and planned transit services and facilities within the Plan area. In particular, Metro's NextGen Bus Plan (completed in December 2021) should be used as a resource to determine the location of high-frequency bus services and stops within the Plan area. For more information, visit the NextGen Bus Plan's website at <https://www.metro.net/projects/nextgen/>. In addition, the Plan and EIR should include stations for all rail lines that are existing and under construction. Please refer to Metro's 2020 Long Range Transportation Plan and Measure M Expenditure Plan.

3

Adjacency to Metro-owned Right-of-Way (ROW) and Facilities

The Plan area includes Metro-owned ROW and transit facilities for Metro Rail and Metro Bus. These lines include the C Line and J Line. Buses and trains operate 24 hours a day, seven days a week in these facilities. The EIR's transportation section should analyze potential impacts on Metro and Metrolink facilities within the Plan area, and identify mitigation measures or project design features as appropriate. Metro recommends reviewing the Metro Adjacent Development Handbook (available at <https://www.metro.net/devreview>) to identify issues and best practices for development standards arising from adjacency to Metro infrastructure.

4

Vermont Transit Corridor

The Vermont Transit Corridor is a Measure M project with an expected opening date of Fiscal Year (FY) 2028 to FY 2030. The Vermont Transit Corridor extends approximately 12.4 miles from Hollywood Boulevard to 120th Street. The Measure M Expenditure Plan includes \$425 million for the Vermont project. The Vermont Transit Corridor project could include a premium Bus Rapid Transit (BRT) service featuring dedicated bus lanes, enhanced stations with passenger amenities, off-vehicle fare payment and/or all-door boarding, vehicle and station branding, as well as other capital and operating improvements.

In April 2019, the Metro Board of Directors (Board) directed staff to environmentally clear several BRT concepts as well as several rail alternatives including, one Light Rail Transit (LRT), and two Heavy Rail Transit (HRT) concepts. In 2022, Metro partnered with community-based organizations, faith-based groups, and local neighborhood groups to solicit feedback about the types of improvements that should be planned for the Vermont Transit Corridor (VTC) Project.

5

Metro recommends that the Plans consider appropriate and compatible uses along the Vermont corridor that would accommodate future transit system improvements and location of passenger amenities to serve the area. Please contact Fulgene Asuncion, Project Manager, for more information on this project, at asuncionf@metro.net. The project website is at <https://www.metro.net/projects/vermont-corridor/>.

Transit Orientation Considerations

Considering the Plan area’s inclusion of the C and J Lines as well as several key bus lines, Metro would like to identify the potential synergies associated with transit-oriented development:

1. Land Use: Metro supports development of commercial and residential properties near transit stations and understands that increasing development near stations represents a mutually beneficial opportunity to increase ridership and enhance transportation options for the users of developments. Metro encourages the City to be mindful of proposed developments in proximity to Metro Rail stations, including orienting pedestrian pathways towards the station. 6
2. Transit Connections and Access: Metro strongly encourages the City to install Project features that help facilitate safe and convenient connections for pedestrians, people riding bicycles, and transit users to/from the proposed development site and nearby destinations. The City should consider requiring the installation of such features as part of the Plan’s development standards, including:
 - a. Walkability: The provision of wide sidewalks, pedestrian lighting, a continuous canopy of shade trees, enhanced crosswalks with ADA-compliant curb ramps, and other amenities along all public street frontages of the development site to improve pedestrian safety and comfort to access Metro Rail stations and Metro Bus stops. 8
 - b. Bicycle Use and Micromobility Devices: The provision of adequate short-term bicycle parking, such as ground-level bicycle racks, and secure, access-controlled, enclosed long-term bicycle parking for residents, employees, and guests. Bicycle parking facilities should be designed with best practices in mind, including highly visible siting, effective surveillance, ease to locate, and equipment installation with preferred spacing dimensions, so bicycle parking can be safely and conveniently accessed. Similar provisions for micro-mobility devices are also encouraged. The City should also coordinate with the Metro Bike Share program to explore potential Bike Share stations in the Plan area. 9
 - c. First & Last Mile Access: The City should address first-last mile connections to transit and is encouraged to support these connections with wayfinding signage inclusive of all modes of transportation. For reference, please review the First Last Mile Strategic Plan, authored by Metro and the Southern California Association of Governments (SCAG), available on-line at:
http://media.metro.net/docs/sustainability_path_design_guidelines.pdf. 10
3. Parking: Metro encourages the incorporation of transit-oriented, pedestrian-oriented parking provision strategies such as the reduction or removal of minimum parking requirements and the 11

Harbor LA Community Plan Updates
Notice of Availability – Metro Comments
November 20, 2023

exploration of shared parking opportunities. These strategies could be pursued to reduce automobile-orientation in design and travel demand.

11


4. Wayfinding: Wayfinding signage should be considered as part of the Plan to help people navigate through the Plan area to all modes of transportation. Any temporary or permanent wayfinding signage with content referencing Metro services or featuring the Metro brand and/or associated graphics (such as Metro Bus or Rail pictograms) requires review and approval by Metro Signage and Environmental Graphic Design.

12

Metro looks forward to continuing to collaborate with the City to effectuate policies and implementation activities that promote transit oriented communities. If you have any questions regarding this letter, please contact me by phone at 213.418.3484, by email at DevReview@metro.net, or by mail at the following address:

Metro Development Review
One Gateway Plaza, MS 99-22-2
Los Angeles, CA 90012-2952

Sincerely,



Shine Ling, AICP
Senior Manager, Development Review Team
Transit Oriented Communities

Attachments and links:

- Adjacent Development Handbook: <https://www.metro.net/projects/devreview/>

Letter 2 **LA Metro**
Shine Ling, AICP 2785
One Gateway Plaza
Los Angeles, CA 90012-2952
November 20, 2023

Response 2-1

The commenter provides an introduction to the Los Angeles Metropolitan Transportation Authority's (LA Metro's) detailed comments, which are addressed below. No further response is required.

Response 2-2

The commenter acknowledges that the Proposed Plans would amend the text and the General Plan Land Use Maps for the Harbor LA CPAs. The comment is noted. No further response is required.

Response 2-3

The commenter suggests that the EIR should include updated information on the existing and planned transit services and facilities within the Harbor LA CPAs. The *NextGen Bus Plan* (December 2021), prepared by LA Metro, has been reviewed for this Final EIR. References to planned transit services and stops within the CPAs have been identified and added in Section 4.15, Transportation and Traffic (page 4.15-57), as shown in **Chapter 2.0, Corrections and Additions**. However, these revisions do not affect the EIR analysis or conclusions.

Response 2-4

The commenter suggests that the EIR should include an analysis of potential impacts on Metro and Metrolink facilities within the Harbor LA CPAs and identify mitigation measures as appropriate. The Project includes plan level documents and analyzes the reasonably foreseeable anticipated development at a planning level. As discussed in **Section 4.15, Transportation and Traffic**, there is a minimal amount of bus enhancements that have been identified in the CPAs. As individual projects are proposed and move forward, it may be appropriate for Metro to adjust bus routes. However, the EIR does not identify specific mitigation measures as the timing of future projects are unknown. However, as future projects are identified the City will work with Metro to identify project specific mitigation measures as appropriate.

Response 2-5

The commenter provides a summary of the Vermont Transit Corridor and recommends that the Proposed Plans consider compatible uses for properties located along the planned corridor. Please see **Master**

Response 1: General Comments and Non-CEQA Issues. The Vermont Transit Corridor Project is included in the Southern California Association of Governments (SCAG) projections in the 2020-2045 Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS) and the 2024-20-50 RTP/SCS. As stated on pages 4.15-43 through 4.15-45 of the EIR, the Proposed Plans are long-term plans that will be implemented over many years in conjunction with other approved and reasonably foreseeable plans and projects. The Vermont Transit Corridor Project is included as part of the cumulative analysis for the Proposed Plans. In addition, comments regarding the appropriate uses in areas adjacent to transportation infrastructure are related to the Proposed Plans and do not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 2-6

The commenter expresses support for commercial and residential developments near transit and encourages the City to incorporate pedestrian pathways to transit stations. The comment is noted. No further response is required.

Response 2-7

The commenter encourages the installation of safety features to facilitate safe connections for pedestrians, bicyclists, and transit users. As stated on page 4.15-61 of the EIR, the Proposed Plans would implement a new bicycle lane on Anaheim Street that would not introduce new safety hazards or incompatible uses at intersections or along roadway segments, as it would be designed to balance the needs of all users. Additionally, the Proposed Plans would promote a bicycle and pedestrian environment that focuses on prioritizing pedestrian safety and increased bicycle infrastructure to help minimize conflicts between pedestrians and vehicles.

Response 2-8

The commenter provides system wide design features recommendations to improve pedestrian safety and access to Metro's transit facilities. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The system wide features are outside the purview of the Proposed Plans and do not address significant environmental issues or adequacy of the environmental analysis in the EIR. Citywide transportation and mobility policies are addressed in the General Plan, specifically Mobility Plan 2035, and the Proposed Plans build on that document as appropriate. The commenter's recommendations are related to City policies and do not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 2-9

The commenter provides system wide best practice for designing future bicycle and micro-mobility parking facilities in the Harbor LA CPAs. Please see **Response 2-8**.

Response 2-10

The commenter provides system wide recommendations for wayfinding signage to address first-last mile connections to transit. Please see **Response 2-8**. Policy 1.18 of the Harbor Gateway Plan would implement wayfinding signage as a design feature to connect transit to the heart of the Harbor Regional Center.

Response 2-11

The commenter provides system wide recommendations for transit-oriented and pedestrian-oriented parking provisions. Please see **Response 2-8**.

Response 2-12

The commenter provides system wide recommendations for wayfinding signage. Please see **Responses 2-8 and 2-10**.



**LOS ANGELES COUNTY
SANITATION DISTRICTS**
Converting Waste Into Resources

Robert C. Ferrante

Chief Engineer and General Manager

1955 Workman Mill Road, Whittier, CA 90601-1400

Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998

(562) 699-7411 • www.lacsd.org

November 8, 2023

Ref. DOC 7035166

VIA EMAIL planning.harborlaplans@lacity.org

Mr. Christopher Pina
City of Los Angeles Department of City Planning
Case Number: ENV-2019-3379-EIR
200 N. Spring Street, Room 667
Los Angeles, CA 90012

Dear Mr. Pina:

NOA Response to Harbor LA Community Plans Update

The Los Angeles County Sanitation Districts (Districts) received a Notice of Availability (NOA) of a Draft Environmental Impact Report (DEIR) for the subject project located in the City of Los Angeles (City) on September 22, 2023. The proposed project is located within the jurisdictional boundaries of District Nos. 05 and 08. We offer the following comments regarding sewerage service:

1. **Section 4.17.3 Solid Waste**, Solid Waste Conveyance Infrastructure, *page 4.17-66*: The first paragraph states that “Commerce Refuse to Energy and the Southeast Resource Recovery are alternate solid waste disposal methods that help extend the landfill capacity by converting solid waste to energy that is sold to local utility companies.” Please note that Commerce Refuse to Energy Facility was permanently closed on June 26, 2018.
2. The wastewater generated by the Harbor Gateway Community Plan Area and Wilmington-Harbor City Community Plan Area could be treated at the A.K. Warren Water Resource Facility located in the City of Carson, which has a capacity of 400 million gallons per day (mgd) and currently processes an average flow of 243.1 mgd.
3. The Districts own, operate, and maintain the large trunk sewers that form the backbone of the regional wastewater conveyance system. Local collector and/or lateral sewer lines are the responsibility of the jurisdiction in which they are located. As such, the Districts cannot comment on any deficiencies in the sewerage system in the City except to state that presently no deficiencies exist in Districts’ facilities that serve the City.
4. The Districts should review all future individual developments within the City to determine whether or not sufficient trunk sewer capacity exists to serve each development and if Districts’ facilities will be affected by the development. This is accomplished through the Districts’ Will Serve Program. Information for which can be found on our website at [Will Serve Program](#).
5. In order to estimate the volume of wastewater all future development will generate, go to www.lacsd.org, under Services, then Wastewater Program and Permits and select Will Serve Program, and then click on the [Table 1, Loadings for Each Class of Land Use](#) link for a copy of the Districts’ average wastewater generation factors.

Mr. Christopher Pina

2

November 8, 2023

6. The Districts are empowered by the California Health and Safety Code to charge a fee to connect facilities (directly or indirectly) to the Districts' Sewerage System or to increase the strength or quantity of wastewater discharged from connected facilities. This connection fee is used by the Districts for its capital facilities. Payment of a connection fee may be required before future individual development is permitted to discharge to the Districts' Sewerage System. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, under Services, then Wastewater (Sewage) and select Rates & Fees. In determining the impact to the Sewerage System and applicable connection fees, the Districts will determine the user category (e.g. Condominium, Single Family Home, etc.) that best represents the actual or anticipated use of the parcel(s) or facilities on the parcel(s) in the development. For more specific information regarding the connection fee application procedure and fees, please contact the Districts' Wastewater Fee Public Counter at (562) 908-4288, extension 2727.
7. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service but is to advise the City that the Districts intend to provide this service up to the levels that are legally permitted and to inform the City of the currently existing capacity and any proposed expansion of the Districts' facilities.

7

8

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2742, or phorsley@lacsd.org.

Very truly yours,

Patricia Horsley

Patricia Horsley
Environmental Planner
Facilities Planning Department

PLH:plh

Letter 3 **Los Angeles County Sanitation Districts**
Patricia Horsley, Environmental Planner, Facilities Planning Department
1955 Workman Mill Road
Whittier, CA 90607
November 8, 2023

Response 3-1

The commenter provides an introduction to the Los Angeles County Sanitation Districts' (Districts) detailed comments, which are addressed below. No further response is required.

Response 3-2

The commenter states that the Commerce Refuse to Energy and the Southeast Resource Recovery center that is referenced on page 4.17-66 of the EIR was permanently closed on June 26, 2018. References to the center are removed from **Section 4.17, Utilities and Service Systems** (page 4.17-66) of the EIR as shown in **Chapter 2.0, Corrections and Additions**. These revisions do not affect the EIR analysis or conclusions.

Response 3-3

The commenter clarifies the Harbor LA CPAs' wastewater could be treated at the A.K. Warren Water Resource Facility and provides the facility's treatment capacity and average daily flow of wastewater. Discussions of the A.K. Warren Water Resource Facility are added to **Section 4.17, Utilities and Service Systems** (page 4.17-40 and 4.17-59) of the EIR as shown in **Chapter 2.0, Corrections and Additions**. These revisions do not affect the EIR analysis or conclusions.

Response 3-4

The commenter states that presently there are no deficiencies with the Districts' facilities that serve the CPAs. The comment is acknowledged. No further response is required.

Response 3-5

The commenter states that the District should review all future individual projects to determine whether there is sufficient trunk sewer capacity. As stated in **Section 4.17, Utilities and Service Systems** (page 4.17-43), the Los Angeles Sanitation and Environment (LASAN) is responsible for determine the sewer capacity availability for new sewer connections. The precise location and connection would need to be determined at the time development is proposed. Should any new connections or upgrades be required, such upgrades would be subject to subsequent environmental review. Any future line size modifications or connections would be designed in accordance with applicable provisions of the Municipal Code.

Response 3-6

The commenter provides information regarding the Districts' wastewater generation rates for each class of land use. The Districts rates do not include industrial uses, an important component of the Harbor LA Plans. As show in **Table 4.17-14, 2020 UWMP Daily Wastewater Generation Rates, Existing (2019) and Future (2040) Estimated Wastewater Generation for the Harbor LA CPAs**, of the EIR, provides estimated wastewater generation rates based on 100% indoor water use identified in the 2020 Urban Water Management Plan. These are programmatic estimates. Future projects will be subject to subsequent wastewater generation calculations. The comment does not identify the potential for new physical environmental impacts not addressed in the EIR, and no specific response is required. The comment will be included as part of the record and forwarded to the decision-makers for their review and consideration prior to any action being taken on the Proposed Plans.

Response 3-7

The commenter provides information regarding the Districts' connection fees for future development projects. As stated on page 4.17-51 of the EIR, Los Angeles Municipal Code (LAMC) Sections 64.11 and 64.12 require approval of a sewer permit, also called an "S" Permit, prior to connection to the wastewater system. LAMC Sections 64.11.2 and 64.16.1 require the payment of fees for new connections to the City's sewer system to assure the sufficiency of sewer infrastructure. The Project includes plan level documents, and no specific improvements are proposed at this time. The comment does not identify the potential for new physical environmental impacts not addressed in the EIR, and no specific response is required. The comment will be included as part of the record and forwarded to the decision-makers for their review and consideration prior to any action being taken on the Proposed Plans.

Response 3-8

The commenter states that the comment letter does not constitute a guarantee of service. As stated on page 4.13-30 of the EIR, the Proposed Plans emphasizes development along transit corridors consistent with City, and SCAG policy directions. The corridor-focused approach to concentrating new development is also consistent with State policies aimed at meeting housing needs while reducing vehicle trips and improving air quality. As a result, the proposed land use and zoning changes included in the Proposed Plans would allow the City to better accommodate projected population increases and housing demand. The City addresses the SCAG growth forecasts on a citywide basis and the Proposed Plans are intended to accommodate appropriate growth specifically for the Harbor LA CPAs. The Proposed Plans would expand the development capacity of the CPAs in a manner consistent with SCAG policies and is not intended or forecasted to create growth beyond the SCAG regional growth forecasts.



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

November 17, 2023

planning.harborlaplans@lacity.org

Christopher Pina, City Planner

Case Number: ENV-2019-3379-EIR

City of Los Angeles Department of City Planning

200 N. Spring Street, Room 667

Los Angeles, CA 90012

Draft Environmental Impact Report (EIR) for Harbor LA Community Plans Update Project (ENV-2019-3379-EIR) (Proposed Project) (SCH No. 2019080248)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to review the above-mentioned document. The City of Los Angeles is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comment.

South Coast AQMD Staff's Summary of Project Information in the Draft EIR

Based on the Draft EIR, the Proposed Project consists of amendments to the Harbor Gateway and Wilmington-Harbor City Community Plans, collectively referred to as the Harbor LA Community Plans. These two communities are located in the southern portion of the City of Los Angeles (City) in the harbor area.¹ Community Plans are typically considered a portion of the Land Use Element of the City's General Plan. The Land Use Element helps establish long-range strategies to accommodate the City's projected growth. The City's Land Use Element is comprised of 35 community plans.

Specifically, the Proposed Project consists of amendments to both the text of the policy documents and the General Plan Land Use Maps contained in the Harbor LA Community Plans. The areas of the Harbor Gateway and Wilmington-Harbor City community plans are geographically continuous to each other and encompass a total area of 15.3 square miles.² The Proposed Project, by serving as a regulatory document that will guide future development of the Proposed Project area through the year 2040,³ will aid in accommodating projected future growth in housing demand, population, and employment.⁴ The Proposed Project area is roughly bounded by 120th Street to the north, the cities of Gardena, Torrance, Lomita and Rancho Palos Verdes to the west, the cities of Carson and Long Beach to the east, and the City of San Pedro and the Port of Los Angeles to the south.⁵ Construction is projected to commence in 2024 and end in the buildout year of 2040.⁶ During this period, the Proposed Project anticipates new development of up to 47,202 housing units, a population increase of up to 161,345 individuals, and an employment increase of up to 62,339 individuals.⁷

1

South Coast AQMD Staff's Comments

¹ Draft EIR. 2.0 Executive Summary. Page 2.0-1.

² *Ibid.* 3.0 Project Description. Page 3.0-6.

³ *Ibid.* 2.0 Executive Summary. Page 2.0-1.

⁴ *Ibid.* 3.0 Project Description. Page 3.0-14.

⁵ *Ibid.* 3.0 Project Description. Page 3.0-5.

⁶ *Ibid.* 3.0 Project Description. Page 3.0-47 through 3.0-48.

⁷ *Ibid.* 3.0 Project Description. Page 3.0-29.

Christopher Pina, City Planner

November 17, 2023

Information on the Community Emissions Reduction Plan (CERP) for the Designated Assembly Bill (AB) 617 Wilmington, Carson, West Long Beach (WCWLB) Community

The Proposed Project is located in an area that includes the AB 617-designated WCWLB community, which is heavily impacted by air pollution generated from sources such as ports, refineries, oil and gas facilities, heavy-duty diesel trucks, warehouses, and railroad activities. As part of the AB 617 process, South Coast AQMD has worked with a Community Steering Committee (CSC) and developed a CERP that identifies air quality priorities and related actions to reduce air pollution in the WCWLB community. The South Coast AQMD Governing Board adopted the WCWLB CERP on September 6, 2019.⁸ The Lead Agency is recommended to review the WCWLB CERP, in particular the Chapter 5 - Actions to Reduce Air Pollution and incorporate into the Final EIR the applicable measures to reduce air quality impacts from the Proposed Project. The WCWLB CERP is available here: <https://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/wilmington/cerp/final-cerp-wcwlb.pdf>. The Lead Agency is also recommended to explore whether additional measures to mitigate or further reduce emissions can be incorporated into the Final EIR in support of the objectives outlined in the WCWLB CERP.

Conclusion

As set forth in California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(a-b), the Lead Agency shall evaluate comments from public agencies on the environmental issues and prepare a written response at least 10 days prior to certifying the Final EIR. As such, please provide South Coast AQMD written responses to all comments contained herein at least 10 days prior to the certification of the Final EIR. In addition, as provided by CEQA Guidelines Section 15088(c), if the Lead Agency's position is at variance with recommendations provided in this comment letter, detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted must be provided.

Thank you for the opportunity to provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Evelyn Aguilar, Air Quality Specialist, at aguilar@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang

Program Supervisor, CEQA IGR

Planning, Rule Development & Implementation

BR:DT:SW:EA
LAC230927-05
Control Number

⁸ South Coast AQMD. September 2019. Assembly Bill 617 Wilmington, West Long Beach, Carson Community Emissions Reduction Plan. Accessed at: <https://www.aqmd.gov/docs/default-source/ab-617-ab-134/steering-committees/wilmington/cerp/final-cerp-wcwlb.pdf>.

Letter 4 **South Coast Air Quality Management District**
Sam Wang, Program Supervisor, CEQA IGR
21865 Copley Drive
Diamond Bar, CA 91765
November 17, 2023

Response 4-1

The commenter provides an introduction to the South Coast Air Quality Management District's (SCAQMD) detailed comments, which are addressed below. The commenter provides a summary of the Proposed Plans. The comment is noted. No further response is required.

Response 4-2

The commenter did not identify a deficiency in the draft EIR impact analysis and conclusions or mitigation measures, but does recommend that the Lead Agency review the Wilmington, Carson, West Long Beach (WCWLB) Community Emissions Reduction Plan (CERP) to identify potential mitigation measures to be implemented by future development projects resulting from the Proposed Plans. The impact analysis for air quality impacts prepared for the EIR was completed in accordance with CEQA guidance established by the SCAQMD and is found on pages 4.23 through 4.2-65 of the Draft EIR. The Draft EIR concluded significant and unavoidable impacts for regional construction and operational activities as well as significant and unavoidable operational impacts related to TAC emissions associated with distribution centers and warehousing. The City reviewed the CERP to determine if any measures would provide feasible mitigation measures to reduce the EIR's identified significant and unavoidable air quality impacts to less than significant.

As background, development of a CERP in accordance with AB 617 is a separate process unrelated to the air quality impact analysis prepared for the EIR in accordance with the CEQA regulations. The CERP Actions are designed to address existing air quality issues and are specifically relevant to the air district's authority rather than a city and/or applicant's responsibility. The focus of the CERP primarily involves coordination between the District and the Community Steering Committee (CSC) to develop progress reports and track the efficacy of the community actions. To further reduce exposure of sensitive receptors to concentrations of toxic air contaminants (TACs), a new mitigation measure is added to page 4.2-59 of the EIR to require coordination with SCAQMD in AB 617 areas, as shown in **Chapter 2.0, Corrections and Additions**.

Published in September 2019, the Final CERP for the WCWLB area contains new community-level actions to reduce emissions of air pollutants and corresponding exposures of individuals within these AB 617 neighborhoods. The Final CERP recognized that implementation of statewide mobile source actions such

as the CARB Shore Power for Ocean-Going Vessels At-Berth Rule, Advanced Clean Truck Rule, Heavy-Duty Low NOx Rule, and Heavy-Duty Inspection and Maintenance program will contribute to reducing the pollution burden on these communities in the future. From a regulatory standpoint, mobile source regulations are promulgated at the state level by the CARB, and stationary and area source regulations are administered and enforced by the SCAQMD. Additionally, the CARB Truck and Bus Regulation requires that a vast majority of the heavy-heavy-duty truck fleet within the state meet 2010 USEPA emissions standards beginning in 2023.

Beyond regulatory requirements, the CERP outlines 18 new Actions to Reduce Community Air Pollution from various emissions sources located within and near the WCWLB community that collectively are forecasted to reduce NOx emissions by 3,207 tons per year and reduce diesel particulate matter emissions by 22 percent by 2030. The CERP actions are categorized by general source types such as Refineries, Ports, Neighborhood Truck Traffic, Oil Drilling and Production, Railyards, and Schools, Childcare Centers, and Homes.

Metal Processing Facilities, Rendering Facilities, and Auto Body Shops, as well as actions to reduce pollution exposures at especially vulnerable sensitive receptors such as schools, childcare centers, community centers, libraries, and public housing projects. The CERP also addresses general community concerns about industrial facilities, including waste transfer stations. The CERP proposed actions are identified below. Many of these measures are outside the City's authority over development projects implemented under the updated Harbor Community Plans and its implementing zoning ordinances. These include the following:

Refineries

- **Priorities:** Flaring Events and Refinery Process Equipment.
 - **Action 1: Improve Refinery Flaring Notifications**
 - Work with stakeholders, including the CSC, to gather input on identifying specific information to include in the notifications (e.g., access to fence line and community air monitoring data, and ways to reduce exposure to flaring emissions).
 - Work with local public health departments to develop informational outreach materials for the community to describe the risks posed by emissions from refinery flaring, and how to reduce exposures
 - Hold workshops in the community to provide information on flaring and training on how to

use these notification systems

- Provide flare emissions data in a user-friendly format on the SCAQMD's website and/or the mobile application
- Collaborate with community-based organizations and others on community air monitoring efforts.
- **Action 2: Conduct Refinery Air Measurements to Identify and Address volatile organic compound (VOC) Leaks.**
 - Conduct periodic mobile air measurement surveys and FLIR gas imaging in and around refineries.
 - Utilize more efficient and effective leak detection systems known as advanced measurement techniques (Smart LDAR), such as Fourier transform infrared spectroscopy (FTIR), Ultraviolet Differential Optical Absorption Spectroscopy (UVDOAS), Solar Occultation Flux (SOF) and infrared cameras, to identify, quantify, and locate VOC leaks in real time, allowing for faster repair in a manner that is less time consuming, labor intensive, and potentially more comprehensive than traditional LDAR .
- **Action 3: Initiate Rule Development to Amend Rule 1118 – Control of Emissions from Refinery Flares.**
 - Compile the number of Rule 1118 flare events at each refinery from 2008 to 2018 and share results with CSC
 - Evaluate additional methods and practices to further reduce flaring events (e.g., methods to reduce power failures), including the consideration of existing scoping documents submitted for Rule 1118 requirements.
 - Develop amendments to Rule 1118 to further reduce flaring, for example, consider additional provisions that require:
 - Lower performance targets and/or increased mitigation fees;
 - Increased capacity of vapor recovery systems to store gases during shutdowns;
 - Header modification for gas diversion with process controls;

- Back-up power systems for key process units;
 - Remote optical sensing for flare emissions characterization;
 - Lower-emission flaring technologies; and
 - Additional flare minimization plans for all refineries
- Develop an improved system for refineries to submit flare emission data, and display data on South Coast AQMD's webpage for easy public access
- **Action 4: Initiate Rule Development to Amend Rule 1178 – Further Reductions of VOC Emissions from Storage Tanks at Petroleum Facilities.**
 - Compile storage tank information (e.g., universe, volume, content, etc.) and share results with CSC.
 - Based on results of the air monitoring conducted as part of Action #2, evaluate the feasibility of improving leak detection and repair programs using Smart LDAR, such as, infrared cameras and optical remote sensing for earlier detection and quicker repair of leaks from storage tanks at refineries through amendments to Rule 1178.
 - Develop proposed amendments to Rule 1178 that consider the following requirements to further VOC emission reductions from refinery storage tanks:
 - Increase frequency of visual inspections of seals and gaskets;
 - Require use of enhanced leak detection tools (e.g., forward-looking infrared (FLIR) cameras and optical remote sensing) to further identify more quickly and mitigate leak emissions from storage tanks at refineries;
 - Annual third-party audits (to be selected by the South Coast AQMD); and
 - Other leak prevention and emission reduction technologies including domed roofs
 - Explore opportunities to incorporate new, advanced tools to modernize and improve LDAR programs for storage tanks at refineries.

- **Action 5: Achieve Further NO_x Emission Reductions from Refinery Equipment Through Adoption of Rule 1109.1 – Refinery Equipment.**
 - Evaluate the technical feasibility and cost-effectiveness of BARCT to reduce NO_x emissions from refinery equipment including existing boilers, heaters, gas turbines, fluid catalytic cracking units, sulfur recovery units, incinerators, and a coke calciner.
 - Require the installation of BARCT through the adoption of Rule 1109.1.
 - Explore opportunities to replace older equipment with newer, more efficient, and less emitting equipment with pollutant co-benefits.
 - Incorporate new, advanced tools to assist in more efficient operation of equipment at refineries.
 - Engage the CSC in the rulemaking process, with regular updates to the CSC and possible rule working group meetings in the community

Ports

- **Action 1: Reduce Leaks from Oil Tankers.**
 - Use optical gas imaging technology, air measurements, and other available emissions information to identify potential fugitive emission leaks from oil tankers and conduct targeted enforcement of Rule 1142 – Marine Tank Vessel Operations.
 - Evaluate opportunity to amend South Coast AQMD Rule 1142 to require marine vessels to calibrate and maintain pressure relief devices and require recordkeeping, with the goal of minimizing fugitive emission leaks.
- **Action 2: Reduce Emissions from Ships and Harbor Craft.**
 - Work with the Ports to engage in outreach to shipping lines and harbor craft owners to provide information about existing and new incentive programs for cleaner technologies for ships and harbor craft.
 - Identify additional incentive funding opportunities to accelerate adoption of cleaner technologies for ships and harbor craft.
 - Conduct demonstration projects for retrofit technologies for ships and harbor craft to inform

the development of new incentive programs.

- Support CARB's rule development for the proposed At-Berth Regulation and future updates to Commercial Harbor Craft Regulation.
- **Action 3: Reduce Emissions from Port Equipment (Cargo Handling Equipment) and Drayage Trucks.**
 - Support CARB's rule development for future updates to Cargo Handling Equipment Regulation, Drayage Truck Regulation, development of a mandatory near-zero standard for heavy-duty trucks and encourage CARB to adopt zero-emission requirements by 2035 or sooner.
 - Support Ports' implementation of Clean Air Action Plan (CAAP) measures for trucks and cargo handling equipment.
 - Enforcement of existing Drayage Truck Regulation.
 - Identify additional incentive funding opportunities to accelerate adoption of cleaner port equipment and drayage trucks.
 - Continue developing Facility Based Mobile Source Measure (FBMSM) for Ports through a Memorandum of Understanding (MOU).

Railyard

- **Action 1: Reduce Emissions from Railyards**
 - Pursue strategies to reduce air pollution from railyards through the development of Indirect Source Rule (ISR) requirements, including reducing localized emissions and exposures.
 - Work with CARB on the development of new requirements to reduce air pollution from railyards.
 - Work with local utilities and state agencies (e.g., California Energy Commission and the Public Utilities Commission) to encourage the installation of infrastructure needed to fuel/charge zero-emissions vehicles and equipment.
 - Continue to support CARB's petition to the U.S. EPA for new national locomotive.

- Work with railyards in the Wilmington, Carson, and West Long Beach community to replace diesel fueled equipment with cleaner technologies.
- Use emissions inventory and air monitoring information to identify opportunities for emission reductions.

Schools, Childcare Centers, Community Centers, and Homes.

- **Action 1: Reduce Exposure to Harmful Air Pollutants through Public Outreach to Schools and Childcare Centers.**
 - Provide air quality related programs to schools, including the Environmental Justice Community Partnership (EJCP) Clean Air Ranger Education (CARE) program and Why Air Quality Matters (WHAM) program.
 - Partner with local school districts to provide information on programs such as Safe Routes to School or ridesharing.
 - Partner with community-based organizations to share information or engage in outreach to schools for asthma related programs.
 - If funding sources and partnering agencies are identified, work with appropriate agencies to implement direct public health interventions (e.g., asthma management programs)
 - Partner with the Los Angeles County and City of Long Beach Departments of Public Health on providing information on how to receive air quality advisories, and how to reduce exposure to air pollution, particularly for sensitive populations.
- **Action 2: Reduce Exposure to Harmful Air Pollutants at Schools.**
 - Continue the installation of school air filtration systems iii with priority given to schools near truck routes, railyards, and/or major freeways.
 - Explore opportunities for additional schools and funding to provide filter replacements for schools already equipped with high efficiency filtration systems.

Measures Related to Truck Traffic

Neighborhood Truck Traffic

- **Action 1: Reduce Truck Idling.**
 - Conduct focused enforcement for idling trucks in high traffic areas with the highest priority for areas near schools and residential areas.
 - Other areas prioritized by the CSC include areas near distribution centers, high traffic corridors on Wilmington Avenue, Lomita Boulevard, Santa Fe Avenue, Figueroa Street, Pacific Coast Highway, Anaheim Street, Harry Bridges Boulevard, the Alameda corridor, and Lakme Avenue.
 - Collaborate with the CSC to inform community members how to report idling trucks.
 - Engage in community outreach on existing city, CARB, and South Coast AQMD complaint systems on reporting idling trucks.
 - If existing complaint/response system is determined to be ineffective, assess where improvements are feasible.
 - Work with CARB and local entities or agencies to establish “no truck idling” signage with locations prioritized by the CSC and work to assess the feasibility of sign placement.
- **Action 2: Reduce Emissions from Heavy-Duty Trucks.**
 - Collaborate with local businesses, agencies, and organizations and engage in outreach to truck owners and operators in this community to provide information about available incentive programs, community ordinances, restricted truck routes, and trucking regulations.
 - Identify additional and new incentive funding opportunities to replace and accelerate adoption of cleaner heavy-duty trucks (including drayage trucks), prioritizing zero emission technologies when technologically feasible and commercially available, and near-zero emission technologies until that time.
 - Participate in CARB’s rule development for future amendments to their truck regulations.
 - Continue to develop Facility Based Mobile Source Measures, including an Indirect Source Rule (ISR) for warehouses.

- Work with the local city or county agencies to evaluate potential designated truck routes away from sensitive receptors (e.g., schools, residents) and identify resources to enforce these routes.
- Work with local agencies to provide data on locations within the community with high truck pollution impacts.
- Identify the appropriate agency (e.g., Los Angeles Department of Transportation) to collaborate on assessing the feasibility of physical interventions to prevent truck traffic from entering residential neighborhoods.
- Target incentive funds for local small businesses and independent owner/operator (e.g., Voucher Incentive Program).
- Conduct focused enforcement of CARB's TRU Regulation, Drayage Truck Regulation, and Truck and Bus Regulation

The above measures related to truck traffic are programs to be implemented by CERP and are not actions the City can adopt as part of individual development projects. However, recognizing the importance of reducing truck traffic and emissions, the EIR includes the following measures that address these issues and include a mechanism to be implemented as a part of discretionary approvals:

AQ-9 For applicants for distribution centers in the Harbor LA CPAs within 1,000 feet of sensitive uses that require discretionary permits and/or would accommodate more than 100 truck trips or 40 TRUs per day, prepare HRAs in accordance with SCAQMD and OEHHA guidance to identify the potential for cancer and non-cancer health risks. If cancer risks exceeding SCAQMD standards are identified, the Applicant shall identify opportunities to reduce emissions and associated risks. Methods may include, but are not limited to, limiting the number of trucks/TRUs accessing the site on a daily basis, locating distribution center entry and exist points as far as possible from sensitive land uses, and routing truck traffic away from sensitive land uses.

The EIR also includes Mitigation Measures AQ-1 through AQ-8 which specifically address emissions from trucks and are implementable through the discretionary process.

Oil Drilling and Production

- **Action 1: Reduce Air Pollution Leaks from Oil Wells and Associated Activity at these Facilities.**
 - Use data from South Coast AQMD and DOGGR to identify active, inactive, and abandoned oil

wells in this community.

- Work with the CSC to identify priority locations for air measurements and aim to conduct air measurements at these locations during well workover events.
- Conduct mobile air measurements around active, idle, and abandoned oil drilling sites (or fence line and more traditional air monitoring activities, if necessary) to identify potential leaks.
- Make air measurement data from these actions available online in a user-friendly format.
- Share air measurement data with partner agencies to help inform their efforts.
- If persistent elevated levels are detected at locations through air measurement activities, conduct follow-up investigations at those locations using appropriate field measurement equipment:
 - Air measurements of active and abandoned oil wells will be prioritized based on proximity to sensitive receptors, repeat violations, or complaints received.
 - If elevated levels are found around abandoned wells, make a referral to DOGGR.
- Respond to odor complaints and update complainants on an expedited basis.
- Provide CSC with periodic summaries of findings, such as whether odors were confirmed and traced back to a specific site/source, and any enforcement actions taken.
- **Action 2: Improved Public Information and Notifications on Activities at Oil Drilling and Production Sites.**
 - Develop fact sheets or info-graphics summarizing findings from air measurement data, complaint response, and inspections of oil drilling and production facilities in this community
 - Work with local public health departments on health-related messaging on risks posed by these oil drilling and production facilities (e.g., water pollution, hazardous waste storage, etc.) and measures to reduce exposure to risks from oil drilling and production sites.
 - Work with local public health departments to distribute fact sheets or info-graphics to the community.
 - Review the Los Angeles County Department of Public Health's finalized Community Health Improvement Plan (CHIP) and incorporate air quality related information to address or mitigate

emissions from oil drilling and production sites.

- Work with stakeholders to identify and implement key areas for improvement for the Rule 1148.2 information and notifications.
- Provide community workshops and training on how to subscribe to and use notifications.
- **Action 3: Evaluate Feasibility to Amend Rule 1148 Series and Rule 1173 to Reduce Emissions and Require Additional Reporting.**
 - Utilize air measurement data from Community Air Monitoring Plan (CAMP) efforts and CARB's Study of Neighborhood Air near Petroleum Sources (SNAPS) program to identify possible additional emissions reductions or areas where annual reporting would be beneficial for establishing a more accurate emissions inventory
 - Evaluate additional methods and practices to further reduce leaks, and whether additional chemicals should be added to the required list for reporting.
 - Consider amendments to Rule 1148 series and Rule 1173 to reduce emissions and improve emissions reporting from oil drilling and production sites. Examples of considerations may include:
 - Additional provisions for new oil and gas wells located near sensitive land uses.
 - Real-time fence line air monitoring for certain air pollutants (e.g., VOCs, criteria pollutants and hazardous air pollutants) and meteorological station to aid in community notifications.
 - Vapor recovery systems.
 - Leak detection technologies and programs.
 - Lowering allowable emissions from on-site equipment (e.g., emission concentrations).
 - Improving emissions controls during well rework and maintenance activities
 - Lower-emission or zero-emission equipment for on-site operations (e.g., assess feasibility to require cleaner engines).
 - Annual reporting of emissions
 - Improving reporting of chemicals used on-site (e.g., combine event and chemical reporting

information, correct Chemical Abstracts Service Registry Number, automate some data quality checks).

- Conducting root-cause analysis and implementing odor minimization plans when odors are traced back to a facility.

As stated above, the CERP measures focus on programs and are not designed to be implemented by a local agency through its plans. Nonetheless, the City recognizes the effect oil wells have on communities such as those in the Harbor LA CPA. As stated in the Mineral Resources analysis in the EIR pages 4.11-10 through 4.11-12, several programs and guiding principles are consistent with the CERP program. The EIR states:

“The Wilmington-Harbor City Plan’s Guiding Principles focus on promoting equitable, sustainable, and healthy neighborhoods in part by reducing the footprint of the oil and gas industry and prioritizing residential neighborhoods. However, the Wilmington-Harbor City Plan does not preclude continued extraction, nor would the Plan preclude or eliminate future extraction activities from existing oil wells. The Plan proposes to reduce the size of oil fields where appropriate (i.e., acreage and square footage) for oil well spacing and well drilling and extraction activities. However, wells would remain accessible as demonstrated through current extraction activities. Additionally, moving away from oil extraction would be consistent with the state’s goals to move away from carbon sources of energy, as described in the California Air and Resources Board’s (CARB’s) 2022 Scoping Plan (see **Section 4.2, Air Quality**, and **Section 4.7, Greenhouse Gas Emissions**). Furthermore, the CERP is consistent with the following policies of the proposed Wilmington-Harbor City Plan Environmental Justice Chapter 3: Environmental Justice:

- **EJ 10.1:** Support the expedited preparation of plans and programs for the abandonment, proper plugging and remediation of all oil-related sites, prioritizing sites in residential areas, consistent with state, County and City efforts to phase-out oil drilling and ensure that all existing oil well sites adhere to adopted amortization programs and prohibitions.
- **EJ 11.1:** Ensure that existing oil well sites within residential areas provide appropriate screening, fencing and landscaping and have well-maintained equipment until such time as they are phased out.
- **EJ 11.2:** Consistent with existing zoning review practices, seek a high-level discretionary review for any changes to existing oil and gas extraction sites, surface production facilities, refineries and related activities so that the public may be properly notified and consulted, and so that appropriate environmental review may take place pursuant to the California Environmental Quality Act.

The Wilmington-Harbor City Plan seeks to provide guidance that recognizes the reality of existing conditions while providing an improved balance between the need for oil resources and the health of the

community, while advancing the City's goal of reducing the footprint of the oil and gas industry.⁸ Policy LU 3.3 is to ensure that existing oil well sites located in residential areas have well maintained landscaping and equipment and appropriate perimeter fencing (except for the front yard portions) until such time as they are phased-out. However, nothing in the Proposed Plans precludes or limits access to existing oil well sites.

The following CERP measures do not relate to CEQA impacts identified in the EIR and are not implementable as part of the discretionary process. However, the City will provide the comments to the City Council as part of the Final EIR process to consider when they approve the Project.

Schools, Childcare Centers, Community Centers, and Homes.

- **Action 3: Reduce Exposure to Harmful Air Pollutants at Homes**
 - Identify new or existing technologies, programs, and funding sources that can provide the most effective air filtration systems in homes.
- **Action 4: Increase Green Space in Areas Where People Spend Time**
 - Identify new or existing sources or programs that can provide funding for tree planting and the expansion of green space using native, drought tolerant plants.

Response 4-3

The commenter requests that the City provide a written response at least 10 days prior to the certification of the Final EIR. The comment is acknowledged; the City will provide responses to SCAQMD at least 10 days prior to certification.

⁸ City of Los Angeles, *Wilmington Harbor City Draft Community Plan*, Chapter 3 Environmental Justice.



BUILDING A STRONGER L.A.

Karen Bass, Mayor

Board of Commissioners

Cynthia McClain-Hill, President

Nicole Neeman Brady, Vice President

Nurit Katz

Mia Lehrer

George S. McGraw

Chante L. Mitchell, Secretary

Martin L. Adams, General Manager and Chief Engineer

October 24, 2023

Mr. Christopher Pina
Department of City Planning
City of Los Angeles
200 North Spring Street, Room 667
Los Angeles, CA 90012

Dear Mr. Pina:

Subject: City of Los Angeles Draft Environmental Impact Report
Harbor LA Community Plans Update Case Number: ENV-2019-3379-EIR

The Los Angeles Department of Water and Power (LADWP) submits this letter in reply to the Final Notice of Availability received on September 21, 2023, from the City of Los Angeles Department of City Planning (Planning) in regards to the draft of the environmental impact report as part of the Harbor LA Community Plans Update (Project). LADWP Right of Way Engineering Group, on behalf of LADWP's Power System, coordinated the review of the request and has concluded that the proposed Project may impact LADWP facilities, which lies adjacent and within the LADWP's Transmission Line Right of Way (TLRW).

Planning shall provide additional information before any developments are authorized adjacent and/or within LADWP's TLRW and are subject to the following comments and conditions:

Comments:

1. Planning referenced herein shall pertain to its employees, agents, consultants, contractors, officers, patrons or invitees of Planning's, or by any other of Planning's affiliated entities.
2. The information provided, to date, is inadequate for properly reviewing the proposed improvements within sections of LADWP's TLRW. We therefore reserve the right to comment until more detailed information is provided regarding the proposed project. Provide plans illustrating the LADWP TLRW boundaries within the proposed project. Include towers and clearances from the proposed transmission line. Also, provide grading plans and utility plans, including any other plans illustrating the impacts to LADWP's TLRW. If access roads are proposed, provide plans illustrating impacts to LADWP's access roads. The plans should include APNs, state plane coordinates, or use the Public Land Survey System to locate the developments impacting LADWP's TLRW.

1

2

3

Mr. Christopher Pina
Page 2
October 24, 2023

3. Plans may be submitted for review to the LADWP Real Estate Services Office via the following email: RE.Office@ladwp.com and copy LADWP's Environmental Affairs at environmental@ladwp.com.
4. Any temporary work within or immediately adjacent to LADWP's TLRW requires approval from LADWP.

Conditions:

1. Planning shall acknowledge the LADWP Transmission Line Rights-of-Way are integral components of the transmission line system, which provides electric power to the City of Los Angeles and other local communities. Their use is under the jurisdiction of the North American Electric Reliability Corporation, an organization of the Federal Energy Regulatory Commission. Safety and protection of critical facilities are the primary factors used to evaluate secondary land use proposals. The rights-of-way serve as platforms for access, construction, maintenance, facility expansion and emergency operations. Therefore, the proposed use may, from time to time, be subject to temporary disruption caused by such operations.
 - a. No improvements or construction activities of any kind whatsoever will be allowed within the LADWP TLRW without the prior written approval of the LADWP.
2. No equipment with the height over 14-feet shall be allowed to travel within the LADWP TLRW without the written approval of LADWP.
3. No grading or structures shall be constructed within the LADWP TLRW without prior written approval of the LADWP.
4. Vehicle and/or truck repair, refueling, washing, and change of oil, are prohibited within the TLRW.
5. Additional conditions may be required following review of detailed site plans, grading/drainage plans, etc.

This response shall not be construed as an approval to begin construction activities, project improvements, nor approval of this project.

4

5

6

7

8

9

10

11

Mr. Christopher Pina
Page 3
October 24, 2023

For any questions regarding this request, please contact Mr. David Norris or Ms. Robin Yamada of my staff at (213) 367-35096 or david.norris@ladwp.com and (213) 367-4230 or robin.yamada@ladwp.com, respectively

11

Sincerely,

Katherine Rubin Digitally signed by Katherine
Rubin
Date: 2023.10.27 13:39:56 -07'00'

Katherine Rubin
Director of Corporate Environmental Affairs

DN:mr
Enclosures
c/enc: Mr. David Norris
Ms. Robin Yamada

Letter 5 **Los Angeles Department of Water and Power**
Katherine Rubin,
200 North Spring Street, Room 667
Los Angeles, CA 90012
October 24, 2023

Response 5-1

The commenter provides an introduction to the Los Angeles Department of Water and Power's (LADWP's) detailed comment letter, which is addressed below. No further response is required.

Response 5-2

The commenter clarifies that planning referenced in the comment letter pertains to all employees, consultants, and affiliates of the City of Los Angeles Department of City Planning. The comment is noted. No further response is required.

Response 5-3

The commenter expresses concerns regarding project-level review of proposed improvements. The Project includes plan level documents, and no specific improvements are proposed at this time. LADWP is encouraged to comment on individual development projects as they are identified. As noted, individual development projects will submit plans that meet LADWP's specifications. The comment does not identify the potential for new physical environmental impacts not addressed in the EIR, and no specific response is required. The comment will be included as part of the record and forwarded to the decision-makers for their review and consideration prior to any action being taken on the Proposed Plans.

Response 5-4

The commenter provides the contact information where the requested plans discussed in **Comment 5-3**, above, may be submitted to. The comment is noted. No further response is required.

Response 5-5

The commenter states that additional approval from LADWP is needed for any temporary work within or immediately adjacent to Transmission Line Rights-of-Way (TLRW). The Project includes plan level documents, and no specific improvements are proposed at this time. LADWP is encouraged to comment on individual development projects as they are identified. As noted, individual development projects will submit plans that meet LADWP's specifications. The comment does not identify the potential for new physical environmental impacts not addressed in the EIR, and no specific response is required. The

comment will be included as part of the record and forwarded to the decision-makers for their review and consideration prior to any action being taken on the Proposed Plans.

Response 5-6

The commenter states that no improvements or construction activities will be allowed within TLRW without prior approval. The project includes plan level documents, and no specific improvements are proposed at this time. LADWP is encouraged to comment on individual development projects as they are identified. As noted, individual development projects will submit plans that meet LADWP's specifications. The comment does not identify the potential for new physical environmental impacts not addressed in the EIR, and no specific response is required. The comment will be included as part of the record and forwarded to the decision-makers for their review and consideration prior to any action being taken on the Proposed Plans.

Response 5-7

The commenter discusses the height requirement for equipment travelling within the TLRW. Refer to **Response 5-6**.

Response 5-8

The commenter states that no grading or structures shall be constructed within the TLRW without prior written approval of the LADWP. Refer to **Response 5-6**.

Response 5-9

The commenter states that vehicle and/or truck repair, refueling, washing, and change of oil, are prohibited within the TLRW. Refer to **Response 5-6**.

Response 5-10

The commenter notes that additional conditions may be required following review of detailed site plans, grading/drainage plans, etc. Refer to **Response 5-6**.

Response 5-11

The commenter states that the listed conditions in the comment letter shall not be construed as an approval to begin construction activities, project improvements, nor approval of a project. The comment is noted. No further response is required.

11/13/23, 2:22 PM

City of Los Angeles Mail - NPH Harbor CPAs update - LAUSD school sites and Oil District



Christopher Pina <christopher.pina@lacity.org>

NPH Harbor CPAs update - LAUSD school sites and Oil District

2 messages

Fernandez, Bryan <cp-bryan.fernandez@lausd.net>

Mon, Oct 30, 2023 at 10:10 AM

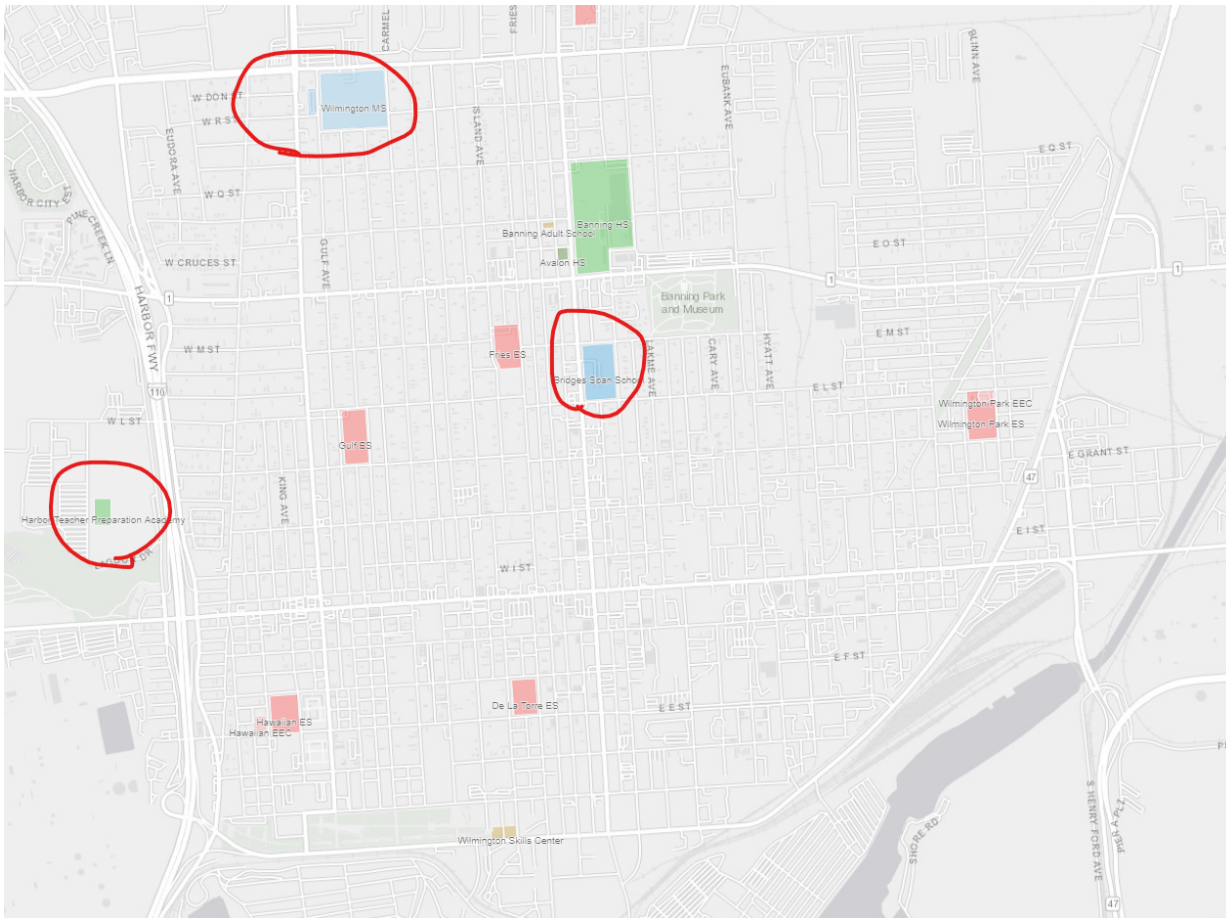
To: "planning.harborlaplans@lacity.org" <planning.harborlaplans@lacity.org>

Cc: "christopher.pina@lacity.org" <christopher.pina@lacity.org>, "GODEK, GWENN" <gwenn.godek@lausd.net>

Mr. Piña.

The District received the notice of public hearing for the Harbor Community Plans update. Although the notice does not Please consider the following

- The notice includes maps of public schools, but it is missing the following LAUSD school sites (see image below for schools circled in red). Please update your records and ensure the District is notified of proposed City actions and public hearings that deal with developments related to alcohol and industrial uses adjacent to public schools.



11/13/23, 2:22 PM

City of Los Angeles Mail - NPH Harbor CPAs update - LAUSD school sites and Oil District

- In the draft Land Use Map, a Proposed Overlay of Oil District is applied to multiple LAUSD school sites (135th ES, Wilmington MS, Narbonne HS, President ES, Bridges Span, Fries ES, De La Torre ES, Hawaiian ES, and Wilmington Park EEC/ES). Please forward the ordinance/regulations and map of the Proposed Overlay Oil District. Is this part of the Project?

Proposed Development Standards	
Proposed Use	<u>Public 1</u>
Proposed Density (base)	<u>15</u>
Proposed Overlay	Oil District
Local Incentive Program	No

2

Sincerely,

Bryan Ramos Fernandez, AICP

CEQA Project Manager

Contract Professional

Los Angeles Unified School District (LAUSD)

Office of Environmental Health and Safety (OEHS)

333 S Beaudry Ave., Los Angeles, CA 90017

O: (213) 241-4210

cp-bryan.fernandez@lausd.net**Christopher Pina** <christopher.pina@lacity.org>

Mon, Oct 30, 2023 at 10:49 AM

To: "Fernandez, Bryan" <cp-bryan.fernandez@lausd.net>

Cc: "planning.harborlaplans@lacity.org" <planning.harborlaplans@lacity.org>, "GODEK, GWENN" <gwenn.godek@lausd.net>

Received. Thank you,

Here are existing Oil District regulations:

https://codelibrary.amlegal.com/codes/los_angeles/latest/lapz/0-0-0-10754

[Quoted text hidden]

11/13/23, 2:22 PM

City of Los Angeles Mail - NPH Harbor CPAs update - LAUSD school sites and Oil District



LOS ANGELES
CITY PLANNING

Christopher Piña

Pronouns: He, His, Him

City Planner

Los Angeles City Planning

200 N. Spring St., Room 667

Los Angeles, CA 90012

Planning4LA.org

T: (213) 978-1369



Letter 6 **Los Angeles Unified School District**
Bryan Ramos Fernandez, AICP, CEQA Project Manager
333 S Beaudry Avenue
Los Angeles, CA 90017
October 30, 2023

Response 6-1

The commenter notes that the maps included in the notice of public hearing did not include the following three LAUSD public schools: Wilmington MS, Bridges Span School, Harbor Teacher Preparation Academy. The commenter requests that all records are updated with these schools. Public notices are not required to identify schools. All three are included and analyzed within the EIR (see pages 4.14-35 through 4.14-38 and 4.14-45 through 4.14-48). The Wilmington MS and the Bridges Span School are identified in the EIR as the Wilmington Middle Science/Technology/Engineering/Arts/Math and the Harry Bridges Spanning School, respectively. The Harry Bridges School is added to **Figure 4.14-2, Schools Serving the Harbor LA Community Plan Areas**, of the EIR (see page 4.14-39), and these revisions are reflected in **Chapter 2.0, Corrections and Additions**. These revisions do not affect the EIR analysis or conclusions.

Response 6-2

The commenter notes that an Oil District Overlay is applied to multiple LAUSD school sites and inquires if the overlay is part of the Project. The existing Oil District overlay is not part of the Harbor LA Community Plans Update. Section 13.01, "O" Oil Drilling Districts, of the LAMC, establishes standard conditions for districts established by ordinance in accordance with City Charter Section 558. The existing Oil District overlay will be incorporated into the new zoning code Article 8 and embedded into a parcel's zone string. Please see **Master Response 3: Oil and Gas Ordinance**. Comments related to impacts associated with existing oil activities are not related to the Proposed Plans or the adequacy of the analysis included in the EIR. The comment does not identify the potential for new physical environmental impacts not addressed in the EIR, and no specific response is required. The comment will be included as part of the record and forwarded to the decision-makers for their review and consideration prior to any action being taken on the Proposed Plans.



ATHENS ON THE HILL COMMUNITY ASSOCIATION
P. O. Box 61327; Los Angeles, California, 90061

Block Club Affiliates
 121st St.; 123rd St.; 124th St.; 125th St.; 126th St.; Ainsworth St.; Arbor Pl.;
 Athens Blvd.; Denver Blvd.; Hoover St.; Laconia Blvd.; Laconia Pl.; Menlo St.

November 15, 2023

City of Los Angeles
 Department of City Planning
 200 North Spring Street – Rm. 667
 Los Angeles, CA 90012

Attn: Christopher Pina, City Planner

Re: Case Number: ENV-2019-3379-EIR

TO WHOM IT MAY CONCERN:

I. As far back as August 2018, if not earlier, Athens on the Hill residents/stakeholders have been actively engaged in and with the updating of the Harbor Gateway Community Plan. {A review of the case file will so attest.} Our goal was/is to protect, preserve and conserve the cultural history; as well as the unique character of the community of Athens on the Hill via special zoning regulations that will be memorialized in the Community Plan. Over the many months (years) of and during the “drafting” process, Athens on the Hill made its case and was given status designation as a **Character District**.

In spite of our proactivity **plus** submission of piles of documentation(s) in support that Athens on the Hill warrants “special” status, in May/June 2023 the community was informed that identification in **SurveyLA** is the authority for **Character District** status. We were also informed that it is within their discretion to convey such. Even worse, page 4.10-27 of the EIR merely states “. . . A Residential Character **Frontage** will be applied . . . **near** Athens on the Hill.” {Emphasis ours.} Athens on the Hill residents/stakeholders were devastated.

As a result of the setback via **SurveyLA** and in furtherance of support for “special” status designation for the community of Athens on the Hill, please refer to Council File 23-1057. {Copy of **Official Action of the Los Angeles City Council**, attached.}

1

2

Page 2

SCENIC HIGHWAY:

II. On page 172 of *Mobility Plan 2035* (An Element of the General Plan), Vermont Avenue from Gage to Gardena Boulevard is designated a Scenic Highway. The EIR does not mention nor include this information, however. Facts from the Caltrans Scenic Highways – FAQ sheet such as (i) Regulation of land use and density of development; (ii) Detailed land and site planning; (iii) Corridor Protection Program should be included, as well.

3

ENVIRONMENTAL JUSTICE:

III. In support of the findings in the April 2021 *CalEnviroScreen 4.0* Report and if a project is within the boundaries of the census tracts delineated in said Report, prohibit ministerial and administrative approvals, entirely. Require discretionary approvals for all projects to verify they meet the criteria and comply with zoning regulations/guidelines in the census tracts Plan Area.

4

Adopt and Memorialize Environmental Justice Standards/Ordinances that protect sensitive receptors from non-compatible developments which produce: (a) air pollution; (b); noise pollution; (c) traffic congestion; (d) transport of hazardous materials; (e) groundwater contamination; (f) soil contamination; (g) solid waste processing; (h) industrial pollution; (i) oil wells/oil well sites; (j) warehouses; (k) distribution centers; (l) developments which adversely impact and affect the public health, safety, welfare, and wellbeing of stakeholders.

5

Please take into consideration comments (on file and herein) of residents/stakeholders of the community of Athens on the Hill.

Sincerely,


HERMAN BILBREW, President
Athens on the Hill Community Association

HB:lw

Attachment

cc: Councilman Tim McOskey – Council District 15
 {via US mail and e-Mail}
 Pamela Thornton, Planning Director – Council District 15
 {via US mail and e-Mail}
 Athens on the Hill Community Association
 Board Members - e “blast”
 Residents/Stakeholders - e “blast”

HOLLY L. WOLCOTT
CITY CLERK

PETTY F. SANTOS
EXECUTIVE OFFICER

City of Los Angeles
CALIFORNIA



KAREN BASS
MAYOR

OFFICE OF THE
CITY CLERK

Council and Public Services Division

200 N. SPRING STREET, ROOM 395
LOS ANGELES, CA 90012
GENERAL INFORMATION - (213) 978-1133
FAX: (213) 978-1040

PATRICE Y. LATTIMORE
DIVISION MANAGER

CLERK.LACITY.ORG

OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

Council File No.: 23-1057
Council Meeting Date: November 1, 2023
Agenda Item No.: 8
Agenda Description: PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to instructing the Department of City Planning (DCP) to prepare a report with recommendations, as part of the ongoing Harbor Gateway Community Plan update, on design standards to protect the character of the Athens on the Hill community, generally bounded by 120th Street to the North; Figueroa Avenue to the East; Vermont Avenue to the West; and El Segundo Boulevard to the South, and related matters.

Council Action: PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT - ADOPTED

Council Vote:

ABSENT	Blumenfield	YES	de León	YES	Harris-Dawson
YES	Hernandez	YES	Hutt	ABSENT	Krekorian
YES	Lee	YES	McOsker	YES	Padilla
YES	Park	YES	Price Jr.	YES	Raman
ABSENT	Rodriguez	YES	Soto-Martínez	YES	Yaroslavsky

Holly L. Wolcott

HOLLY L. WOLCOTT
CITY CLERK

Adopted Report(s) Title
Report from Planning and Land Use Management Committee _10-17-23

Letter 7 **Athens on the Hill Community Association**
Herman Bilbrew
200 North Spring Street
Los Angeles, CA 90012
November 15, 2023

Response 7-1

The commenter provides an introduction to the Athens On the Hill Community Association’s detailed comment letter, which is addressed below. No further response is required.

Response 7-2

The commenter expresses disappointment that the Residential Character Frontage will only be applied near Athens on the Hill. The comment references the November 1, 2023, City Council vote for the preparation of a community-plan-specific Land Use and Management Committee Report for the Harbor Gateway Community Plan in support for “special” status designation for the Athens on the Hill. The comment expresses concern regarding land use and planning status changes. The comment does not identify the potential for new physical environmental impacts not addressed in the EIR, and no specific response is required. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and forwarded to the decision-makers for their review and consideration prior to any action being taken on the Proposed Plans.

Response 7-3

The commenter states that the EIR does not specify that Vermont Avenue from Gage Boulevard to Gardena Boulevard is designated as a Scenic Highway. Section 4.1, Aesthetics (page 4.1-7) is revised to the City-designated scenic highway within the Harbor Gateway CPA on Vermont Avenue extending from 120th Street to Gardena Boulevard; see **Chapter 2.0, Corrections and Additions**. These revisions do not affect the EIR analysis or conclusions.

Response 7-4

The commenter requests that future projects located within the boundaries of an April 2021 CalEnviroScreen 4.0 Report require discretionary approvals. The comment expresses concern regarding the approval process for future projects. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment raises concerns regarding existing environmental conditions. Comments related to impacts associated with existing conditions are not related to the Proposed Plans or the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 7-5

The commenter recommends the inclusion of an Environmental Justice Standards/Ordinance that protects sensitive uses from various forms of pollution. Environmental Justice is not a CEQA issue. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans. The Proposed Plans would ensure that future development continues to support current state sponsored programs and laws that have been established to address the environmental justice issues in the Harbor LA CPAs, such as Senate Bill 535 and Assembly Bill 1550. As discussed on pages 4.10-23 through 4.10-33 of the EIR, the Proposed Plans would be consistent with the 2020 SCAG RTP/SCS; City of Los Angeles Framework Element; Housing Element; Health, Wellness, and Equity Element; and Open Space Element. The Proposed Plans would introduce new land use policies that address environmental justice issues by limiting new heavy manufacturing and industrial uses near residential and other sensitive uses, incorporating “Clean Up Green Up” (CUGU) as permanent regulations in the new zoning, the City’s General Plan Air Quality Element and Health Element (the “Plan for a Healthy LA”), supporting mobility improvements, and introducing Hybrid Industrial General Plan Land Use Designations and Use Districts to function as a buffer between industry and sensitive uses. The Harbor LA CPAs incorporate relevant City ordinances and policy documents in the preparation of the Environmental Justice policies for each planning document. These ordinances and policy documents include the City’s Clean Up Green Up Ordinance and the City’s General Plan Air Quality Element and Health Element (the “Plan for a Healthy LA”). In addition, the policies contained within the Proposed Plans (EJ 4.3, EJ 5.1, EJ 5.2, EJ 5.7, EJ 5.8, and EJ 5.9) further address environmental impacts on sensitive receptors by addressing land use compatibility and encouraging the use of landscaping as buffers. Please also refer to **Master Response 3: Oil and Gas Ordinance**. The Proposed Plans include several policies and zoning adjustments (LU 3.3, EJ 10.1, EJ 10.2, EJ 10.3, EJ 10.4, EJ 11, EJ 11.1, EJ 11.2, EJ 11.5, EJ 11.6, EJ 11.7, EJ 11.8, and PO 1.4) to address the incompatibility with neighboring residential areas and to safeguard the well-being of Harbor LA residents, such as ensuring existing oil wells are well screened from residents or supporting the phasing out of existing oil wells. These policies would further help address the current and inequitable and disproportionate burden of pollution and associated health risks.



November 20, 2023

ATTN:
Christopher Pina

Los Angeles Department of City Planning
200 North Spring Street, Room 667
Los Angeles, California 90012
planning.harborlaplans@lacity.org
christopher.pina@lacity.org
Sent via e-mail

Re: Comments on the Harbor LA Community Plans Update Draft Environmental Impact Report, Case Number: ENV-2019-3379-EIR

Dear Christopher Pina:

Communities for a Better Environment (CBE) appreciates the opportunity to submit this comment letter regarding the Harbor LA Community Plans Update Draft Environmental Impact Report.

Founded in 1978, Communities for a Better Environment (CBE) is one of the preeminent environmental justice organizations in the nation. CBE is rooted in place-based organizing and works alongside community leaders in Wilmington and the City of Los Angeles. We are a grassroots organization with a mission to build people's power in California's communities of color and low-income communities. We strive to achieve environmental health and justice by preventing and reducing pollution and building green, healthy, and sustainable communities and environments.

The State CEQA Guidelines, Section 15382, defines a significant effect on the environment as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance... A social or economic change related to a physical change may be considered in determining whether the physical change is significant."

Summary of inconsistencies of the Draft EIR and Proposed Plan:

- Inaccessible for community members to review, understand, and provide feedback
- Lacks environmental justice considerations and recommendations
- Unclear comprehensive timeline for health and environmental projections

- Overlooking the Los Angeles Oil and Gas Drilling Ordinance requiring phase out
- Fails to address incompatible and non-conforming land use
- Incomplete analysis of housing development and necessary protections

1

The comments given in this letter are from meetings with community members, community organizers, and compilation of comments submitted in earlier phases of the Community Plan Process. We want to highlight that these comments are not exhaustive and additional community engagement, analysis, and decision-making is necessary. CBE and community members have identified new concerns, however, we remain concerned that our prior comments submitted via comment letters, vocal public comment, and direct communications with City of LA planners have not been incorporated into the Proposed Plans or addressed in the Draft EIR. CBE is dedicated to working alongside Harbor Area community members to assure that their needs and voices are heard through this process. Given this objective, please find some specific concerns regarding the proposed plans in the Draft EIR below.

I. Concerns About Participation and Accessibility

The Draft EIR is part of the Harbor LA Community Plans Update, which includes Harbor Gateway and Wilmington-Harbor City. These are decades-long plans meant to shape the neighborhood's future and community members' livelihood. We are concerned about community members' ability to comment on the DEIR due to limited computer access, language access, and overall education in the planning process or ability to comprehend the DEIR. According to CalEnviroScreen, Wilmington ranges from 96-100% in the 'education' socioeconomic factor meaning there is a high percentage of people without high school degrees compared to the rest of the U.S.¹ Education attainment is a consideration because it may indicate they are not earning as much as someone with a higher education and health effects of air pollution are worst among people with low educational attainment.

2

Many Harbor Area residents do not have readily accessible access to the internet and technology to review the report. We recognize the DEIR is available in person at some locations, such as libraries and the City of Los Angeles Department of City Planning, and there were some virtual information sessions. However, that outreach is insufficient. Many in-person locations are not available to the public during non-work hours and virtual information sessions were often held during the work week. Additionally, some community members do not have the means or reliable transportation to get to the physical locations to review the document. Further, the DEIR is over one thousand one hundred pages long and contains complex language. Over 58% of Angelenos speak a language other than English at home² and Wilmington experiences a range of

¹ What is Low Educational Attainment?, CALENVIROSCREEN, <https://experience.arcgis.com/experience/ed5953d89038431dbf4f22ab9abfe40d/page/Indicators/?views=Education> (last visited Nov. 20, 2023)

² *QuickFacts Los Angeles City, California*, U.S. CENSUS BUREAU, <https://www.census.gov/quickfacts/fact/table/losangelescycalifornia/PST045222> (last visited Nov. 14, 2023).

80-97% rate of linguistic isolation, with one community at 23%.³ Many Harbor Area residents do not speak English, may have difficulty accessing and understanding the DEIR as it is lengthy and dense. According to the CA Healthy Places Index, approximately 4.3% of the Wilmington population have a Bachelor's Education or higher compared to the 67-69% Los Angeles City and County averages.⁴ We are concerned that due to the lack of outreach, technological and internet barriers, limited physical access, and educational barriers- that Wilmington residents have not sufficiently participated, expressed concerns, and understand how the Proposed Plans will impact them. While we understand the DEIR must be thorough, there have been limited opportunities for residents to understand how the proposed changes will impact them.

II. Insufficient Environmental Justice Policies

CBE's goal and vision is environmental justice led by people power in California's low-income and communities of color. Our mission is to achieve environmental health and justice by preventing and reducing pollution and building green, healthy and sustainable communities and environments. Due to the historical and racist practice of redlining, communities of color in the City are concentrated in specific areas where they are overburdened by environmental harms and disproportionately impacted by pollution and toxins found in and around their homes. These very same communities have not had a seat at the table to direct, lead, and create solutions that will support or impact their lives and communities. When reviewing the Draft EIR, our goal is to protect people from environmental impurities. We want healthy communities where it is a basic human right to have clean air and water.

The Harbor LA Community Plans, combined, are approximately 15.3 square miles, the Wilmington-Harbor City CPA is approximately 10.2 square miles, 38% of which is industrial, 34% residential, 7% public facility and 15% open space for approximately 82,858 residents⁵. The community is surrounding by the industry on all sides, including the Port of Los Angeles- the largest port in the West, six major freeways and diesel truck/goods movement corridors including the I-110, I-710, Pacific Coast Highway, SR 103/47, Harry Bridges Boulevard, and Alameda St. There are three refineries in Wilmington, with 2 additional in surrounding communities and neighboring cities. Throughout the community there are metal dismantlers, pick your parts junkyards, storage container yards, recycling, air products and chemical industry, and industrial maintenance companies. The result of a heavy industrial presence in the community has disproportionately burdened Wilmington, whose census tracts score 85-99% on the CalEnviroScreen Percentile- including 66-70% particulate matter, 51-100% diesel particulate

³ CalEnviroScreen 4.0, CALENVIROSCREEN, (last visited Nov. 14, 2023). https://experience.arcgis.com/experience/11d2f52282a54ceebcac7428e6184203/page/CalEnviroScreen-4_0/ (last visited Nov. 14, 2023).

⁴ California Healthy Places Index, PUBLIC HEALTH ALLIANCE OF SOUTHERN CALIFORNIA. <https://map.healthypacesindex.org/?redirect=false> (last visited Nov. 16, 2023).

⁵ IMPACT SCIENCES, INC., DRAFT ENVIRONMENTAL IMPACT REPORT 3.0-13 (2023) [hereinafter DRAFT EIR or DEIR], https://planning.lacity.org/EIR/harbor/deir/sections/Harbor%20LA%20DEIR_consolidated_rev.pdf.

matter, 97-98% toxic releases, 86-95% lead from housing⁶. The decades of toxic sites along with limited social and health services have resulted in 81-83% asthma, 20-82% low birth weight, and 89-93% cardiovascular disease⁷.

The project description for the proposed plans explicitly states the Harbor LA Community Plans are to consider environmental justice issues in accordance with Senate Bill 1000 and Senate Bill 375. SB 1000 is meant to guide local governments in recognizing environmental justice communities and implement safeguards and other practices to protect these communities. Millions of Californians live with high pollution burdens and other harms. The law is intended to combat some of the historic injustices. Further, in 2016, the Los Angeles City County approved an ordinance creating a Clean Up Green Up district to “reduce cumulative health impacts resulting from incompatible land uses.”⁸ Environmental justice concerns were not at the forefront of the Draft EIR, nor were they discussed throughout the document.

In 2022, the City of Los Angeles unanimously passed an Oil and Gas Drilling Ordinance prohibiting all new activity and making current extraction activities a nonconforming use in all zones. The city ordinance phases out all oil and gas extraction by prohibiting new oil and gas extraction operations. All existing operations must sunset within 20 years. Owners are not allowed to expand their current site or extend their operations during the 20 years of phase out. Given the passage of the ordinance, the Wilmington/Harbor community plans must abide by it. Community plans must incorporate phase out strategies and follow city ordinances. In the Harbor Area, there is an extremely high concentration of oil drilling activity. Residents near oil wells are impacted by moderate to severe health concerns such as headaches, nosebleeds, cancer risks, and respiratory related conditions. The Draft EIR does not properly consider these health risks and must include an analysis for the phase out ordinance to improve air quality and mitigate health risks to residents.

III. Air Quality

The Proposed Plan presented in the Draft EIR will lead to a net increase of criteria pollutants through the various projects and there is no comprehensive timeline of completion. The Draft EIR states there will be “significant and unavoidable [net increase of any criteria pollutant] for regional construction and operational activities.”⁹ Through the use of heavy construction equipment, vehicle trips, vendor material deliveries, dust emissions from demolition and site preparation, NOX emissions, paints, and other materials, harmful emissions will be prevalent in the Harbor Area. The proposed projects vary from small to large activities altering the impact on community members. However, with all the projects combined the pollution quantity is high and

⁶ CalEnviroScreen 4.0, *supra* note 3.

⁷ *Id.*

⁸ Los Angeles City Sanitation, *Clean Up Green Up*, https://www.lacitysan.org/san/faces/home/portal/s-lsh-es/s-lsh-es-si/s-lsh-es-si-cugu?_adf.ctrl-state= (last visited Nov. 16, 2023).

⁹ DRAFT EIR, *supra* note 5, at 4-2.37.

harmful for residents. Studies show that air quality definitively impacts quality of life due to health risks. When air quality is poor, there is a significant negative impact on health. According to the United States Environmental Protection Agency, “Decades of research have shown that air pollutants such as ozone and particulate matter (PM) increase the amount and seriousness of lung and heart disease and other health problems.”¹⁰ Health concerns are more prominent when pollutants come from nearby oil wells and construction exposure.¹¹ Infill development is not sufficient to combat oil well pollutants. More action must be taken to close and remediate oil wells rather than hiding them. Pollutants are extremely harmful to anyone, but especially to community members who are already disproportionately impacted by environmental harms. Further, we are concerned about how feasible the mitigation measures are given the fact that even with mitigation, pollutants remain “significant and unavoidable.”

4

Given the grand scale of plans implemented by the community plan, there will be several projects occurring concurrently. Overlapping projects can be more efficient, but it is crucial to be mindful of the impact it will have on community members who live, work, play, worship directly next to the massive construction sites. The Draft EIR must consider construction delays or situations which may delay the projects. Under the current timeline, some of the projects will be completed by 2040. Some of the projects that failed in include a timeline ranged from constructing new development, new housing, potential commercial hubs, etc. When there is no finalized duration of the project, that is harmful for residents because the environmental impacts get exacerbated over time. A timeline is necessary to take into account how prolonged environmental harm will impact community members and residents.

5

Further, protecting public health is of utmost concern. Communities in the Harbor Area are at risk and overburdened by environmental harm. Community members in Wilmington have, for decades, experienced environmental racism due to the cumulative impacts from living next to oil wells, the high concentration of oil wells, refineries, the Port of Los Angeles, diesel truck traffic, yard storage containers, metal dismantlers, and pick your part car junkyards. Phase out strategies are vital for oil drilling and existing polluting industry, not just continued infill measures. None of this was discussed in the air quality section. Air quality, or the lack thereof, is synonymous with oil wells and high concentration of toxic industry near residential homes. As stated above, those who live, work, or play near active and inactive oil wells are intrinsically more likely to face severe health conditions. In 2022, the City of Los Angeles unanimously passed an Oil and

6

¹⁰ U.S. EPA., *Research on Health Effects from Air Pollution*, <https://www.epa.gov/air-research/research-health-effects-air-pollution> (last visited Nov. 16, 2023).

¹¹ Danielle Torrent Tucker, *Living near oil and gas wells increases air pollution exposure, according to Stanford research*, STANFORD NEWS SERVICE (Oct. 12, 2021), <https://news.stanford.edu/press-releases/2021/10/12/living-near-oil-llution-exposure/> (finding that there are higher levels of air pollutants within 2.5 miles of oil and gas wells leading to adverse health outcomes for residents); Mingpu Wang, et al., *Exposure to construction dust and health impacts – A review*, 311 CHEMOSPHERE 1 (2023) (available at <https://doi.org/10.1016/j.chemosphere.2022.136990>) (finding that construction dust exposure leads to health concerns such as respiratory disease, cardiovascular disease, cancer risk, and increased risk of mortality for residents and construction workers).

Gas Drilling Ordinance prohibiting all new activity and making current extraction activities a nonconforming use in all zones. The city ordinance phases out all oil and gas extraction by prohibiting new oil and gas extraction operations. Further, all existing operations must sunset within 20 years. Owners are not allowed to expand their current site or extend their operations during the 20 years of phase out. The Draft EIR must recognize that air quality and public health have experienced significant cumulative impacts and take steps to remedy the oversight.

6

IV. Energy and Hydrogen

The Draft EIR states that there are “no mitigation measures required” and the impacts are “less than significant”. However, based off the lived-experiences of Wilmington community members and CBE’s decades of working in Wilmington, we believe that the Draft EIR does not properly consider secondary effects from the CPA and potential impacts to the immediate community. Additionally, the CPA is not in accordance with State CEQA Guidelines because the proposed CPA will “result in potentially significant environmental impact” and will “obstruct” state and regional policies for environmental justice and renewable energy.

7

Oil Drilling

The DEIR makes reference to inactive and abandoned oil drilling sites¹² but fails to recognize the 303 active oil drilling sites that must be treated as a nonconforming and incompatible land use,¹³ located within or surrounding residential neighborhoods in Wilmington. One example of these drilling sites is Warren Resources which operates hundreds of oil wells at 521 E. Banning Street (APN 7423-023-006) and 623 E. Anaheim Street (APN 7423-024-032). Warren Resources operates next to a park and across the street from a residential neighborhood. Currently, this site is zoned as ‘light industrial’, the proposed plans are shifting it to ‘hybrid industrial’. We have repeatedly argued that this zoning change will further exacerbate the existing health impacts residents are facing. Instead, we urge the proposed plan adhere to the goals of the Oil and Gas Drilling Ordinance (City Council File No. 17-0447) and make any existing extraction a nonconforming land use.

8

Residents near oil wells are impacted by moderate to severe health concerns such as headaches, nosebleeds, cancer risks, and respiratory related conditions. The Draft EIR does not properly consider these health impacts, and must be reevaluated to account for the phase out ordinance and health concerns imputed to residents.

Building Decarbonization & Alternative Fuels

The DEIR acknowledges the City’s requirements which do not allow for new natural gas hookups, thereby assuming the Proposed Plan would not result in wasteful, inefficient, or

9

¹² DRAFT EIR, *supra* note 5, at 4.5-2.

¹³ Well Finder, CALGEM, <https://maps.conservation.ca.gov/doggr/wellfinder/?extent=-13177764.8548%2C3994858.1645%2C-13148565.91%2C4003648.4227%2C102100> (last visited Nov. 13, 2023).

unnecessary use of energy. However, this assumption is only correct if the City were to fully commit to renewable energy, such as solar panels and battery storage. The City has not made this commitment, instead the DEIR has confirmed that LADWP will need to identify additional energy sources and suggests alternative fuels such as hydrogen.¹⁴ Hydrogen is an inefficient use of energy under most conditions and should take a secondary role to clean and efficient electrification. CBE opposes all hydrogen that is not green hydrogen¹⁵ or that does not respect the three pillars of additionality, deliverability, and hourly matching.¹⁶ The proposed plan must incorporate clear goals to expand true renewable energy such as solar in CD 15.

Furthermore, any application of green hydrogen must avoid hydrogen combustion and we urge the DCP to remove any and all options, considerations or recommendations for Hydrogen to be used in “combustion engines” in the CPA.¹⁷ Additionally, the DEIR describes hydrogen as an environmental solution due to its “clean-burning qualities”. Hydrogen produces large quantities of nitrous oxide when combusted to generate electricity or on a smaller scale and can cause significant harms to local residents. CBE and environmental justice allies collaborated to outline environmental concerns regarding Hydrogen because production, delivery, storage, and end uses of hydrogen can present more harm to communities of color and undermine our climate targets. Any potential hydrogen infrastructure requires meaningful community engagement opportunities that consider current cumulative impacts on frontline environmental justice communities.¹⁸

V. GHG Emissions

The Proposed Plans do not have a proper GHG threshold and the DEIR fails to consider GHG emissions that may have a significant impact on the environment and the community members within the CPA. The DEIR properly states that the City has not adopted a specific GHG threshold, however, given that the CPA is a document that will guide the development of the Wilmington community, there must be a stringent threshold to protect community members that have, for decades, been disproportionately impacted by the concentration of fossil fuel industry and toxic industries. State CEQA Guidelines Section 15064.4 makes the “lead agency” responsible to “make a good-faith effort” to “calculate or estimate the amount of greenhouse gas emissions resulting from a project”. However, this is an inadequate monitoring mechanism. In 2019, CBE won a suit against the City of Los Angeles for rubberstamping oil drilling sites, predominately in the communities under this CPA.

¹⁴ DRAFT EIR, *supra* note 5, at 4.7-66.

¹⁵ CBE, et al., *Equity Principles for Hydrogen: Environmental Justice Position on Green Hydrogen in California*, (Oct. 10, 2023) <https://www.cbecal.org/wp-content/uploads/2023/10/Equity-Hydrogen-Initiative-Shared-Hydrogen-Position-1.pdf>.

¹⁶ Rachel Fakhry, *Success of IRA Hydrogen Tax Credit Hinges on IRS and DOE*, NRDC (Dec. 8, 2022) <https://www.nrdc.org/bio/rachel-fakhry/success-ira-hydrogen-tax-credit-hinges-irs-and-doe>.

¹⁷ DRAFT EIR, *supra* note 5, at 4.5-8.

¹⁸ *Equity Principles for Hydrogen*, *supra* note 15.

The DEIR fails to adequately consider the climate warming impacts of hydrogen usage at Intermountain Generating Station and possible proposed applications of hydrogen within the CPA. Hydrogen is an indirect climate pollutant and emissions from hydrogen leakage increase concentrations of atmospheric methane, and ozone, as well as stratospheric water vapor. Consideration of hydrogen leakage is critical because hydrogen leakage is a significant risk. Hydrogen is the smallest molecule and can cause fracturing and embrittlement of pipelines unless adequate infrastructure and monitoring are used. The DEIR also fails to identify the sources of Intermountain's hydrogen supply. Production of methane is either pollution intensive, energy intensive, or both. Conversion of Intermountain to hydrogen power could result in significant climate warming emissions. The DEIR's discussion of hydrogen applications for power generation is inappropriately brief and claims without adequate discussion that hydrogen conversion constitutes a transition to clean energy.

11

As stated in the Energy section, the CPA and DEIR do not sufficiently account for LAMC requirements for all new buildings to be all-electric. The DEIR confirms that LADWP will be required to increase the amount of renewable energy to comply with SB 100- yet, the CPA does not include a commitment or analysis to increase renewable energy via solar panels, etc. in the area. The DEIR states that the Proposed Plan will reduce GHG emissions¹⁹ due to the all-electric LAMC regulations, however, as stated above, without a full commitment for solar and renewable energy, there are no assurances that GHG emissions will decrease if the CPA considers hydrogen as a solution.

12

VI. Hazards and Hazardous Materials

The Draft EIR does not properly consider the proximity of schools to hazardous materials and protecting community members from oil drilling activity. As stated previously above, decades of research demonstrate that living near oil wells and hazardous materials, such as construction and pollution caused by oil wells, significantly negatively affect people's health. Hazardous sites and materials can cause dangerous health impacts through contaminated soil or groundwater, airborne releases in vapors, fumes, and dust.

The Draft EIR acknowledges that public health hazards can arise if hazardous materials are improperly handled. The plan states, "The California Public Resources Code requires projects that would be located within 0.25 miles of a school and might reasonably be expected to emit or handle hazardous materials to consult with the school district regarding potential hazards." In the Harbor Area, there are 25 Los Angeles Unified School District public schools. As seen in Figure 4.8-3, there are several schools near hazardous sites.²⁰ Historically, when there are safety incidents near schools such as oil leaks or refinery issues, there is no communication between students and their families. Community members express concern that schools are not timely

13

¹⁹ DRAFT EIR, *supra* note 5, at 4.7-66.

²⁰ *Id.*, at 4.8-29.

communicating when there are potential hazards, and no notice is given. The Proposed Plan does not provide a significant process, only statements, which provide inadequate assurances for safety. Although a school may be consulted, there is no decree requiring them to take further action to prevent harm and alert students.

13

Oil fields and wells are harmful to human health because they create air pollutants and are likely to contaminate groundwater and soils. The Draft EIR relies on supporting the Harbor LA Community Plans. However, we disagree as seen in our former comment letter. The Draft EIR states certain policies pertaining to existing oil wells:

“Policy EJ 11.2 of the proposed Harbor Gateway Plan would encourage the overall reduction of existing oil and gas wells within and adjacent to residential neighborhoods. Further, implementation of Policy LU-3.2 of the proposed Harbor Gateway Plan would ensure that existing oil well sites located in residential areas have well-maintained and landscaped front yard setbacks, enclosed by perimeter fencing...Furthermore, future development resulting from the Proposed Plans would be required to comply with Section 91.6105 of the LAMC, which would prohibit the construction activities associated with future development of schools, hospitals, sanitarium or assembly occupancies, public utility fuel manufacturing plant, or certain public utilities to occur within 200 feet from the center of the oil well casing.”²¹

These proposed policies do not reflect our community values. While we are supportive of the encouragement to reduce oil and gas wells, encouragement is not enough. Phase down of oil drilling is not enough. We advocate for a full phase out and proper remediation practices of oil wells. Next, hiding existing oil wells in residential areas behind “well-maintained and landscaped front yard setbacks” does not hide the continued health impacts on community members. When the oil sites are hidden and out of view, that does not mean the health concerns disappear too. Lastly, 200 feet from an oil well is not far enough to mitigate harm. Children in schools and people in hospitals are already more susceptible to pollutants and contaminants. When an oil well leaks into the community or groundwater, 200 feet is not enough to protect people. In 2022, Governor Newsom signed SB 1137 to stop oil drilling in an effort to protect Californians.²² The bill designated new oil wells to be 3,200 feet away from homes, hospitals, schools, parks, and other sensitive areas to best protect the health of community members.²³

14

Community plans must incorporate phase out strategies and follow city ordinances. As stated throughout our letter there is an extremely high concentration of oil drilling activity which causes severe health concerns. Former oil drilling sites that are not properly remediated leave behind

²¹ *Id* at 4.8-66.

²² California Office of Governor, *Governor Newsome Calls Out Big Oil on Continued Push for Drilling in Neighborhoods*, (Feb. 3, 2023) <https://www.gov.ca.gov/2023/02/03/governor-newsom-calls-out-big-oil-on-continued-push-for-drilling-in-neighborhoods/>.

²³ SB 1137, 2022 Leg. Serv. (Cal. 2022).

hazardous materials including heavy metals such as nickel, cadmium, and chromium, as well as petroleum hydrocarbons.²⁴ The Harbor Area Community Plan has the opportunity to get ahead of the reasonably foreseeable consequences of a phaseout of oil drilling, by planning for how abandoned drilling sites with hazardous materials will be remediated or properly handled to reduce the risk these materials pose to public health. The Draft EIR does not properly consider these issues and must be reevaluated to account for the phase out ordinance and health concerns imputed to residents.

In addition to oil drilling there are various industrial sites that cause significant health and environmental impacts. As stated in the beginning of our letter, Wilmington also has a concentration of metal dismantlers, pick your parts junkyards, storage container yards, recycling, air products and chemical industry, and industrial maintenance companies. As sites transition to lesser industrial sites, remediation is pertinent for locations with decades of industrial use. The practice of digging and hauling contaminated sites have a possibility of impacting health, especially sensitive receptors such as schools, day care centers, and vulnerable residents with pre-existing health concerns or elders and young children. The Draft EIR does not adequately consider and plan for potential environmental impacts from remediation such as possible vapor intrusion, groundwater contamination and particulate matter. As such, a thorough plan for phase out and remediation is necessary to mitigate health and environmental impacts.

14

VII. Land Use and Planning

The Draft EIR and Proposed Plans have potential to divide an existing established community, significantly impacting the environment, and contradict statements about phase out of oil drilling activity. We are concerned that the increased incorporation of hybrid/industrial zoning and industrial zoning will divide established communities and homes to critical services such as access to sidewalks, public transportation, social cohesion, and overall protections from existing policies and plans. The Wilmington and Harbor Area has several oil wells and industrial buildings- changing the zoning to provide more access to industry near residences is harmful to the community. When more industry is allowed to operate, this increases adverse health impacts to residents. As stated throughout this letter, air quality is significantly affected by industries such as gas and oil. Additionally, hazardous materials used by the industry can contaminate groundwater and soil in the community. The public health is at risk with polluting industries in resident's backyards. Further, if the zoning is changed to allow more industrial use, it will undoubtedly divide the community's physical landscape. With industry next to residences, physical access around the neighborhood may be negatively altered such as walking routes, bus routes, and access to green spaces. A resident's ability to have walkable streets will be impacted because of construction or other reasons making it unsafe to walk past a certain industrial

15

²⁴ *Common Types of Brownfields and their Contaminants*, D U.S. ENV'T PROTECTION AGENCY (July 26, 2022) <https://www.epa.gov/brownfields/common-types-brownfields-and-their-contaminants>; Arbor J. L. Quist et al., *Metal Exposures in Residents Living Near an Urban Oil Drilling Site in Los Angeles, California*, D56 ENV'T SCIENCE.

building. The social cohesion of the area will be altered because residents will not be able to freely move around the community.

15

The Proposed Plans have the potential to significantly conflict with existing environmental protections policies. The Draft EIR states there are no concerns regarding zone changes to incorporate hybrid industrial and increasing industrial zoning, but this is antithetical to the 2016 Clean Up Green Up (CUGU) ordinance signed by former Mayor Garcetti. CUGU “authorizes the establishment of a Clean Up Green Up Supplemental Use District within Boyle Heights, Pacoima/Sun Valley, and Wilmington to reduce cumulative health impacts resulting from incompatible land uses.”²⁵ The City is aware of and acknowledges the health impact consequences from incompatible land uses such as hybrid zoning and industrial zoning. CUGU does not allow for truck idling in residential areas due to diesel truck emissions which are harmful to resident’s health. Changing zoning to hybrid or industrial zones is detrimental because it puts residents at risk. For example, in an area that is zoned as residential and that changes to industrial, it disregards the community members and current residences in that area. Under CUGU, truck routing plans must minimize exposure traveling “past residences, churches, schools, hospitals, public playgrounds, nursing homes, day care centers, and other similar uses.”²⁶ These truck route determinations are decided by zoning maps. Following the example above, if an area changes to industrial use even though there are still residents and homes in the area, significant truck idling would occur. Mitigation measures will be difficult to implement. Incongruent land use planning strategies need to be reassessed to consider these existing ordinances and the dire impacts on community members.

16

The Draft EIR does not properly consider the Oil and Gas Drilling Ordinance issues and must be reevaluated to account for the phase out ordinance and health concerns imputed to residents.

The Draft EIR has several statements including, “the Proposed Plans encourage the phasing out of oil drilling and support abandonment and remediation of all oil-related uses in an effort to protect the health and welfare of residents.”²⁷ However, in the mineral section, the Plan does not enact stringent measures to stop oil drilling. The Draft EIR relies on the Harbor Area CPA, but that is incorrect. The CPA claims to support oil drilling activities, but in reality, promotes continued infill landscapes. We need actual phase out strategies and mitigation plans, not hiding the problem behind “well-maintained and landscaped” oil wells in the neighborhood.²⁸ The City of Los Angeles has clearly stated that oil drilling will be considered a non-conforming land use and thus it should also clearly state how it intends to handle these non-conforming uses in the communities like Wilmington where these wells currently exist. There is no plan for what will happen to these sites when oil drilling is inevitably phased out, in fact there is barely any

17

²⁵ *Clean Up Green Up*, *supra* note 8.

²⁶ Clean Up Green Up Ordinance 29(b)(3).

²⁷ DEIR, *supra* note 5, at 4.10-3.

²⁸ *Id* at 4.8-66.

acknowledgement that these sites will be phased out at all. There is an opportunity to address past conflicting land use zoning of industrial oil well sites in the hearts of residential neighborhoods, but the DEIR is silent on how the City will handle this opportunity. Nor is there discussion of methods to reduce health impacts from oil wells in the interim phaseout period, such as electrification of rigs or limiting hours of operation. We want stronger advocacy and the Harbor Area to follow and plan around the Oil and Gas Drilling Ordinance stated above.

17

VIII. Mineral Resources

In regard to Appendix G of State CEQA Guidelines, “result in the loss of availability”, fossil fuels are a finite resource and the process of drilling, refining, and transporting fossil fuels create detrimental health and environmental impacts.

The DEIR states that plugged wells prevent fluid from migrating and idle wells have not produced oil or natural gas during a certain period. However, the Proposed Plan does not have a clear plan to properly cap or remediate plugged or idle wells. Instead, they occasionally release toxic fumes or contaminants due to improper care, subsequently harming neighboring residents and the overall environment. Additionally, Table 4.7-3, explains there has been an increase in fugitive emissions from oil and natural gas in California.²⁹ Given the lack of proper remediation practices and high concentration of oil drilling sites in the community- leaks and fugitive emissions are a real concern to community members.

18

The Proposed Plan, under LU 3.3, EJ 11.1, EJ 10.6, suggests the practice of landscaping oil drilling sites as an intermediary solution during phaseout. However, throughout the planning process, in public comment letters and during in-person meetings with City Planning staff, CBE has repeatedly clarified that community members prioritize for the next decade, a clear plan to fully phase out oil drilling sites and proper remediation. From our September 2021 letter: “The Planning department should prioritize the phasing out of oil drilling sites rather than landscaping. A landscaped oil well site will not provide sufficient protections compared to a 2,500 ft buffer zone between homes and oil well sites.”

IX. Population and Housing

The Proposed Plans create significant impacts including, “induce substantial unplanned population growth” and “displace substantial numbers of existing people” (Appendix G of the State CEQA Guidelines). The DEIR states, “Reasonably anticipated development...would likely result in the displacement of some existing housing units and residents, including homeless residents...the number of displaced units and residents...would be speculative.”³⁰ However, according to the Urban Displacement Project, a mapping tool to identify areas vulnerable to gentrification and displacement, the area along Anaheim and Pacific Coast Highway enclosed by

19

²⁹ *Id* at 4.7-9.

³⁰ *Id* at 4.13-32 and 4.13-33.

Figueroa Place and N Wilmington Blvd, which has also been identified as “Neighborhood Centers” is already experiencing displacement.³¹ The mapping tool shows that the majority of Wilmington is low-income and susceptible to displacement. As such, the concern regarding displacement caused by anticipated development is not “speculative” it is a real concern that Wilmington residents are currently facing- if the Proposed Plan does not address or mitigate these concerns it will further exacerbate displacement. From a letter CBE submitted in 2021: “The Harbor Gateway, Harbor City and Wilmington are predominately Black, Latinx, and low-income communities, it is imperative the Department of Planning act as an agency of community retention and cohesion, and that the Proposed Community Plan is not designed to facilitate or perpetuate the ongoing gentrification and displacement in Los Angeles.” While this is a socioeconomic impact, it also poses environmental risks and limits adaptation capacity. Increased commuter traffic results in traffic emissions including PM 2.5, NOx, etc. For community members without a vehicle, longer commutes diminish adaptation capacity which is inconsistent and in contradiction to local climate action plans that aim to support community members during extreme heat waves.

The DEIR states that the Proposed Plans would not necessitate the construction of replacement housing elsewhere, however, it also confirms that there is a possibility-due to the proposed new zoning code, an increase of allowable housing stock on a parcel - that an owner could demolish an existing single-family house and build multi-units. Currently, there are insufficient and inadequate protections for tenants that require the owner provide intermediary housing during construction. To limit the impact of displacement, we urged the City to establish “Displacement Free Investment Zones (aka No Net Loss)” in a public comment letter submitted by CBE on September 2021.

The DEIR fails to discuss the close-proximity of homes to oil drilling sites, refineries, polluting industry, and major diesel truck corridors. The cumulative impacts, including socio-economic and environmental hazards, of living in close proximity to toxic sites warrant mitigation measures. In 2017, the California Air Resources Board (CARB) technical advisory found that individuals living within 1,000 feet of high-volume roadways were more likely to experience negative health impacts such as asthma and cardiovascular disease.³² In 2018, the City of Los Angeles adopted an advisory notice placing a 1,000-foot buffer zone between freeways and new housing citing the adverse health impacts from air particulate matter and vehicle exhaust.³³

X. Conclusion

³¹ *Los Angeles – Gentrification and Displacement*, URBAN DISPLACEMENT PROJECT, <https://www.urbandisplacement.org/maps/los-angeles-gentrification-and-displacement/> (last visited Nov.13, 2023).

³² CALIFORNIA AIR RESOURCES BOARD, STRATEGIES TO REDUCE AIR POLLUTION NEAR HIGH-VOLUME ROADWAYS (2017) https://ww2.arb.ca.gov/sites/default/files/2017-10/rd_technical_advisory_final.pdf

³³ City of Los Angeles Department of City Planning, *Zoning Information File No. 2427, Freeway Adjacent Advisory Notice*, <http://zimas.lacity.org/documents/zoneinfo/zi2427.pdf> (notice effective Sept. 17, 2018).

In conclusion, we are concerned that the Proposed Plan has not incorporated community concerns and that the Draft EIR has not provided a sufficient analysis regarding the lack of environmental justice policies within the Proposed Plan and the impacts this will have on community members living within the CPA. The Proposed Plan is not sufficient under SB 1000, and if adopted as is these plans will have significant and long-term detrimental impacts to LA residents especially those who have historically been disenfranchised. We look forward to seeing an updated EIR that includes the Oil and Gas Drilling Ordinance that phases out all oil and gas extraction in LA, especially as there is a large concentration of oil activity in the Harbor Area. In true collaborative form, we encourage LA City Planning and City Council to incorporate the health and environmental concerns we have uplifted consistently throughout this planning process. We urge LA City Planning and City Council to incorporate robust environmental goals, policies, and programs that will ensure the health and safety of community members in the Harbor Area, Harbor City, and Wilmington CPAs.

20

Thank you for considering our comments. If you have further questions, please contact Jennifer Ganata (jganata@cbecal.org) or Laura Gracia (laura@cbecal.org). We look forward to working with you throughout this process.

Sincerely,

Laura Gracia
Climate Adaptation and Resilience Enhancement (CARE) Coordinator

Meleana Chun-Moy
Legal Extern, UCLA School of Law

Letter 8 **Communities for a Better Environment**
113 E. Anaheim Street
Wilmington, CA 90744
November 20, 2023

Response 8-1

The commenter provides an introduction to the CBE's detailed comments, which are addressed below. No further response is required.

Response 8-2

The commenter expresses concern regarding the accessibility of the DEIR. The Notice of Preparation for the Proposed Plans was published on August 15, 2019 and provided a 30-day review period between August 15, 2019 and September 16, 2019. A Scoping Meeting was held on August 22, 2019. The Notice of Availability for the Draft EIR was published on September 21, 2023 and provided a 60-day public review period between September 21, 2023 and November 20, 2023. In addition, a virtual information session and public hearing was conducted on November 9, 2023. The Draft EIR was made available online on the City's website and hardcopies were made available at City Hall, Council District 15- San Pedro Field Office, the Rosecrans Recreation Center, and four public libraries throughout the CPAs.

Response 8-3

The commenter provides a summary of the existing conditions within the Harbor LA CPAs related to environmental justice, demographics, pollution, and Senate Bill (SB) 1000 as it relates to environmental justice, and the City's Clean Up Green Up ordinance. The commenter claims that environmental justice concerns were not addressed in the EIR. See Master Response No. 1 (Non-CEQA Issues) and Response 7-5. The comment also concerns impacts of the existing environment on the Proposed Plans, which are not related to the analysis in the EIR. While the comment does not address the adequacy of analysis in the EIR, but rather the policies in the Proposed Plans, as discussed in **Section 3.0, Project Description** (pages 3.0-2 and 3.0-21), the Proposed Plans do consider incompatible land use patterns and environmental justice issues, consistent with SB 1000; and address the history of contamination in the CPAs. The commenter also claims that the EIR does not address health risks associated with the existing oil drilling activities in the CPAs. Please see **Master Response 1: General Comments and Non-CEQA Issues** and **Master Response 3: Oil and Gas Ordinance**. The comment raises concerns regarding existing environmental conditions. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 8-4

The commenter correctly summarizes that there are significant and unavoidable construction and operational air impacts. The conclusion that impacts for regional construction and operational activities would be significant and unavoidable is consistent with programmatic analyses as individual project details are not available to be assessed. As discussed in **Section 4.2, Air Quality** (pages 4.2-37 through 4.2-50), significant and unavoidable impacts are anticipated because it is not possible to estimate the rate of redevelopment in the future, and the model limitations can only disclose generalized effects. In addition, the commenter cites health risks associated with oil drilling activities. Please see **Master Response 1: General Comments and Non-CEQA Issues** and **Master Response 3: Oil and Gas Ordinance**. Comments related to impacts associated with existing oil and gas extraction activities are not related to the Proposed Plans or the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 8-5

The commenter states that there will be several overlapping projects and timing of the projects should be planned accordingly. However, the Proposed Plans do not include individual development projects; and any specific timelines or analyses would be speculative. The comment related to potential timing of development will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 8-6

The commenter provides a summary of the existing conditions within the CPAs related to oil wells, truck traffic, and industrial uses. Please see **Master Response 3: Oil and Gas Ordinance** and **Master Response 1: General Comments and Non-CEQA Issues**. The comment raises concerns regarding existing environmental conditions. Comments related to impacts associated with existing conditions, including oil and gas extraction activities, are not related to the Proposed Plans or the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 8-7

The Commenter claims there would be significant impacts associated with energy and hydrogen. The EIR evaluates energy impacts in accordance with CEQA Guidelines and Appendix G and focuses on wasteful use of energy. The commenter does not provide any specific indication of how such impacts would occur or any evidence to support their opinion that the Proposed Plan will be inconsistent with state and regional

policies for environmental justice and renewable energy. As discussed on pages 4.10-23 through 4.10-33 of the EIR, the Proposed Plans would be consistent with the 2020 SCAG RTP/SCS; City of Los Angeles Framework Element; Housing Element; Health, Wellness, and Equity Element; and Open Space Element. As discussed on pages 4.5-38 of the EIR, the Proposed Plans would not conflict with a state or local plan for renewable energy or energy efficiency. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The commenter expresses an opinion regarding the analysis contained in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 8-8

The commenter states that residents near oil wells experience health impacts and the EIR does not adequately consider these existing health impacts. Please see **Master Response 1: General Comments and Non-CEQA Issues** and **Master Response 3: Oil and Gas Ordinance**. Comments related to impacts associated with existing oil and gas extraction activities are not related to the Proposed Plans or the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 8-9

The commenter states that the assumptions in the EIR regarding fuel alternatives such as hydrogen are inefficient and should be removed. The EIR provides a good faith effort at disclosing the Proposed Plans' potential energy consumption and generation. As discussed in **Section 4.5, Energy** (pages 4.5-11 through 4.5-12), there are a variety of alternative fuels that are encouraged through state-wide regulations and plans. However, the Proposed Plans do not have a direct effect on the timing or effectiveness of those regulations. See **Response to Comment 8-7** regarding the Energy analysis in the EIR. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 8-10

The commenter claims that the EIR does not use the proper GHG thresholds and asserts that the Proposed Plans' GHG emission may have a significant impact. As discussed in **Section 4.7, Greenhouse Gas Emissions** (pages 4.7-53 through 4.7-57), consistency with AB 32, SB 32, and AB 1279 (through conformance with Connect So Cal), the Sustainable City pLAn, GreenLA, and relevant components of the City's General Plan was used as the threshold of significance for GHG emissions. This is due to the fact that the City and

SCAQMD have not adopted specific GHG significance thresholds. In addition, recent legal standards (*Center for Biological Diversity et al. vs. California Department of Fish and Wildlife*, 2015) provide guidance and find that consistency with AB 32, along with other applicable plans, policies or regulations adopted for the purpose of reducing GHG emissions is a permissible significance criterion for project GHG emissions. Furthermore, the commenter does not provide any evidence to support their opinion that the Proposed Plans would result in a significant GHG Impact. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The commenter expresses an opinion regarding the analysis contained in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans. The commenter also incorrectly identifies the EIR's estimation of GHG emissions as a monitoring mechanism. As discussed in **Section 4.7** (pages 4.7-56 and 4.7-57), the Proposed Plans' GHG emissions are estimated and quantified, as appropriate for a planning-level document based on reasonably available data and information and provided to comply with State CEQA guidelines, Section 15064.4(a). The analysis provides reasonable evidence at a plan-level to show that how implementation of the project could impact GHG reductions and is not performed to measure the project's GHG impacts against a numerical threshold.

Response 8-11

The commenter states that the EIR should have discussed impacts associated with hydrogen usage at the Intermountain Generating Station. As of the date of this Final EIR (2025) Intermountain Generating Station continues to operate two coal fired power plants. The Proposed Plans do not include any changes associated with this facility. The comment raises concerns regarding existing environmental conditions. Comments related to impacts associated with existing conditions are not related to the Proposed Plans or the adequacy of the analysis included in the EIR. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 8-12

The commenter claims that the EIR does not sufficiently account for LAMC requirements for all-electric buildings. The EIR makes a good faith effort at disclosing a conservative estimate, suitable for evaluation at a planning level, of the Proposed Plans' potential energy consumption and generation of associated GHG emissions. As discussed in **Section 4.5, Energy** (page 4.5-30 through 4.5-37), the Proposed Plans would be consistent with applicable policies regarding energy conservation and renewable energy; and therefore, would not result in wasteful or inefficient energy consumption. The EIR also makes a good faith effort to account for the potential regulatory benefits associated with state and local renewable energy sources. However, the Proposed Plans have no direct effect on the timing or effectiveness of local or state

regulations. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment addresses issues outside the purview of the Proposed Plans and does not relate either to significant environmental issues or adequacy of the environmental analysis in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 8-13

The commenter claims that the EIR does not address the proximity of hazardous materials or oil drilling activities near schools. Please see **Master Response 1: General Comments and Non-CEQA Issues** and **Master Response 3: Oil and Gas Ordinance**. The comment raises concerns regarding existing environmental conditions. Comments related to impacts associated with existing conditions, including oil and gas extraction activities, are not related to the Proposed Plans or the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans. The Proposed Plans do not include any new schools; therefore, no new school would be located in close proximity to hazardous materials, including oil wells. As discussed in **Chapter 3.0, Project Description**, one of the key objectives of the Proposed Plans is to create hybrid industrial areas that serve as a buffer between residential and heavy industrial uses, including oil fields. The Proposed Plans policies and regulations would serve to potentially improve land use consistency issues related to hazards.

Response 8-14

The commenter expresses concern regarding the existing oil fields and wells within the CPAs, as well as other industrial sites such as metal dismantlers. Please see **Master Response 3: Oil and Gas Ordinance**. Comments related to impacts associated with existing oil and gas extraction activities, as well as other industrial sites, are not related to the Proposed Plans or the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 8-15

The commenter claims that the Proposed Plans have the potential to divide an existing established community and increase public health risks. In addition, the commenter expresses concern with an increase in Hybrid Industrial and Industrial zoning designations. A key objective for the Proposed Plans is to create hybrid industrial areas that prioritize clean, job producing uses and serve as a buffer between residential and heavy industrial uses. Please see **Master Response 2: Industrial Zone Changes**. The Proposed Plans would support the preservation of established industrial districts to promote equitable jobs/housing

balance and help ensure appropriately located land accommodates existing, new, and relocating industrial uses, including small-scale or niche manufacturing and emerging industries.

Response 8-16

The commenter expresses concern that the proposed Hybrid Industrial land use designation would increase health risk impacts on residents. Please see **Master Response 2: Industrial Zone Changes**. The Proposed Plans would support the preservation of established industrial districts to promote equitable jobs/housing balance and help ensure appropriately located land accommodates existing, new and relocating industrial uses, including small-scale or niche manufacturing and emerging industries. The Proposed Plans would require new heavy industrial development sites within the Harbor LA CPAs to meet specific buffering standards to prevent potential adverse impacts with any neighboring residential or other sensitive uses. The commenter expresses concern regarding difficulty with the implementation of mitigation measures to address truck idling. However, the commenter does not identify any inadequacies with the mitigation measures included in the EIR. The EIR includes Mitigation Measure AQ-3 to limit idling during construction as set forth in the California Code of Regulations, Title 13, Section 2449. The mitigation measure would be implemented as part of the discretionary review process. In addition, the Proposed Plans include programs and policies to support implementation of the Clean Up Green Up ordinance and truck idling.

Response 8-17

The commenter expresses concern with the existing oil drilling activities and claims that the EIR does not consider the City's Oil and Gas ordinance issues. Please see **Master Response 1: General Comments and Non-CEQA Issues** and **Master Response 3: Oil and Gas Ordinance**. Comments related to impacts associated with existing oil and gas extraction activities are not related to the Proposed Plans, or the adequacy of the analysis included in the EIR. Recommendations to address existing oil well sites are an opinion related to the City's policies and the Proposed Plans and do not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 8-18

The commenter states that the Proposed Plans do not include a specific plan to phase out the existing oil wells. Please see **Master Response 1: General Comments and Non-CEQA Issues** and **Master Response 3: Oil and Gas Ordinance**. Comments related to impacts associated with existing oil and gas extraction activities are not related to the Proposed Plans, or the adequacy of the analysis included in the EIR. The

comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 8-19

The commenter expresses concern regarding the potential displacement of housing and the location of housing near oil drilling sites. As discussed in **Section 4.13, Population and Housing** (pages 4.13-32 through 4.13-35), the reasonably anticipated development and redevelopment associated with implementation of the Proposed Plans would likely result in the displacement of some existing housing units. However, the number of displaced units and the location of any replacement housing would be highly speculative at the Plan level. To address this issue, the Proposed Plans include policies and programs aimed at reducing displacement of people and housing. Please see **Master Response 1: General Comments and Non-CEQA Issues** and **Master Response 3: Oil and Gas Ordinance**. Comments related to the Proposed Plans and impacts associated with existing oil drilling activities are not related to or the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans. The Proposed Plans do not include any new schools; therefore, no new school would be located in close proximity to hazardous materials, including oil wells.

Response 8-20

The commenter provides a summary of the CBE's detailed comments. As shown above, many comments address opinions and issues that are not related to the adequacy of the analysis included in the EIR. Please see **Master Response 1: General Comments and Non-CEQA Issues** and **Master Response 3: Oil and Gas Ordinance**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

We offer our comments to strengthen the CPAs, a transition to a more neighborhood equitable future and to support BOLD actions that must be taken to truly protect the health of resident's overburden by pollution for so very long. We wish to support the hard decisions that must be made to bring this planning area into balance. We seek to continue to work with you as the plan is implemented in a spirit of partnership and collaboration.

The primary objective of the California Environmental Quality Act is to enhance the public's participation in the planning process. The inclusion of laws and authorities into this DEIR makes for a comprehensive document that helps to ensure we are all on the same page, especially with the most contaminated Superfund Sites.

We appreciate the section on "areas of controversy/issues to be resolved". We would like to underline the importance of addressing these issues that have been vocalized for decades by the community, specifically: traffic, noise, transportation corridors, air quality, consistency with transportation and growth planning, incompatible land uses all of which are environmental justice issues. These are issues dealing with life and death inequities, not mere inconveniences.

The project objectives need to be closely aligned with the many stated long-term priorities community improvement that were outlined in the draft Harbor Gateway plan. We would especially like to uplift the importance of the following bullets in the Harbor Gateway plan:

- Address the legacy of contamination and advance environmental justice goals
- Support a clean Dominguez Channel, improved air and water quality and remediation of superfund and brownfield sites
- Reduce negative health impacts by restricting new uses that are detrimental to the health and welfare of the community
- Improve land use compatibility by creating buffers and transitions between heavy/intense uses and residential neighborhoods
- Promote a diversity of uses that support healthy living and community needs
- Support the development of public realm and streetscape improvements including improvements that will have a cooling effect
- Encourage innovative and green industries that provide a greater number of jobs for local youth and residents
- Develop partnerships between local unions, employers, chambers of commerce, workforce development programs, and job recruiters to create career pathways for local youth
- Encourage improvements to existing businesses to upgrade the visual quality of industrial areas
- Ensure that goods movement respects residential neighborhoods and follows appropriate routes (*Denker Ave., Torrance Blvd. and Normandie are prime examples of this need*)
- Improve access to, and connectivity between, parks, recreation centers, open spaces, neighborhoods, and waterways such as the Dominguez Channel
- Encourage the creation of public spaces for people to gather and interact
- Connect neighborhood to amenities like the Dominguez Channel and adjacent bike path

Open Space: Consider this designation as an excellent transitional space and residential buffer zone. All industrial designations should have an open green space buffer, especially locations like the "Hybrid Industrial" strip of land along the Del Amo Alley adjacent to the beginning of the residential area of West Carson.

2

3

4

“Proposed” Hybrid Industrial: These areas include two of the most toxic sites in the country containing “legacy wastes”. Important steps must evolve over time like complete cleanups. These areas need forethought and upfront planning. If a site is zoned “Industrial” that is the level of cleanup it will receive under CERCLA; cleanup is based on anticipated future land use. Need to advocate and plan for future land use that will achieve the highest cleanup to maximize future uses. If not appropriately remediated a “live-work” scenario will not be health protective and this option should be removed from this description.

5

Industrial: These areas should be designated and located as far from residential areas as possible including relocating them if needed. Just adding” Light or Hybrid” in front of Industrial does not meet the stated objectives of Environmental Justice. Industrial areas and neighborhoods **Do Not Mix** –These areas must not be embedded in communities; like the Montrose and Jones Chemical sites adjacent to residential neighborhoods. Jones Chemical has a dangerous potential for a chlorine release or tanker catastrophe. This facility stores 1.8 million pounds of Chlorine on site; brought by train through this planning area. Up to 12 tanker cars of chlorine gas arrive at the Jones Chemical site per week. The toxic contamination from these sites is killing residents in the areas.

6

Light industrial and hybrid industrial areas are proposed to serve as improved transition zones between heavy industrial land and residential or commercial areas.” **This is a very bad policy!** Open space green zones should be the transition spaces between industrial and residential.

General comments on Project impacts, mitigation measures and residual impacts.

Overarching Comment:

The area of the CPAs is already overbuilt and in need of rearrangement. The opportunity to rearrange seems to go hand in hand with redevelopment. All new proposed projects should be required to go through planning for a permit and there should be a discontinuance of all “By-Right Development”.

7

Mitigation Measures

Air Quality – “Local jurisdictions have the responsibility for determining land use compatibility for sensitive receptors.”

AQ-2: Must utilize electrical equipment as a requirement; no additional diesel sources should be introduced into non-attainment areas.

AQ-3: Environmental cumulative impacts must be considered. Three minutes idling at the most. Queuing in areas outside the residential areas much be employed as feasible.

AQ-4: Getting power from solar panels is a better suggestion/requirement.

AQ-5: Only electrified equipment should be allowed near sensitive receptors/communities.

There might be a duplicative paragraph at the end of AQ-5 that seems repeated in AQ-6.

AQ-7: To many of these trips are though or adjacent to environmental justice neighborhoods.

MM-AQ-9: We appreciate that you are working to address the impact of too many warehouses in the communities the CPAs covers. We appreciate the sensitivity and complication around understanding the health impacts from cumulative sources. This is a task all agencies and decision makers must take head on; especially with new mandates specifically to address them.

8

Cultural Resources

Impact 4.4-1: Preservation of all cultural resources should be a top priority.

9

Greenhouse Gases

Impact 4.7-1: How was the less than significant determination of consistency of AB32 made?

Hazards and Hazardous Materials “Major corridors which may be used by trucks to transport hazardous materials throughout the Harbor LA CPAs include I-10, Alameda Street, Wilmington Boulevard, Pacific Coast Highway, Vermont Avenue and Normandie Avenue. Hazardous materials are also moved by rail along the eastern edge of Wilmington-harbor City CPA along the Union Pacific rail lines serving the port.” These may be major corridors but the infrastructure has not kept up with the increased demand; leaving the residents to deal with crumbling roads, lack of turn lanes, out of sync signals (especially where City and County jurisdictions meet) and horrible congestion which cause risky behavior in drivers. Adding hazardous waste transportation to the equation is of considerable concern. This is also of concern with the rail lines bringing Chlorine tankers directly into these highly populated areas.

Using an environmental justice lens, we need a plan that also looks back to understand how these dangerous companies became embedded in our community so that we can rectify these legacy hazardous waste issues.

MM HAZ-1: Thank you this is so important. Equally important is requiring a Phase 1 Environmental Assessment. The Del Amo Alley should require a Phase 1.

Impact 4.8-6: Important that you noted including analysis of adjacent Community Plans when addressing Cumulative Impacts.

Jones Chemical does not have an emergency evacuation plan for the nearby communities, do they?

Table 4.8-3: Policy 1.17 and 2.17 Building Community Capacity

Can you identify examples you would implement around Community Capacity Building? We think that this guidance would be very important to clearly define.

Land Use and Planning

Impact 4.10-2: Concerns remaining around Superfund Site proximity to community and Boys and Girls Club which is also adjacent to Jones Chemical.

Noise

Impact 4.12-1: Houses in the Harbor Gateway are currently being impacted by exceedances in noise and vibration damage. There needs to be a plan to address this.

MM-NO1-6: A Noise Study should be prepared for all projects adjacent to sensitive receptors.

Table 4.12-7 Ambient Noise Levels

When you have residential and commercials areas next to each other in different jurisdictions, like in Del Amo Alley, which presumed ambient noise levels are used?

Fire Services

Impact 4.14-1 Jones Chemical – one way in and one way out on Denker Ave.

Schools

Impact 4.14-3 Would this apply to the Boys and Girls Club on Denker Ave.?

10

11

12

13

14

15

16

17

18

19

Recreation

Impact 4.14-5 When development or redevelopment is proposed special overriding consideration to create a new park space needs to be a priority! Warehouse are displacing green space opportunities.

20

Transportation and Traffic

Impact 4.15-2 Work with the California Air Resources Board on a plan to avoid any additional air pollution burden in the already overburden air ways in communities in the CPAs and adjacent jurisdictions.

It is mitigatable when we prioritize environmental justice and cease additional impacts. The Harbor Gateway area has recently increased warehouses and new increases are expected. Do better preplanning on what business should be allowable in already impacted environmental justice areas. The intersection of Torrance and Normandie is ETREMELY DANGEROUS; which has Jones Chemical Chlorine tankers (a city business) using an already hazardous intersection. It is an accident waiting to happen.

21

In the proposed mobility network, the final bullet under Harbor Gateway (East-West) Streets it states "Del Amo Boulevard from Western Avenue to Denker Avenue Reclassification from Avenue I to Modified Industrial Collector", what does this mean???

22

The challenge we found in reviewing this Draft Environmental Impact Review is threefold:

1. Combining the Harbor Gateway and the Wilmington plans creates confusion. The readers may be familiar with their area and not with the other community which cause them to have to sort it out and increases the reading material of the document.
2. It has a vagueness to it because it is not project specific and causes the reader to move between concrete facts and unknowns.
3. Finally, the options are very limited. Alternative 1 – Do nothing now and remain using a plan from 1999; a plan that created some of the injustice we are facing today or Alternative 2 – move forward with some significant important changes but yet still missing the goal of achieving the balance sought for in the Harbor Gateway Plan.

23

24

25

Since these are the options given to us, public reviewers, we support moving forward with the updates to a community specific plan and will continue to work in collaboration with City and County Planners to create the changes that would bring about true environmental equity in each planning area and cross jurisdictionally.

26

Sincerely,
Cynthia Babich
Director, Del Amo Action Committee
Coordinador, Los Angeles Environmental Justice Network
delamoactioncommittee@gmail.com
www.delamoactioncommittee.org

Letter 9 **Del Amo Action Committee**
Cynthia Babich, Director
P.O. Box 549, Rosamond,
CA 93560

Response 9-1

The commenter provides an introduction to the Del Amo Action Committee’s detailed comments, that are addressed below. No further response is required.

Response 9-2

The commenter states that the EIR should do more to address environmental justice issues in the CPAs. Environmental Justice is not a CEQA issue. Please see **Master Response 1: General Comments and Non-CEQA Issues** and **Response 7-5**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans. The comment also expresses concern with the impacts of “by-right” developments in the CPAs and seeks to work with the City to provide a more equitable future.

Please see **Master Response 2: Industrial Zone Changes** regarding impacts of “by-right” developments.

Response 9-3

The commenter summarizes a list of the long-term priorities from the Harbor Gateway Plan. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment relates to the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 9-4

The commenter suggests that the Open Space land use designation would provide a good transitional space and residential buffer zone in areas proposed as Hybrid Industrial. Please see **Master Response 1: General Comments and Non-CEQA Issues** and **Master Response 2: Industrial Zone Changes**. The comment relates to the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 9-5

The commenter states that the parcels proposed as Hybrid Industrial land use designations should be remediated to the highest level to maximize future uses. Please see **Master Response 1: General Comments and Non-CEQA Issues**. Comment related to impacts associated with existing conditions are not related to the Proposed Plans or the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 9-6

The commenter states that parcels designated as Industrial land uses should be located as far as possible from residential areas. The comment also states that the proposed Light Industrial and Hybrid Industrial zones should be replaced with open space green zones. See **Response 9-4**.

Response 9-7

The commenter states that the Harbor LA CPAs are overbuilt, and all new projects should be required to go through planning for a permit and by-right development should be discontinued. Please see **Master Response 2: Industrial Zone Changes** regarding impacts of “by-right” developments.

Response 9-8

The commenter requests revisions to Mitigation Measures AQ-2, AQ-3, AQ-4, and AQ-5 and also provides general comments on Mitigation Measures AQ-7 and AQ-9.

The suggestions are as follows:

Suggests to revise AQ-2 such that electrical equipment is a requirement. The City rejects this change as the cost for individual developers to implement this change would be cost prohibitive in many cases and may not be achievable. The commenter does not demonstrate how or why this change would make the measure more effective.

Commenter suggests revising AQ-3 to reduce idling to three minutes. The City rejects this change. California Code of Regulations, Title 13, Section 2449 requires no more than five minutes of idling. Measure AQ-3 is consistent with existing best practice and requirements related to idling. Further, the commenter does not provide evidence this change would substantially reduce impacts compared to the measure as written in the EIR.

Commenter suggests revising AQ-4 to require construction equipment to get power from solar panels. The City rejects this measure as infeasible. Many small construction sites do not have the capability to utilize solar power. Further, the commenter does not provide evidence this change would substantially reduce impacts compared to the measure as written in the EIR.

Commenter suggests revising AQ-5 to only allow electrical equipment near sensitive receptors. The City rejects this measure as infeasible. The use of Tier 4 engines was demonstrated in the EIR to reduce emissions. The commenter does not provide evidence this change would substantially reduce impacts compared to the measure as written in the EIR.

Comments on aQ-7 and AQ-9 are not specific revisions and therefore do not need to be addressed. As stated, These suggestions would not substantially reduce impacts compared to the measures as presented in the EIR. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision makers for their consideration prior to taking any action on the Proposed Plans.

Response 9-9

The commenter states that the preservation of cultural resources should be a top priority. The Harbor LA CPAs state that each Plan seeks to protect and reinforce the character of the CPAs. In addition, the Proposed Plans would implement Community Plan Implementation Programs intended to preserve and enhance cultural resources within the Harbor Gateway and Wilmington-Harbor City CPAs.

Historical and cultural resources within the CPAs are listed in **Table 4.4-1, Historic Cultural Monuments (HCMs) Wilmington-Harbor City Plan Area**, and shown **Figure 4.4-1, Historical Resources**, of the EIR (pages 4.4-14 through 4.4-16). As discussed, in **Section 4.4, Cultural Resources**, the Proposed Plans currently do not introduce any features that would preclude implementation of or alter the regulatory control ordinances that designated historical resources are subject to in the City's Historic Preservation Overlay Zone Ordinance or the California Historical Building Code regulations. Moreover, the Proposed Plans do not call for the removal of any historical resources. However, new development associated with the Proposed Plans could result in an impact to historical resources either through direct or indirect effects to the area surrounding a resource. Because there is no feasible mitigation to prevent future demolition or substantial alteration of historical resources, the EIR concluded that impacts to historical resources under the Proposed Plans would be significant and unavoidable (see page 4.4-44).

Response 9-10

The commenter questions how the less than significant determination was made for Impact 4.7-1. As discussed in **Section 4.7, Greenhouse Gas Emissions**, (pages 4.7-68 through 4.7-75), the Proposed Plans are consistent with the goals of AB 32, SB 32, and AB 1279 (through conformance with Connect So Cal), the Sustainable City pLAn, GreenLA, and relevant components of the City's General Plan. The comment does not identify the potential for new physical environmental impacts not addressed in the EIR, and no additional response is required.

Response 9-11

The commenter expresses concern regarding the condition of existing transportation infrastructure along major corridors and the transport of hazardous waste. As discussed in **Section 4.8, Hazards and Hazardous Materials**, construction activities associated with the Proposed Plans could involve short-term transport of limited amounts of some hazardous materials. Construction activities that would involve the transport of hazardous materials during would be required to notify the appropriate state agencies in the event of a release of hazardous materials. (see page 4.8-57). New development associated with the Proposed Plans would also be required to comply with state and federal laws and identify, handle, transport and dispose of any release of contaminants. Further, future development within the Harbor LA CPAs would be required to complete applicable environmental review for future discretionary development, and to conform with environmental regulations related to new construction and hazardous materials storage, use and transport. Lastly, future employers and businesses that handle large quantities of hazardous materials are required to implement existing hazardous materials regulations, with compliance monitored by the state (e.g., OSHA in the workplace or DTSC for hazardous waste) and the City.

Response 9-12

The commenter supports the inclusion of **Mitigation Measure MM HAZ-1** and states that the Del Amo Alley should require a Phase 1. As specified in **MM HAZ-1**, any project that requires a grading, excavation, or building permit from the Los Angeles Department of Building and Safety and is within 500 feet of a Hazardous Materials site, 50 feet of an Oil Drilling District, land currently or previously designated with an industrial use or gas station and was not previously remediated would be required to prepare a Phase 1.

Response 9-13

The comment questions whether the Jones Chemical plant has an emergency evacuation plan. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment does not relate to the Proposed Plans, nor the adequacy of the analysis included in the EIR. The comment will be included as

part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 9-14

The commenter requests examples of how the Proposed Plans would implement the Safety and Conservation Elements policies regarding building community capacity (Policy 1.1.7 and 2.1.7). As discussed in **Section 4.8, Hazards and Hazardous Materials**, and **Section 4.15, Transportation and Traffic**, the EIR includes an evaluation of reasonably foreseeable development under the Plans and includes an analysis of the impacts of the Proposed Plans on emergency access and implementation of Emergency Response planning. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 9-15

The commenter expresses concerns regarding the remaining Superfund Sites and their proximity to the Boys and Girls Club adjacent to the Jones Chemical plant. As discussed in **Section 4.8, Hazards and Hazardous Materials**, implementation of MM HAZ-1 and MM HAZ-2 would reduce potential impacts to hazardous emissions to less than significant levels by ensuring the identification of properties listed on a hazardous materials site compiled pursuant to Government Code Section 65962.5, and any contamination is adequately remediated to federal and state standards. The comment raises concerns regarding existing environmental conditions. Comments related to impacts associated with existing conditions are not related to the Proposed Plans or the adequacy of the analysis included in the EIR. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 9-16

The commenter expresses concerns with existing noise and vibration conditions and acknowledges that **Mitigation Measure MM NOI-6** requires noise studies for projects located within 500 feet of Noise-Sensitive Uses. The commenter is raising concerns regarding existing environmental conditions. Comments related to impacts associated with existing conditions are not related to the Proposed Plans or the adequacy of the analysis included in the EIR. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 9-17

The commenter questions what type of ambient noise levels are used for properties that have residential and commercial areas next to each other in different jurisdictions, such as Del Amo Alley. The City's noise regulations are addressed in Chapter XI of the Los Angeles Municipal Code Section 111.02, which provides procedures and criteria for noise measurements. As stated in Section 111.02, at the boundary line between two zones, the presumed ambient noise level of the quieter zone shall be used. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment is not related to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 9-18

The commenter states that Denker Avenue by the Jones Chemical plant includes a one ingress and egress for Fire Services. The commenter is raising concerns regarding existing environmental conditions. Comments related to impacts associated with existing conditions are not related to the Proposed Plans or the adequacy of the analysis included in the EIR. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans. No specific response is required.

Response 9-19

The commenter questions whether impacts on school services and facilities described under Impact 4.14-3 would apply to the Boys and Girls Club. As discussed in **Section 4.14, Public Services and Recreation**, an impact on schools would occur if implementation of the Proposed Plans would promote growth patterns resulting in the need for and/or the provision of new or physically altered public school facilities. As such, impacts on the Boys and Girls Club is not included in the analysis.

Response 9-20

The commenter expresses concern with warehouses displacing green space and states that the Proposed Plans should prioritize the creation of new park spaces. As discussed in **Section 4.14, Public Services and Recreation**, the Proposed Plans' policies support the development of new park facilities. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 9-21

The commenter suggests that the City work with the California Air Resources Board on a plan to avoid air pollution in the Harbor Gateway CPA by limiting warehouse uses in environmental justice areas such as Torrance and Normandie. As discussed in **Section 4.2, Air Quality**, new industrial development, including potential warehouse operations, are subject to SCAQMD Regulation XIII (New Source Review) and would be required to demonstrate compliance with the air quality thresholds of significance devised by the SCAQMD to protect public health and prevent exposures to substantial pollutant concentrations. See page 4.2-58 of the EIR. The suggestion would not substantially reduce impacts compared to the impacts identified in the EIR. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 9-22

The commenter requests clarification regarding meaning of the reclassification of Del Amo Boulevard from Western Avenue to Denker Avenue from Avenue I to Modified Industrial Collector. As discussed in **Appendix G, Street Reclassifications and Dimensions**, Del Amo Boulevard from Western Avenue to Denker Avenue would be reclassified from Avenue I to Modified Industrial Collector with a proposed right-of-way width of 60/30/15 feet, roadway width of 30 feet, and sidewalk width of 5 feet.

Response 9-23

The commenter states that inclusion of both the Harbor Gateway and Wilmington-Harbor City and made review of the EIR challenging. The Project is an update to two community plans. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 9-24

The commenter states that the lack of project specific information creates confusion. The Project includes plan level documents and analyzes the reasonably foreseeable anticipated development as no specific improvements are proposed at this time. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 9-25

The commenter states that the alternatives are limited and do not achieve the balance in the Harbor Gateway CPA. As required by Section 15126.6 of the State CEQA Guidelines, an EIR must examine a range of reasonable alternatives to the proposed project that would attain most of the basic project objectives but would avoid or substantially lessen any of its significant environmental effects. The purpose of analyzing alternatives for a project is to identify and disclose ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1). While an EIR need not consider every conceivable alternative to a project, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. The focus is on alternatives that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project (State CEQA Guidelines Section 15126.6(f)).

Response 9-26

The commenter states that they support moving forward with the Proposed Plans and will continue to work with the City to address environmental equity in the Harbor LA CPAs. The comment expresses support for the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Miguel Vazquez – Chairperson
Joan Jacobs - Vice Chairperson
Rosalie Preston - Secretary
Keith Pitts - Treasurer
Laivern Frerichs – District 1 Representative
Nita Stonehocker - District 2 Representative
Dave Trejo - District 3 Representative
Arvie Powell - District 4 Representative
Eva Cooper Pace - District 5 Representative



Marvin Bell - District 6 Representative
Barbara Tyson-Frazier - District 7 Rep
Oscar Ruiz - District 8 Representative
Frankie Mays –Community Org. Rep
Jackie Jackson -Youth Advocate
Elijah Thomas - Youth Representative
Will Yates – Outreach/Communications Rep
Craig Kusunoki - At-Large Representative

HARBOR GATEWAY NORTH NEIGHBORHOOD COUNCIL

P.O. Box 3723, Gardena, CA 90247 (310) 768-3853 telephone
www.harborgatewaynorth.org HGNNC@sbcglobal.net

November 16, 2023

Christopher Piña, City Planner
Department of City Planning
200 N. Spring Street - Room 667
Los Angeles, CA 90012

Re: Harbor Gateway Community Plan Update – ENV-2019-3379-EIR

Dear Mr. Piña:

On November 14, 2023, our Board voted 9-0-0 to make the following comments of support for goals and policies of the updated Harbor Gateway Community Plan. The proposed new zoning will help implement these goals and policies of the Plan.

Since the beginning of the Harbor Gateway Community Plan update process, our Neighborhood Council has maintained certain goals for the update, which have been reflected in our previous comment letters. These include the preservation of our existing low-scale neighborhoods (including the R2-1 zoned blocks), the protection and restoration of historic cultural resources, neighborhoods and landmarks (including Athens on the Hill, the block of Orchard Avenue between Alondra Boulevard and Gardena Boulevard, Gardena Blvd. from the 110 freeway to Vermont Avenue, and the Chacksfield-Merit Tract), an increase in park facilities and open space, the creation of community centers and gathering spaces, and the change in zoning from industrial to hybrid industrial where industrially zoned parcels are located near residential and other sensitive uses.

In the last several years we have also supported the State and City efforts to consider the special needs of our community as it relates to environmental justice and note with approval Chapter 3 and its many environmental justice-related proposals for planning and land use.

We have also expressed concerns with the impact of many of the businesses which conduct auto repair in the commercial zones on the nearby residential uses and the current appearance of those businesses and note the proposals to address those concerns.

These are some of the proposals in the Preliminary Draft of the Harbor Gateway Community Plan - June 2023 which we concur with as they support our original goals for the update:

1

2

3

4

5

Land Use and Urban Form

Explore the application of Character Districts to support efforts to conserve architecturally distinctive residential neighborhoods such as Athens on the Hill and the Chacksfield-Merit Tract. LU 6.1

Retain, support, and reinforce the various historic and architectural elements of Athens on the Hill, including the development patterns, tree canopies, and the landscaped medians along Athens Boulevard and Laconia Boulevard. LU 6.2

Support and strengthen the historic and cultural legacy of African-American residents of Athens on the Hill. LU 6.3

Maintain and strengthen the integrity of post-war architectural styles such as Traditional Ranch and distinguished Japanese-style landscaping in areas such as the Chacksfield Tract Survey LA Planning District. LU 6.4

Support the restoration of the historic homes on Orchard Avenue (between Alondra Boulevard and Gardena Boulevard) in a manner that preserves the craftsman and cottage architectural elements and integrity of existing structures. LU 6.5

Support the rehabilitation and reuse of buildings and materials with architectural character, such as existing early 20th Century brick commercial buildings, especially along Gardena Boulevard. LU 6.7

Encourage and promote the utilization of incentive programs, such as the City Mills Act, Historical Property Contract Program, the Federal Historic Rehabilitation Tax Credit, and California Historical Building Code for owners of historic properties to conserve the integrity of historic-cultural resources. LU 5.1

Support efforts to preserve the potential historic resources in Harbor Gateway identified through SurveyLA and future comprehensive historic survey efforts. LU 5.4 Note: As called out in SurveyLA 2012, designate the Tepper Tire Service Station, 848 W. Gardena Boulevard as a potential historic-cultural monument.

Encourage the restoration and adaptive reuse of distinctive residential architecture dating from the first half of the 20th century. LU 5.5

Seek a high degree of architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods. LU 16.1

Protect existing lower density residential neighborhoods from new construction that is out-of-scale by introducing frontage standards and building envelope requirements that achieve compatibility with the existing built form. LU 16.2

Support the contextual rear infill of new additions and accessory structures in established neighborhoods that contribute to the overall existing development patterns and property values, and do not disrupt the integrity of the historic or building era they represent. LU 16.4

Encourage neighborhood-oriented shopping and services to be developed within walking distance to residential areas. LU 7.5

Support an adequate level of neighborhood commercial services (e.g., grocery stores, sit-down restaurants, and fitness facilities) by prioritizing and increasing ground floor commercial uses over residential-only development in Community Center, Neighborhood Center, Villages and the Regional Center designations. LU 8.2

Support improvements to existing buildings along commercial and mixed-use corridors through targeted programs, such as façade improvement programs. LU 17.2

Encourage the design of commercial development, including infill development, redevelopment, rehabilitation, and reuse efforts, to produce a high-quality built environment that is compatible with adjacent development, and reflects the community's unique historic, cultural and architectural context and overall enhances community identity. LU 18.1

Promote new development with ground floor transparency and entries along the sidewalk to sustain street level interest and enhance pedestrian activity and safety. LU 18.9

Encourage urban design techniques, such as appropriate building orientation and scale, transitional building heights, landscaping, buffering and increased setbacks in the development of commercial properties to improve land use compatibility with adjacent uses and to enhance the physical environment. LU 19.2

Encourage overall site improvements as part of expansions and modifications of existing auto-related facilities, including improved landscaping, buffering and architectural character in order to minimize environmental impacts. LU 19.4

Support the screening of open storage, recycling centers and auto uses, and limit visibility of automobile parts storage and other related products from public view. LU 19.5

Encourage paved areas such as driveways, walkways, and outdoor spaces to be designed with permeable surfaces in order to increase infiltration and reduce runoff. LU 20.5

Encourage mixed-use districts near transit and at other key nodes that combine a variety of uses to achieve a community where people can shop, live, and work, and enjoy access to healthy open spaces with reduced reliance on the automobile. LU 9.1

Promote a broad range of uses and streetscape improvements, including an urban tree canopy, that support and enhance El Segundo Boulevard, Rosecrans Boulevard, Redondo Beach Boulevard, Gardena Boulevard, Figueroa Street, and Vermont Avenue. LU 7.7

Incentivize safe, job-rich industries that provide new employment opportunities for the residents of the community, while discouraging businesses that do not generate significant employment opportunities. LU 13.3

Create light industrial and hybrid industrial areas that foster clean and emerging industries that are compatible with adjacent residential areas. LU 14.1

Advance Environmental Justice goals to reduce pollution from freeways, oil drilling, industrial waste recycling, and other industrial sources within our Harbor Gateway North community

Ensure that existing oil well sites located in residential areas have well-maintained and landscaped front yard setbacks, be enclosed by perimeter fencing (except for the front yard portions) and have well-maintained oil equipment at all times. LU 3.2

Environmental Justice

Promote public health and environmental sustainability outcomes that reduce greenhouse gas emissions, expand access to green and healthy spaces, improve air quality and encourage physical activity, and provide all residents with the opportunity to access good jobs. Promote new development that integrates sustainable design, green building practices, technologies, green roofs, tree planting, low Volatile Organic Compound (VOC) materials and other features that minimize impacts on the environment, including the reduction of heat island effect and greenhouse gases. EJ 3.1

Encourage the creation of landscaped corridors and enhancements through the planting of street trees along commercial corridor segments and through median plantings. EJ 3.2

Encourage the sensible use of native and drought-tolerant plants and permeable surfaces in all new development. EJ 3.3

Encourage green, sustainable industries that bolster the economic base and provide high-skill and high-wage job opportunities for local residents. EJ 4.1

Support the transition of industrial land uses from heavier industrial uses to lighter industrial uses, in close proximity to residential neighborhoods to minimize the negative environmental and visual impacts to the community. EJ 5.1

Minimize residential-industrial land use incompatibilities and discourage the introduction of heavy industrial uses adjacent to residential neighborhoods. EJ 5.2

Prevent the enlargement of nonconforming, incompatible commercial and industrial uses within residential uses and support their removal on a scheduled basis. EJ 5.4

Support the creation of green buffers next to freeways to help reduce the amount of particulate matter (PM_{2.5}) spillover into residential areas. EJ 5.8

Encourage existing industrial businesses to improve the physical appearance of their properties with adequate screening and landscaping when adjacent to residential or other sensitive uses and require such improvements for the establishment of new businesses in order to reduce environmental impacts. EJ 7.1

Support the implementation of prevention measures and design features that proactively safeguard the community from exposure to noxious activities (e.g., oil and gas extraction) that emit odors, noise, toxic, hazardous, or contaminant substances, materials, vapors, and other hazardous nuisances. EJ 7.2

Expand the enforcement of existing regulations that prohibit cargo container storage yards and warehousing near residential zones. EJ 7.4

Ensure that existing oil well sites within residential areas provide appropriate screening, fencing and landscaping and have well-maintained equipment until such time as they are phased out. EJ 10.1

Ensure that all existing uses that employ extraction technology, including fracking, acidizing, drilling or other technologies that involve potentially hazardous materials, create no negative impacts on public health or the environment. EJ 10.3

Support the expedited preparation of plans and programs for the abandonment, proper plugging and remediation of all oil-related sites, prioritizing sites in residential areas, consistent with State, County and City efforts to phase-out oil drilling and ensure that all existing oil well sites adhere to adopted amortization programs and prohibitions. EJ 11.1

Public Realm and Open Space

Develop new community, neighborhood and pocket parks to increase parks and open space that are equitably distributed throughout Harbor Gateway, engaging the community and surrounding residents. PO 1.1

Pursue joint-use agreements to share facilities with schools, especially in neighborhoods that suffer a disproportionate lack of park space and recreational facilities. PO 1.13

Provide more opportunities for accessible public spaces along streets in the form of plazas and paseos that are designed to encourage social activity, especially along Rosecrans Boulevard and Gardena Boulevard. PO 2.2

Design plazas and other open spaces as communal gathering places that provide opportunities for markets, music, art and community events as well as a range of active and passive activities for users of all ages. PO 2.4

Enhance tree planting and sustainable landscaping in parkways, medians, and neighborhood gateways as a placemaking strategy. PO 2.6

Promote urban trails and paths that maximize water recapture and include watershed-friendly landscaping to encourage biodiversity through design features, such as pervious paving and the use of California native, drought-tolerant plants. PO 3.2

Promote open spaces to maximize water recapture, promote biodiversity, reuse and recycling, as well as to facilitate natural collection, filtration and treatment of stormwater to reduce stormwater runoff, recharge aquifers, remove pollutants and reinforce the Dominguez Channel district as a resilient riparian corridor. PO 3.4

Facilitate the planting and maintenance of appropriate street trees, which provide shade and scale to residential and commercial streets in all neighborhoods. PO 4.1

Preserve and frequently maintain open space in the spaces provided by the Vermont Avenue median between 120th Street and Redondo Beach Boulevard, the Athens Boulevard median, and the Laconia Boulevard median. PO 4.5 Note: Vermont Avenue between Gage and Gardena Blvd. is designated a Scenic Highway in the City of Los Angeles Mobility Plan 2035.

Identify and inventory potential garden/urban farm sites within existing parks, vacant lots, public easements, rights-of-way and schoolyards in appropriate locations. PO 5.1

Mobility and Connectivity

Ensure the community is served by a complete street system that is safe, attractive, and that balances the needs of all users including pedestrians, bicyclists, transit users, mobility-challenged persons and vehicles. MC 1.1

Encourage improved local and express bus service in Harbor Gateway through coordination with regional and local transit agencies (e.g., the Metropolitan Transit Authority (Metro), LADOT, Long Beach Transit, Torrance Transit and Gardena Transit), and with community input. MC 2.1

Enhance the development of park-and-ride facilities that are strategically designed to integrate with freeways, high occupancy vehicle (HOV) facilities and transit routes. MC 2.2

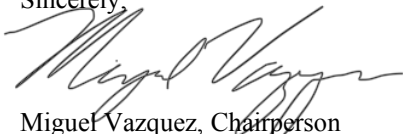
Reduce automobile dependency by providing a safe and convenient transit system accessible to all, pedestrian linkages and a network of safe and accessible bikeways and by encouraging alternatives, including reduced emissions vehicles, such as electric and neighborhood electric vehicles (NEVs). MC 3.3

Maintain sidewalks, streets and rights-of-way in good condition, free of obstructions, and with adequate lighting, trees and parkways. Streets should accommodate pedestrians and be ADA accessible through adequate sidewalks, curb cuts, parkway landscaping that provides shade, and street lighting that provides safety during the night. MC 5.4

Promote pedestrian-oriented ground floors on Gardena Boulevard for remodels, tenant improvements, and re-use efforts that remain consistent with existing shopfront features such as horizontal and vertical articulation around windows and shop front entrances that reflect this historic pattern. MC5.11

A parking supply that is efficient, serves economic development and facilitates all modes of transportation MC 7.1

Sincerely,



Miguel Vazquez, Chairperson
Harbor Gateway North Neighborhood Council

cc: Vince Bertoni, Director of Planning – Department of City Planning
Councilmember Tim McOsler – Council District 15
Pamela Thornton, Planning Director - Council District 15
Nicholas Chavez, Field Deputy – Council District 15

Letter 10 **Miguel Vazquez**
Harbor Gateway North Neighborhood Council
P.O. Box 3723, Gardena, CA 90247
Phone: (310) 768-3853

Response 10-1

The commenter provides an introduction to the Harbor Gateway North Neighborhood Council's detailed comments, that are addressed below. No further response is required.

Response 10-2

The commenter details the goals of the Harbor Neighborhood Council Community that they would like to see in the Proposed Plans. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The commenter expresses an opinion related to the City policies and Proposed Plans. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 10-3

The commenter discusses the community's needs related to environmental justice and notes their approval of Chapter 3 and its many environmental justice-related proposals for planning and land use. This comment is acknowledged. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment relates to the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 10-4

The commenter expresses concern with impacts associated with existing auto repair business located within close proximity to residential uses. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The Proposed Plans are consistent with the Safety Element. The Proposed Plans address long standing issues of environmental injustice in the Harbor LA CPAs by addressing zoning incompatibility, limiting the establishment of new auto-related uses such as auto repair and gas stations away from residential uses, thereby improving housing livability and affordability, and encouraging greater access to healthy neighborhood serving uses. Additionally, the Proposed Plans add distancing requirements for potentially dangerous uses away from sensitive uses.

Response 10-5

The commenter expresses support for specific proposals outlined in Chapters 2, 3, 4, and 5 of the Harbor Gateway Community Plan and does not relate to the adequacy of the analysis included in the EIR. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.



LEGISLATIVE AFFAIRS



November 20, 2023

City of Los Angeles Department of City Planning
ATTN: Christopher Pina
Case Number: ENV-2019-3379-EIR
200 N. Spring Street, Room 667
Los Angeles, CA 90012

Dear Mr. Pina,

As the leading nonprofit organization for developers, owners, investors and brokers of industrial, office, retail and mixed-use real estate across Southern California, NAIOP SoCal and its member companies are committed to the overall vision of the Harbor LA Community Plans, including its aim to “increase economic vitality and create a health and active environment.”

Several NAIOP SoCal member companies are long-term industrial owners in the Harbor Gateway and Wilmington/Harbor City communities. We encourage Los Angeles City Planning to be mindful of its existing industrial stakeholders during the review process of the Harbor LA Community Plans.

NAIOP SoCal and our member companies are deeply concerned about the introduction of “Hybrid Industrial Areas” in both community plans. Specifically, the City should be mindful to not allow the development of new sensitive receptors, including “live/work uses,” in close proximity to logistics facilities and warehouses in “Hybrid Industrial” zones. Such a deleterious action would suggest poor land use policy and create unnecessary problems where none exist today.

NAIOP SoCal and our member companies neither support the proposed rezoning of existing industrial and manufacturing zones in the Harbor LA Plans, nor the prohibition and restriction of existing logistics and warehousing uses in such zones. That said, NAIOP SoCal and our member companies are proponents, in principle, of “Good Neighbor” policies, and welcome the application of appropriate setback, screening, landscaping and lighting standards in existing and future industrial zones.

We believe that it is in the long-term interests of Los Angeles City Planning to adopt policies that do not push existing logistics facilities and warehousing uses out of the Harbor LA communities. Such actions would be detrimental to existing industrial stakeholders, in addition to killing jobs for local residents and decreasing tax revenues for the city.

NAIOP SoCal looks forward to working collaboratively with LA City Planning staff, and takes this opportunity to request a NAIOP SoCal meeting with staff relative to the concerns raised in this letter.

Sincerely,

Mihran Toumajan

Mihran Toumajan
NAIOP SoCal, Government Relations Manager

1

2

3

4

Letter 11 NAIOP SoCal, Government Relations Manager
Mihran Toumajan, NAIOP SoCal Government Relations Manager
November 20, 2023

Response 11-1

The commenter encourages the Department of City Planning to consider the existing industrial stakeholders during the review process of the Proposed Plans. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 11-2

The commenter expresses concern over the proposed Hybrid Industrial land use designation included in the Proposed Plans and whether the land use would result in sensitive receptors being located in close proximity to existing industrial uses. The comment raises concerns regarding existing environmental conditions. Comments related to impacts associated with existing conditions are not related to the Proposed Plans or the adequacy of the analysis included in the EIR. Please see **Master Response 1: General Comments and Non-CEQA Issues** and **Response 8-15 and Master Response 2: Industrial Zone Changes**.

Response 11-3

The commenter opposes the proposed rezoning of existing industrial and manufacturing zones and the prohibition/restriction of existing logistics and warehousing in the proposed industrial-related zones. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The commenter expresses an opinion related to City policies and the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. As discussed on page 3.0-24 of the EIR, a primary objective of the Proposed Plans is to preserve the appropriate industrial districts and improve their function and visual character through new zoning regulations for improved street frontage under new zoning districts and revised land use designations. Please see **Master Response 2: Industrial Zone Changes**, the Proposed Plans intend to allow existing industrial uses within targeted areas to continue to operate on their respective properties as non-conforming uses and provide new land use designations to address incompatible uses. As stated in **Response 11-2**, the Proposed Plans would also require new heavy industrial uses within the Harbor LA CPAs to meet specific buffering standards to prevent potential adverse impacts.

Response 11-4

The commenter suggests that the Department of City Planning adopt policies that do not push existing industrial uses out of the Harbor LA CPAs. See **Response 11-2**. Please see **Master Response 1: General Comments and Non-CEQA Issues** and **Master Response 2: Industrial Zone Changes**. The comment does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.



Wilmington Neighborhood Council

544 N. Avalon Blvd., Suite 103, Wilmington, CA 90744

(310) 522-2013 wilmingtonnc@empowerla.org

wilmingtonneighborhoodcouncil.com

*Gina Martinez, Chair
Gayle Fleury, Co-Chair
Jaime Bedolla, Treasurer
Alicia Baltazar, Secretary
Trishie Salas, Parliamentarian*

November 14, 2023

**Community Impact Statement
Additional Comments
Wilmington-Harbor City Community Plan**

The Wilmington Neighborhood Council, an elected entity under the City of Los Angeles, and the eyes, ears and voice of the community submits the following information to be added to our previously submitted Community Impact Statement. We cannot reiterate enough how very concerned our Council and stakeholders are with the currently proposed Community plan. We understand we are a port servicing community and realize there will always be some degree of industrial use but industrial and residential zones need to be clearly separated. We have always supported the growth of the Port but ***our position has always been that our community needs to be protected during these times of growth.***

Many people keep stating that we are an industrial community with residents who live here and that there should be more industry. Those statements typically come from those who do not live here in Wilmington, and do not have to live with the consequences of the decisions that are made at a city level. The people who make these assertions are usually affiliated with the business itself and live outside of Wilmington comfortably enjoying their neighborhoods while ours gets ravaged. We remind those who so carelessly make such statements that our residents were here first. It isn't as if industry was already here and residents chose to build their homes next to heavy industrial because in any normal community there would never be a co-mingling of residences sitting next to a heavy industrial use property. No one we have come across purchased their home or moved to Wilmington because they wanted to have container yards just pop up around their home and certainly no one we have encountered has advised us that they think not having a proper truck route and having big rigs block their driveways and homes is a good thing for a community.

Our Planning and Land Use committee have spent countless hours giving input in trying to separate residential from heavy industrial areas to avoid this happening in the future. The areas we requested to be changed from heavy industrial to hybrid industrial directly about residences and without changing these areas to hybrid industrial, the city will perpetuate these zoning failures that are currently in effect. A prime example of this failure in the 800 block of Dominguez Avenue where despite an ICO and CUGU ordinances a chassis yard was approved to be set up next to residences and where, for the past several years, illegal container yards have popped up

due to a lack of enforcement.

We were extremely disappointed that ***not a single one of our recommendations was implemented.*** We understand that should our zone changes be granted some businesses such as the refineries and some other currently heavy industrial facilities will continue to operate, in a legally non-conforming status or what is referred to as grandfathered, but in the event should these businesses close those areas that are directly abutting residences should not stay as heavy industrial; they should be downgraded or taken down a notch to hybrid industrial. If this zoning isn't changed then it simply allows for another heavy industrial industry to move right in next to our residences. ***We again request that the following areas be changed as we previously requested as well as our reasonings:***

- Change the area currently occupied by Phillips 66 Refinery from existing heavy industrial zoning to Hybrid Industrial. Residents currently abut up against the refinery
- Change the existing heavy industrial in the Watson Junction Area to a Hybrid Industrial Land Use to transition away from heavy industrial uses. The major industrial use is the storage of containers and chassis, a large amount that will never be used again.
- Change the proposed Light Industrial along Broad Ave., Lakme Ave., Harry Bridges Blvd to E St. to Medium Residential. This is currently located at the first major intersections nearest to where the new Waterfront Development Project will be located and has been sitting vacant for years. Residents should be able to walk to and from our new waterfront development just like any other community that sits at the waterfront.
- Change the proposed Light Industrial along Lagoon Ave., Figueroa St. from W. C Street, South to Harry Bridges to Low Residential. It is because of this terrible zoning that we have a food processing plant sitting in the middle of the Waterfront Park. If this plant were to ever close without change another industrial company would just move into the middle of our park.
- Change the industrial area along Harry Bridges and Broad Ave., Avalon Blvd and Pier A to Medium Residential. This area has been vacant for close to a decade. These are the nearest intersections to our new waterfront development project. People should be able to live next to this beautiful development and be able to walk from their homes to enjoy it.
- Change the industrial area along Figueroa from Harry Bridges to F Street to Medium Neighborhood Residential. Currently Homes sit on one side of the Street and trucking facilities sit on the other side.
- 600 E. L Street should transition to Open Space as opposed to the Public Facilities. It is currently used as a community Garden.
- Change the green public facilities area between Island and Neptune bordering C Street to Open Space. This area currently intersects with Wilhall and Waterfront Parks
- Change 900 Block of L Street to Low Residential
- Change area of 200 block of King Avenue to Open space. Currently a food processing plant sits in the middle of Waterfront Park
- Change the property at 1700 Figueroa St. from Lomita Blvd to Q St. and Figueroa to Eudora from existing zoning of Public Facilities to Open Space. This area is currently the

2

3

4

5

6

7

8

9

10

11

12

13

14

Wilmington Athletic Complex, and we would like it to remain an open space for public use and not later on changed. It has been used for public use since 1983.

- Currently (proposed) zoned industrial area along the perimeter of Shore Rd and Anchorage to the Dominguez Channel to the 47 Fwy to be changed to a 25 yd perimeter of open space and 75 yards of Neighborhood Center. This is part of our Marina. People live in this area, and it should be changed to a Neighborhood Center. There needs to be clear separations between industry and those who live in the area

In closing we submit attachment A to illustrate some of the areas where we requested a downgrade in zoning from heavy industrial so the planning department itself can visually see what our community is experiencing. We also invite the planning department to tour our community as we feel so often decisions are made by those who have not seen personally how we are affected. We would like to provide you with a personal guide to explain each of the areas in question as you visit them. The many national and international newspapers, E-zines, TV and radio stations that have visited and interviewed our council ALL stated that seeing the situation we deal with, and speaking directly to the residents was much more powerful than seeing pictures and reading about it. We also request that it be made abundantly clear that CUGU is NOT going away. Mailers were sent to our stakeholders stating it was being removed and then used the term "embedded" this has given our stakeholders great concern that the protections we have are being stripped or watered down we were advised at the presentation this was not the case.

Respectfully Submitted,

Gina Martinez

Gina Martinez
Chair, Wilmington Neighborhood Council
On Behalf of the Wilmington Neighborhood Council

14

15

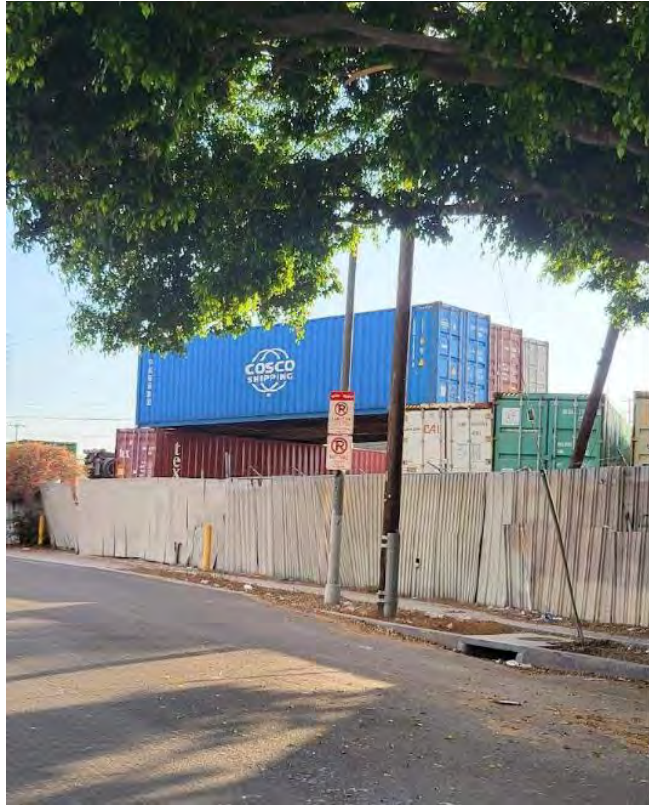
16

17

ATTACHMENT A

800 Block of Dominguez





Residents have been in the area since at least the 1940's. Illegal container yards less than 20 and A chasis yard approved in September 2022

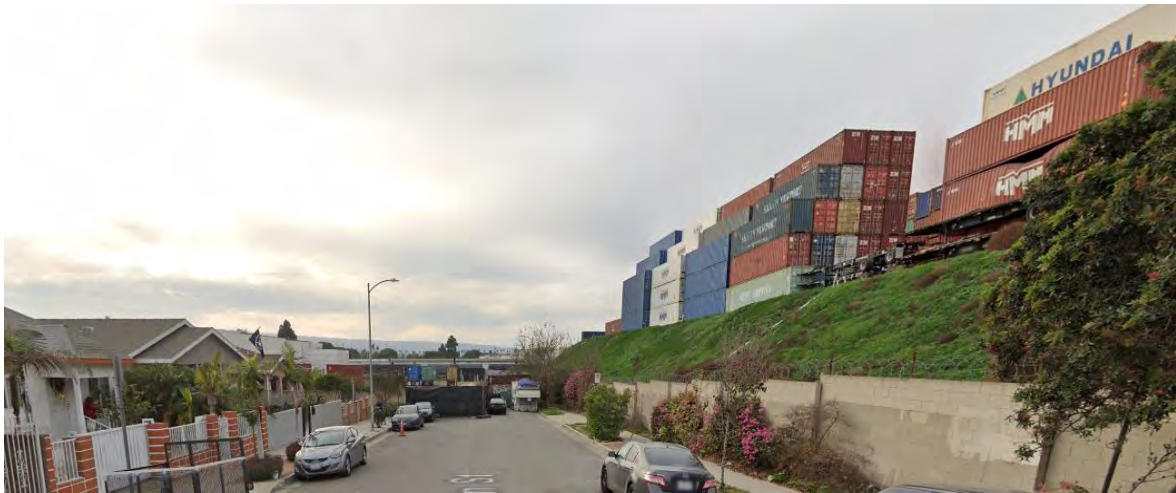
Residences Abutting Phillips 66

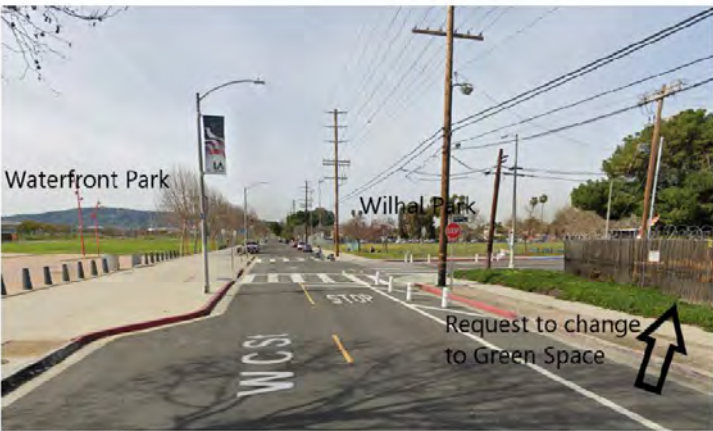




East Wilmington-Watson Junction

Residences have been in the area since late 1920's. Containers have been allowed to pile up for the last 20 plus years





Letter 12 **Wilmington Neighborhood Council**
Gina Martinez, Chair
544 N. Avalon Boulevard,
Wilmington, CA 90744
November 14, 2023

Response 12-1

The commenter introduces the Wilmington Neighborhood Council and its detailed comments, that are addressed below. No further response is required.

Response 12-2

The commenter states that the Proposed Plans do not sufficiently separate residential uses from heavy industrial areas. Please see **Master Response 2: Industrial Zone Changes** and **Response 8-15**.

Response 12-3

The commenter expresses their disappointment that the recommendations they provided have not been incorporated into the Proposed Plans and provides a list of areas to be rezoned. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment expresses an opinion related to the City's policies and the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 12-4

The commenter recommends changing the zoning of an area currently occupied by Phillips 66 Refinery from existing Heavy Industrial to Hybrid Industrial. Please see **Master Response 2: Industrial Zone Changes**.

Response 12-5

The commenter recommends changing the existing Heavy Industrial land use designations in the Watson Junction Area to a Hybrid Industrial Land Use to transition away from heavy industrial land uses. Please see **Master Response 2: Industrial Zone Changes**.

Response 12-6

The commenter expresses concern with the proposed land use changes included in the Harbor LA CPAs and recommends changing the proposed land use designation of the properties along Broad Avenue,

Lakme Avenue, Harry Bridges Boulevard to E Street from Light Industrial to Medium Residential. The comment. Please see **Master Response 2: Industrial Zone Changes**.

Response 12-7

The commenter expresses concern with the proposed land use changes included in the Harbor LA CPAs and recommends changing the proposed land use designation of the properties located along Lagoon Avenue, Figueroa Street from West C Street, South to Harry Bridges from Light Industrial to Low Residential. Please see **Master Response 2: Industrial Zone Changes**.

Response 12-8

The commenter expresses concern with the existing land uses and recommends changing the land use designation of the properties along Harry Bridges and Broad Avenue, Avalon Boulevard and Pier A from Industrial to Medium Residential. Please see **Master Response 2: Industrial Zone Changes**.

Response 12-9

The commenter expresses concern with the existing land uses and recommends changing the land use designation of the properties along Figueroa from Harry Bridges to F Street from Industrial to Medium Neighborhood Residential. Please see **Master Response 2: Industrial Zone Changes**.

Response 12-10

The commenter recommends changing the land use designation of the property located at 600 E. L Street to Open Space instead of Public Facilities. Please see **Master Response 1: General Comments and Non-CEQA Issues**.

Response 12-11

The commenter recommends changing the land use designation of the green public facilities area between Island and Neptune bordering C Street to Open Space. Please see **Master Response 1: General Comments and Non-CEQA Issues**.

Response 12-12

The commenter recommends changing the land use designation of the 900 block of L Street to Low Residential. Please see **Master Response 2: Industrial Zone Changes**.

Response 12-13

The commenter recommends changing the land use designation of the 200 block of King Avenue to Open Space land use. Please see **Master Response 2: Industrial Zone Changes**.

Response 12-14

The commenter recommends changing the zoning of the property at 1700 Figueroa St. from Lomita Blvd to Q St. and Figueroa to Eudora from Public Facilities to Open Space. Please see **Master Response 1: General Comments and Non-CEQA Issues**.

Response 12-15

The commenter recommends changing the proposed zoning of industrial area along the perimeter of Shore Rd and Anchorage to the Dominguez Channel to the 47 Fwy to a 25 yd perimeter of open space and 75 yards of Neighborhood Center. The comment refers to properties outside of the Wilmington-Harbor City CPA and located in the Port of Los Angeles (POLA) Master Plan. The Harbor Department oversees the POLA Master Plan. Please see **Master Response 1: General Comments and Non-CEQA Issues**.

Response 12-16

The comment references photos and other information attached to the comment letter for the purpose of illustrating the areas requested zone changes. The commenter invites the Planning Department to tour their community and see how their community is affected. The attachments and invitation have been noted. The comment does not identify the potential for new physical environmental impacts not addressed in the EIR, and no specific response is required. The comment will be included as part of the record and forwarded to the decision-makers for their review and consideration prior to any action being taken on the Proposed Plans.

Response 12-17

The commenter states that additional concerns from the Wilmington Neighborhood Council and its stakeholders will be provided. The comment does not identify the potential for new physical environmental impacts not addressed in the EIR, and no specific response is required. The comment will be included as part of the record and forwarded to the decision-makers for their review and consideration prior to any action being taken on the Proposed Plans.

Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
2010 Main Street, 8th Floor | Irvine, CA 92614-7214
Telephone: 949.553.1313 | Facsimile: 949.553.8354
www.allenmatkins.com

Paige H. Gosney
E-mail: pgosney@allenmatkins.com
Direct Dial: 9498515444 File Number: 393715.00006

Via Electronic Mail

November 20, 2023

City of Los Angeles Dept. of City Planning
Attn: Christopher Pina
planning.harborlaplans@lacity.org
200 N. Spring Street, Room 667
Los Angeles, CA 90012

**Re: Industrial Stakeholder (Prologis) Public Comment re Harbor LA
Community Plans Update | Case Number: CPC-2018-6404-CPU (HG)
/ CPC-2018-6402-CPU (W-HC), ENV-2019-3379-EIR**

Dear Mr. Pina:

This firm represents Prologis, Inc. (“Prologis”) with respect to several existing industrial properties it owns and operates located throughout the Harbor Gateway and Wilmington-Harbor City communities in the City of Los Angeles (“City”). On behalf of Prologis, for inclusion in the administrative record for the above-referenced City case file, we respectfully submit the following comments to the City of Los Angeles Department of City Planning (“Planning”) in connection with the pending Harbor LA Community Plans Update, including the proposed updates both to the Harbor Gateway Community Plan and Wilmington-Harbor City Community Plan (hereinafter, collectively referred to as the “Proposed Update”).

Prologis appreciates the diligent and ongoing effort by Planning staff to solicit and incorporate stakeholder feedback, including at the most recent Virtual Information Session and Public Hearing for the Proposed Update held on November 9, 2023, during which a growing number of voices from the industrial stakeholder community raised concern over the Proposed Update as currently drafted. As described below, Prologis recognizes the need for a comprehensive and more contemporaneous update to the existing Harbor Gateway and Wilmington-Harbor City Community Plans. However, Prologis shares concern with fellow stakeholders over ensuring that the Proposed Update does not result in substantial economic and environmental impacts by unnecessarily and disproportionately targeting and displacing logistics, warehousing, and distribution uses. Such uses comprise over 40 percent of the Harbor Gateway and Wilmington-Harbor City Community Plan areas and have long served as critical supply chain infrastructure to the Los Angeles and Long Beach Ports as well as providing countless jobs and tax revenue in the area.

1

2

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

City of Los Angeles Dept. of City Planning
Attn: Christopher Pina
November 20, 2023
Page 2

First, the Proposed Update seeks to limit and displace industrial uses across the board within the Harbor Gateway and Wilmington-Harbor City Community Plan areas through implementation of two new land use designations: the Hybrid Industrial and Light Industrial land use designation. The Hybrid Industrial land use designation, a designation *not* utilized anywhere else in the City and being proposed *for the first time* targeting industrial uses in these two focused communities, has the primary effect of imposing a blanket ban on outdoor storage and parking uses that are customary and ancillary to warehousing, distribution, and logistics operations. The new designation would also recategorize warehousing uses from by-right under current zoning to discretionary (requiring a Conditional Use Permit, with added findings specific to industrial uses). The Light Industrial land use designation is more lenient but still adds the burdensome requirement of a Conditional Use Permit for outdoor industrial related storage/trucking uses and similarly requires discretionary approval of a Conditional Use Permit for warehousing when the use is proposed in proximity to various other uses.

3

While on its face the new strategy is well-intentioned, and of course Prologis shares the goal of good neighbor practices and compatibility among differing uses, the Proposed Update's various "Industrial Transition Areas," including in particular the first-of-its-kind Hybrid Industrial land use designation, would eliminate or immediately force into non-conforming status many existing industrial properties. This would preclude the ability for many stakeholders to re-invest and modernize existing properties, and would significantly impact the local economy which relies heavily on the large number of jobs provided by these important uses. From an economic and a City permitting and entitlement standpoint, modernizing and upgrading existing buildings and operations will be directly discouraged, if possible. If existing industrial uses cannot be changed or modernized without running afoul of the Hybrid Industrial prohibitions they will simply continue operating as is, without the benefit of higher-quality, cleaner, modern, better job creating uses that would otherwise be incentivized absent the Hybrid Industrial and Light Industrial designations.

4

Far from the key stated objective of creating hybrid industrial areas that "prioritize jobs-producing uses"¹ and serve as a buffer between residential and heavy industrial uses and expanding commercial and residential development opportunities, the practical effect of the proposed Hybrid Industrial and Light Industrial land use designations will be that existing industrial uses, including those desperately in need of modernization and upgrades, will become legal nonconforming uses and will remain frozen in place, without the ability to become cleaner, better designed, and more attractive/useful for the community and surrounding uses.

5

¹ (See "Key Objectives," Interactive StoryMap of Proposed Update available online at <https://storymaps.arcgis.com/stories/92211ea60fef46fe9a8639d192be8395>; see also Proposed Update, LU Goal 14.3) There seems to be an implied assumption within the Proposed Update that warehousing, logistics, and distribution uses are not jobs-producing uses. This assumption is irrefutably false as such uses provide, and have acted for decades in the Proposed Update communities adjacent to the Los Angeles and Long Beach ports, as tremendous and critical sources for thousands of local jobs and City tax revenue.

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

City of Los Angeles Dept. of City Planning
Attn: Christopher Pina
November 20, 2023
Page 3

Moreover, we note that nearly as deleterious as the outright prohibitions on industrial uses are the increased discretionary hurdles put in place by the Proposed Draft for warehousing uses and outdoor industrial uses. Standard Conditional Use Permits already face heavy backlogs in processing times, trigger seemingly unending and unpredictable costs for project consultants, and open seemingly minor projects to a myriad of challenges that would otherwise be avoided. Compounding the existing difficulty in obtaining entitlements in the City are the added findings put in place by the Proposed Update that increase the burden on the Zoning Administrator specifically for approving warehousing and industrial uses. Any example includes the added finding of “[w]hether the project contributes to an over concentration of trucking related uses that may cumulatively impact the respiratory health of surrounding residents.” (See, for example, Proposed Update, Article 5, Sec. 5B.8.8.D.7.) While this is of course an important consideration for any use, that analysis is already covered by existing required permitting and environmental requirements.

Given the number of industrial uses envisioned for displacement from existing industrial zones under the Proposed update, the Proposed Update is lacking with respect to clarity and specificity on adequate transition support for industrial properties owners. The Proposed Update lacks sufficient support or transition plans for businesses that may need to relocate or change operations due to the downzoning. Recognizing the severe and disproportionate impact the Proposed Update will have on industrial owners subject to the proposed Hybrid Industrial land use designation, the Proposed Update includes only the following reference to an uncertain future program:

Non-Conforming Industrial Uses. Work with Council District 15 to create a relocation program and secure funding to assist non-conforming industrial businesses located within residential neighborhoods to relocate by facilitating the sale of the nonconforming property and the purchase of a site in an industrially zoned area. The program should include the remediation of the non-conforming property so that it can be redeveloped as an appropriate neighborhood use.

(See Proposed Update, Program No. 34.) It is unclear based on the current draft of the Proposed Update how, if at all, Program 34 would be implemented, what funding would be available, and what alternative locations industrial uses would be relocated to. This provides little guarantee or assurance to industrial stakeholders in the area that are being directly impacted by downzoning under the Proposed Update.

The Proposed Update further does not provide sufficient analysis of environmental impacts associated with industrial uses being pushed from their existing locations to outside of the Proposed Update area. The Proposed Update area has long served as a uniquely situated proximate location to

6

7

8

9

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

City of Los Angeles Dept. of City Planning
Attn: Christopher Pina
November 20, 2023
Page 4

both the Los Angeles and Long Beach ports. Pushing industrial uses out of this strategic location would result in cargo from the ports needing to be transported further from the ports and causing additional traffic, air pollution, and other environmental impacts. Moreover, there does not appear to be sufficient analysis in the Proposed Update concerning the proposed insertion of residential live/work uses into long-standing heavy industrial zoned properties, which the Proposed Update seeks to do.

9

While there are surely many alternative means to accomplish the City's goals in the Proposed Update that could be utilized instead of the sweeping and unprecedented use of the Hybrid Industrial designation, one possible suggestion would be to allow for expanded mixed use zones that give property owners greater flexibility to use their land for non-industrial uses and offer incentives. In this way existing industrial uses could be upgraded and modernized while certain other properties might be able to take advantage of development or other incentives to use their properties for differing, more transitional uses, in partnership with the City. Downzoning industrial properties in the manner proposed not only singles out industrial owners but also does not benefit the community or meet the stated objectives of the Proposed Update.

10

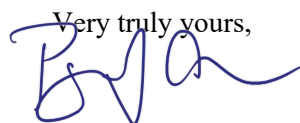
In light of the foregoing, and now more important than ever in the current economic climate, we respectfully urge City Planning to temporarily pause the Proposed Update process to allow for further opportunity for input and meetings with its more than forty-percent (40%) industrial stakeholder base. We are confident that in doing so both the concerns of the City and those of stakeholders can be adequately addressed through thoughtful and tailored amendments to the Proposed Update.

11

We appreciate the Planning's anticipated due consideration of the points and concerns set forth above, and those from similarly situated and concerned industrial stakeholders in the Proposed Update area. Prologis looks forward to working collaboratively with Planning to address these issues and move forward with a Proposed Update that will provide for the continued operation of new and legacy commercial and industrial businesses throughout the City, and particularly the important Harbor Gateway and Wilmington-Harbor City communities.

12

Please contact me if you have any questions or if you wish to discuss this matter in further detail.

Very truly yours,


Paige H. Gosney

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

City of Los Angeles Dept. of City Planning
Attn: Christopher Pina
November 20, 2023
Page 5

cc: Prologis (via e-mail only)

Letter 13 **Allen Matkins Leck Gamble Mallory & Natsis LLP Attorneys at Law**
Paige H. Gosney
2010 Main Street, 8th Floor
Irvine, CA 91765
November 20, 2023

Response 13-1

The comment provides an introduction to Prologis, Incorporated (Prologis) and the comment letter. The comment is noted. No further response is required.

Response 13-2

The commenter expresses concern with Proposed Plans' economic and environmental impacts related to logistics, warehousing, and distribution uses. The Project includes plan level documents and analyzes the reasonably foreseeable anticipated development at a plan level. As discussed in **Section 4.10, Land Use and Planning**, it would be speculative to determine whether the proposed land use changes in the Harbor LA CPAs would result in displacement of industrial uses and associated jobs. Please see **Master Response 2: Industrial Zone Changes**, the Proposed Plans intend to allow existing industrial uses within targeted areas to continue to operate on their respective properties as non-conforming uses and provide new land use designations to address incompatible uses. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 13-3

The commenter expresses concern that the proposed Hybrid Industrial land use designation would limit and displace industrial uses in the area. Please see **Response 13-2**.

Response 13-4

The commenter states that the Hybrid Industrial land use designation would force existing industrial properties into non-conforming status, potentially resulting in economic challenges to the City. Please see **Master Response 2: Industrial Zone Changes**, the Proposed Plans intend to allow existing industrial uses within targeted areas to continue to operate on their respective properties as non-conforming uses and provide new land use designations to address incompatible uses. The commenter also claims that the proposed Hybrid Industrial land use designation may result in existing owners not upgrading or modernizing their properties. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment raises concerns regarding existing environmental conditions. Comments related to impacts

associated with existing conditions are not related to the Proposed Plans or the adequacy of the analysis included in the EIR.

Response 13-5

The commenter states that the implementation of the Hybrid Industrial and Light Industrial land use designations would result in the legal nonconforming uses without becoming cleaner, better designed, and more attractive/useful for the community and surrounding uses. See **Response 13-4**. The purpose of implementing the Hybrid Industrial land use designation is to allow industrial and compatible uses that would be compatible with each other within the same area. As discussed on page 4.2-62 of the EIR, the hybrid industrial areas limit industrial uses to those that are cleaner and more compatible with adjacent sensitive uses. These uses include light manufacturing, innovative and cleantech industries, and commercial activity to support economic development and establish buffers between heavier industrial areas. Additionally, as stated in Section 4.2-62 of the EIR, the Proposed Plans would not generally promote the development of land uses inconsistent with those already existing in the Harbor LA CPAs. Thus, there would be limited opportunity for non-conforming uses to remain frozen in place.

Response 13-6

The commenter expresses concern that the Proposed Plans could increase discretionary hurdles resulting in more difficult entitlement processes for the future development warehousing uses and outdoor industrial uses. Refer to **Response 13-3**.

Response 13-7

The commenter expresses concern with the lack of support or transition plans for industrial property owners. Please see **Master Response 2: Industrial Zone Changes**, the Proposed Plans intend to allow existing industrial uses within targeted areas to continue to operate on their respective properties as non-conforming uses and provide new land use designations to address incompatible uses. As discussed in **Section 4.10, Land Use and Planning**, it would be highly speculative to determine whether the proposed land use changes in the Harbor LA CPAs would result in the displacement of industrial uses and associated jobs.

Response 13-8

The commenter requests that the funding and alternative locations for industrial uses under Program Number 34 in the Harbor Gateway Plan be clarified. As stated in **Master Response 2: Industrial Zone Changes**, while future industrial uses may choose to relocate under the Proposed Plans, it would be speculative to determine whether the proposed land use changes in the Harbor LA CPAs would result in the displacement of industrial uses and associated jobs. Additionally, if existing industrial uses were displaced, it is unclear where they would go as there are many areas in the Southern California region that can accommodate industrial uses. In addition, without details of specific projects, it is not possible to determine whether such displacement would occur and if it were to occur whether it would result in impacts such as decreased or increased VMT. **Response 13-9**

The commenter notes that there is not sufficient analysis of the potential environmental impacts associated with industrial uses that could relocate to areas outside of the Harbor LA CPAs under the Proposed Plans. See **Response to Comment 13-8**.

Response 13-10

The commenter recommends that the Proposed Plans allow for expanded mixed use zones to minimize potential decreases in industrial uses. Please see **Master Response 2: Industrial Zone Changes**.

Response 13-11

The commenter requests that the City temporarily pause the approval and adoption process of the Proposed Plans to allow for further community input. The DEIR was published on September 21, 2023 and provided a 60-day public review period between September 21, 2023 and November 20, 2023. The 60-day public review period exceeded the 45-day DEIR review period required by CEQA. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 13-12

The commenter states that they look forward to the net beneficial impacts of projects included in the Proposed Plans. The comment is acknowledged. No further response is required.

Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
2010 Main Street, 8th Floor | Irvine, CA 92614-7214
Telephone: 949.553.1313 | Facsimile: 949.553.8354
www.allenmatkins.com

Paige H. Gosney
E-mail: pgosney@allenmatkins.com
Direct Dial: 9498515444 File Number: 393715.00006

Via Electronic Mail

November 28, 2023

City of Los Angeles Dept. of City Planning
Attn: Christopher Pina
planning.harborlaplans@lacity.org
200 N. Spring Street, Room 667
Los Angeles, CA 90012

**Re: Industrial Stakeholder (BCIF) Public Comment re Harbor LA
Community Plans Update | Case Number: CPC-2018-6404-CPU
(HG) / CPC-2018-6402-CPU (W-HC), ENV-2019-3379-EIR**

Dear Mr. Pina:

This firm represents BCIF Harbor Gateway Logistics Center LP (“BCIF”) with respect to several existing industrial properties it owns and operates located throughout the Harbor Gateway and Wilmington-Harbor City communities in the City of Los Angeles (“City”). On behalf of BCIF, for inclusion in the administrative record for the above-referenced City case file, we respectfully submit the following comments to the City of Los Angeles Department of City Planning (“Planning”) in connection with the pending Harbor LA Community Plans Update, including the proposed updates both to the Harbor Gateway Community Plan and Wilmington-Harbor City Community Plan (hereinafter, collectively referred to as the “Proposed Update”).

BCIF appreciates the diligent and ongoing effort by Planning staff to solicit and incorporate stakeholder feedback, including at the most recent Virtual Information Session and Public Hearing for the Proposed Update held on November 9, 2023, during which a growing number of voices from the industrial stakeholder community raised concern over the current draft of the Proposed Update. As described below, BCIF recognizes the need for a comprehensive and more contemporaneous update to the existing Harbor Gateway and Wilmington-Harbor City Community Plans. However, BCIF shares concern with fellow stakeholders over ensuring that the Proposed Update does not result in substantial economic and environmental impacts by unnecessarily and disproportionately targeting and displacing logistics, warehousing, and distribution uses. These uses comprise over 40 percent of the Harbor Gateway and Wilmington-Harbor City Community Plan areas and have long served as critical supply chain infrastructure to the Los Angeles and Long Beach Ports as well as providing countless jobs and tax revenue for the area.

1

2

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

City of Los Angeles Dept. of City Planning
Attn: Christopher Pina
November 28, 2023
Page 2

First, the Proposed Update seeks to limit and displace industrial uses across the board within the Harbor Gateway and Wilmington-Harbor City Community Plan areas through implementation of two new land use designations: the Hybrid Industrial and Light Industrial land use designation. The Hybrid Industrial land use designation, a designation *not* utilized anywhere else in the City and being proposed *for the first time* targeting industrial uses in these two focused communities, has the primary effect of imposing a blanket ban on outdoor storage and parking uses that are customarily ancillary to warehousing, distribution, and logistics operations. The new designation would also recategorize warehousing uses from “by-right” under current zoning to discretionary (requiring a Conditional Use Permit, with added findings specific to industrial uses). The Light Industrial land use designation is more lenient but still adds the burdensome requirement of a Conditional Use Permit for outdoor industrial related storage/trucking uses and similarly requires discretionary approval of a Conditional Use Permit for warehousing when the use is proposed in proximity to various other uses.

3

While on its face the new strategy is well-intentioned, and of course BCIF shares the goal of good neighbor practices and compatibility among differing uses, the Proposed Update’s various “Industrial Transition Areas,” including in particular the first-of-its-kind Hybrid Industrial land use designation, would eliminate or immediately force into non-conforming status many existing industrial properties. This would preclude the ability for many stakeholders to re-invest and modernize existing properties, and would significantly impact the local economy which relies heavily on the large number of jobs provided by these important uses. From an economic and a City permitting and entitlement standpoint, modernizing and upgrading existing buildings and operations will be directly discouraged. If existing industrial uses cannot be changed or modernized without running afoul of the Hybrid Industrial prohibitions they will simply continue operating as is, without the benefit of higher-quality, cleaner, modern, better job-creating uses that would otherwise be incentivized absent the Hybrid Industrial and Light Industrial designations.

4

Far from the key stated objective of creating hybrid industrial areas that “prioritize jobs-producing uses”¹ and serve as a buffer between residential and heavy industrial uses and expanding commercial and residential development opportunities, the practical effect of the proposed Hybrid Industrial and Light Industrial land use designations will be that existing industrial uses, including those desperately in need of modernization and upgrades, will become legal nonconforming uses and will remain frozen in place, without the ability to become cleaner, better designed, and more attractive/useful for the community and surrounding uses.

5

¹ (See “Key Objectives,” Interactive StoryMap of Proposed Update available online at <https://storymaps.arcgis.com/stories/92211ea60fef46fe9a8639d192be8395>; see also Proposed Update, LU Goal 14.3) There seems to be an implied assumption within the Proposed Update that warehousing, logistics, and distribution uses are not jobs-producing uses. This assumption is irrefutably false as such uses provide, and have acted for decades in the Proposed Update communities adjacent to the Los Angeles and Long Beach ports, as tremendous and critical sources for thousands of local jobs and City tax revenue.

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

City of Los Angeles Dept. of City Planning
Attn: Christopher Pina
November 28, 2023
Page 3

Moreover, we note that nearly as deleterious as the outright prohibitions on industrial uses are the increased discretionary hurdles put in place by the Proposed Draft for warehousing uses and outdoor industrial uses. Standard Conditional Use Permits already face heavy backlogs in processing times, trigger seemingly unending and unpredictable costs for project consultants, and open seemingly minor projects to a myriad of challenges that would otherwise be avoided. Compounding the existing difficulty in obtaining entitlements in the City are the added findings put in place by the Proposed Update that increase the burden on the Zoning Administrator specifically for approving warehousing and industrial uses. Any example includes the added finding of “[w]hether the project contributes to an over concentration of trucking related uses that may cumulatively impact the respiratory health of surrounding residents.” (See, e.g., Proposed Update, Art. 5, Sec. 5B.8.8.D.7.) While overconcentration is of course an important consideration for any use, that analysis is already covered by the existing permitting and environmental requirements.

Given the number of industrial uses envisioned for displacement from existing industrial zones under the Proposed Update, the Proposed Update is lacking with respect to clarity and specificity on adequate transition support for the owners of industrial properties. The Proposed Update lacks sufficient support or transition plans for businesses that may need to relocate or change operations due to the downzoning. Recognizing the severe and disproportionate impact the Proposed Update will have on industrial owners subject to the proposed Hybrid Industrial land use designation, the Proposed Update includes only the following reference to an uncertain future program:

Non-Conforming Industrial Uses. Work with Council District 15 to create a relocation program and secure funding to assist non-conforming industrial businesses located within residential neighborhoods to relocate by facilitating the sale of the nonconforming property and the purchase of a site in an industrially zoned area. The program should include the remediation of the non-conforming property so that it can be redeveloped as an appropriate neighborhood use.

(See Proposed Update, Program No. 34.) It is unclear based on the current draft of the Proposed Update how, if at all, Program 34 would be implemented, what funding would be available, and what alternative locations industrial uses would be relocated to. This provides little guarantee or assurance to industrial stakeholders in the area that are being directly impacted by the downzoning under the Proposed Update.

The Proposed Update further does not provide sufficient analysis of environmental impacts associated with industrial uses being pushed from their existing locations to outside of the Proposed Update area. The Proposed Update area has long served as a uniquely situated proximate location to

6

7

8

9

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

City of Los Angeles Dept. of City Planning
Attn: Christopher Pina
November 28, 2023
Page 4

both the Los Angeles and Long Beach ports. Pushing industrial uses out of this strategic location would result in cargo from the ports needing to be transported further from the ports thereby causing additional traffic, air pollution, and other environmental impacts. Moreover, there does not appear to be sufficient analysis in the Proposed Update concerning the proposed insertion of residential live/work uses into long-standing heavy industrial zoned properties, which the Proposed Update seeks to do.

9

While there are surely many alternative means to accomplish the City's goals in the Proposed Update that could be utilized instead of the sweeping and unprecedented use of the Hybrid Industrial designation, one possible suggestion would be to allow for expanded mixed use zones that give property owners greater flexibility to use their land for non-industrial uses and offer incentives. In this way existing industrial uses could be upgraded and modernized while certain other properties might be able to take advantage of development or other incentives to use their properties for differing, more transitional uses, in partnership with the City. Downzoning industrial properties in the manner proposed not only singles out industrial owners but also does not benefit the community or meet the stated objectives of the Proposed Update.

10

In light of the foregoing, and now more important than ever in the current economic climate, we respectfully urge City Planning to temporarily pause the Proposed Update process to allow for further opportunity for input and meetings with its more than forty-percent (40%) industrial stakeholder base. We are confident that in doing so both the concerns of the City and those of stakeholders can be adequately addressed through thoughtful and tailored amendments to the Proposed Update.

11

We appreciate City Planning's anticipated due consideration of the points and concerns set forth above, and those from similarly situated and concerned industrial stakeholders in the Proposed Update area. BCIF looks forward to working collaboratively with Planning to address these issues and move forward with a Proposed Update that will provide for the continued operation of new and legacy commercial and industrial businesses throughout the City, and particularly the important Harbor Gateway and Wilmington-Harbor City communities.

12

Please contact me if you have any questions or if you wish to discuss this matter in further detail.

Very truly yours,

Paige H. Gosney

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

City of Los Angeles Dept. of City Planning
Attn: Christopher Pina
November 28, 2023
Page 5

cc: BCIF (via e-mail only)

Letter 14 **Allen Matkins Leck Gamble Mallory & Natsis LLP Attorneys at Law**
Paige H. Gosney
2010 Main Street, 8th Floor
Irvine, CA 91765
November 28, 2023

Response 14-1

The comment provides an introduction to the BCIF Harbor Gateway Logistics Center (BCIF) and the comment letter. The comment is noted. No further response is required.

Response 14-2

The commenter expresses concern with Proposed Plans' impact to logistics, warehousing, and distribution uses. Please see **Response 13-2**.

Response 14-3

The commenter expresses concern that the proposed Hybrid Industrial land use designation would limit and displace industrial uses in the area. Please see **Response 13-3**.

Response 14-4

The commenter states that the Hybrid Industrial land use designation would force existing industrial properties into non-conforming status, potentially resulting in economic challenges to the City. The comment is noted. Please see **Response 13-4**.

Response 14-5

The commenter states that the implementation of the Hybrid Industrial and Light Industrial land use designations would result in the legal nonconforming uses without becoming cleaner, better designed, and more attractive/useful for the community and surrounding uses. Please see **Response 13-5**.

Response 14-6

The commenter expresses concern that the Proposed Plans could increase discretionary approvals and entitlement processes for the future development of warehousing uses and outdoor industrial uses. Please see **Response 13-6**.

Response 14-7

The commenter expresses concern with the lack of support or transition plans for industrial property owners. Please see **Response 13-7**.

Response 14-8

The commenter requests that the funding and alternative locations for industrial uses under Program Number 34 in the Harbor Gateway Plan be clarified. Please see **Response 13-8**.

Response 14-9

The commenter indicates that there is not sufficient analysis of the potential environmental impacts associated with industrial uses that may relocate to areas outside of the Harbor LA CPAs under the Proposed Plans. Please see **Response 13-9**.

Response 14-10

The commenter recommends that the Proposed Plans allow for expanded mixed use zones to minimize potential for decrease in industrial uses. Please see **Response 13-10**.

Response 14-11

The commenter requests that the City temporarily pause the approval and adoption process of the Proposed Plans to allow for further community input. Please see **Response 13- 11**.

Response 14-12

The commenter states that they look forward to the net beneficial impacts of projects included in the Proposed Plans. Please see **Response 13-12**.

11/29/23, 9:57 AM

City of Los Angeles Mail - Public Comments - CPC-2018-6404-CPU (HG) / CPC-2018-6402-CPU (W-HC)/ ENV-2019-3379



Christopher Pina <christopher.pina@lacity.org>

Public Comments - CPC-2018-6404-CPU (HG) / CPC-2018-6402-CPU (W-HC)/ ENV-2019-3379

1 message

Amanda Depierro <amanda.depierro@gmail.com>
To: planning.harborlaplans@lacity.org

Mon, Nov 20, 2023 at 3:28 PM

Hello,

This question and comment is regarding the Wilmington Harbor Community Plan Update.

Case Number from the Public Hearing held on November 9, 2023. CPC-2018-6404-CPU (HG) / CPC-2018-6402-CPU (W-HC)/ ENV-2019-3379

First, I have a question – will the plan be adopted prior to the expiration of the Interim Control Ordinance?

1

I strongly oppose the Harbor Community Plan update. I am asking the City Planning Department to reconsider their proposed land use plans for Wilmington. The city of Wilmington is known as "America's Port" for a reason. The port is what drives the economy in Wilmington. It is how consumers like you and I can enjoy the goods we have at home. The people in the Wilmington community want a cleaner environment. I agree with them. They do deserve to have a safe and clean city to live in. There are other ways for the city to regulate the cleanliness and green standards at industrial properties. The solution is to not eradicate industrial properties all together. Without truck yards and logistics centers we will not be able to enjoy the clothes we wear on our backs or devices we use at home. We will not have products to go into the "walkable shopping centers" that the people want in the community. There are a limited number of investors looking to develop multi-family and single-family product in this area and for good reason. Wilmington sits on old oil wells and is a PORT COMMUNITY. The increased cost of remediation and heavy regulations/standards placed on these developers by the city will make it impossible for them to underwrite deals. The properties whose zoning are being downgraded to Light Industrial, Hybrid Industrial, or Mixed-Use, are going to lose their utility and all of their value. America was born on the premise that any man from any country could come here and build a life for themselves and their family, the American Dream. Part of this dream, includes owning real estate. Coming from an immigrant family I find it very disheartening to see a city destroy everything we have ever worked for. We worked our entire lives to build a successful business and invest in the real estate our business sits on. Now, ready to retire, we will receive nothing for the land because the city has elected to downgrade the zoning. The city is going to lose tax dollars, developers, investors, employment, etc. The properties along Anaheim Street are going to be especially impacted by these changes. Anaheim St is a main artery from the port and these properties survive on Port Related Businesses. Not to mention, this is the OVERWEIGHT CORRIDOR. WHERE DO YOU EXPECT THESE BUSINESSES TO GO?? We CAN'T BUILD on the port? We can't move away from their port otherwise our drayage costs will skyrocket and we will be foreclosed on and have to let go of dozens of employees. This isn't just destroying property utility, this plan is destroying lives. What is the solution to appease the people and help businesses stay in business! Require setbacks, taller walls, green buildings, better aesthetics, operating hours, etc.

2

3

4

5

6

7

8

9

I ask you to please reconsider the proposed land use plans for the Wilmington Harbor Gateway Community and keep the original industrial zoning.

10

Thank you in advance for your time and consideration.

11/29/23, 9:57 AM

City of Los Angeles Mail - Public Comments - CPC-2018-6404-CPU (HG) / CPC-2018-6402-CPU (W-HC)/ ENV-2019-3379

Sincerely,

Amanda DePierro

760-406-2435

Letter 15 Amanda DePierro
Individual
November 20, 2023

Response 15-1

This comment asks if the Proposed Plans will be adopted prior to the expiration of the Interim Control Ordinance. The Wilmington-Harbor City Trucking-Related Interim Control Ordinance (ICO) was adopted and became effective on July 6, 2022, and expired on July 6, 2024. In April 2024, the Los Angeles Department of City Planning launched the proposed Trucking-Related Uses Ordinance (Council File: 24-0555), as a permanent ordinance to regulate trucking-related uses in the Wilmington-Harbor City CPA. The Trucking-Related Uses Ordinance became effective on July 1, 2024.

Response 15-2

The commenter states that they advocate for a cleaner environment in the Wilmington community. The comment is acknowledged. No further response is required.

Response 15-3

The commenter requests that the Proposed Plans not phase out industrial uses. Please see **Master Response 2: Industrial Zone Changes**, the Proposed Plans intend to allow existing industrial uses within targeted areas to continue to operate on their respective properties as non-conforming uses and provide new land use designations to address incompatible uses. As discussed in **Section 4.10, Land Use and Planning**, it would be highly speculative to determine whether the proposed land use changes in the Harbor LA CPAs would result in the displacement of industrial uses and associated jobs.

Response 15-4

The commenter notes that residential developments are difficult to locate in the Wilmington community due to the concerns regarding the release of hazardous materials from existing oil wells. As discussed in **Section 4.8, Hazards and Hazardous Materials**, compliance with existing state and local regulations would ensure that the implementation of the Proposed Plans would not create a significant hazard to the public or environment due to the release of hazardous materials associated with oil and gas production wells; and impacts related to oil well hazardous materials would be less than significant. As discussed in **Section 4.2 Air Quality** (page 4.2-51), the EIR appropriately characterized potential air quality and associated health risks from existing conditions in the Wilmington Harbor CPA. Please see **Master Response 1: General Comments and Non-CEQA Issues** and **Master Response 3: Oil and Gas Ordinance**; assessing air quality and associated health risks from existing conditions and assessing the environment's impact on a project is not an impact under CEQA. Comments related to impacts associated with existing oil and gas extraction

activities are not related to the Proposed Plans or the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 15-5

The commenter states that the industrial properties that rezoned to Light Industrial, Hybrid Industrial, or Mixed-Use under the Proposed Plans will lose their value. This comment does not raise an environmental issue regarding the adequacy of the analysis in the EIR. Socio-economics is not a CEQA issue. Please see **Master Response 1: General Comments and Non-CEQA Issues**. Please see **Master Response 2: Industrial Zone Changes**, the Proposed Plans intend to allow existing industrial uses within targeted areas to continue to operate on their respective properties as non-conforming uses and provide new land use designations to address incompatible uses. As discussed in **Section 4.10, Land Use and Planning**, it would be speculative to determine whether the proposed land use changes in the Harbor LA CPAs would result in the displacement of industrial uses and associated jobs.

Response 15-6

The commenter expresses concern that the proposed zone changes under the Proposed Plans would lower the value of the real estate in the community. Please see **Response 15-5**.

Response 15-7

The commenter states that the proposed zone changes will cause the existing properties located along Anaheim Street to relocate. Please see **Master Response 2: Industrial Zone Changes**, land use changes in these targeted areas would allow flexibility to incorporate compatible uses between adjacent properties in the CPAs. The Proposed Plans' policies would support the preservation of established industrial districts to promote equitable jobs/housing balance and help ensure appropriately located land accommodates existing, new and relocating industrial firms, including small-scale or niche manufacturing and emerging industries. However, some existing industrial uses may no longer be consistent with the uses allowed under the new land use designations and zoning requirements. Following adoption of the Proposed Plans, these properties would not be displaced, but would be considered legal nonconforming uses subject to Article 12 (Nonconformities) regulations. Existing uses may continue to operate as nonconforming uses once the new zones become effective. Generally, any portion of a lot, site improvement, building, structure, or use that meets the definition of nonconforming may be continued, provided it is not changed or modified. Maintenance and repair, as well as renovation, of the nonconforming use are allowed. It must meet the standards of the Zoning Code (Chapter 1A), except as expressly allowed in Article 12

(Nonconformities). A new or change of use will need to comply with new use regulations specified in its respective Use District (Article 5 – Use Districts).

Response 15-8

The commenter expresses concern that existing businesses located along Anaheim Street will be relocated. The comment does not relate to the adequacy of the analysis included in the EIR. Please see **Master Response 2: Industrial Zone Changes** and **Response 15-7**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 15-9

The commenter suggests that the Proposed Plans require setbacks, taller walls, green buildings, better aesthetics, and operating hours. The comment relates to the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR.. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 15-10

The commenter requests that the proposed land use and zoning under the proposed Wilmington Harbor be re-evaluated. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.



Jeffer Mangels
Butler & Mitchell LLP

jmbm.com

Daniel Freedman
dff@jmbm.com

1900 Avenue of the Stars, 7th Floor
Los Angeles, California 90067-4308
(310) 203-8080 (310) 203-0567 Fax
www.jmbm.com

November 9, 2023

BY EMAIL ONLY

Christopher Pina
Los Angeles Department of City Planning
200 North Spring Street, Room 667
Los Angeles, California 90012
E-Mail: planning.harborlaplans@lacity.org

Re: Draft EIR, Harbor LA Community Plans Update
Case Number: ENV-2019-3379-EIR
Comment Regarding Proposed Zoning of 1020 N. McFarland Avenue

Dear Mr. Pina:

We write to comment on the Harbor LA Community Plans Update Draft Environmental Impact Report ("EIR"), case number ENV-2019-3379-EIR. We represent the owner of the property located at 1020 N. McFarland Avenue, Los Angeles, CA 90744 (the "Subject Property"), a 3.5 acre site within the Wilmington community that is improved with an existing warehouse / industrial building. The surrounding area is improved with a mix of uses, including RV parking, residential uses, auto-repair, warehousing, and other industrial structures. (See **Exhibit A.**) [Notwithstanding this mix of uses and physical improvements, the proposed Community Plan Update is seeking to rezone this massive parcel to low-density residential, which in actuality is the least prevalent existing use adjacent to this property.¹ For the reasons set forth below, we do not believe low-density residential is an appropriate or advisable zone for the Subject Property, and we respectfully request the City consider applying the newly created Hybrid Industrial zone, which was specifically designed for this type of circumstance and urban setting.

According to the EIR, the areas being rezoned to Hybrid Industrial area "areas where [existing industrial] uses abut or are in close proximity to residential uses." (DEIR, Pg. 4.10-22.) It explains that the purpose of this zone is to improve "compatibility and accessibility of [adjacent] residential" uses and to facilitate existing industrial land uses to be "transitioned over time into more compatible hybrid industrial uses." (*Id.*, see also Pg. 2.0, explaining that the Hybrid Industrial area/zone is intended to serve as "a buffer between residential and heavy industrial uses."). Acknowledging the utility of this zone in this particular area, the proposed Community

¹ Only a small strip of 5 adjacent homes along Sanford Avenue are true single-family residences. The majority of the surrounding uses are higher density RV and mobile home uses – to the north and west – and multi-family and industrial uses to the south and west.

Christopher Pina
November 9, 2023
Page 2

Plan Update currently proposes to rezone similar residentially zoned industrial sites to the new Hybrid Industrial zoning designation. For instance, the large property located at 733 E. Opp Street – located less than 200 feet from the subject property – is being rezoned from RD3 to Hybrid Industrial.

3

Considering the proximity and similarities between 733 E. Opp and the Subject Property, we submit this letter to request that the land use designation of the Subject Property similarly be modified to Hybrid Industrial (i.e., the same proposed zoning as 733 E. Opp). Like nearby proposed Hybrid Industrial sites, the Subject Property has an existing long-standing industrial use, is located in area with a mix of uses, and would benefit from a zone that is designed to improve the compatibility of the existing use/structures while allowing for the area to transition over-time. As the Subject Property is located only 200 feet from another parcel being proposed for Hybrid Industrial, we believe this would be a relatively minor amendment to the proposed plans, and would better match the proposed zoning with the existing built environment. This is precisely the scenario the Hybrid Industrial zone was created for, and should be applied accordingly.

4

Finally, it has been suggested that such a change might not be permissible as “spot zoning” for the sole reason that the zone does not physically attach to a neighboring Hybrid Industrial designated parcel. This is incorrect. First, this site is 3.5 acres, and is orders of magnitude larger than the neighboring abutting parcels. (*Foothill Communities Coal. v. Cnty. of Orange* (2014) 222 Cal. App. 4th 1302, 1311, explaining that spot zoning involves a *small* parcel of land, the larger the property the more difficult it is to sustain an allegation of spot zoning.) Giving a site of this size a suitable zone in consideration of the existing development trends and environment, is not spot zoning. Moreover, there is no requirement that the property and its zoning designation be connected to another property with the same zoning, as long as there is a “rational reason” for the zoning. (*Id.*) As explained above, the Hybrid Industrial zone was established for precisely this purpose, to act as a buffer and transition zone between residential and industrial uses. Applying this zone to that exact scenario, is both rational and in the public’s interest. The fact is, it would be a disservice to the public to keep this property zoned exclusively for residential, as it would make it impossible for the owner to reinvest in the property and to achieve the benefits the Hybrid Industrial zone is intended to confer. Thank you for your consideration, and we appreciate the Department of City Planning’s consideration of this request.

5

6

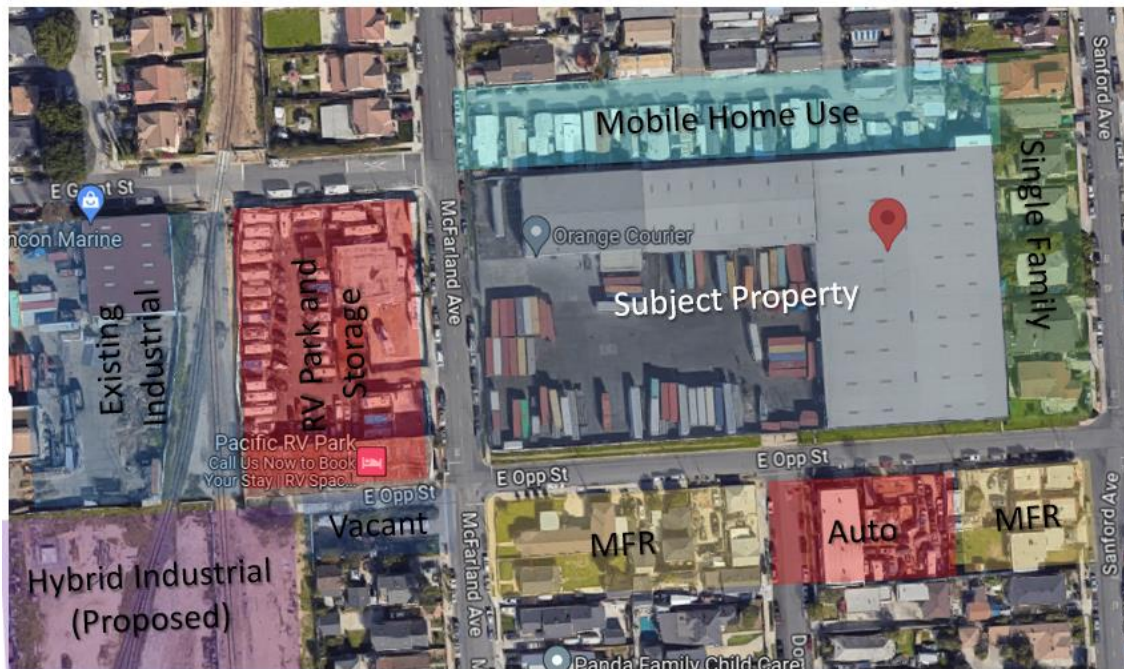
Very truly yours,



DANIEL FREEDMAN of
Jeffer Mangels Butler & Mitchell LLP

Christopher Pina
November 9, 2023
Page 3

Exhibit A



Letter 16 **Jeffer Mangels Butler and Mitchell LLP**
Daniel Freedman
1900 Avenue of the Stars,
Los Angeles, CA 90067
November 9, 2023

Response 16-1

The commenter provides introduction to the comment letter. The comment is acknowledged. No further response is required.

Response 16-2

The commenter requests that the City consider applying the newly created Hybrid Industrial zone to the property located at 1020 N. McFarland Avenue, Los Angeles, CA 90744. The comment relates to the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 16-3

The commenter describes the purpose of the Hybrid Industrial zone and states that residentially zoned industrial sites would be rezoned Hybrid Industrial. The commenter provides a parcel located at 733 E. Opp Street as an example of a property that would be rezoned from residential to Hybrid Industrial. Please see **Master Response 1: General Comments and Non-CEQA Issues**. Comments concerning the land use and zoning changes to one property do not relate to the adequacy of the analysis included in the EIR. The comment does not identify the potential for new physical environmental impacts not addressed in the EIR, and no specific response is required. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 16-4

The commenter compares the proposed zoning of their subject property (1020 N. McFarland Avenue) with the zoning of 733 E. Opp Street and provides examples as to how both properties are similar. The comment expresses concern with the proposed land use changes included in the Harbor LA CPAs. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment requests land use and zoning changes to one property does not relate to the adequacy of the analysis included in the EIR. The comment does not identify the potential for new physical environmental impacts not addressed in the EIR, and no specific response is required. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 16-5

The commenter provides the findings of past appellate court cases as examples of appropriate “spot zoning” changes. Please see **Master Response 1: General Comments and Non-CEQA Issues**. Requests for “spot zoning” changes serve as a commentary to the Proposed Plans and do not relate to the adequacy of the analysis included in the EIR. The comment does not identify the potential for new physical environmental impacts not addressed in the EIR, and no specific response is required. The comment will be included as part of the record and forwarded to the decision-makers for their review and consideration prior to any action being taken on the Proposed Plans.

Response 16-6

The commenter concludes that their property should be rezoned to Hybrid Industrial. The comment expresses concern with the proposed land use changes included in the Proposed Plans. The comment does not identify the potential for new physical environmental impacts not addressed in the EIR, and no specific response is required. The comment will be included as part of the record and forwarded to the decision-makers for their review and consideration prior to any action being taken on the Proposed Plans.

KUHR Properties LLC



2785 Pacific Coast Hwy., #E 309
Torrance, CA 90505-7066

Phone: (310)-266-6777
Fax: (310)-349-3420

November 20, 2023

Christopher Pina, City Planner
200 North Spring Street, Room 667
Los Angeles, CA 90012
(213) 978-1369
planning.harborlaplans@lacity.org

Subject: CPC-2018-6402-CPU (Wilmington-Harbor City), and CPC-2018-6404-CPU, ENV-2019-3379-EIR

Dear Planning Staff,

The General Plan change should not only reflect what is, but what should be, considering the dire need for housing. Now is the time to incorporate what we had proposed which had substantial stakeholder support and almost completed the review process when the retroactive implementation of Prop JJJ created an unsurmountable challenge.

After review of the proposed changes of the property located at 26378 S. Vermont Ave, Harbor City with APN#'s 7412011006, 7412014005, and 7412014004 we have this initial feedback (see your insert for reference below).

🔍 Zoom to

Zone Builder Data: 033B197 75



Type of Change	Equivalent Zone
Existing Zoning	[T][Q]RAS3-1-O
Existing Land Use Designation	General Commercial
Proposed Land Use Designation	Medium Neighborhood Residential
Existing FAR	3
Proposed FAR	3
Proposed FAR Bonus	n/a
Existing Height Limit	50'
Proposed Height Limit Base	50'/ 3 stories
Proposed Height Limit Bonus	n/a
Existing Density	1/800

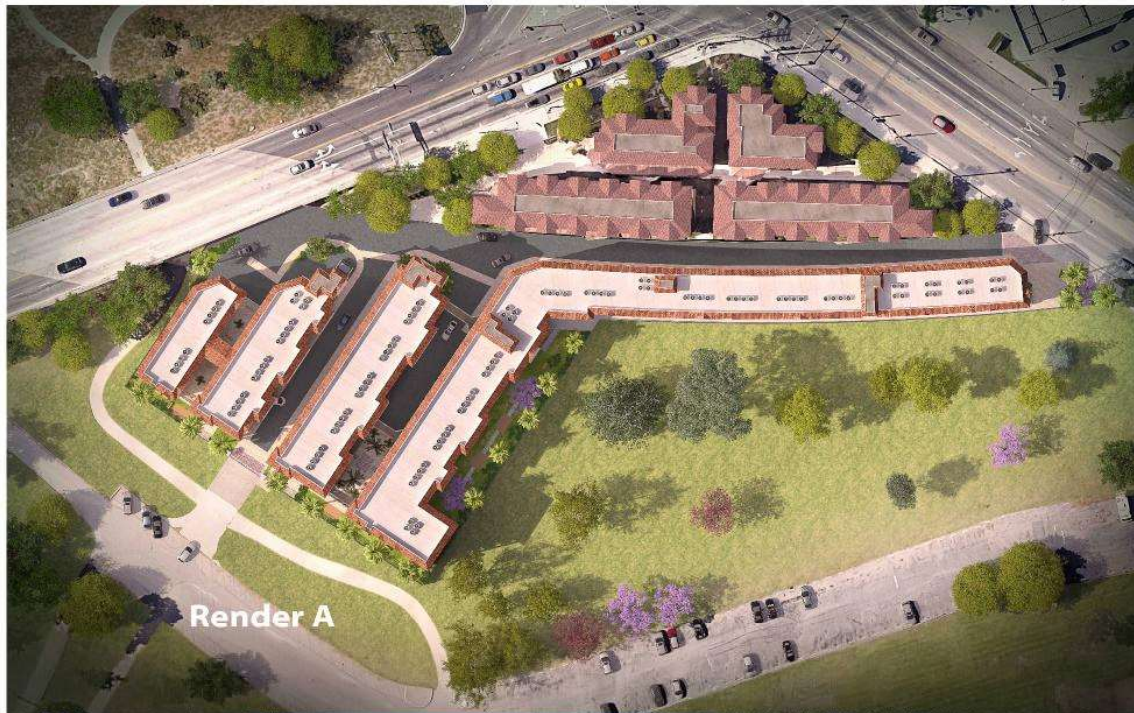
The owners had submitted Case No.: CPC-2013-2471-GPA-ZC-ZVDB-ZAA-SPR CEQA No.: ENV-2013-2469-MND. The Project comprises four, 4-story residential buildings (connected by upper-level walkways) above one ground-level parking garage with a maximum building height of 56 feet for a total of 110 Units. This project had the support of the Neighborhood Council, CD-15, and the Parks Advisory Board. The initial Planning hearing was held and had only speakers in support, no dissent (see attached renderings pages 2,3).

KUHR Properties LLC



2785 Pacific Coast Hwy., #E 309
Torrance, CA 90505-7066

Phone: (310)-266-6777
Fax: (310)-349-3420



KUHR Properties LLC



2785 Pacific Coast Hwy., #E 309
Torrance, CA 90505-7066

Phone: (310)-266-6777
Fax: (310)-349-3420



Render C



Render D

KUHR Properties LLC



2785 Pacific Coast Hwy., #E 309
Torrance, CA 90505-7066

Phone: (310)-266-6777
Fax: (310)-349-3420

As infill parcels which already had substantial review, the residential units will help to fulfill more housing to service Harbor College, Kaiser hospital, and surrounds.

Your assessment now will make the affordability of building this project feasible and help with the housing crisis.

To address specific items in the proposed General Plan:

1. FAR should reflect a mid-rise 4-story residential buildings with 1 ground level parking.
2. Height Limit of 56' with 4-story residential buildings with 1 ground level parking.
3. 1/700 density

Unfortunately, the General Plan does not show specifics of what Form, Frontage, Development Standards, and Use limitation would specifically apply to these parcels. I would like to schedule a meeting to go over Planning's intention and the specific meanings of the New Code as related to this project.

Will the Proposed designations affect our intended project considering the unique form of the parcels?

If you wish documentation to corroborate stakeholder support, it is in the file, but can be provided.

Sincerely,

Kuhr Properties LLC

The interactive map changed drastically from the date of the public hearing compared to Today as we wrote this letter. I was surprised to see the interactive map have much more information literally on a holiday week right before deadline to comment. We reserved the right to comment on the information changed since the public meeting to today right before the deadline. See attached screenshot today on page 5 and the one on page 1 at the time of public hearing. We need additional time to review the proposed Zone which did not show on our initial use of your map at the time of public hearing.

2

3

4

5

KUHR Properties LLC

2785 Pacific Coast Hwy., #E 309
Torrance, CA 90505-7066



Phone: (310)-266-6777
Fax: (310)-349-3420

ADDRESS: 26378 S VERMONT AVE

Zoom to

EXISTING & PROPOSED
LAND USE / ZONING

Existing Plan Designation	General Commercial
Existing Zone	[T][Q]RAS3-1-O
Existing Height	50'
Existing FAR	3
Proposed General Plan Land Use Designation	Medium Neighborhood Residential
Proposed Zone	[LM3-MU4-11][RX3-8][OL]
Proposed Form	Low-Rise Medium 3

Letter 17 **Kuhr Properties LLC**
Paul L Kuhr
2785 Pacific Coast Hwy., #E 309
Torrance, CA 90505-7066
November 20, 2023

Response 17-1

The commenter provides a summary of the proposed project at 26378 S. Vermont Avenue. The comment is noted. No further response is required.

Response 17-2

The commenter provides specific suggestions for the Proposed Plans. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment provides suggested changes to the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 17-3

The commenter requests a meeting to discuss specific changes to the Proposed Plans regarding Form, Frontage, Development Standards, and Use and how they would impact their proposed project. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment relates to the zoning changes included in the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 17-4

The commenter requests clarification whether the zoning changes would affect their proposed project. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment relates to the zoning changes included in the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 17-5

The commenter notes that there were changes to the interactive map with the existing and proposed zone changes; and requests additional time to review the zone changes. The commenter references an outdated

Land Use and Zoning maps from 2021-2022, which illustrates preliminary zoning metrics. The maps were updated on September 1, 2023 to showcase the proposed zoning and code pages; and did not include any additional updates during the public review period for the Draft EIR. Please see **Response 8-2**.

Lucas Simmons
Lomita, CA 90717
319-439-8946

11/13/2023

Christopher Pina
City Planner
Los Angeles Department of City Planning
200 North Spring Street, Room 667
Los Angeles, CA 90012

Subject: Public Comment on Harbor LA Community Plans Update – Case No. CPC-2018-6402-CPU(Wilmington-Harbor City)

Dear Mr. Pina,

As a resident deeply invested in the future of Wilmington-Harbor City, I am writing to provide input on the Harbor LA Community Plans Update, particularly the enhancements to our transportation network along Western Avenue and in the vicinity of Narbonne High School.

Bus Service Enhancements on Western Avenue: The enhancement of bus service is crucial for our community. An increase in the frequency of buses, extension of service hours, and the introduction of express routes would greatly benefit our residents. Additionally, equipping bus stops near Narbonne High School with shelters could encourage more widespread use of public transit, providing comfort and safety for passengers.

Cycling and Multi-Modal Infrastructure: Our community's commitment to sustainability can be furthered through the development of protected bike lanes, creating a connected network of bike-friendly routes, and installing secure bicycle parking.

Furthermore, considering the dual functionality of these lanes could bring additional benefits. Designing multi-use lanes along Western Avenue to accommodate bicycles, buses, and emergency vehicles in a shared space could improve the efficiency of our transit system. Such lanes would require careful planning to ensure the safety and coexistence of all users, but they could offer a versatile solution to urban transit challenges, particularly in high-density areas where space is a premium.

Pedestrian Safety Near Narbonne High School: The implementation of pedestrian refuge islands, bulb-outs at intersections, and enforced speed limits are essential to ensure the safety of the many students who travel to and from school each day. These measures would help in calming traffic and providing safe passage across busy streets.

In providing these suggestions, I hope to contribute to a dialogue that seeks innovative and practical solutions for our community's development. It is through collaborative efforts that we can achieve a transportation network that is safe, efficient, and sustainable for all.

I look forward to the opportunity to discuss these ideas further at the Virtual Information Session and Public Hearing.

1

2

3

4

5

6

Thank you for considering these points as part of the planning process, and for your ongoing commitment to the well-being of our city.

Sincerely,
Lucas Simmons

Letter 18 **Lucas Simmons**
Individual
November 13, 2023

Response 18-1

The comment provides an introduction to the comment letter. The comment is acknowledged. No further response is required.

Response 18-2

The commenter suggests that the frequency of buses on Western Avenue should be increased, and that a bus stop should be installed near Narbonne High School. Issues concerning enhancements to bus service network along Western Avenue and in the vicinity of Narbonne High School relate to the Los Angeles Metropolitan Transportation Authority (Metro) policies and services and do not relate to the adequacy of the analysis included in the EIR. In addition, transit routes are addressed within the City's Mobility Plan 2035. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 18-3

The commenter states that the development of protected bicycle lanes, connected network of bicycle-friendly routes, and installation of secure bicycle parking is needed to demonstrate the community's commitment to sustainability. Bicycle routes are addressed in citywide Complete Streets Design Guidelines contained within the City's Mobility Plan 2035. The Proposed Plans include policies to address bicycle infrastructure as appropriate for the CPAs. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 18-4

The commenter provides recommendations to enhance the bicycle system design along Western Avenue. See **Response to Comment 18-3** above.

Response 18-5

The commenter provides recommendations to improve the safety of pedestrian facilities near Narbonne High School. Suggested safety improvements to the pedestrian infrastructure are related to the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. Pedestrian safety is addressed in citywide policies contained within the City's Mobility Plan 2035, Vision Zero initiative, citywide design guidelines, and the General Plan Safety Element. The Proposed Plans include policies to address pedestrian

amenities as appropriate for the CPAs. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 18-6

The commenter states that they look forward to opportunities to discuss the suggestions outlined in the comment letter further. The comment is noted. No further response is required.

11/13/23, 2:22 PM

City of Los Angeles Mail - Comment for DIER report



Christopher Pina <christopher.pina@lacity.org>

Comment for DIER report

2 messages

'Rosa Lagunas' via Harbor Community Plans <planning.harborlaplans@lacity.org>

Mon, Nov 6, 2023 at 4:40 PM

Reply-To: Rosa Lagunas <rosalagunas@yahoo.com>

To: planning.harborlaplans@lacity.org

Though the solutions in the DIER report are proactive, they still only offer bandage solutions. The problem that has yet to be addressed is that Wilmington is the most polluted community in the United States due to 200 oil drilling sites, five fossil fuel refineries, three railways, and dozens of truckyards and scrapyards surrounding this community. Living near such high amounts of pollution is known to cause respiratory problems and increase the risk of heart disease and lung cancer. In addition, recent research has also shown that air pollutants act as stressors, eliciting endocrine stress responses in our brains that lead to irrational decisions and violent tendencies and disturb the physical, cognitive, and emotional health of people exposed to them at high levels (Grist, 2022). Because Wilmington has long struggled with high rates of violence, a recent study revealed that the vast majority of shootings in Wilmington have taken place in the city's industrial corridors, which are the West Coast's main arteries for oil production, trucking, and logistics (Grist, 2022). Therefore, the best solution for this community is to remove all refineries from the area and replace the industrial area with green spaces. We can no longer afford to have bandage solutions or 'comply with regulations' because it is not proactive. We must fight for our community's health and well-being, and the most proactive way is by removing all refineries and truck yards and creating policies that prevent them from returning. LIVES over PROFIT!!!!

1

2

Jessica Alvarado <jessica.alvarado@lacity.org>

Mon, Nov 6, 2023 at 4:48 PM

To: Rosa Lagunas <rosalagunas@yahoo.com>

Cc: planning.harborlaplans@lacity.org

Hello Rosa,

This is confirmation that your comment has been received. Thank you for your submittal.

Kind Regards,
Jessica

[Quoted text hidden]

Letter 19 Rosa Lagunas
 Individual
 November 6, 2023

Response 19-1

The commenter expresses concerns regarding the existing conditions of the Wilmington-Harbor City CPA that related to pollution from oil drilling and air pollution. Please see **Master Response 1: General Comments and Non-CEQA Issues** and **3: Oil and Gas Ordinance**. Comments related to existing conditions and impacts associated with existing oil and gas extraction activities are not related to the Proposed Plans or the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 19-2

The commenter further expresses their concerns (without supporting evidence) that air pollution could elicit human behavioral stresses and violent tendencies that could result in an increase in crime in the City and concludes that all refineries be removed and replaced with green spaces. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The analysis of the impact on public services including demand for police protection is based on the standard approach to such analyses and finds that there would be a less than significant impact related to demand for new police facilities. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

11/29/23, 9:55 AM

City of Los Angeles Mail - Comment on the Harbor Gateway Community Plan update ENV-2019-3379-EIR



Christopher Pina <christopher.pina@lacity.org>

Comment on the Harbor Gateway Community Plan update ENV-2019-3379-EIR

Rosalie Preston <rosalieannp@hotmail.com>
To: Christopher Pina <christopher.pina@lacity.org>

Mon, Nov 20, 2023 at 4:47 PM

Overall I am very supportive of the goals of the Harbor Gateway Community Plan update. However, I would like to point out the following:

p. 10 190th Street is not the only major commercial center; Carson Street and Sepulveda Blvd. on the north side have an even greater amount of commercial locations

p. 12 Historic Development Patterns - bottom of the first column. HG was not annexed for "goods movement." As previously stated above, the area was annexed by the City of Los Angeles to provide a direct link to the Harbor area, so that the Port was part of the City of Los Angeles.

p. 23 Chapter 2 Land Use and Urban Form - Rosecrans and El Segundo Blvd. between Vermont and Figueroa are not commercial corridors; they are both 85% residential. Meanwhile, the north side of Sepulveda Blvd. is not listed as a commercial corridor.

p. 28 the north side of Sepulveda Blvd. is no longer industrial --it is almost entirely commercial with one large apartment building and one new warehouse.

p. 29 Lu 7.7 Figueroa Street in the HG North area, north of the 405 and up to El Segundo Blvd. should be included in the plan for urban tree canopy. It also needs a median planted with trees and shrubs to help absorb the truck air pollution and cool the streets

p. 34 I strongly encourage eliminating mention of siting industrial uses along flood control channel, as a form of physical barrier, at least in the HG North area where the plan is to re-naturalize the Dominguez Channel and watershed in future years. New industrial uses should be discouraged in the Community Plan since the HG already has so many. More residential is what is needed and strong encouragement to the existing industrial uses to become sites for "clean" tech and other low intensity uses that do not involve trucking. We need more diversification of the economy.

Rosalie Preston
15913 S. Menlo Avenue

1

2

3

4

5

6

7

Letter 20 **Rosalie Preston**
Individual
November 20,2023

Response 20-1

The commenter provides support for the goals of the Harbor Gateway Community Plan. The comment expresses support for the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 20-2

The commenter states that 190th Street is not the only commercial center, and that Carson Avenue and Sepulveda Boulevard have concentrations of commercial uses. The comment does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 20-3

The commenter states that Harbor Gateway was not annexed for goods movement but to provide a link to the City. The comment does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 20-4

The commenter suggests that Sepulveda Boulevard should have been included as a commercial corridor. The comment relates to the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 20-5

The commenter states that Sepulveda Boulevard is no longer industrial. The comment does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 20-6

The commenter states that Figueroa Street should be included in the plan for urban tree canopies. The comment relates to the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 20-7

The commenter suggests eliminating industrial uses along flood control channels. The comment does not relate to the adequacy of the analysis included in the EIR. The comment relates to the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.



January 29, 2024

ATTN:

Los Angeles Planning Commission

cpc@lacity.org

Sent via e-mail

Re: Comments on the Harbor LA Community Plans CPC Staff Report

Dear Planning Commissioners:

Communities for a Better Environment (CBE) appreciates the opportunity to submit this comment letter regarding the Harbor LA Community Plan and the CPC Staff Report Recommendations.

Founded in 1978, Communities for a Better Environment (CBE) is one of the preeminent environmental justice organizations in the nation. CBE is rooted in place-based organizing and works alongside community leaders in Wilmington and the City of Los Angeles- to build people's power in California's communities of color and low-income communities. Our mission is to achieve environmental health and justice by preventing and reducing pollution and building green, healthy and sustainable communities and environments. Due to the historical and racist practice of redlining, communities of color in the City are concentrated in specific areas where they are overburdened by environmental harms and disproportionately impacted by pollution and toxins found in and around their homes.

Examples of environmental injustices are prevalent in the Wilmington-Harbor Area, where approximately 38% is industrial, 34% residential, 7% public facility and 15% open space for approximately 82,858 residents¹. The community is surrounded by industrial sites on all sides, including the Port of Los Angeles- the largest port in the West, six major freeways and diesel truck/goods movement corridors including the I-110, I-710, Pacific Coast Highway, SR 103/47, Harry Bridges Boulevard, and Alameda St. There are three refineries in Wilmington, with 2 additional in surrounding communities and neighboring cities. Throughout the community there are metal dismantlers, pick your parts junkyards, storage container yards, recycling, air products and chemical industry, and industrial maintenance companies. The result of a heavy industrial presence in the community has disproportionately burdened Wilmington, whose census tracts

1

2

¹ IMPACT SCIENCES, INC., DRAFT ENVIRONMENTAL IMPACT REPORT 3.0-13 (2023) [hereinafter DRAFT EIR or DEIR], https://planning.lacity.org/EIR/harbor/deir/sections/Harbor%20LA%20DEIR_consolidated_rev.pdf.

score 85-99% on the CalEnviroScreen Percentile- including 66-70% particulate matter, 51-100% diesel particulate matter, 97-98% toxic releases, 86-95% lead from housing². The decades of toxic sites along with limited social and health services have resulted in 81-83% asthma, 20-82% low birth weight, and 89-93% cardiovascular disease³.

Furthermore, on Saturday, January 20, 2024, a burst pipe at Warren Resources, Inc. (Warren E & P), an oil and gas drilling facility in Wilmington, sent oil spewing into the community. Warren E & P's drill site at 625 E Anaheim St. (between Eubank Ave. and Banning Blvd.) has 226 wells⁴. Since 2013 the site has used more than 4.3 million pounds of cancer-causing carcinogens and 4.6 million pounds of endocrine disrupting chemicals, which interfere with the body's hormones. This site is adjacent to a baseball little league field, several bus stops, a sidewalk with heavy foot traffic, a commercial plaza, and multi-family homes. The lack of transparency and urgency in which the City of LA, the South Coast Air Quality Management District, and other agencies are handling the clean up, informing community members of the event and potential health risks, and enforcement is disgraceful and reiterates our demands that the Wilmington/ Harbor Area needs further environmental justice protections. CBE has expressed the urgency for local, regional, and statewide representatives to act swiftly and promptly to hold a neighborhood town hall to share accurate information regarding the event and outline solutions to move forward and address health concerns. We believe that the City Planning Staff should participate in these conversations to track the progress regarding this disaster and further build stronger relationships to CD 15 residents.

2

Summary Response to Staff Recommendations:

We thank the City for updating its Wilmington-Harbor City Community Plan and for engaging with us to express and uplift the concerns of community members. Considering that the Community Plan was last updated in 1999, it is critical that City Planning staff continue to build a relationship with the Wilmington/ Harbor Area community. The history of environmental racism, racist zoning and planning policies and practices, the Community Plan must actively undo these harms and create a healthier, thriving community.

3

We write to encourage the City Planning Commission to consider our recommendations and advocate for stronger environmental and tenants protections. We do not support a Statement of Overriding Considerations due to the lack of community engagement in the initial process, the oversight of environmental and health impacts due to the dangerous environmental injustices,

² CalEnviroScreen 4.0, CALENVIROSCREEN, (last visited Nov. 14, 2023) https://experience.arcgis.com/experience/11d2f52282a54ceebeac7428e6184203/page/CalEnviroScreen-4_0/ (last visited Nov. 14, 2023).

³ *Id.*

⁴ Liberty Hill et al. *Power of Persistence*, (last visited Jan. 29, 2024) https://issuu.com/libertyhill/docs/power_of_persistence_summer_2023

and the Plan's failure to incorporate a plan for buffer zones between neighborhood drilling and sensitive receptors.

3

1.) DEIR Lacks Enforceable and Adequate Environmental Justice Considerations

The Proposed Plan presented in the Draft EIR will lead to a net increase of criteria pollutants through various small to large projects and the timeline of completion is unclear. Through the use of heavy construction equipment, vehicle trips, vendor material deliveries, dust emissions from demolition and site preparation, NOX emissions, paints, and other materials, harmful emissions will be prevalent in the Harbor Area. **The CPC Staff Recommendations state that the Draft EIR found less than significant without mitigation measures or less than significant with mitigation.** However, the cumulative impacts of all projects combined will detrimentally increase pollution quantity leading to harmful impacts to residents. Studies show that air quality definitively impacts quality of life due to health risks. According to the United States Environmental Protection Agency, "Decades of research have shown that air pollutants such as ozone and particulate matter (PM) increase the amount and seriousness of lung and heart disease and other health problems."⁵ Health concerns are more prominent when pollutants come from nearby oil wells and construction exposure.⁶ More action must be taken to close and remediate oil wells rather than hiding them. Pollutants are extremely harmful to anyone, but especially to community members who are already disproportionately impacted by environmental harms. **We urge the CPC to prioritize remediation of contaminated sites to residential standards before advancing redevelopment.**

4

CBE has repeatedly requested the Community Plan make a clear commitment to renewable energy, such as solar panels and battery storage. We have yet to see this commitment, instead the DEIR confirmed that LADWP will need to identify additional energy sources and suggests alternative fuels such as hydrogen.⁷ Hydrogen is an inefficient use of energy under most conditions and should take a secondary role to clean and efficient electrification. CBE opposes all hydrogen that is not green hydrogen⁸ or that does not respect the three pillars of additionality, deliverability, and hourly matching.⁹ Additionally, the DEIR describes hydrogen as an

5

⁵ U.S. EPA., *Research on Health Effects from Air Pollution*, <https://www.epa.gov/air-research/research-health-effects-air-pollution> (last visited Nov. 16, 2023).

⁶ Danielle Torrent Tucker, *Living near oil and gas wells increases air pollution exposure, according to Stanford research*, STANFORD NEWS SERVICE (Oct. 12, 2021),

<https://news.stanford.edu/press-releases/2021/10/12/living-near-oil-gas-wells-exposure/> (finding that there are higher levels of air pollutants within 2.5 miles of oil and gas wells leading to adverse health outcomes for residents); Mingpu Wang, et al., *Exposure to construction dust and health impacts – A review*, 311 CHEMOSPHERE 1 (2023) (available at <https://doi.org/10.1016/j.chemosphere.2022.136990>) (finding that construction dust exposure leads to health concerns such as respiratory disease, cardiovascular disease, cancer risk, and increased risk of mortality for residents and construction workers).

⁷ DRAFT EIR, *supra* note 1, at 4.7-66

⁸ CBE, et al., *Equity Principles for Hydrogen: Environmental Justice Position on Green Hydrogen in California*, (Oct. 10, 2023)

<https://www.cbecal.org/wp-content/uploads/2023/10/Equity-Hydrogen-Initiative-Shared-Hydrogen-Position-1.pdf>

⁹ Rachel Fakhry, *Success of IRA Hydrogen Tax Credit Hinges on IRS and DOE*, NRDC (Dec. 8, 2022)

<https://www.nrdc.org/bio/rachel-fakhry/success-ira-hydrogen-tax-credit-hinges-irs-and-doe>

environmental solution due to its “clean-burning qualities”. Hydrogen produces large quantities of nitrous oxide when combusted to generate electricity or on a smaller scale and can cause significant harm to local residents. CBE and environmental justice allies collaborated to outline environmental concerns regarding Hydrogen because production, delivery, storage, and end uses of hydrogen can present more harm to communities of color and undermine our climate targets. Any potential hydrogen infrastructure requires meaningful community engagement opportunities that consider current cumulative impacts on frontline environmental justice communities. **We urge the CPC to incorporate a clear commitment to renewable energy, solar, solar storage. In regards to green hydrogen, the CPC should ensure to avoid hydrogen combustion and remove any and all options, considerations or recommendations for Hydrogen to be used in “combustion engines” in the CPA.**¹⁰

5

2.) Overlooks the Los Angeles Oil and Gas Drilling Ordinance requiring phase out

In 2022, the City of Los Angeles unanimously passed an Oil and Gas Drilling Ordinance prohibiting all new activity and making current extraction activities a nonconforming use in all zones. The city ordinance phases out all oil and gas extraction by prohibiting new oil and gas extraction operations and instructing all existing operations to sunset within 20 years. Owners are not allowed to expand their current site or extend their operations during the 20 years of phase out. Community plans must incorporate phase out strategies and follow city ordinances- especially in environmental justice communities where any amount of oil drilling is an unsafe and incompatible land use. Residents near oil wells experience health impacts such as headaches, nosebleeds, cancer risks, and respiratory related conditions. **We urge the CPC instruct the DCP to incorporate an adequate plan for the phase out ordinance and a plan for potential environmental impacts from remediation such as possible vapor intrusion, groundwater contamination and particulate matter.**

6

3.) Fails to address incompatible and non-conforming land use

We are concerned that the increased incorporation of hybrid/industrial zoning and industrial zoning will divide established communities and homes to critical services such as access to sidewalks, public transportation, social cohesion, and overall protections from existing policies and plans. Currently, the Wilmington/ Harbor Area has hundreds of oil wells and numerous industrial buildings. We are concerned that the proposed hybrid industrial zoning in Wilmington will increase residents’ proximity to industry thereby, furthering cumulative health impacts. Zoning that allows an increase in industry presence will thereby lead to adverse health impacts to residents. As stated throughout this letter, air quality is significantly affected by industries such as gas and oil. Additionally, hazardous materials used by the industry can contaminate groundwater and soil in the community. **We urge the CPC to reconsider zoning Hybrid**

7

¹⁰ DRAFT EIR, *supra* note 1, at 4.5-8

Industrial Zones near residential neighborhoods and instead focus on phasing out industry and increasing healthy neighborhoods with access to green space.

CBE began the Clean Up Green Up initiative with the support of community members. Unfortunately, we have faced numerous problems with the ordinance due to the lack of enforcement and jurisdiction. **We encourage the CPC to extend the Interim Control Ordinance (ICO), for another year rather than its original extension deadline (July 6, 2024), as a way to further evaluate the best method of enforcement to prohibit diesel truck traffic in residential neighborhoods.**

4.) Incomplete housing development and tenants protections

We are concerned about the Proposed Plan's policies in relation to housing development and tenant protections. With the current housing crisis, it is imperative that the Proposed Plan has stronger policies that address the issues that Wilmington/ Harbor Area residents are currently facing which include housing instability and displacement. The Wilmington/ Harbor Area has a high percentage of renters with 62% of residents being renters in Wilmington and 54% in Harbor City.¹¹ Both communities are also experiencing high levels of rent burden with 60% of Wilmington residents and 50% of Harbor City residents experiencing rent burden.¹² While the Proposed Plan has policies that help encourage affordable housing, there is still a need for more policies that address this. According to the City Controller's Office¹³, there are only 10 affordable housing developments in the Wilmington/ Harbor Area. Simultaneously, as an environmental justice community, it is important that with the production of housing, there are environmental protections in place that promote healthy affordable housing. The Wilmington/ Harbor Area is facing both a housing crisis and an environmental crisis, therefore, the Proposed Plan should consider and should align with environmental planning goals such as the Oil and Gas Drilling Ordinance and the Environmental Justice Policy Program. **We urge the CPC to revise housing-related policies, encourage more affordable housing development, and align housing policies with current environmental planning efforts at the City.**

With many efforts to streamline the production of housing, there is concern that this would lead to unintended consequences such as displacement. This has been shown with the current Executive Directive 1 that aims to streamline the production of affordable housing, however, there have been many low-income tenants that have been displaced due to their rent-stabilized housing being demolished for the production of new affordable housing.¹⁴ Furthermore, according to the Urban Displacement Project, a mapping tool to identify areas vulnerable to

¹¹ USC Lusk Center for Real Estate, *Neighborhood Data for Social Change*, <https://map.mvneighborhooddata.org/> (last visited Jan. 29, 2024)

¹² Supra.

¹³ Kenneth Mejia, *Housing Covenants*, <https://housingcovenants.lacontroller.app/> (last visited Jan. 29, 2024)

¹⁴ David Zahniser & Dorany Pineda, *LA is fast tracking affordable housing. Some say those projects are pushing them out.*

(<https://www.latimes.com/california/story/2023-12-14/mayor-karen-bass-affordable-housing-initiative-is-sparking-new-displacement-fears>) (2023)

gentrification and displacement, many areas in the Wilmington/ Harbor Area, particularly south of Opp Street are at an elevated risk for displacement of low-income residents.¹⁵ Because of this increased risk of displacement, it is necessary that the Proposed Plan has stronger anti-displacement strategies. Some strategies that should be considered include providing relocation assistance and right of return as listed under the Housing Crisis Act of 2019 (as amended by SB 8) and Government Code 7260 et seq. There should also be a No Net Loss policy explicitly listed in the Proposed Plan that allows for any demolished rental units, including rent-stabilized housing, to be replaced with units that serve a similar population including matching square footage and bedroom/bathroom count, and should include replacement requirements at the ELI and ALI levels. **We urge the CPC to incorporate stronger anti-displacement policies.**

10

In conclusion, we urge the CPC to consider our recommendations and take action to uphold environmental justice principles. We look forward to working with the City Planning staff to build stronger relationships between the department and CD 15, track the progress regarding the Warren E&P pipe burst, improving environmental justice goals, and incorporate best practices and emergency preparedness for other potential disasters such as earthquakes.

11

Thank you for considering our comments. If you have further questions, please contact Laura Gracia (laura@cbecal.org).

Sincerely,

Laura Gracia
Climate Adaptation and Resilience Enhancement (CARE) Coordinator

Wendy Miranda
Wilmington Community Member

¹⁵ Urban Displacement Project, *California Estimated Displacement Risk Model*, <https://www.urbandisplacement.org/maps/california-estimated-displacement-risk-model/> (last visited Jan 29, 2024)

Letter 21 **Communities for a Better Environment**
113 E. Anaheim Street
Wilmington, CA 90744
January 29, 2024

Response 21-1

The commenter introduces the CBE and its detailed comments, that are addressed below. No further response is required.

Response 21-2

The commenter provides a summary of the existing conditions within the Harbor LA CPAs related to incompatible land uses and environmental justice. The commenter states that there has been a lack of transparency with the cleanup efforts for the recent pipe burst at Warren Resources, Inc. Please see **Master Response 1: General Comments and Non-CEQA Issues** and **Master Response 3: Oil and Gas Ordinance**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 21-3

The commenter states that they appreciate the City' efforts for updating the Wilmington-Harbor City Community Plan and that they do not support the Statement of Overriding Considerations. The commenter claims that there was a lack of community engagement, oversight of environmental and health impacts, and the Proposed Plans do not provide a buffer between oil drilling activities and sensitive receptors. Please see **Master Response 3: Oil and Gas Ordinance**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 21-4

The commenter summarizes the Air Quality and GHG impacts were found to be less than significant or less than significant with mitigation in the EIR and states that health impacts are more prevalent near oil wells. The commenter also states there would be a cumulative impact of the project. This is consistent with the analysis contained in the EIR (see page 4.2-64 of the EIR which finds the Proposed Plans would result in a cumulatively considerable air quality impact.) The commenter recommends that the City prioritize remediation of contaminated sites prior to redevelopment. The commenter expresses opinions regarding existing conditions and policies and does not address issues related to the adequacy of the analysis included in the EIR. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The

comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 21-5

The commenter states that they have requested that the Proposed Plans include a commitment to renewable energy, such as solar and battery storage. The commenter recommends that the City incorporate a commitment to renewable energy and avoid hydrogen combustion from consideration. Please see **Response 8-9**.

Response 21-6

The commenter recommends that the Proposed Plans incorporate a plan to phase out existing oil wells. Please see **Master Response 3: Oil and Gas Ordinance**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 21-7

The commenter expresses concern that the increased incorporation of hybrid industrial zones will divide established communities; and recommends phasing out industry. Please see **Master Response 2: Industrial Zone Changes and Response 18-16**.

Response 21-8

The commenter recommends that the City extend the Interim Control Ordinance for another year to further evaluate enforcement strategies to prohibit diesel truck traffic in residential neighborhoods. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment expresses an opinion related to City policies and does not relate to the adequacy of the analysis included in the EIR. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans. In addition, the Wilmington-Harbor City Trucking-Related Interim Control Ordinance (ICO) was adopted and became effective on July 6, 2022, and expired on July 6, 2024. In April 2024, the Los Angeles Department of City Planning launched the proposed Trucking-Related Uses Ordinance (Council File: 24-0555), as a permanent ordinance to regulate trucking-related uses in the Wilmington-Harbor City CPA. The proposed Trucking-Related Uses Ordinance became effective on July 1, 2024.

Response 21-9

The commenter recommends that the City include more affordable housing and tenant protection policies in the Proposed Plans. The comment relates to the Proposed Plans and does not relate to the adequacy of the analysis included in the EIR. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 21-10

The commenter expresses concern with the potential displacement of low-income residents and recommends that the City incorporate stronger anti-displacement policies. As discussed in **Section 4.13, Population and Housing** (pages 4.13-32 through 4.13-35), the reasonably anticipated development and redevelopment associated with implementation of the Proposed Plans would likely result in the displacement of some existing housing units. However, it would be speculative to identify the number of displaced units and/or the location of any replacement housing. To address this issue, the Proposed Plans include policies and programs aimed at reducing displacement of people and housing. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

Response 21-11

The commenter provides conclusionary statements and recommends that the City take actions to address the recent pipe burst, environmental justice, and emergency preparedness. The comment expresses opinions related to existing conditions and City policies and the Proposed Plans; the comment does not relate to the adequacy of the analysis included in the EIR. Please see **Master Response 1: General Comments and Non-CEQA Issues**. The comment will be included as part of the record and will be forwarded to the decision-makers for their consideration prior to taking any action on the Proposed Plans.

February 1, 2024

Advocates for the Environment

A non-profit public-interest law firm
and environmental advocacy organization



Christopher Pina
City Planner
City of Los Angeles
200 North Spring Street, Room 667,
Los Angeles, CA 90012

Via U.S. Mail and email to christopher.pina@lacity.org

re: Comments on the Draft Environmental Impact Report for the Harbor LA
Community Plans Update, SCH No. 2023100564

Dear Mr. Pina:

Advocates for the Environment submits the comments in this letter regarding the Draft Environmental Impact Report (DEIR) for the Harbor LA Community Plans Update (Update). The Update would include modifications to policy documents and General Plan Land Use Maps in the City of Los Angeles (City).

Advocates for the Environment is a public interest law firm and advocacy organization with the mission to educate the public about the law as it pertains to the environment and provide legal services in support of environmental causes. We have reviewed the EIR released in September 2023 and submit comments regarding the sufficiency of the DEIR's Greenhouse-Gas (GHG) analysis under the California Environmental Quality Act (CEQA).

The GHG Significance Analysis Is Not Supported by Substantial Evidence

The DEIR estimates that the annual increase in emissions by 2040 due to the Update would create an increase GHG emissions to 161,345 Metric Tons of Carbon Dioxide Equivalent (MTCO_{2e}), 37,917 tons above 2019 levels. (DEIR, p. 4.7-62.) The City's significance threshold is whether the "Proposed Plans are consistent with AB 32, SB 32, and AB 1279 (through demonstration of conformance with 2022 Scoping Plan), SB 375 (through demonstration of conformance with Connect SoCal 2020-2045 RTP/SCS), the Sustainable City pLAn, GreenLA, and relevant components of the City's General Plan." (DEIR, p. 2.0-17.) The City concluded that the Update would have a less-than-significant GHG impact under this threshold. The DEIR lacks substantial evidence to support this conclusion because the Update would be inconsistent with the RTP/SCS and

1

2

Sustainable Action pLAN, and because AB 32 is not relevant due to the expiration and fulfillment of its 2020 goal. Thus, the DEIR violates CEQA by failing to support its conclusions with substantial evidence.

2

The Update Is Inconsistent with the SB 375 and the Sustainable Action pLAN.

Inconsistency with one of the specified plans and policies alone is sufficient for the City to make a finding of significant impact.

SB 375 set regional GHG reductions targets which it implemented locally through the adoption of a Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) for each California region. The 2020-2045 RTP/SCS of the Southern California Association of Governments (SCAG RTP/SCS). The SCAG RTP/SCS adopted the California Air Resources Board's GHG reduction target for automobiles and light trucks, which aims for 19% below 2005 per capita emissions levels by 2035. (SCAG RTP/SCS p. x.)

3

Not only did the City fail to acknowledge this goal in the EIR, but it did not provide any information by which one can analyze consistency with this goal, including what the City's 2005 per capita emissions levels were, only including a baseline from 2019. Therefore, it is impossible to determine the Update's consistency with the SCAG RTP/SCS without further information provided by the City, and therefore the City did not support their conclusion that the Update would be consistent with SB 375 by substantial evidence.

The Update is inconsistent with the City of Los Angeles's Sustainable Action pLAN, also known as LA's Green New Deal. The DEIR omitted any discussion of the 2045 carbon neutrality goal, with which the Update is likely inconsistent with because it anticipates causing GHG emissions of 881,779 MTCO₂e in 2040, without any explanation of how it would reduce those emissions down to net zero within five years by 2045. (DEIR, p. 4.7-62.)

4

And the Update is inconsistent with the CARB 2017 Scoping Plan, which specifies how the State will implement SB 32. One of that plan's goals is to reduce GHG emissions to 2 MTCO₂e/capita by 2050. The DEIR's projection is that, under the plan, the areas covered by the Update will emit 3.9 MTCO₂e/capita in 2040 (DEIR, p. 4.6-62), almost twice the plan's goal. It is difficult to see how this number would be cut in half between 2040 and 2050.

5

City of Los Angeles
CEQA Comments on the Harbor LA Community Plans Update

Page 3
February 1, 2024

Therefore, the Update would be inconsistent with the plans and policies the City identified as the significance threshold, and accordingly would have a significant impact on GHG emissions.

5

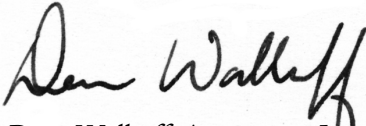
Conclusion

For the reasons given in this letter, the DEIR is not in conformance with CEQA requirements. Notably, the significance analysis was incorrect because the Update would be inconsistent with the RTP/SCS and Sustainable Action pLAn.

Please put Advocates for the Environment on the interest list to receive notice about the progress of this Project. We make this request under Public Resources Code, section 21092.2.

6

Sincerely,



Dean Wallraff, Attorney at Law
Executive Director, Advocates for the Environment

Letter 22 **Advocates for the Environment**
10211 Sunland Boulevard
Shadow Hills, CA 91040
February 1, 2024

Response 22-1

The commenter introduces the Advocates for the Environment and its detailed comments, that are addressed below. No further response is required.

Response 22-2

The commenter asserts that the EIR lacks substantial evidence to support the claim that the Proposed Plans would be consistent with the Connect SoCal, Sustainable Action pLAn (Sustainable City pLAn), and states that Assembly Bill (AB 32) is not relevant due to the expiration and fulfillment of its 2020 goal. The comment is conclusory and offers no evidence to support the assertion that the GHG analysis is not supported by substantial evidence. Additionally, the comment offers no suggested alternatives to the threshold or methodology used in the EIR. As shown in **Section 4.7, Greenhouse Gas Emissions** (pages 4.7-53 to 4.7-60), the EIR provides a thorough discussion and rationale supporting the threshold and methodology utilized by the City as Lead Agency. As discussed therein, the GHG targets and regulations initially established by AB 32 and furthered in subsequent bills such as SB 32 and AB 1279 are relevant in assessing the Proposed Plans' consistency with statewide GHG reduction targets.

Furthermore, as shown on page 4.7-67, **Table 4.7-10, Consistency Analysis of the Proposed Plans with the SCAG 2020 RTP/SCS**, the EIR demonstrates that the Proposed Plans are expected to contribute to reductions in per capita GHG emissions and would be consistent with the applicable goals of SCAG 2020 RTP/SCS. The Proposed Plans target growth in transit-oriented locations and where jobs and housing are in proximity to each other. These policies are consistent with the land use and transportation strategies that are the foundation of the RTP/SCS, which prioritizes growth in infill areas in proximity to transit, jobs and housing. On March 25, 2024, the Final EIR for the 2024 RTP/SCS was published. The 2024 RTP/SCS is anticipated to be approved on April 4, 2024. The 2024 RTP/SCS builds upon the 2020 RTP/SCS and includes the same themes of encouraging infill development in Priority Development Areas and avoiding Green Region Resource Areas.

The Proposed Plans' consistency with objectives of the Sustainable City pLAn is demonstrated on page 4.7-77, **Table 4.7-12, Consistency Analysis of the Proposed Plans with L.A.'s Green New Deal (2019 Sustainable City pLAn)**. The comment offers no evidence challenging the adequacy of the analysis contained therein. For these reasons, the DEIR GHG analysis is supported by substantial evidence and no further response is required.

Response 22-3

The commenter asserts that the Proposed Plans are inconsistent with SB 375 and the Sustainable Action pLAN (Sustainable City pLAN). The comment also asserts that the EIR fails to acknowledge CARB's GHG reduction targets for light duty vehicles. Both assertions are incorrect. As stated in **Section 4.7, Greenhouse Gas Emissions** (pages 4.7-66 to 4.7-68), the EIR indicates that the Proposed Plans would be consistent with SB 375 by demonstrating its conformance with the Connect SoCal 2020-2045 RTP/SCS. The EIR acknowledges the SCAG RTP/SCS reductions target for cars to reach 19% below 2005 per capita emissions levels by 2035 on page 4.7-62. As demonstrated in **Table 4.7-9, Harbor LA CPAs SB 375 Light-Duty Vehicle Per Capita CO2 Emissions**, under the Proposed Plans the per capita CO2 emissions from cars and light-duty trucks would be reduced to 16.3 pounds of CO₂ per CPA resident, whereas the CPAs daily per capita GHG emissions 18.2 pounds of CO₂ per year per resident under existing conditions. Both estimated emissions are lower than the SCAG estimated 2005 per capita CO₂ emission rate from cars and light-duty trucks of 23.8 lbCO₂ per capita. The City does not have or use a numerical threshold for GHG nor does the City use a methodology that relies on a quantitative analysis. However, the Proposed Project's GHG emissions are quantified and provided to comply with State CEQA Guidelines, Section 15064.4(a) and to provide evidence, to the extent possible, to show that the implementation of the plans, policies and regulations adopted to reduce GHG emissions will result in actual GHG reductions; and are not presented for quantitative analysis. As stated on page 4.7-64, the EIR acknowledges that while the GHG emissions estimated in **Table 4.7-9** are useful in illustrating the scope of total GHG emissions and per capita GHG emissions across the analyzed scenarios, the estimates do not include recent trends as well as adopted and reasonably foreseeable regulations. Moreover, consistent with the holding in *Center for Biological Diversity v. the Newhall Land and Farming Company* (2015), the City does not have sufficient evidence to compare any quantitative metric at the City level to a Statewide level, and therefore the Plans' impact analysis relies on a qualitative analysis centered on a policy consistency analysis. Generally, to the extent the City complies with the policies in the SCS for planning for future growth, that is anticipated to help SCAG meet regional targets for VMT reduction and GHG emission reductions. No further response is required.

Response 22-4

The comment asserts the Proposed Plans are inconsistent with the City's Sustainable City pLAN, also known as the Green New Deal. The comment also asserts that the EIR omits discussion of the 2045 carbon neutrality goal and misconstrues the statewide carbon neutrality goal as a net-zero threshold applicable to the Proposed Plans. While all policies were reviewed including the target for 100 percent of new buildings to be net zero carbon by 2050, pages 4.7-42 through 4.7-44 of the EIR discusses key relevant goals and actions identified in the Green New Deal (Sustainable City pLAN 2019), to reduce the generation and emission of GHGs from both public and private activities. The Proposed Plans' consistency with the

Sustainable City pLAn is demonstrated on EIR page 4.7-77, **Table 4.7-12, Consistency Analysis of the Proposed Plans with L.A.'s Green New Deal (2019 Sustainable City pLAn)**. The comment offers no evidence challenging the adequacy of the analysis contained therein.

The statewide goal of achieving carbon neutrality by 2045 is discussed in EIR **Section 4.7, Greenhouse Gas Emissions**, see pages 4.7-25 and 26, and pages 4.7-32 through 38. Most notably, EIR page 4.7-26 discusses AB 1279 which establishes the policy of the state to achieve carbon neutrality as soon as possible, but no later than 2045; to maintain net negative GHG emissions thereafter; and to ensure that by 2045 statewide anthropogenic GHG emissions are reduced at least 85 percent below 1990 levels. The bill requires CARB to ensure that Scoping Plan updates identify and recommend measures to achieve carbon neutrality, and to identify and implement policies and strategies that enable CO₂ removal solutions and carbon capture, utilization, and storage (CCUS) technologies. The Plan's consistency with CARB's 2022 Scoping Plan is one component of the GHG significance threshold utilized in the EIR. Pages 4.7-68 through 4.7-75 of the EIR demonstrate the Plans' consistency with key components of the 2022 Scoping Plan, including strategies that would help the State achieve carbon neutrality by 2045.

Response 22-5

The commenter asserts that the Proposed Plans are inconsistent with the CARB 2017 Scoping Plan. As discussed on page 4.7-32 of the EIR, the Proposed Plans were analyzed using a qualitative threshold to determine their consistency with the measures and strategies of the 2022 CARB Scoping Plan Update rather than the CARB 2017 Scoping Plan because the 2022 Scoping Plan is the most comprehensive and far-reaching Scoping Plan developed to date. The 2022 Scoping Plan implements new targets for carbon neutrality by 2045 while incorporating and assessing the progress California is making towards reaching the reduction targets outlined in the 2017 CARB Scoping Plan. The 2022 Scoping Plan focuses on the accelerated deployment of clean technology and energy within every sector. Unlike previous Scoping Plans that separated out individual economic sectors, the 2022 Scoping Plan approaches decarbonization from two perspectives: (1) managing a phasedown of existing energy sources and technology and (2) ramping up, developing, and deploying alternative clean energy sources and technology over time.⁹ As a result, specific actions, including the acceleration of the development and deployment of clean technology and fuels, will need to be translated into both new and amended regulations, policies, and incentive programs. Carbon reduction and removal will support and expand upon existing regulation, particularly within the transportation and infrastructure sectors, such as Executive Order N-79-20 and the California Air Resources Board's Advanced Clean Cars II regulation, which emphasize the importance of transitioning to zero-emission vehicles to achieve carbon emission reduction goals. According to the 2022 Scoping Plan, the

⁹ CARB 2022 Scoping Plan, pg. 183.

successful rate of deployment of clean technology and fuels—including consumer adoption patterns, economic recovery from the pandemic, and the permitting and build-out of necessary new assets and reuse of existing assets to provide and deliver clean energy—is essential to reach GHG emission reduction targets.¹⁰ Incentives, carbon pricing, and regulations can ensure: a build-out of clean energy and infrastructure, the deployment of clean technology, a reduced demand for fossil fuel-based energy sources, and efficiency improvements. As discussed on pages 4.7-68 through 4.7-75, after review of all goals, objectives and policies, the EIR demonstrates the Proposed Plans’ consistency with key aspects of AB 32, SB 32, AB 1279; and conformance with the reduction strategies outlined in the 2022 CARB Scoping Plan.

Response 22-6

This comment asserts the opinion that, for the reasons stated in this comment letter, the EIR is not in conformance with CEQA requirements. As demonstrated in **Responses 21-2** through **21-5**, the comment letter does not provide substantial evidence to support the opinions presented. In particular, the GHG analysis in the EIR satisfies the requirements of CEQA with respect to consistency with plans and policies to reduce emissions and no further response is required.

¹⁰ CARB 2022 Scoping Plan, pg. 109.

4.0 MITIGATION MONITORING PROGRAM

4.1 INTRODUCTION

The Mitigation Monitoring Program (MMP) has been prepared in conformance with Section 21081.6 of the California Environmental Quality Act (CEQA). It is the intent of this program to: (1) verify satisfaction of the required mitigation measures of the EIR (EIR); (2) provide a methodology to document implementation of the required mitigation measures; (3) provide a record of the Monitoring Program; (4) identify monitoring responsibility; (5) establish administrative procedures for the clearance of mitigation measures; (6) establish the frequency and duration of monitoring; and (7) use existing review processes wherever feasible.

This MMP describes the procedures for the implementation of the mitigation measures adopted for the Proposed Plans. The MMP for the Proposed Plans will be in place through the planning horizon of the Plans (2040) or until the Plans and EIR are updated again, whichever is later. The City of Los Angeles Department of City Planning (DCP) staff and staff of other City Departments (e.g., Department of Building and Safety) shall be responsible for administering the MMP activities or delegating them to consultants, or contractors. The Monitoring or Enforcing Agencies identified herein, at their discretion, may require a project applicant or operator to pay for one or more independent environmental monitor(s) to be responsible for monitoring implementation of mitigation measures (e.g., City building inspector, project contractor, certified professionals, etc., depending on the requirements of the mitigation measures) required of project applicants or operators. Monitors would be hired by the City or by the applicant or operator at the City's discretion.

Each mitigation measure is identified in **Table 4.0-1, Mitigation Monitoring Program Matrix**, and is categorized by environmental topic and corresponding number with identification of:

- The Implementing Party or Agency – this is in most cases, the applicant for individual projects who will be required to implement most of the measures.
- The Enforcement and Monitoring Entity – this is the entity or entities that will monitor each measure and ensure that it is implemented in accordance with this MMP.
- Monitoring Phase and Monitoring Actions – this is the timeframe that monitoring would occur and the criteria that would determine when the measure has been accomplished and/or the monitoring actions to be undertaken to ensure the measure is implemented.

Many of the mitigation measures are implemented through the environmental protection measures/standards through the New Zoning Code Environmental Protection Measures (EPM) Handbook process. Others may be implemented through the imposition of conditions of approval subject to the City's authority to condition the applicable entitlement for any subsequent environmental review pursuant to *State CEQA Guidelines* Sections 15162, 15163, 15164, or 15168, or tiered clearance to the Harbor LA Community Plans Update EIR, pursuant to the procedures in *State CEQA Guidelines* Section 15152 or streamlining CEQA Clearance as permitted in PRC Sections 21083, 21094.5, 21155-21155.2, 21155.4 or *State CEQA Guidelines* Sections 15183 or 15183.3.

Mitigation measures implemented through the EPM Handbook shall do all of the following:

- Adopt environmental standards or protection measures to implement, and that are consistent with, the mitigation measures; and
- Require projects to substantially conform with all applicable environmental standards or environmental protection measures, subject to the discretion of the enforcing and monitoring agency; and
- Authorize any City implementing, monitoring or enforcing agency, to require the applicant to hire an outside consultant (which may or shall be subject to City approval) to monitor and certify compliance with the environmental standards or protection measures, or develop any other administrative procedures to ensure compliance with the environmental standards or protection measures, including but not limited to requiring the applicant to sign acknowledgement of environmental standards or protection measures and provide affidavit committing to comply with applicable environmental standard or protection measures, and maintain records for certain period of time and hold records available for City inspection to demonstrate compliance.

Mitigation measures implemented through the EPM Handbook may do the following:

Provide for the modification or a deletion of an environmental standard or protection measure subject to the following: The development project shall be in substantial conformance with the environmental standard contained in the EPM Handbook. The Planning Director may determine substantial conformance with the environmental standard in their reasonable discretion. If the Planning Director cannot find substantial conformance, an environmental standard may be modified or deleted if the Planning Director, or the decision maker for a subsequent discretionary project related approval, complies with CEQA Guidelines, including sections 15162 and 15164, by preparing an addendum or subsequent environmental clearance to analyze the impacts from the modifications to or deletion of the environmental standard. Any addendum or subsequent CEQA clearance shall explain why the mitigation measure is no longer needed,

not feasible, or the other basis for modifying or deleting the project design feature or mitigation measure. Under this process, the modification or deletion of a mitigation measure shall not require a modification to any project discretionary approval unless the Planning Director or decisionmaker also finds that the change to the environmental standard requires a modification or other entitlement under the LAMC or other City ordinance or regulation.

Mitigation measures imposed as a condition of approval shall be imposed with a MMP that may include the following provisions:

- This MMP shall be enforced throughout all phases of development projects subject to the mitigation measures. The Applicant shall be responsible for implementing each mitigation measure and shall be obligated to provide certification, as identified below, to the appropriate monitoring agency and the appropriate enforcement agency that each project design feature and mitigation measure has been implemented. The Applicant shall maintain records demonstrating compliance with each project design feature and mitigation measure. Such records shall be made available to the City upon request. Further, specifically during the construction phase (including excavation, grading and demolition) and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by DCP, who shall be responsible for monitoring implementation of mitigation measures during grading and construction activities consistent with the monitoring phase and frequency set forth in this MMP. The Construction Monitor shall also prepare documentation of the Applicant's compliance with the mitigation measures during grading and construction every 90 days. The documentation must be signed by the Applicant and Construction Monitor and be maintained by the Applicant. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency/Entity any non-compliance with the mitigation measures within two business days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency/Entity. Until five years after all mitigation measures are fully satisfied, the Applicant and Owner shall maintain all records of mitigation measure compliance (e.g., reports, studies, certifications, verifications, monitoring or mitigation plans) and make the records available for the City's inspection within three business days of the City requesting the records. All records related to grading and construction shall be maintained on the construction site during grading and construction and shall be immediately available for inspection by the City or by the Construction Monitor. The Applicant/Owner shall also sign a Statement of Compliance, in a form approved by the City, prior to issuance of any building permit, committing to compliance with all applicable mitigation measures.

All development projects shall be in substantial conformance with the mitigation measures contained in this MMP. The Enforcement Agency/Entity may determine substantial conformance with mitigation measures in the MMP in their reasonable discretion. If the Enforcement Agency/Entity cannot find substantial conformance, a mitigation measure may be modified or deleted if the Enforcement Agency/Entity, or the decision maker for a subsequent discretionary project related approval, complies with *State CEQA Guidelines*, including sections 15162 and 15164, by preparing an addendum or subsequent environmental clearance to analyze the impacts from the modifications to or deletion of the mitigation measures. Any addendum or subsequent CEQA clearance shall explain why the mitigation measure is no longer needed, not feasible, or the other basis for modifying or deleting the project design feature or mitigation measure. Under this process, the modification or deletion of a mitigation measure shall not require a modification to any project discretionary approval unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the Project or the non-environmental conditions of approval.

**Table 4.0-1
Mitigation Monitoring Program Matrix**

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
Impact – Air Quality			
MM AQ-1: For any project whose construction activities involve the use of construction equipment and requires a permit from the Los Angeles Department of Building and Safety (LADBS), consistent with SCAQMD Rule 403, the best available dust control measures shall be implemented during Ground Disturbance Activities and active construction operations capable of generating dust.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM AQ-2: For any project whose construction activities involve the use of construction equipment requires a permit from LADBS, maintain construction equipment in good, properly tuned operating condition, as specified by the manufacturer, to minimize exhaust emissions. Documentation demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications shall be maintained per the proof of compliance requirements for a minimum of five years after the Certificate of Occupancy is issued. All construction equipment shall achieve emissions reductions that are no less than what could be achieved by a Tier 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM AQ-3: For any project whose construction activities involve the use of construction equipment and requires a permit from LADBS, Vehicle idling during construction activities shall be limited to five minutes as set forth in the California Code of Regulations, Title 13, Section 2449. Signs shall be posted in areas where they will be seen by vehicle operators stating idling time limits.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
MM AQ-4: For any project whose construction activities involve the use of construction equipment and requires a permit from LADBS, electricity from power poles rather than temporary gasoline or diesel-powered generators shall be used To the Extent Available and Feasible.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM AQ-5: For any project whose construction activities involve the use of construction equipment requires a permit from LADBS and involves at least 5,000 cubic yards of on-site cut/fill on any given day, all off-road diesel-powered construction equipment equal to or greater than 50 horsepower shall meet the U.S. Environmental Protection Agency's (U.S. EPA) Tier 4 emission standards during construction. Operators shall maintain records of all off-road equipment associated with Project construction to document that each piece of equipment used meets these emission standards per the proof of compliance requirement for a minimum of five years after the Certificate of Occupancy is issued. In lieu of compliance with the above requirement, an air quality study prepared in accordance with the SCAQMD's Air Quality Handbook may be provided by the Applicant or Owner demonstrating that Project construction activities would not exceed the SCAQMD's regional and localized construction thresholds.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM AQ-6: For any project whose construction activities involve the use of construction equipment, requires a permit from LADBS and involves at least 5,000 cubic yards of on-site cut/fill on any given day, construction equipment less than 50 horsepower shall use low polluting fuels (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline). In lieu of compliance with the above requirement, an air quality study prepared in accordance with the SCAQMD's Air Quality Handbook may be provided by the Applicant or Owner demonstrating that Project construction activities would not exceed the SCAQMD's regional and localized construction thresholds.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM AQ-7: For any project whose construction activities involve the use of construction equipment, require a permit from LADBS, and involve more than 90 round-trip haul truck trips on any given day for demolition debris and import/export of soil, construction haul truck operators for demolition debris and import/export of soil shall use trucks that meet the California Air Resources Board's (CARB) 2010 engine emissions standards at 0.01 g/bhp-hr. of particulate matter (PM) and 0.20 g/bhp-hr. of nitrogen oxides (NOX) emissions.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
Operators shall maintain records of all trucks associated with Project construction to document that each truck used meets these emission standards. In lieu of compliance with the above requirement, an air quality study prepared in accordance with the SCAQMD's Air Quality Handbook may be provided by the Applicant or Owner demonstrating that Project construction activities would not exceed the SCAQMD's regional and localized construction thresholds.			
MM AQ-8: For any project whose construction activities involve the use of construction vehicles and requires a permit from LADBS, construction contractors shall reroute construction trucks away from congested streets or Sensitive Uses, as feasible. The burden of proving that compliance is infeasible shall be upon the Applicant or Owner. Where avoiding sensitive uses and congested streets altogether is infeasible, routing away from sensitive uses shall be prioritized over routing away from congested streets.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM AQ-9: For applicants for distribution centers in the Harbor LA CPAs within 1,000 feet of sensitive uses that require discretionary permits and/or would accommodate more than 100 truck trips or 40 TRUs per day, prepare HRAs in accordance with SCAQMD and OEHHA guidance to identify the potential for cancer and non-cancer health risks. If cancer risks exceeding SCAQMD standards are identified, the Applicant shall identify opportunities to reduce emissions and associated risks. Methods may include, but are not limited to, limiting the number of trucks/TRUs accessing the site on a daily basis, locating distribution center entry and exist points as far as possible from sensitive land uses, and routing truck traffic away from sensitive land uses.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM AQ-10: Air Quality Standard–Compliance with Assembly Bill 617 (Community Air Initiatives). For any Project requiring a grading, excavation, or building permit from LADBS and which is located within an area identified in the <i>AB 617 Community Map</i> which: <ul style="list-style-type: none"> Generates more than 100 truck trips per day, or Exceeds 250,000 square feet of floor area, or Includes a Heavy Commercial, Heavy Industrial Use or a Transportation Use as defined in Part 5D. (Use Definitions) of Chapter 1A of the LAMC, or Is located on a lot greater than an acre and is within 500 feet of a Sensitive Receptors and/ or Noise-Sensitive Use. Prior to demolition, grading/excavation, or construction, and/or or issuance of building permits, the Applicant and Owner shall coordinate with SCAQMD and other agencies identified within the CERP to identify project design	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
features. The Applicant and Owner shall maintain proof of compliance with the project design features identified with the CERP pursuant to Sec. I.D.6.			
Impact-Biological Resources			
MM BIO-1: For all projects, 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. The Qualified Biologist shall prepare a report prior to the issuance of any building permit detailing the results of the nesting bird survey and subsequent monitoring, which shall be maintained for a minimum of five years after the Certificate of Occupancy is issued.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM BIO-2: All project applicants for grading, excavation, or building permits will be notified of and shall include on their plans an acknowledgement of the requirement to comply with the federal MBTA and CFGC to not destroy active bird nests and of best practices recommended by qualified biologist to avoid impacts to active nests, including checking for nests prior to construction activities during February 1-August 31 and what to do if an active nest is found during grading or construction activities, including the need to comply with the measures in MM BIO-1.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion	Applicant for individual project	City of Los Angeles, Department of Building and Safety
Impact – Cultural Resources			
MM CR-1: For any project that requires a permit for grading or excavation; if a possible archaeological resource is uncovered during earthwork or construction, all work shall cease within a minimum distance of 50 feet from the find until a Qualified Archaeologist has been retained to evaluate the find in accordance with National Register of Historic Places and California Register of Historical Resources criteria. The Qualified Archaeologist may adjust this avoidance area, ensuring appropriate temporary protection measures of the find are taken while also considering ongoing construction needs in the surrounding area. Temporary staking and delineation of the avoidance area shall be installed around the find in order to avoid any disturbance from	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion	Applicant for individual project	City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
<p>construction equipment. Ground Disturbance Activities may continue unimpeded on other portions of the site outside the specified radius.</p> <p>Any potential archaeological resource or associated materials that are uncovered shall not be moved or collected by anyone other than an Archaeological Monitor or Qualified Archaeologist unless the materials have been determined to be non-unique archaeological resources, as defined in Public Resources Code Section 21083.2(h), by the Qualified Archaeologist. The Qualified Archaeologist shall determine if the resources are unique archeological resources as defined in Public Resources Code Section 21083.2(g).</p> <p>Consistent with Public Resources Code Section 21083.2, the handling, treatment, preservation, and recordation of unique archaeological resources should occur as follows:</p> <ul style="list-style-type: none"> The find should be preserved in place or left in an undisturbed state unless the Project would damage the resource. 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. <p>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. A report that describes the resource(s) and its disposition, as well as the assessment methodology, shall be prepared by the Qualified Archaeologist according to current professional standards and maintained for a minimum of five years after the Certificate of Occupancy is issued. If appropriate, the report should also contain the Qualified Archaeologist's recommendations for the preservation, conservation, and curation of the resource at a suitable repository, such as the Natural History Museum of Los Angeles County, with which the Applicant or Owner must comply.</p>			
<p>MM CR-2: Prior to issuance of a permit for grading or excavation all project applicants will receive notice and acknowledge receipt of the following 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:</p> <ul style="list-style-type: none"> California Penal Code Section 622 1/2 - Unlawful Disfigurement of Archeological or Historical Objects 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 	<p>Prior to issuance of excavation or grading permits: verify receipt of acknowledgement from applicant.</p>	<p>Applicant for individual project</p>	<p>City of Los Angeles, Department of City Planning</p> <p>City of Los Angeles, Department of Building and Safety</p>

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
<p>guilty of a misdemeanor.”</p> <ul style="list-style-type: none"> Public Resources Code Section 5097.5(a) states: “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.” <p>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:</p> <ul style="list-style-type: none"> 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. 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. 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. 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.. 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 			

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
<p>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).</p> <ul style="list-style-type: none"> Consistent with Public Resources Code Section 21083.2, the handling, treatment, preservation, and recordation of unique archaeological resources should occur as follows: <ol style="list-style-type: none"> The find should be preserved in place or left in an undisturbed state unless the Project would damage the resource. 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. 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. 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. 			
Geology and Soils			
<p>MM GEO-1: Paleontological Resources. Any Project that requires a permit for grading or excavation, if a probable paleontological resource is uncovered during earthwork or construction, all work shall cease within a minimum distance of 50 feet from the find until a Qualified Paleontologist has been retained to evaluate the find in accordance with the Society of Vertebrate Paleontology's Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources. Temporary flagging shall be installed around the find in order to avoid any disturbance from construction equipment. Any paleontological materials that are uncovered shall not be moved or collected by anyone other than a Qualified Paleontologist or his/her designated representative such as a Paleontological Monitor. If cleared by the Qualified Paleontologist, Ground Disturbance Activities may continue unimpeded on other portions of the site. The found deposit(s) shall be treated in accordance with the Society of Vertebrate Paleontology's Standard Procedures. 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 Paleontologist. A report that describes the</p>	<p>Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion</p>	<p>Applicant for individual project</p>	<p>City of Los Angeles, Department of City Planning</p> <p>City of Los Angeles, Department of Building and Safety</p>

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
resource and its disposition, as well as the assessment methodology, shall be prepared by the Qualified Paleontologist according to current professional standards and maintained for five years after certificate of occupancy. If appropriate, the report should also contain the Qualified Paleontologist's recommendations for the preservation, conservation, and curation of the resource at a suitable repository, such as the Natural History Museum of Los Angeles County, with which the Applicant or Owner must comply.			
<p>MM GEO-2: Notification of Intent to Excavate Language. For all projects seeking excavation or grading permits, the Department of Building and Safety shall issue the following notice and obtain an acknowledgement of receipt of the notice from applicants:</p> <ul style="list-style-type: none"> California Penal Code Section 622.5 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." PRC Section 5097.5 provides protection for cultural and paleontological resources, where Section 5097.5(a) states, in part, that: "No person shall 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." California Code of Regulations, Title 14, Section 4307 states that "No person shall destroy, disturb, mutilate, or remove earth, sand, gravel, oil, minerals, rocks, paleontological features, or features of caves." <p>The following best practices are recognized by paleontologists and environmental consultants to ensure paleontological resources are not damaged during construction or Ground Disturbance Activities:</p> <ol style="list-style-type: none"> 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. 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. 	Prior to issuance of excavation or grading permits: verify receipt of acknowledgement from applicant.	Applicant for individual project, and DBS	City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
<p>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.</p> <p>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.</p> <p>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).</p> <p>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.</p> <p>c. Personnel of the Project should not collect or move any paleontological materials or associated materials.</p> <p>d. If cleared by the Qualified Paleontologist, construction activity may continue unimpeded on other portions of the Project site.</p> <p>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.</p>			

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
Hazards and Hazardous Material			
<p>MM HAZ-1: Any Project that requires a grading, excavation, or building permit from LADBS and which is:</p> <ul style="list-style-type: none"> Located on or within 500 feet of a Hazardous Materials site listed in any of the following databases: <ul style="list-style-type: none"> 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); SCAQMD Facility Information Detail (refer to https://xappprod.aqmd.gov/find); 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 in an Oil Drilling District (O) or located on or within 50 feet of a property identified as having an oil well or an oil field (active or inactive) by the California Geologic Energy Management Division (refer to https://www.conservation.ca.gov/calgem/Pages/WellFinder.aspx); or Located on land currently or previously designated with an industrial use class or industrial zoning, in whole or in part; or Located on land currently or previously used for a gas station or dry-cleaning facility. <p>Or:</p> <ul style="list-style-type: none"> The Applicant or Owner are aware or have reason to be aware that the Project site was previously used for an industrial use, gas station or dry cleaner. <p>And:</p> <ul style="list-style-type: none"> 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. 	<p>Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion. Prior to issuance of grading, excavation, or building permits: review and approve the Phase I Environmental Site Assessment (ESA). If no recognized environmental conditions (REC) are identified, no further documentation is required. If the Phase I ESA identifies a REC and/or if recommended in the Phase I ESA, review and approve a Phase II ESA. If the Phase II ESA indicates the need for remediation, review and approve a remediation plan. If oversight or approval from a regulatory agency is required, verify agency sign off on remediation plan and that a No Further Action letter has been issued.</p>	<p>Applicant for individual project</p>	<p>City of Los Angeles, Department of Building and Safety</p> <p>City of Los Angeles Fire Department</p> <p>Other enforcement agencies as applicable: California State Water Resources Control Board; State Department of Toxic Substances Control; Los Angeles County Fire Department</p>

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
<p>Then 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.</p> <p>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 appropriate proof of compliance for a minimum of five years after the Certificate of Occupancy is issued 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 appropriate proof of compliance requirements.</p>			
<p>MM HAZ-2: Any project that requires a grading, excavation, or building permit from LADBS and which 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.</p> <p>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</p>	<p>Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion. If materials found and have been properly evaluated: review and approve the remediation plan and verify that the appropriate regulatory agency/agencies have approved the plan. Verify receipt of any needed agency sign off on remediation plan.</p>	<p>Applicant for individual project</p>	<p>City of Los Angeles, Department of Building and Safety</p> <p>City of Los Angeles Fire Department</p> <p>Other enforcement agencies as applicable: California State Water Resources Control Board; State Department of Toxic Substances Control; Los Angeles County Fire Department</p>

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
appropriate proof of compliance requirements.			
Impact - Noise			
MM NOI-1: Required for any project whose earthwork or construction activities involve the use of powered exterior construction equipment and require a permit from LADBS. Power exterior construction equipment (including combustion engines), fixed or mobile, shall be equipped with noise shielding and muffling devices consistent with manufacturers' standards or the Best Available Control Technology. All equipment shall be properly maintained, and the applicant or owner shall require any construction contractor to keep documentation on-site during any earthwork or construction activities demonstrating that the equipment has been maintained in accordance with manufacturer's specifications.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM NOI-2: Required for any project whose earthwork and construction activities involve the use of construction equipment and require a permit from LADBS. Driven (impact) pile systems shall not be used, except in locations where the underlying geology renders drilled piles, sonic, or vibratory pile drivers infeasible, as determined by a soils or geotechnical engineer and documented in a soils report.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM NOI-3: Required for any project whose earthwork or exterior construction activities involve the use of powered construction equipment and require a permit from LADBS. All outdoor mechanical equipment (e.g., generators, compressors) shall be enclosed or visually screened. The equipment enclosure or screen shall be impermeable (i.e., solid material with minimum weight of 2 pounds per square feet) and break the line of sight between the equipment and any off-site Noise-Sensitive Uses.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM NOI-4: The following is required for any project whose earthwork or construction activities involve the use of construction equipment and require a permit from LADBS. Construction staging areas, including those related to constructing a mat pour foundation, shall be located as far from noise-sensitive uses as reasonably possible and technically feasible in consideration of site boundaries, topography, intervening roads and uses, and operational constraints. The burden of proving that compliance is technically infeasible shall be upon the Applicant or Owner, which shall mean that noise barriers cannot be located between the construction activities and noise-sensitive uses due to site boundaries, topography, intervening roads and uses, and/or operational constraints.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
<p>MM NOI-5: The following is required for any project whose earthwork or exterior construction activities involve the use of powered construction equipment and require a permit from LADBS; and whose construction activities are located within a line of sight to and within 500 feet of Noise-Sensitive Uses, with the exception of projects limited to the construction of 2,000 square feet or less of floor area. Noise barriers, such as temporary walls (minimum ½-inch thick plywood) or sound blankets (minimum STC 25 rating), that are a minimum of eight feet tall, shall be erected between construction activities and noise-sensitive uses as reasonably possible and technically feasible in consideration of site boundaries, topography, intervening roads and uses, and operational constraints. The burden of proving that compliance is technically infeasible shall be upon the applicant or owner. Technical infeasibility shall mean that noise barriers cannot be located between construction activities and Noise-Sensitive Uses due to site boundaries, topography, intervening roads and uses, and/or operational constraints.</p>	<p>Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.</p>	<p>Applicant for individual project</p>	<p>City of Los Angeles, Department of Building and Safety</p>
<p>MM NOI-6: The following is required for any project whose earthwork or exterior construction activities involve the use of powered construction equipment and require a permit from LADBS; are located within 500 feet of noise-sensitive uses; and have one or more of the following characteristics:</p> <ul style="list-style-type: none"> • Two or more subterranean levels • 20,000 cubic yards or more of excavated material; • Exterior simultaneous use of five or more pieces of powered construction equipment; or • Construction duration (excluding architectural coatings) of 18 months or more; or • Any project whose construction activities involve pile driving or the use of 300 horsepower equipment. <p>A Noise Study, prepared by a qualified noise expert shall be required and prepared prior to obtaining any permit by LADBS. The Noise Study shall characterize expected sources of earthwork and construction noise that may affect identified noise-sensitive uses, quantify expected noise levels at these noise-sensitive uses, and recommend measures to reduce noise exposure to the extent noise reduction measures are available and feasible, and to demonstrate compliance with any noise requirements in the Los Angeles Municipal Code. Specifically, the Noise Study shall identify noise reduction devices or techniques to reduce noise levels in accordance with accepted industry practices and in compliance with LAMC standards. Noise reduction devices or techniques shall include but not be limited to: mufflers, shields, sound barriers, and time and place restrictions on equipment and activities. The Noise Study shall identify anticipated noise reductions at noise-sensitive uses associated with the noise reduction measures. Applicants and owners shall be required to</p>	<p>Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.</p>	<p>Applicant for individual project</p>	<p>City of Los Angeles, Department of Building and Safety</p>

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
implement and comply with all measures identified and recommended in the Noise Study. The Noise Study and copies of any contractor agreements shall be maintained and a copy of all records documenting compliance shall be maintained for a minimum of five years after the Certificate of Occupancy is issued.			
<p>MM NOI-7: Required for any project, with the exception of projects limited to the construction of 2,500 square feet or less of floor area, whose earthwork or construction activities: (1) involve the use of construction equipment, including Heavy Construction Equipment, that produces 0.12 PPV or more of vibration at a distance of 25 feet; (2) require a permit from LADBS; and (3) which occur:</p> <ul style="list-style-type: none"> • Within 25 feet of any building extremely susceptible to vibration damage, including unreinforced masonry buildings, wood-frame multi-story buildings with soft, weak or open front walls, and non-ductile concrete buildings that have not been retrofitted, or a building that is designated or determined to be a historic resource pursuant to local or state law or that is determined to be potentially eligible for historic designation in a Historic Resources Survey; or • Within 15 feet of non-engineered timber and masonry buildings or any project whose construction activities involve the use of pile drivers within 135 feet of any building extremely susceptible to vibration damage, including existing unreinforced masonry buildings, existing tilt-up concrete wall buildings, existing wood-frame multi-story buildings with soft, weak or open front walls, and existing non-ductile concrete buildings, or a building that is designated or determined to be a historic resource pursuant to local or state law or that is determined to be potentially eligible for historic designation in a Historic Resources Survey. • For the above described projects, prior to demolition, grading/excavation, or construction, a Qualified Structural Engineer shall prepare a survey establishing baseline structural conditions of potentially affected structures and a Vibration Control Plan, which shall include methods to minimize vibration, including, but not limited to: <ul style="list-style-type: none"> ○ A visual inspection of the potentially affected structures to document (by video and/or photography) the apparent physical condition of the building (e.g., cracks, broken panes, etc.). ○ A shoring design to protect the identified structures from potential damage; ○ Use of drilled piles or a sonic vibratory pile driver rather than impact pile driving, when the use of vibrating equipment is unavoidable; ○ Use of rubber-tired equipment rather than metal-tracked equipment; and 	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
<ul style="list-style-type: none"> Avoiding the use of vibrating equipment when allowed by best engineering practice. 			
<p>MM NOI-8: Required for any project, with the exception of projects limited to the construction of 2,000 square feet or less of floor area, whose earthwork or construction activities: (1) involve the use of construction equipment, including Heavy Construction Equipment, that produces 0.12 PPV or more of vibration at a distance of 25 feet; (2) require a permit from LADBS; and (3) which occur:</p> <ul style="list-style-type: none"> Within 25 feet of any building extremely susceptible to vibration damage, including unreinforced masonry buildings, tilt-up concrete wall buildings, wood-frame multi-story buildings with soft, weak or open front walls, and non-ductile concrete buildings, or a building that is designated or determined to be a historic resource pursuant to local or state law or that is determined to be potentially eligible for historic designation in a Historic Resources survey; or Within 15 feet of non-engineered timber and masonry buildings. Or any project whose construction activities involve the use of pile drivers within 135 feet of any building extremely susceptible to vibration damage, including existing unreinforced masonry buildings, existing tilt-up concrete wall buildings, existing wood-frame multi-story buildings with soft, weak or open front walls, and existing non-ductile concrete buildings, or a building that is designated or determined to be a historic resource pursuant to local or state law or that is determined to be potentially eligible for historic designation in a Historic Resources Survey. <p>For the above-described projects, in the event of damage to any non-historic building due to construction vibration, as verified by the Qualified Structural Engineer, a letter describing the damage to the impacted building(s) and recommendations for repair shall be prepared by the Qualified Structural Engineer within 60 days of the time when damage occurred. Repairs shall be undertaken and completed, at the owner's or applicant's expense, in conformance with all applicable codes.</p> <p>In the event of vibration damage to any building that is designated or determined to be a historic resource pursuant to local or state law or that is determined to be potentially eligible for historic designation in a Historic Resources survey, a letter describing the damage to the impact building(s) and recommendations for repair shall be prepared by the Qualified Historian within 60 days of the time when damage occurred. Repairs shall be undertaken and completed, at the owner's or applicant's expense, in conformance with the California Historical Building Code (Title 24, Part 8) as well as the Secretary of the Interior's Standards for the Treatment of Historic Properties and associated guidelines, as applicable and as determined by the Qualified Historian.</p>	<p>Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion. During repairs: repairs to historical buildings are undertaken and completed in conformance with the California Historical Building Code and the Secretary of the Interior's Standards for the Treatment of Historic Properties.</p>	<p>Applicant for individual project</p>	<p>City of Los Angeles, Department of Building and Safety City of Los Angeles, Department of City Planning</p>

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
Tribal Cultural Resources			
<p>MM TC-1: For any Project that requires a permit for grading or excavation. If a possible tribal cultural resource is uncovered during earthwork or construction, all work shall cease within a minimum distance of 50 feet from the find until a Qualified Tribal Monitor or Archaeological Monitor has been retained to evaluate the find. 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). If a Qualified Tribal Monitor or Archaeological Monitor determines, pursuant to Public Resources Code Section 21074(a)(2), that the object or artifact appears to be a potential tribal cultural resource, in its discretion and supported by substantial evidence, the Applicant and Owner shall provide any affected tribe a reasonable period of time, not less than five business days, to conduct a site visit and make recommendations to the Applicant or Owner and OHR regarding the monitoring of future Ground Disturbance Activities and the treatment and disposition of any discovered tribal cultural resources. 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. Consistent with Public Resources Code Section 21083.2, the handling, treatment, preservation, and recordation of tribal cultural resources should occur as follows:</p> <ul style="list-style-type: none"> The find should be preserved in place or left in an undisturbed state unless the Project would damage the resource. 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 Tribal Monitor or Qualified Archaeologist. <p>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 for educational purposes. 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. A report that describes the resource and its disposition, as well as the assessment methodology shall be prepared by the Qualified Tribal Monitor or Archaeological Monitor, according to current professional standards and maintained pursuant to the proof of compliance requirements in Sec. 1.D.6. (Additional Requirements). A copy of the report</p>	<p>Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.</p>	<p>Applicant for individual project</p>	<p>City of Los Angeles, Department of Building and Safety City of Los Angeles, City Planning's Office of Historic Resources</p>

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
shall be submitted to OHR, the South Central Coastal Information Center at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File. If requested by the City, OHR may review and approve any monitoring or mitigation plan prior to implementation.			
<p>MM TC-2: Notices for Non-Discretionary Projects</p> <p>All projects that are seeking excavation or grading permits, prior to issuance of a permit for grading or excavation, shall receive the following notice:</p> <ul style="list-style-type: none"> Several federal and state laws regulate the treatment of tribal cultural resources and make it criminal violation to destroy those resources. These include, but are not limited to: <ul style="list-style-type: none"> California Penal Code Section 622-1/2 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) states, in part, that: “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 written permission of the public agency having jurisdiction over the lands.” <p>Best practices to ensure that tribal cultural resources are not damaged include but are not limited to the following steps:</p> <ul style="list-style-type: none"> 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. 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 	Prior to issuance of excavation or grading permits: verify receipt of acknowledgement from applicant.	Applicant for individual project	City of Los Angeles, Department of Building and Safety

<p>Ground Disturbance Activities, a qualified tribal monitor or a qualified archaeological monitor shall be retained.</p> <ul style="list-style-type: none"> • A qualified tribal monitor or qualified 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 qualified 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 archaeological monitor to ensure the find is not damaged or any other potential tribal cultural resources on or near the project site. • If tribal resources are uncovered, all work should cease in the appropriate radius determined by the qualified tribal monitor. • Any find shall 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. • The location of the tribal cultural resources 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 any affected tribal representatives. • 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). • The applicant and owner shall provide any affected tribe a reasonable period of time, not less than 14 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. • 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. • Consistent with Public Resources Code Section 21083.2, the handling, treatment, preservation, and recordation of tribal cultural resources shall occur as follows: <ul style="list-style-type: none"> ○ The find shall be preserved in place or left in an undisturbed state unless the Project would damage the resource. ○ 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 			
---	--	--	--

Mitigation Measure	Monitoring Phase and Monitoring Actions ¹	Implementing Party	Enforcement and Monitoring Entity
<p>recovered the scientifically consequential information from and about the resource, and this determination is documented by a Qualified Tribal Monitor or Qualified Archaeologist.</p> <ul style="list-style-type: none"> • 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. • 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. • Personnel of the project should not collect or move any tribal cultural resources or associated materials or publish the location of tribal cultural resources 			

Notes:

1. The Monitoring Phase/Monitoring Actions are applicable to projects that are subject to the measures as described within each measure.

5.0 LIST OF PREPARERS AND PERSONS CONSULTED

This Environmental Impact Report was prepared by the City of Los Angeles with the assistance of Impact Sciences, Inc., Cambridge Systematics, and Sirius Environmental staff listed below.

5.1 LEAD AGENCY

City of Los Angeles

Los Angeles Department of City Planning
200 North Spring Street, Room 667
Los Angeles, California 90012

Department of City Planning

Harbor LA Planning Team:

Michelle Singh, Principal Planner
Christopher Pina, City Planner / Harbor Gateway Lead Planner
Jessica Alvarado, City Planner / Wilmington-Harbor City Lead Planner
Zachary Alamillo, Planning Assistant

Additional Staff:

Haydee Urita-Lopez, Deputy Director
Reuben N. Caldwell, AICP, Senior City Planner
Marie Cobian, Senior City Planner
Alissa Gordon, City Planner
Kristine Jegalian, City Planning Associate

City Attorney

Kathryn C. Phelan, Deputy City Attorney
Oscar Medellin, Deputy City Attorney

5.2 EIR PREPARERS

Impact Sciences, Inc.

811 W. 7th Street, Suite 200
Los Angeles, California 90017

Jessica Kirchner, AICP, Principal-in-Charge
Brett Pomeroy, Associate Principal / Technical Lead
Lynn Kaufman, Associate Principal

Margaret Lin, Senior Project Manager
Eleni Getachew, ENV SP, Planner
Annalie Sarrieddine, Planner
Amber Williams, Technical Specialist
Kara Yates Hines, Publications Manager

Cambridge Systematics (Transportation)

515 S. Figueroa Street, Suite 1975
Los Angeles, California 90071

Sam Zneimer, Senior Project Manager
Kazi Ullah, Senior Associate

Sirius Environmental (Quality Control)

Wendy Lockwood, Principal

JESSICA KIRCHNER, AICP

CEO & Managing Principal



PROJECT ROLE

Principal in Charge

EDUCATION

Master's Degree in Urban Planning, University of Southern California

Bachelor of Arts, Journalism, Rutgers University

AFFILIATIONS

Association of Environmental Planners, Board Member, Legislative Committee

American Institute of Certified Planners, Certified Planner

Jessica is owner and Managing Principal and she frequently serves in multiple roles on projects, including contract and project manager, as well as conducting and writing environmental analyses all while overseeing the firm's most high-profile clients, revenue, and growth of the firm. With 20 years of experience and a background in journalism, Jessica's emphasis on clear, concise documents that are not overly complicated has become a company hallmark, along with the ability to deliver projects on unbelievably tight deadlines. She is highly skilled at taking technical documents and concepts and translating them into reader-friendly concepts. She has managed the preparation of more than 100 CEQA documents and serves as an advisor to lead agencies on CEQA implementation. She has provided input to and taught workshops and seminars on CEQA compliance, CEQA streamlining, and environmental justice analysis.

Representative Project Experience

Principal in Charge for the **City of Los Angeles Oil & Gas Drilling Ordinance Air Quality, Greenhouse Gas, and Noise Technical Report and MND** (Los Angeles, CA). The Citywide Oil and Gas Drilling Ordinance provides for the termination of oil and gas extraction and production uses within the City over a 20-year period and prohibits new or expanded oil and gas extraction activities. Impact Sciences prepared the CEQA documentation (IS/MND) for the proposed Ordinance, as well as supplemental Air Quality, Greenhouse Gas, and Noise Technical Reports. Jessica's role was team coordination, overseeing the preparation of the environmental documents and overall project and schedule management. The project was completed on an expedited timeframe with just four months from notice to proceed to filing of the Notice of Determination.

Principal in Charge for the **City of Los Angeles Harbor LA Community Plans EIR** (Los Angeles, CA). The Harbor LA Community Plans refer to two Community Plan Areas located north of the Los Angeles Harbor that are currently being updated: Harbor Gateway and Wilmington-Harbor City. Key goals of the community plans update are planning for future land use and development over the next 20 years, addressing community issues related to land use and applying the City's new Zoning Code structure to the Plan Areas. Jessica is responsible for ensuring the technical accuracy of the documents, including subconsultant deliverables. She is also working with the team to resolve conflicting data issues and addressed discrepancies between SCAG and other data sources.

Principal in Charge for the **City of Los Angeles Boyle Heights Community Plan Update EIR** (Los Angeles, CA). The project consists of an EIR for an update to the Boyle Heights Community Plan (Community Plan). The Community Plan is one of 35 Community Plans that comprise the Land Use Element of the City of Los Angeles General Plan. The Land Use Element is one of the seven state-mandated elements of the General Plan that also include noise, transportation, and conservation, among others. Such planning activities for this Community Plan update include the creation of transit oriented district plans and/or the application of new zoning tools developed for the area through the re:code LA project. In the EIR, environmental impacts associated with projected growth for the CPA were analyzed. Jessica worked closely with the team to address concerns specific to this project areas population included gentrification and contamination due to Exide.

Principal in Charge for the **Los Angeles CEQA Guidance Documents**, Los Angeles, CA. City of Los Angeles. Jessica is responsible for project oversight, project management, preparation of memos, and QA/QC. Impact Sciences prepared

several memos for the City of Los Angeles internal training purposes. The memos were on a variety of topics including health risk assessments, use of addenda and errata, environmental justice and others.

Principal in Charge for the **City of Los Angeles CEQA Threshold Guide Update** (Los Angeles, CA). The project consists of updating the 2006 L.A. CEQA Thresholds Guide (2006 Guide). The 2006 Guide was previously dated in its treatment of issues related to greenhouse gas emissions, energy conservation, air quality, and cultural resources. The project involves reviewing and updating old thresholds, rewording the 2006 guide, and deleting confusing language throughout. The new L.A. CEQA Threshold Guide reflects current state/federal legislations that address environmental impacts. Jessica was responsible for contract management and oversight, document preparation, and quality control review.

Principal in Charge for the **City of Los Angeles New Single-Family Zone Citywide IS/ND** (Los Angeles, CA). The Project consists of four Negative Declarations for the City's Neighborhood Conservation Project for proposed amendments to the Los Angeles Municipal Code (LAMC). The amendments included: modifications to existing R1 zones regarding height, garage placement, and similar changes; updates to the City's Baseline Mansionization and Baseline Hillside Ordinances (BMO/BHO) to modify grading limits and remove certain exceptions; grading limits specifically for the Bel-Air neighborhood; and implementation of Interim Control Ordinances (ICOs) for 15 neighborhoods while the BMO/BHO were being modified. Jessica oversaw the preparation of the environmental documents.

Principal in Charge for the **City of Los Angeles Permanent Supportive Housing (PSH) Ordinance** (Los Angeles, CA). Jessica's responsibilities for the project included oversight, project management, and QA/QC. Impact Sciences prepared an Addendum to the SCAG Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and a Negative Declaration for the Permanent Supportive Housing Ordinance. The Ordinance makes development of PSH less cumbersome citywide by streamlining the approval and entitlement process. Changes include creating a "by-right" process for the development of Permanent Supportive Housing projects.

Assisted in the preparation of the **City of Los Angeles West Adams Community Plan Update EIR** (Los Angeles, CA). The project consists of an EIR for an update to the West Adams Community Plan (Community Plan). The Community Plan is one of 35 Community Plans that comprise the Land Use Element of the City of Los Angeles General Plan. The Land Use Element is one of the seven state-mandated elements of the General Plan that also include noise, transportation, and conservation, among others. The Community Plan is intended to promote an arrangement of land uses, streets, and services in the West Adams Community Plan Area (CPA) to encourage economic vitality, social and physical well-being, and general health, safety, welfare and convenience for the people who live and work in the CPA. In the EIR, environmental impacts associated with projected growth for the CPA will be analyzed. Jessica was responsible for project oversight, project management, and QA/QC.

Project Manager for the **City of Los Angeles Southeast Los Angeles Community Plan Update EIR** (Los Angeles, CA). The project consists of an Environmental Impact Report (EIR) for update to the Southeast Los Angeles Community Plan. The Community Plan is one of 35 Community Plans that comprise the Land Use Element of the General Plan. The Land Use Element is one of the seven state-mandated elements of the General Plan that also include noise, transportation, and conservation, among others. The Community Plan is intended to promote an arrangement of land uses, streets, and services in the Southeast Los Angeles Community Plan Area (CPA) to encourage economic vitality, social and physical well-being, and general health, safety, welfare and convenience for the people who live and work in the CPA. In the EIR, environmental impacts associated with projected growth for the CPA will be analyzed. Jessica was responsible for project oversight, project management, and QA/QC.

Principal in Charge for the **3401 S. La Cienega Blvd Sustainable Communities Environmental Assessment (SCEA) (Los Angeles, CA)**. The project proposes a new mixed-use residential and commercial development, including one residential building and one commercial building. The Residential Building contains units for rent; with units reserved for "very low income" households and units reserved for workforce housing. The Commercial Building includes ground floor retail. The project site is centrally located centrally located in the West Adams neighborhood, adjacent to the Metro E (Expo)Line tracks and the La Cienega / Jefferson Metro Station. Jessica was responsible for overall project management, day-to-day client engagement, and oversight of the SCEA preparation.

BRETT POMEROY

Associate Principal



EDUCATION

Bachelor of Science, Natural Science, Loyola Marymount University

AFFILIATIONS

Association of Environmental Planners (AEP)

CEQA and NEPA workshops and conferences

Completed AERMOD Dispersion Modeling Training Seminar held by Lakes Environmental

Brett has more than 20 years of professional experience in the environmental planning field with an emphasis in environmental compliance pursuant to CEQA and NEPA. Brett's experience includes preparing and managing environmental documentation for both private- and public-sector clients. He has provided environmental analyses to support several types of environmental documents including Categorical Exemptions, ISs, Negative Declarations (NDs), MNDs, Mitigation Monitoring & Reporting Programs (MMRPs), EIRs, and addenda. Brett also possesses a strong technical background and has provided quantitative analytical modeling support for air quality, GHG, health risk assessments, noise and vibration, and shade/shadow impact analyses for several complex and multi-faceted projects using industry accepted modeling software. Specifically, Brett has experience with AERMOD and ISC air dispersion modeling systems, CalEEMod, CALINE4-based model, noise modeling based on the Federal Highway Administration's Traffic Noise Model (TNM) and Roadway Construction Noise Model (RCNM).

Project Experience

Technical Director for the **City of Los Angeles Harbor LA Community Plans EIR and Technical Studies** (Los Angeles, CA). The Harbor LA Community Plans refer to two Community Plan Areas located north of the City of Los Angeles Harbor that are currently being updated: Harbor Gateway and Wilmington-Harbor City. Key goals of the community plans update are planning for future land use and development over the next 20 years, addressing community issues related to land use and applying the City's new Zoning Code structure to the Plan Areas. Brett is providing general oversight of technical services and leading the preparation and review of the Air Quality and Noise technical reports.

Project Manager for the **City Los Angeles Oil & Gas Drilling Ordinance Air Quality, Greenhouse Gas, and Noise Technical Report and MND** (Los Angeles, CA). The proposed Citywide Oil and Gas Drilling Ordinance (Ordinance) provides for the termination of all nonconforming oil and gas extraction and production uses within the City over a 20-year period and prohibition of new or expanded oil and gas extraction activities, except as allowed to continue via a discretionary process established by the Ordinance and in compliance with State, regional, and local regulations. Brett's duties include project management, document preparation, and oversight of technical services.

Technical Director for the **City of Los Angeles Found Residences Project Sustainable Communities Environmental Assessment (SCEA)** (Los Angeles, CA). Impact Sciences prepared a SCEA for Found Residences project in the City of Los Angeles, which encompasses a project area of approximately 15,022 square feet, inclusive of the area to be incorporated following the requested lot line adjustment. The applicant proposes the demolition of the existing one-story storage building and the retention and refurbishment of portions of the existing one-story historic commercial building on the project site to develop a 15-story building with 45 4-bedroom residential units. In total, the Project would provide 6,456 square feet of common open space which includes two ground floor courtyards, and three common-space terraces. The project also includes 10 common-space living-rooms with balconies, and private balconies. The Project would provide up to 36 parking spaces, with vehicle access provided via a two-way driveway on Selma Avenue. In addition, the Project would provide 44 bicycle spaces including five short term spaces, and 39 long term spaces located within an enclosed bicycle storage area on the ground level. Brett was responsible for overall guidance on and preparation of technical analyses for air quality and noise/vibration.

Technical Director for the **City of Los Angeles 6736 Foothill Blvd Categorical Exemption and Air Quality and Noise Technical Studies** (Los Angeles, CA). The project involved the demolition of the existing 1-story commercial building and development of a 1-story, 2,000 square foot commercial building with associated parking in the City of Los Angeles for coffee shop/restaurant use. The project would also include a drive-thru loop and all vehicular ingress/egress to the project site would be provided via two-driveways along Foothill Boulevard. The proposed project would include landscaping and 18 parking spaces, with parking for the project located on a surface level lot to the west of the commercial building. The 0.47-acre project site has a land use designation of General Commercial and zoned C2-1VL. Impact Sciences prepared evidence supporting a Class 3 (New Construction or Conversion of Small Structures) and Class 32 (In-fill Development Project) Categorical Exemption pursuant to *State CEQA Guidelines* Sections 15303 and 15332, respectively. Further, Impact Sciences prepared supporting technical studies analyzing project impacts to air quality and noise/vibration. Brett provided general oversight of technical services and lead the preparation and review of the Air Quality and Noise technical reports.

Technical Lead for the **3401 S. La Cienega Blvd. Project Sustainable Communities Environmental Assessment (SCEA)** (Los Angeles, CA). The project proposes a new mixed-use residential and commercial development, including one Residential Building and one Commercial Building. The Residential Building contains units for rent; with units reserved for “very low income” households and units reserved for workforce housing. The Commercial Building includes ground floor retail. The project site is centrally located centrally located in the West Adams neighborhood, adjacent to the Metro E (Expo)Line tracks and the La Cienega / Jefferson Metro Station. Brett’s duties include document preparation, and oversight of technical services.

Technical Lead for the **Wilshire/Highland Project SCEA** (Los Angeles, CA). The project consists of replacing the existing multi-tenant commercial building on the site in order to construct mixed-use development with 242 residential units and approximately 10,900 square feet of commercial space in an eight-story building. Brett’s duties include document preparation, and oversight of technical services.

Technical Lead for the **Millennium Hollywood Project EIR** (Los Angeles, CA). The project includes a 1.6 million square foot mixed-use redevelopment project anchored by the historic Capitol Records Building in the Hollywood Community of the City of Los Angeles. The project will include a development for a mixed-use project consisting of residential, hotel, retail, spa/fitness/health club, office space and quality restaurants. Brett’s duties include the air quality analysis, GHG analysis, freeway adjacent Health Risk Assessment, community noise and vibration analysis and shade/shadow graphics for the EIR.

Technical Lead for the **City Market of Los Angeles Project EIR** (Los Angeles, CA). The Project is anticipated to be built out over a 30-year period and would include the construction of approximately 945 multiple residential dwelling units, a maximum of 210 hotel rooms, approximately 294,641 square feet of commercial (including medical and general office) and manufacturing uses, approximately 224,862 square feet of retail floor area (including restaurants, bars, event space, wholesale uses, and a cinema with approximately 744 seats), and approximately 312,112 square feet of corporate/educational campus floor area. Brett duties include the air quality, greenhouse gas, and noise/vibration analyses for the EIR.

Technical Lead for the **Ponte Vista Project EIR** (Los Angeles, CA). The Project proposes the construction and operation of a 1,135-unit residential development featuring both for sale and rental units in a combination of single-family, duplex, townhome, flat, and apartment units. The Project will require the demolition of the existing 245 residential units, a 2,161 square foot community center and a 3,454 square foot retail convenience facility. Brett’s duties include the air quality analysis, GHG analysis, and community noise and vibration analysis for the EIR.

Technical Lead for **The Casden Sepulveda Project EIR** (Los Angeles, CA). The Project includes demolition of the three existing industrial structures and construction of four residential structures above two levels of commercial uses. The mixed-use project includes approximately 266,800 square feet of commercial uses and approximately 538 residential units (518,764 square feet) and amenities such as a recreation center and a landscaped common courtyard area between the residential structures. Brett duties include the air quality analysis, GHG analysis, and a freeway adjacent Health Risk Assessment.

AMBER WILLIAMS

Technical Specialist



Amber Williams has 5 years of professional experience in both the private and public sector as an environmental planner and technical specialist. She specializes in air quality, greenhouse gas, and noise assessments and analyses. Furthermore, she is proficient in the use of California Emissions Estimator Model (CalEEMod), Emission Factor (EMFAC), the Roadway Construction Noise Model (RCNM), and other industry standard emissions and noise modeling tools. In addition to environmental planning, she has experience in city planning as well as CEQA and NEPA document preparation. Her extensive knowledge on local, county, state, and federal ordinances and regulations, in addition to her technical expertise in collecting field measurements and managing complex data, allow her to meet both the technical and planning needs of public and private projects.

PROJECT ROLE

Technical Specialist

EDUCATION

Bachelor of Arts, Geography,
California State University,
Fresno

Representative Project Experience

Technical Specialist for the **City of Los Angeles Harbor LA Community Plans Update EIR** (Los Angeles, CA). The Harbor LA Community Plans refer to two Community Plan Areas located north of the Los Angeles Harbor that are currently being updated: Harbor Gateway and Wilmington-Harbor City. Key goals of the community plans update are planning for future land use and development over the next 20 years, addressing community issues related to land use and applying the City's new Zoning Code structure to the Plan Areas. Amber provided technical support and organized responses to comments for the Final EIR.

Technical Specialist for the **City of Bell Atlantic Avenue Specific Plan IS/MND** (Bell, CA). The project includes the preparation and adoption of the Initial Study and Mitigated Negative Declaration for the City of Bell Atlantic Avenue Specific Plan, which aims to develop a shopper- and pedestrian-friendly Corridor with lush landscapes and infrastructure improvements to create a safer and more enjoyable experience. The Specific Plan will recommend appropriate zoning and development guidelines to permit and guide future commercial and mixed-use (commercial and residential) developments along the Atlantic Avenue Corridor. Amber is leading the preparation of air quality and greenhouse gas sections of the MND.

Technical Specialist for the **City Norwalk Specific Plan Environmental Impact Report** (Norwalk, CA). Based on the Heart of Norwalk Vision Plan adopted on July 6, 2021, the Norwalk Specific Plan is intended to bring the vision to life. The Vision Plan's direction for the San Antonio Village / Firestone Corridor will be reflected in the Specific Plan to create an attractive, active, and unique place for residents and businesses. As a subconsultant to the Arroyo Group, the lead preparer of the Specific Plan, Impact Sciences is preparing the Environmental Impact Report in compliance with the CEQA requirements to analyze the Specific Plan's impacts. Additionally, Impact Sciences' environmental review includes technical analysis for air quality, greenhouse gas emissions, and noise/vibration. Amber is responsible for the preparation of the air quality technical report and the Air Quality, Greenhouse Gase, Hazards, Public Services, Transportation, and Utilities sections for the draft EIR.

Technical Specialist for the **2223 Valentine Street Class 3 Categorical Exemption Memorandum** (Los Angeles, CA). The memo provided findings that support the proposed single-family development at 2223 Valentine Street and associated application for a Tree Removal Permit to be consistent with the qualifications for a Class 3 Exemption. Amber prepared the memorandum for the project.

Technical Specialist for the **TCE Main Los Angeles (Hope Village) Project 2nd Addendum to the Alameda District Specific Plan EIR (Los Angeles, CA)**. The proposed project consists of new construction of a phased, two-building mixed-use project consisting of a 4-story commercial building ("West Phase") and a 7-story mixed-use building ("East

Phase") including 124 dwelling units (100% restricted affordable for Lower Income Households excluding managers' units), 40 residential parking spaces at- and above-grade and subterranean commercial parking (Option 1: 2 subterranean levels and up to 175 spaces, Option 2: 1 subterranean level and 135 spaces). For the project, Impact Sciences assisted the City of Los Angeles, as Lead Agency under CEQA, in preparing the second addendum to the Alameda District Specific Plan Final Environmental Impact Report (ADSP FEIR), which was certified by the City of Los Angeles in 1996. In accordance with CEQA, the second addendum analyzes and discloses environmental effects that might reasonably result from proposed changes to development under the Alameda District Specific Plan (ADSP) approved in 1996. Amber is responsible for the analysis for air quality and noise/vibration impacts.

Technical Specialist for the **City of Pomona 980 Corporate Center Environmental Impact Report, Air Quality, Noise, and Greenhouse Gas Technical Studies, and Health Risk Assessment** (Pomona, CA). Impact Sciences is preparing an EIR for a proposed redevelopment of an existing parking lot located directly east of 980 Corporate Center Drive. The proposed redevelopment includes a single 6-story mixed-use structure with ground floor retail, 2 stories of podium parking, and 4 stories of residential units. Amber's role includes providing support in the preparation of technical studies for air quality, greenhouse gas emissions, and noise/vibration as well as the preparation of a Health Risk Assessment.

Technical Specialist for the **City of Bell Gardens Environmental Justice Element** (Bell Gardens, CA). In compliance with Senate Bill 1000, Impact Sciences is preparing an Environmental Justice Element for the City of Bell Gardens to identify and address public health risks and environmental concerns for vulnerable populations in disadvantaged communities. Additionally, a background report will identify disadvantaged communities based on a variety of indicators, including educational attainment, employment, housing burdened low-income households, income, linguistic isolation, poverty, race and ethnicity, single parent households, U.S. citizenship, violent crime rate, and ability to vote. Goals and policies are being developed using data sources such as CalEnviroScreen, MATES, and Census population and employment data. Annalie's role includes support in the preparation of IS/ND, technical analysis, including air quality modeling.

Technical Specialist for the **County of Los Angeles Public Health Downey Laboratory Expansion Project Class 32 CEQA Exemption** (Downey, CA). Impact Sciences is preparing a Class 32 Exemption for the County of Los Angeles (County) project located at 12750 Erickson Avenue (Project), in the City of Downey, Los Angeles County. More specifically, the Project proposes construction of an 18,500-square-foot two-story addition to the existing Public Health Laboratory. The Project also includes renovating/expanding approximately 7,000 square feet of receiving/warehouse space. As currently proposed, the lab addition would be constructed on the existing parking area along Golondrinas Street. Amber assisted in the preparation of Air Quality Technical Report.

Technical Specialist for the **Bouquet Canyon Gun Range Project IS/MND** (Los Angeles County, California, California). Impact Sciences prepared an IS/MND for the Bouquet Canyon Gun Range Project. The project consists of the re-development of the on-site existing structures into supporting buildings for a gun-range facility. The project would also construct a type 4-gun range, gun control station and a covered shooting structure. Amber was responsible for the preparation of the Air Quality Technical Report as well as the Noise Technical Report.

CEQA Support for the **City of La Cañada Flintridge Climate Action and Adaptation Plan (CAAP) Update IS/MND** (La Cañada Flintridge, CA). The CAAP is an update to the City of La Cañada Flintridge's 2016 Climate Action Plan, which will also assess vulnerability to climate-related impacts and provide adaptation measures that build resilience to current and future climate threats. Impact Sciences is preparing an IS/MND and a Mitigation Monitoring and Reporting Program (MMRP) for any mitigation measures identified in the IS/MND. Amber's role includes conducting general CEQA analysis supporting the preparation of the IS/MND.

Associate Planner for the **City of Biggs Planning Department Hamman Tentative Subdivision Project**, (Butte County, CA). Amber prepared an Initial Study/Mitigated Negative Declaration for the Project, which proposes to subdivide two (2) existing parcels of land to allow for the development of a mini-storage facility on approximately 2.52 acres and creating 26 single family lots, a stormwater retention basin (Lot 27) and public streets on 5.03 acres of land. Key environmental issues surrounding the Project include the location of noise-sensitive residential land uses near a railway corridor and rice milling facility.

ELENI GETACHEW, ENV SP

Planner



PROJECT ROLE

Planner

EDUCATION

Bachelor of Science,
Environmental Policy
Analysis and Planning (Minor
in Community
Development), University of
California, Davis, 2017

AFFILIATIONS

American Planning
Association, Member; Young
and Emerging Planner's
Group

Envision Sustainability
Professional (ENV SP),
Institute for Sustainable
Infrastructure

Eleni Getachew is a generalist environmental planner. She brings five years of local environmental planning and remediation project experience. Currently focused on projects in Southern California, Eleni has prepared CEQA/NEPA documentation for local planning, infill development projects, and locally and federally funded roadway projects. She is also familiar with Caltrans requirements, including the Standard Environmental Reference (SER). Through strong research she has assisted in delivering technical studies, such as Community Impact Assessments, Revalidations, and Phase I Initial Site Assessments. Additionally, Eleni has a background in environmental sustainability, environmental justice, and school-related projects.

Representative Project Experience

Planner for the **City of Los Angeles Harbor LA Community Plans Update EIR** (Los Angeles, CA). The Harbor LA Community Plans refer to two Community Plan Areas located north of the Los Angeles Harbor that are currently being updated: Harbor Gateway and Wilmington-Harbor City. Key goals of the community plans update are planning for future land use and development over the next 20 years, addressing community issues related to land use and applying the City's new Zoning Code structure to the Plan Areas. Major issues include updates to the Greenhouse Gas analysis to address the 2022 Scoping Plan and addressing VMT findings in the EIR. Eleni was responsible for EIR section preparation.

Planner for the **City of Los Angeles Boyle Heights Community Plan Update EIR** (Los Angeles, CA). The project consists of an EIR for an update to the Boyle Heights Community Plan (Community Plan). The Community Plan is one of 35 Community Plans that comprise the Land Use Element of the City of Los Angeles General Plan. The Land Use Element is one of the seven state-mandated elements of the General Plan that also include noise, transportation, and conservation, among others. Such planning activities for this Community Plan update include the creation of transit-oriented district plans and/or the application of new zoning tools developed for the area through the recode LA project. Eleni was responsible for preparing and finalizing the Introduction section of the EIR.

Planner for the **City of Bell Cheli Specific Plan Environmental Impact Report** (Bell, CA). Impact Sciences is preparing an Environmental Impact Report for the proposed Cheli Specific Plan for the City of Bell's Specific Plan. Although a heavily industrial area, Cheli developed a trade school, Salvation Army, and a Shelter Partnership next to industrial sites which still present challenges for developers today. The goal of the Specific Plan is to successfully have residential and industrial developments cohabitate adjacently with minimal conflict. Other goals include the reduction of environmental hazards, the success of industrial facilities, continued supportive housing, and accessible transportation. The Specific Plan establishes appropriate zones, addresses infrastructure deficiencies, and attempts to reduce the negative externalities produced by industrial production on residents. The Plan Area is approximately 290 acres. Impact Sciences prepared the EIR for the Cheli Specific Plan in accordance with CEQA State Guidelines. The EIR we prepared serves as an analysis of the significant level of environmental impacts imposed by the Cheli Specific Plan. Eleni's role includes project research, analysis, and EIR section preparation.

Planner for the **Norwalk Specific Plan Environmental Impact Report** (Norwalk, CA). The Norwalk Specific Plan is intended to bring the life of the Heart of Norwalk Vision Plan. The Heart of Norwalk Vision Plan's direction for the San Antonio Village / Firestone Corridor will be reflected in the Specific Plan to create an attractive, active, and unique place for residents and businesses. The objectives of the Vision Plan are to create linkages to the existing corridors, create places that provide a range of uses (markets, stores, restaurants, and entertainment) to support walkable urban living,

increase housing opportunities, and revitalize the historic Main Street. The Plan Area is approximately 615 acres. Eleni was responsible for EIR section preparation.

Planner for **City of Bell Atlantic Avenue Specific Plan IS/MND** (Bell, CA). The project includes the preparation and adoption of the Initial Study and Mitigated Negative Declaration for the City of Bell Atlantic Avenue Specific Plan, which aims to develop a shopper- and pedestrian-friendly Corridor with lush landscapes and infrastructure improvements to create a safer and more enjoyable experience. The Specific Plan will recommend appropriate zoning and development guidelines to permit and guide future commercial and mixed-use (commercial and residential) developments along the Atlantic Avenue Corridor. Eleni's duties include the preparation of the IS/MND.

Planner for the **Fit7 Sports Lab Development Project Initial Study / Mitigated Negative Declaration** (Baldwin Park, CA). Impact Sciences prepared an IS/MND for the proposed Fit 7 Sports Lab Development Project, which would involve improvements to two adjacent lots located at 14412 Joanbridge Street and 14424 Joanbridge Street in the City of Baldwin Park. The Project would merge the two adjacent lots as one property, including a two-story soccer training facility and demolition of one proposal for the construction of ground floor parking with rooftop soccer fields. Eleni was responsible for preparation of the draft IS/MND.

Planner for the **County of Los Angeles Public Health Downey Laboratory Expansion Project Class 32 Categorical Exemption and Air Quality and Noise Technical Reports (Downey, CA)**. The proposed project includes the demolition of an existing warehouse annex of the existing one-story laboratory building to construct a high bay warehouse, utility yard, electrical room and two-story laboratory addition. The renovations and expansion would accommodate existing uses, and no new uses have been proposed. The proposed project qualifies as a Class 32 – In-Fill Development Project Categorical Exemption under CEQA as set forth in Section 15332 of the *State CEQA Guidelines*. In addition to a Categorical Exemption pursuant to CEQA, Impact Sciences is preparing supporting technical studies to analyze impacts to air quality and noise/vibration. Eleni's role includes project research and analysis as well as support in the preparation of the CE.

Planner for the **City of Bell Gardens Environmental Justice Element and Initial Study / Negative Declaration** (Bell Gardens, CA). The City of Bell Gardens proposes to implement a new environmental justice element policy document. The conception of Environmental Justice Element was developed with the Los Angeles Neighborhood Initiative in accordance with the Office of Planning and Research's (OPR) General Plan Guidelines for Environmental Justice. The Environmental Justice Element will address the climate requirements of Senate Bill 379 and aims to improve air quality, access to parks and healthy food options, reduction of pollutant exposure, public transportation, public safety, and affordable housing for underserved community members. Community input will be ingrained into the environmental justice element and is crucial to meeting the needs of the community. Eleni's duties include the preparation of the Environmental Justice Element and the Initial Study.

Deputy Project Manager for the **County of Los Angeles Department of Public Works Placerita Maintenance Yard Addendum** (Los Angeles County). The Los Angeles County Department of Public Works. The County of Los Angeles Department of Public Works currently uses 22234 Placerita Canyon Road as a maintenance facility, which is owned by the City of Santa Clarita. The City is currently proposing roadway improvements in the vicinity that will require the vacation of the current yard and the relocation of the maintenance facility to 28837 Oak Springs Canyon Road (Project Site). Based on the preliminary findings conducted in October 2023, the Project would likely not have potential significant impacts to the environment and is eligible to be tiered off of the Lyons Avenue/Dockweiler Drive Project Final Environmental Impact Report. Eleni's responsibilities included the preparation of the addendum and budget management.

ANNALIE SARRIEDDINE

Planner



PROJECT ROLE

Planner

EDUCATION

Bachelor of Science,
Environmental Science &
Resource Management,
California State University,
Channel Islands

With 5 years of experience, Annalie brings a diverse set of skills to the team. She is an experienced GIS technician and CEQA Analyst with experience supporting the preparation of air quality, greenhouse gas, and noise technical reports. Further, Annalie is proficient in using various technical modeling tools, including CalEEMod, Roadway Construction Noise Model (RCNM), and the G4 Utility Sound Level Meter. She has experience coordinating with local governments and organizations, including the Ventura County Resource Conservation District and the California Wildlife Conservation Board; preparing habitat assessments; and leading community outreach campaigns. Additionally, Annalie assists with the production of environmental documents and has graphic design experience and familiarity with Adobe Illustrator and Photoshop.

Representative Project Experience

Associate Planner for the **City of Los Angeles Boyle Heights Community Plan Update EIR** (Los Angeles, CA). The project consists of an EIR for an update to the Boyle Heights Community Plan (Community Plan). The Community Plan is one of 35 Community Plans that comprise the Land Use Element of the City of Los Angeles General Plan. The Land Use Element is one of the seven state-mandated elements of the General Plan that also include noise, transportation, and conservation, among others. Such planning activities for this Community Plan update include the creation of transit oriented district plans and/or the application of new zoning tools developed for the area through the re:code LA project. Annalie's duties include GIS support for the project.

Associate Planner for the **City of Los Angeles Harbor LA Community Plans Update EIR** (Los Angeles, CA). The Harbor LA Community Plans refer to two Community Plan Areas located north of the Los Angeles Harbor that are currently being updated: Harbor Gateway and Wilmington-Harbor City. Key goals of the community plans update are planning for future land use and development over the next 20 years, addressing community issues related to land use and applying the City's new Zoning Code structure to the Plan Areas. Annalie provided GIS support and prepared maps and figures to support the EIR.

Associate Planner for the **City Los Angeles Oil & Gas Drilling Ordinance Air Quality, Greenhouse Gas, and Noise Technical Report and MND** (Los Angeles, CA). The proposed Citywide Oil and Gas Drilling Ordinance (Ordinance) provides for the termination of all nonconforming oil and gas extraction and production uses within the City over a 20-year period and prohibition of new or expanded oil and gas extraction activities, except as allowed to continue via a discretionary process established by the Ordinance and in compliance with State, regional, and local regulations. Annalie provides GIS support for the project.

Planner for the **City of Los Angeles San Pedro Community Plan Addendum** (Los Angeles, California). The project consists of an addendum to the San Pedro Community Plan EIR to assess the revised land use changes and rezoning under the revised Community Plan and its potential impacts. Annalie's duties include section preparation for the project.

Planner for the **TCE Main Los Angeles (Hope Village) Project 2nd Addendum to the Alameda District Specific Plan EIR (Los Angeles, CA)**. The proposed project consists of new construction of a phased, two-building mixed-use project consisting of a 4-story commercial building ("West Phase") and a 7-story mixed-use building ("East Phase") including 124 dwelling units (100% restricted affordable for Lower Income Households excluding managers' units), 40 residential parking spaces at- and above-grade and subterranean commercial parking (Option 1: 2 subterranean levels

and up to 175 spaces, Option 2: 1 subterranean level and 135 spaces). For the project, Impact Sciences assisted the City of Los Angeles, as Lead Agency under CEQA, in preparing the second addendum to the Alameda District Specific Plan Final Environmental Impact Report (ADSP FEIR), which was certified by the City of Los Angeles in 1996. In accordance with CEQA, the second addendum analyzes and discloses environmental effects that might reasonably result from proposed changes to development under the Alameda District Specific Plan (ADSP) approved in 1996. Annalie is responsible for the analysis of noise/vibration impacts and supporting the preparation of the addendum and supporting figures/maps.

Associate Planner for the **6736 Foothill Blvd. Project Categorical Exemption and Air Quality and Noise/Vibration Technical Studies** (Los Angeles, CA). The project involves the demolition of the existing 1-story commercial building and development of a 1-story commercial building with associated parking. The project includes a drive-thru loop and all vehicular ingress/egress to the project site to be provided via two-driveways. The project includes landscaping and 18 parking spaces. Annalie assists in the preparation of the Categorical Exemption.

Planner and Deputy Project Manager for the **Victory Tabernacle Church Project EAF & Categorical Exemption** (Sylmar, CA). Impact Sciences is preparing an Environmental Assessment Form (EAF) and Categorical Exemption for the City of Los Angeles that analyzes the environmental impacts associated with the proposed Victory Tabernacle Church Development. The project includes the development of two worship facilities on a vacant lot. Annalie provided project management support and assisted in the preparation of the EAF and Categorical Exemption.

Associate Planner for the **City of Vernon Westside Specific Plan Program EIR** (Vernon, CA). Impact Sciences is preparing a Program EIR for the City of Vernon's Specific Plan to spur development, attract people, and stimulate investment in the western portion of the City. The purpose of the proposed Specific Plan is to reinvigorate the City's competitive advantage as a center of production; strengthen and provide long-term stability to the City's fiscal position; increase the residential population; diversify and reorient the Westside's land uses to take advantage of changes in the economic landscape of Southern California; increase amenities available to local residents and workers; and create a physical environment that is supportive of diverse land uses, welcoming to the larger region, and enhancing to the City's image and identity. The draft Specific Plan identifies four redevelopment clusters, proposes streetscape improvements, and redirects truck traffic. Annalie's duties include section preparation and GIS.

Associate Planner for the for the **City of Compton Transit-Oriented Specific Plan Program EIR** (Compton, CA). The Proposed Project is the preparation of a Specific Plan to guide future growth in the vicinity of the Metro A (Blue) Line Compton Station. As part of the Proposed Specific Plan, land use and zoning changes will be recommended to facilitate new, community supporting development. Annalie's duties include GIS support and map creation as well as preparation of EIR sections and the air quality technical analysis.

Associate Planner for the **City of Bell Cheli Specific Plan Program EIR** (Bell, CA). In an attempt to resolve land use conflicts, the City of Bell initiated the preparation of the Cheli Specific Plan and a related environmental analysis. The Plan will recommend appropriate zoning and development guidelines to enable future industrial development in the area and officially permit Salvation Army Bell Shelter-related uses within its campus, while seeking to avoid major conflict between competing land uses, and design street, water, sewer and other infrastructure improvements necessary to support the ultimate build-out of the Cheli area. The project includes the preparation and adoption of a Program EIR prepared by Impact Sciences. Annalie's duties include GIS support for the project.

Planner for the **City of Bell Atlantic Avenue Specific Plan IS/MND** (Bell, CA). The City of Bell has initiated the preparation of the Atlantic Avenue Specific Plan and a related environmental analysis. The Specific Plan will recommend appropriate zoning and development guidelines to permit and guide future commercial and mixed-use (commercial and residential) developments along the Atlantic Avenue Corridor. The Specific Plan aims to develop a shopper- and pedestrian-friendly Corridor with lush landscapes and infrastructure improvements to create a safer and more enjoyable experience. The project includes the preparation and adoption of an IS/MND prepared by Impact Sciences. Annalie's duties included supporting preparation of sections IS/MND, noise and vibration technical analysis and GIS support.

KARA YATES HINES

Manager, Publications & Proposals



Kara Yates Hines has more than 14 years of combined experience in publishing, quality control coordination, science and public health technical writing and editorial review, and digital marketing methodologies. As the primary manager for document production, Kara implements the firm's operational processes and manages the document publishing process, including QA/QC review, graphic design, formatting, and visual layout. She performs in-house production of CEQA/NEPA reports, including booklet assembly and digital productions. With a unique understanding of both the CEQA review process and best practices in publishing technical documents, Kara ensures the firm's environmental reports are publicly accessible, easy to read and understand, well organized, and visually appealing.

PROJECT ROLE

Publications Manager

EDUCATION

Master's in Publishing,
George Washington
University

Bachelor of Arts, English,
Spelman College

UC San Diego Extension,
CEQA Introduction to CEQA
Course

UC Los Angeles Extension,
Successful CEQA
Compliance: A Step-by-Step
Approach Course

Dale Carnegie Leadership
Course, Graduate

AFFILIATIONS

California Association of
Environmental Professionals,
LA Chapter, Member

Representative Project Experience

Production Manager for the **City of Los Angeles Harbor LA Community Plans Update EIR** (Los Angeles, CA). The Harbor LA Community Plans refer to two Community Plan Areas located north of the Los Angeles Harbor that are currently being updated: Harbor Gateway and Wilmington-Harbor City. Key goals of the community plans update are planning for future land use and development over the next 20 years, addressing community issues related to land use and applying the City's new Zoning Code structure to the Plan Areas. Kara was responsible for figure and map creation, word processing and formatting, and file preparation.

Production Manager for the **City of Milpitas 1355 California Circle EIR** (Milpitas, CA). Pulte Homes is proposing to construct 206 new residential units consisting of a six-story apartment complex with 75 residential units, 8 condominium buildings consisting of 96 units, and 5 townhomes with 7 units per building. The apartment complex will offer a "moderate rental rate" to all units except for 20 units being offered at a "low-income rental rate". The townhome units will have three bedrooms and range from 1,500 to 1,850 square feet. Located at 1355 California Circle, the 6.69-acre project site currently has one vacant 90,000 square feet development. Overall site density is 30.8 dwelling units per-acre. Pulte Homes is working with Milpitas Unified School District to provide housing opportunities for their more than 900 employees. Kara is responsible for figure and map creation, word processing and formatting, and file preparation.

Production Manager for the **Davidon Homes / Scott Ranch Revised Draft EIR**. Impact Sciences (for the City of Petaluma) prepared a Revised Draft EIR (2020) to provide an assessment of the potentially significant environmental effects of the Scott Ranch project, consisting of the Davidon (28-lot) Residential Project component and the Putnam Park Extension Project component. The Revised Draft EIR also provides an assessment of potential environmental impacts of the off-site Helen Putnam Regional Park Trail project, which is proposed by Sonoma County Regional Parks. The project was unanimously approved by the City Council in March 2021. Kara was responsible for figure and map creation, word processing and formatting, and file preparation.

Production Manager for the **Green Valley II EIR** (Fairfield, CA). The approximately 13.32-acre project site is currently vacant land. The City of Fairfield ultimately approved one of the alternatives for the originally proposed project, a mixed-use 270 unit multifamily residential and commercial project that was analyzed in the EIR. The approved project will construct 281 units of multifamily residential housing and provide a 1.5-acre site for a new fire station. The project will

also provide a clubhouse, dog park and other on-site amenities for on-site residents. Kara was responsible for figure and map creation, word processing and formatting, and file preparation.

Production Manager for the **Kern Council of Governments 2018, and 2022 Regional Transportation Plan/Sustainable Communities Strategy EIR** (Kern County, CA). The RTP is the culmination of a multi-year effort with the intent to improve the balance between land use and transportation systems. Kern COG is required by federal law to develop an RTP that determines the needs of the transportation system and prioritizes proposed transportation projects. Key issues associated with the project include greenhouse gas emissions, specifically meeting targets set by the Air Resources Board, and developing land use planning scenarios. In 2022 issues arose related to the growth forecast and planned development within the County.

Production Manager for the **Southern California Association of Governments (SCAG) 2020 Connect SoCal Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS) Program EIR** (Los Angeles, CA). The 2020 RTP/SCS outlines the region's goals and policies for meeting current and future mobility needs, provide a foundation for transportation decisions by local, regional and state officials that are ultimately aimed at achieving a coordinated and balanced transportation system. The 2020 RTP/SCS identified the region's transportation needs and issues, recommended actions, programs, and a list of projects to address the needs consistent with adopted regional policies and goals, and documents the financial resources needed to implement the 2020 RTP/SCS. It is important to note that SCAG does not implement individual projects in the RTP, as they will be implemented by local and state jurisdictions, and other agencies. The 2020 RTP also included a comprehensive Health Risk Assessment, prepared by Impact Sciences, that evaluated risk at various freeway segments throughout the SCAG region. The 2020 RTP EIR was due to be adopted at the height of the Covid pandemic, the team quickly adapted to work from home to enable the client to meet the necessary deadlines. Kara was responsible for figure and map creation, word processing and formatting, and file preparation.

Production Manager for the **Tulare County Association of Governments 2018 Regional Transportation Plan/Sustainable Communities Strategy EIR** (Tulare County, CA). The plan provided a long-range, fiscally constrained guide for the future of Tulare County's transportation system. The long-range plan extended to the year 2042. The plan forecast future growth, identified regional priorities, and planned for infra-structure improvements. This plan was required to include four elements; the policy element, the sustainable community element, the action element and the financial element. Tulare County's 2018 RTP/SCS also included chapters on goods movement and valley wide characteristics in addition to the required plan elements. Kara was responsible for figure and map creation, word processing and formatting, and file preparation.

Production Support for the **California High Speed Rail Project Senior Review of the Final EIS/EIR** (Palmdale to Burbank, CA). The California High Speed Rail Authority Palmdale to Burbank Project Section is part of Phase 1 of the of the California High-Speed Rail System connecting the Antelope Valley to the San Fernando Valley, which will bring high-speed rail service to the urban Los Angeles area with a new modern rail line that dramatically reduces travel time between the Antelope Valley and the Los Angeles Basin. This approximately 31 to 38-mile project section will connect two key population centers in Los Angeles County with multi-modal transportation hubs in Palmdale and Burbank. Kara supported the formatting and file preparation of the Final EIR/EIS.

Production Manager for the **3401 S. La Cienega Blvd Sustainable Communities Environmental Assessment (SCEA) (Los Angeles, CA)**. The project proposes a new mixed-use residential and commercial development, including one residential building and one commercial building. The Residential Building contains units for rent; with units reserved for "very low income" households and units reserved for workforce housing. The Commercial Building includes ground floor retail. The project site is centrally located centrally located in the West Adams neighborhood, adjacent to the Metro E (Expo)Line tracks and the La Cienega / Jefferson Metro Station. Kara was responsible for figure and map creation, word processing and formatting, and file preparation.

Sirius Environmental

Wendy Lockwood

Education

Sussex University, England, Chemistry, concentration in Environmental Science

Professional Affiliations

American Chemical Society

Los Angeles Conservancy

Ms. Lockwood is an environmental consultant with over 25 years' experience in the preparation of environmental documents pursuant to the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). She has been the Project Manager for major projects and technical task leader on complex projects involving noise, air quality, energy, and hazardous wastes/materials issues. Ms. Lockwood has broad knowledge and understanding of State and local planning regulations and regional planning documents in Southern California. She has participated in the preparation of environmental documentation for over 500 projects.

Ms. Lockwood has experience with a wide variety of projects, issues and communities and using this experience is able to quickly identify and address issues of potential concern before they become major problems. Her technical background allows her to review complex documentation and identify potential analytic flaws. For these reasons, Ms. Lockwood is frequently asked by lead agencies, larger consulting firms, and lawyers to provide detailed review and recommendations concerning CEQA and NEPA documents, including providing overall advice concerning approach and content of environmental documents, critical review of completed documents/analyses as well as providing specific review of more complex projects and/or issues.

In January 2006, Ms. Lockwood started the small environmental consulting firm of Sirius Environmental (Sirius). Sirius (WBE/SBE/VSBE) is an environmental consulting firm that provides CEQA and NEPA related services. Sirius Environmental was formed to focus on project and program management of projects and programs requiring a detailed understanding of CEQA and NEPA and requiring responsive, individualized management. Sirius Environmental provides support to developers, engineers, consulting firms and public agencies in the preparation of clear, accurate technical reports and documents that meet the increasingly demanding needs of communities and their decision makers.

Ms. Lockwood's areas of technical specialty are land use, energy conservation, noise, air quality, greenhouse gas emissions and hazardous materials. She has overseen the preparation of numerous technical analyses for a variety of projects – small and large. She is familiar with land use regulation and prepares policy consistency analyses for projects in complex regulatory environments as well as aesthetic analyses for projects in urban and rural environments.

Ms. Lockwood is an experienced CEQA and NEPA project manager. She has overseen the preparation of comprehensive environmental documents for a variety of different projects, managing complex technical analyses and providing advice to clients regarding effective mitigation strategies. She is familiar with recent case law with respect to environmental documentation. She has undertaken public outreach for controversial projects in a number of sensitive communities.

Ms. Lockwood frequently works closely with lead agency personnel, counsel and as a part of a larger consulting firm team to provide QA/QC for large-scale projects including transportation projects (Regional Transportation Plans, Mid-Coast Corridor Transit Project, Orange Line Extension), policy documents (City of Los Angeles CEQA staff training, Updated Thresholds Guide) and plans (Mobility Element, Hollywood Community Plan, Boyle Heights Community Plan, Harbor Community Plans and San Pedro Community Plan).

Ms. Lockwood emphasizes quality and responsiveness in her work. She works closely with clients to ensure that information presented in the documents she oversees is complete, accurate, concise, and understandable to the reader.

The selected experience below provides a representative cross section of Ms. Lockwood's experience.

Selected Experience

Los Angeles County Medical Centers. Ms. Lockwood has prepared several EIR Addenda for large medical centers in Los Angeles County including Harbor-UCLA, Martin Luther King, Rancho Los Amigos, High Desert Health System and LAC=USC. These documents comprehensively review the original EIR, identify any updates to existing conditions and explain how proposed changes result in negligible changes to the analysis. In some of these addenda mitigation measures have been modified to provide equal level protection to the original measures.

Emergency Shelters and Permanent Supportive Housing – Los Angeles County Department of Health Services (2018 to present). Ms. Lockwood is providing on-call services to prepare environmental documentation for emergency shelters and permanent supportive housing (PSH) in Los Angeles County. Ms. Lockwood has prepared numerous environmental documents and supporting studies. Ms. Lockwood works with the County team to identify and prepare the most appropriate environmental document (and supporting studies) for each facility. Some of the facilities are very controversial so ensuring legal defensibility as well as reducing delays is critical. Many of these shelters can be addressed using Statutory and Categorical Exemptions because of new regulations and physical environmental impacts are generally low due to low trip generation associated with the use. With declared shelter crises in the City and County of Los Angeles and homelessness emergencies, provision of emergency shelters and PSH is urgent and reducing delay at all stages of the process especially the environmental documentation stage is critical.

County of Los Angeles Housing Ordinances. Working as part of a consultant team, Ms. Lockwood prepared four separate Addendums to the County of Los Angeles General Plan EIR to address: Affordable Housing Preservation Ordinance; By Right Housing Ordinance; Interim and Supportive Housing ordinance; Inclusionary Housing Ordinance.

County of Los Angeles, Department of Public Works On-Call (Ongoing). Working as part of the Sirius Team or other prime teams, Ms. Lockwood has prepared environmental documentation for numerous County projects including LAC+USC Medical Center EIRs, Rancho Los Amigos medical Center Addendum, MLK Medical Center technical studies and Addendum, San Francisquito Canyon Road Bridge over Portal Canyon Creek technical studies. Ms. Lockwood is currently working with LA County Public works to determine appropriate environmental review for their headquarters building and potential new building in Alhambra.

County of Los Angeles, Department of Public Works, San Gabriel Valley Aquatics Center. Ms. Lockwood is currently preparing a mitigated negative declaration for this swimming facility comprised of two pools and a 1-acre park on the Temple Academy campus of the Hacienda la Puente Unified School District.

County of Los Angeles, Department of Public Works, North Hollywood Health Care Center (2021). Ms. Lockwood prepared a Class 32 Categorical Exemption for this 70,300 square foot health care facility located adjacent to transit in the City of Los Angeles.

County of Los Angeles, Chief Executive office, MacLaren Community Park, El Monte (2020 - 2024). Ms. Lockwood prepared a Categorical Exemption for this approximately 5-acre park; when the park design was revised to exceed 5 acres Ms. Lockwood prepared a Mitigated Negative Declaration. Issues included removal of the existing storied MacLaren Hall facilities, Tribal Cultural Resources, VMT and cumulative impacts associated with development of the remainder of the MacLaren Hall facility.

Southern California Association of Governments 2001, 2004, 2008, 2012, 2020 and 2024 Regional Transportation Plan (RTP)/ Sustainable Communities Strategy (SCS). Project Manager/ QA/QC. Ms. Lockwood managed the preparation of four RTP Program EIRs and provided QA/QC support to the 2020 and 2024 RTP/SCS. The RTP EIRs address impacts associated with 20 to 25 years of anticipated regional transportation improvements and associated growth. The 2001 EIR evaluated five operational scenarios at the 12 regional airports. The complex evaluations looked at noise, air emissions and environmental justice issues across the SCAG six county region, focusing on areas in close proximity to airports. For each RTP and RTP/SCS Program EIR Ms. Lockwood oversaw the completion of a regional and county-by-county analyses, making extensive use of GIS to examine population, housing, employment, land use, transportation, air quality, noise, aesthetics and views, biological resources, cultural resources, geology, energy, water resources, and public services and utilities. Starting in 2004 the RTP PEIR started to address risk and health effects. Starting in 2008 the RTP PEIR began addressing greenhouse gas emissions. Ms. Lockwood also analyzed the potential displacement or relocation of residences and businesses through acquisition of land and buildings necessary for highway, arterial, and transit improvement; effects of RTP projects on residences, educational facilities, medical facilities, and places of worship; and disturbance and loss of open space areas and agricultural lands.

2014, 2018 and 2022 Kern County RTP/SCS PEIR. QA/QC. Working closely with the Impact Sciences, Kern COG and outside counsel, Ms. Lockwood provided QA/QC for the documents and technical expertise with respect to traffic, air quality, noise, hazardous materials and greenhouse gas emissions. Transportation and air greenhouse gas modeling was delayed as a result of negotiations with CARB necessitating an extremely tight timeframe to complete the document.

2018 Tulare County RTP/SCS PEIR. QA/QC. Similar to the Kern COG RTP EIRs, Ms. Lockwood worked closely with the Impact Sciences team, TCAG staff and outside counsel to strategize and complete the Draft PEIR. At the last minute a major change to the modeling occurred necessitating an extremely tight timeframe to complete the document.

Southern California National Freight Gateway Collaboration. Worked with SCAG staff to develop a process to allow expedited coordinated processing of certain freight projects in the region. The Southern California National Freight Collaborative was formed to recognize that freight movement through the region is a key component of the economy of Southern California and that it needs to be recognized – regionally and nationally as an important integrated infrastructure project. The Collaborative wanted to address environmental concerns by looking at the system as a whole rather than in parts. Such an approach has the potential to allow individual projects to proceed in a streamlined fashion. Ms. Lockwood worked with members of the Collaborative as well as reviewing and permitting agencies to develop an expedited joint-agency process.

Crenshaw Transit Corridor Project (2010). Ms. Lockwood provided QA/QC services to Terry A. Hayes, Inc., in reviewing technical sections for this EIS/EIR.

On-Call Contracts. Ms. Lockwood has managed a number of long-term on-call contracts including with the Metropolitan Water District, City of Los Angeles Recreation and Parks Department, County Parks and Recreation, City of Los Angeles Public Works and County of Los Angeles Department of Public Works. Ms. Lockwood managed the preparation of numerous documents for a variety of projects under these on-call contracts.

Metro Orange Line Extension, Project Manager. Under a contract to Iteris, Ms. Lockwood managed the preparation of this fast-track Environmental Impact report (EIR). The Los Angeles County Metropolitan Transportation Authority's (Metro) Orange Line (which opened in 2005) is a bus rapid transit project extending from Warner Center to North Hollywood. The extension will provide connection to the Chatsworth rail line. Key issues addressed in the EIR included land use compatibility (adjacent mobile homes), construction noise, and changes in views as a result of the proposed grade-separated rail crossing. The EIR

process included a number of community workshops where the project team presented the project, EIR analysis and answered questions.

First Year of the First Five-Year Implementation Strategy for the 2010 Bicycle Plan EIR (2012 to 2013).

Under contract to TAHA, Ms. Lockwood is managing this EIR. The newly adopted AB 2245 will allow striping for bike lanes to be statutorily exempt from CEQA in future, but this EIR is already almost complete. Key issues addressed in this EIR include land use changes that could result from any loss of parking and potential diversion of traffic in to neighborhoods, traffic and safety impacts that could result from loss of travel and parking lanes, air quality, and noise. The EIR addresses a range of alternatives for about 40 miles of new bicycle lanes along key routes in the City of Los Angeles, where travel and/or parking lanes are proposed to be lost. Some proposed lanes are controversial because of potential traffic delays along critical north-south routes.

City of Los Angeles Mobility Element (2012 to 2016). Under contract to Fehr & Peers, Ms. Lockwood managed the preparation of an EIR for the proposed City of Los Angeles Mobility Element. This effort includes consideration of new thresholds of significance for traffic impacts in the City of Los Angeles.

City of Los Angeles Transit Neighborhood Plans (2012 to present) – Crenshaw, Exposition Line, Purple Line and Orange Line, Slauson Corridor. Under contract to TAHA, Ms. Lockwood is providing CEQA QA/QC for proposed changes to land use planning in the vicinity of transit stations initially along the Crenshaw and Exposition transit lines and most recently along the Purple and Orange Lines. Several different types of environmental document are being prepared for the different areas (Addendum to an Existing Community Plan, Statutory Exemption for bike lanes – in accordance with AB 2245, Mitigated Negative Declarations and EIRs). Alternatives analysis and bracketing a range of potential development options is a major consideration.

Permanent Supportive Housing Ordinance and Density Bonus Ordinance Environmental Documentation (2018). Working as part of the Impact Sciences Team, Ms. Lockwood worked with City staff to prepare two approaches to environmental documentation: a Mitigated Negative Declaration and an Addendum to the 2016 RTP/SCS EIR. The approach to the documentation was determined in consultation with City staff.

Port of Los Angeles/Port of Long Beach QA/QC. As part of the ESA team, Ms. Lockwood participated with staff from both Ports in discussing a coordinated approach to key environmental issues common to both Ports, including cumulative analysis, air quality, health risk and mitigation.

Hollywood Community Plan EIR. QA/QC Review and Oversight (2007 to present). Ms. Lockwood was asked by the City of Los Angeles to assist in completing the internal Screencheck Draft EIR and then Draft and Final EIRs for the new Hollywood Community Plan. City staff had completed much of the analysis but needed help pulling the document together and publishing it. Ms. Lockwood met weekly with City team members to review progress and provide feedback on completed work (analyses and response to comments). More recently (2016 to present), Ms. Lockwood, working as part of the TAHA team, is preparing the new EIR for the Hollywood Community Plan Update.

City of Los Angeles Boyle Heights Community Plan EIR. QA/QC Review and Oversight (2016 to present). Ms. Lockwood, working as part of the Impact Sciences team focuses on providing overall strategic advice to the team and review of technical issues related to CEQA compliance and technical analysis of topics as needed, including traffic, GHG and noise.

City of Los Angeles Harbor Community Plans Environmental Review. QA/QC Review and Oversight (2018 to present). Ms. Lockwood, working as part of the Impact Sciences team focuses on providing overall strategic advice to the team and review of technical issues related to CEQA compliance and technical analysis of topics as needed.

Warner Center Specific Plan Update EIR (2007 to 2014). Ms. Lockwood completed environmental analysis of an update to the Warner Center Specific Plan, to allow for an additional approximately 20,000 residential units and an additional 15 million square feet of non-residential space in the approximately 900 acres covered by the plan. The Specific Plan calls for an internal circulator to provide internal connectivity and connection to the Orange Line and local bus service. The EIR was prepared at the same time that the Specific Plan allowing environmental considerations to be incorporated in to the Specific Plan such that environmental policies were incorporated in to the Plan so that it could be “self-mitigating” on some issues. The Warner Center EIR process included extensive interaction with a Community Advisory Committee; this committee provided extensive input to the Specific Plan itself as well as highlighting key issues of concern that were addressed in the EIR.

City of Los Angeles CEQA and NEPA Compliance (2006 to present). Ms. Lockwood provides advice to City of Los Angeles staff regarding CEQA and NEPA compliance for a range of planning documents including the new Community Plans and the Bicycle Master Plan and Implementation Plan. In this role Ms. Lockwood met with City staff and consultants to discuss how to approach such thorny CEQA issues as cumulative analysis, consistency in approach and analysis across a variety of City documents, thresholds of significance, mitigation measures as well as how to address specific topics such as Project Description approach and level of detail for analyses such as risk and air toxics.

City of Los Angeles CEQA Training (2015 to present). As a subcontractor to Terry A. Hayes, Inc., Ms. Lockwood provides CEQA expertise and training to City of Los Angeles staff. The first training session was “CEQA 101” an introductory class intended to inform all planners as to issues to be aware of and questions to ask.

City of Los Angeles CEQA Thresholds Update. As a subcontractor to Impact Sciences Inc., Ms. Lockwood provides CEQA expertise and guidance in updating the city’s CEQA thresholds of significance.

LA River Greenways. As part of the Gruen team, Ms. Lockwood is leading the CEQA/NEPA environmental documentation and permitting process, including preparation of multiple CEQA and NEPA documents.

West Basin Desalination Plant. Under contract to West Basin and subsequently under contract to a Prime Consultant (ESA) Ms. Lockwood undertook detailed QA/QC review of the environmental document prepared by another consultant and recommended detailed changes.

Sam Zneimer

Senior Associate and Senior Project Manager



Sam Zneimer is as Senior Project Manager at Cambridge Systematics with a background in transportation planning and community development activities. Sam has over 14 year of experience within the transportation field working in both the private and public sector. Sam has lead numerous projects focused improving transportation in the Southern California Region. He has lead a variety of projects ranging from freight, venue planning, corridor management, transportation policies and the development of pilot and demonstration projects.

Relevant Experience

Southern California Zero Emissions Truck Infrastructure Study. The goal of the Study is to develop a regional network of zero emission truck charging and fueling infrastructure (ZETI). This study will create a phased blueprint and action plan towards realizing this goal, and answer key questions about how stations in the region may operate to serve different truck markets and business functions. This Study will develop details related to the quantity, distribution and characteristics of charging and fueling stations will be quantified to the extent possible to help visualize and plan for infrastructure needs and investments. This study is both a macro and micro scale investigation of where and how charging stations may be deployed to facilitate charging and fueling for different markets, to estimate market share and demand for different technologies and to show how a combination of technologies may work together to support regional zero emission goals. Sam serves as Project Manager for the project and helped lead the overall engagement effort.

Electric Truck Research and Utilization Center (eTRUC). eTRUC is California's premier Research Hub for Electric Technologies in Truck Applications (RHETTA). CS is part of a diverse team that is conducting quantitative research and engaging stakeholders to plan, design, and deploy innovative corridor charging strategies that extend the range and increase the operational flexibility of battery electric trucks throughout the State of California. As part of this study, CS is developing a new agent-based truck touring transportation model that will be integrated with energy dissipation models to study the need for charging infrastructure on key corridors throughout the state. Once the corridors and specific locations are identified, the study team will conduct site investigations and engage utilities to determine the most feasible solution. Sam serves as the Project Manager for CS as part of the larger overall team.

Parking, Traffic and Transit Study for the Hollywood Bowl. The Los Angeles Philharmonic (LA Phil) who manage the Hollywood Bowl is developing a plan to help address parking and traffic congestion problem related to operations at the historic site. As part of the study, CS is using the LOCUS product to develop an deeper understanding of travel patterns, origins of Hollywood Bowl users. CS is using this information to analyze the site holistically to develop creative solutions to traffic issues, going beyond typical traffic infrastructure recommendations. The solutions will explore various options from improving the pedestrian experience, moving vehicle away from the site to reduce conflicts between active transportation users and vehicles; and expanding transit option to reduce vehicle traffic. The goal of the study is to improve congestion issues, improving the concert going experience for customers and reduced the impacts on local residents.

Los Angeles Department of Transportation Code the Curb: DTLA Smart Grant Support. CS led the Code the Curb (CTC) DTLA that will create a digital inventory of physical curb lane assets in Downtown Los Angeles (DTLA), one of the densest urban environments in the nation. Funded by USDOT Smart Grant, the

pilot project aims to improve management of the curb lane by implementing the tools and technologies needed to dynamically price and regulate the curb based on actual demands. To manage the digital inventory and curb space regulations, the CS team is helping develop the Curb Data Specifications (CDS) to allow for monitoring infrastructure as well as behavior at the curb. Sam was the Project Manager for this project.

LA Metro Long Beach to East Los Angeles (LB-ELA) Corridor Investment Plan. CS, as part of a team, is assisting with the development of the Long Beach to East Los Angeles (LB-ELA) Corridor Investment Plan. The corridor, formerly referred to as the 710 South Corridor, is a critical artery for moving both people and goods in the communities surrounding the I-710 freeway in southeast LA County. The LB-ELA Investment Plan will replace the potential corridor improvements studied in the now-canceled I-710 South Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) process. The plan is being developed using a community-driven process to re-envision the future needs for the corridor to identify potential improvement projects and programs that will help achieve the established air quality, mobility, community, safety, environment, opportunity, and prosperity goals for the corridor while also addressing equity discrepancies and sustainability concerns. Sam is served as CS project manager on the project.

Caltrans Freight Technical Study. Caltrans is developing freight technology study to understand various technologies to support freight planning, operations, and potential infrastructure throughout the state. The study will include multiple statewide efforts as well as regional efforts like zero emissions infrastructure in District 7. CS leading the truck parking study and the District 7 zero emission infrastructure study, as well as supporting the review of data and supporting statewide analysis. Sam is leading the District 7 zero emissions infrastructure study.

Placer County Transportation Planning Agency Countywide Zero Emission Vehicle Infrastructure Plan. Placer County is developing a Citywide zero emission vehicle infrastructure plan that will support and guide the development of electric charging and alternative fueling infrastructure. The Plan will also result the development of pilot projects to illustrate how municipalities can install legacy infrastructure. CS will be supporting the overall performance framework for the selection of the pilot and the analysis to support the location for the pilot. Sam serves as part of policy development and analysis leadership for the project.

Port of Long Beach ARCHES Grant Administration. The Port of Long Beach (Port) Environmental Planning Division (EPD) will be administering the grant funding award received from participation as a Tier 1 partner in the Alliance for Renewable Clean Hydrogen Energy Systems (ARCHES). This project proposes to use 27.5 metric tons per day (MTPD) of hydrogen from the Alliance for Renewable Clean Hydrogen Energy Systems (ARCHES) marketplace for cargo-handling equipment (CHE) and stationary fuel cells. The Port of Long Beach (Port) plans to deploy 95 CHE units, 5 mobile refuelers, and 375 fuel cell electric trucks (FCET). CS will be leading the grant administration which includes coordination with ARCHES, Department of Energy, terminal operators, and other stakeholders, conformity to federal guidelines, and other grant reporting tasks. Sam is the project manager on this effort.

City of Los Angeles Harbor Department San Pedro Waterfront Connectivity Plan. The City of Los Angeles Harbor department is developing an actionable planning document that analyzes the existing waterfront public access and private development progress and provides a conceptual program to guide future Port improvements and private development sites into a network of well-connected, multi-use spaces accessible to the public. The Waterfront will contain shopping, restaurants, regional attractions, and a concert venue that will be hosting events throughout the year. Sam led the evaluation and recommendation development for all motorized connections, including, general vehicle access, regional and local transit access, Transportation Network Company (TNC), local trolley service, and parking integration.

Education

M.U.R.P., University of Southern California, 2015
B.A., History, UC Santa Barbara, 2009

Kazi Ullah, P.E.

Travel Demand Modeler Sr. III (Sr. Associate)



Kazi Ullah, a Travel Demand Modeler Sr. III (Sr. Associate) at Cambridge Systematics, Inc. (CS), brings experience in transportation planning, travel demand modeling, forecasting and simulation, and several modeling software packages, including TransCAD, VOYAGER, TP+, EMME, VISUM and TRANPLAN. He also has experience in transit planning, air quality analysis, and integration between traffic and simulation models.

Relevant Experience

Connecticut Statewide Model. For the Connecticut Department of Transportation (DOT), Kazi was involved in developing a new statewide travel demand model. A new statewide network was developed in Cube/Voyager based on the Connecticut Highway Inventory, Massachusetts statewide and NYMTC network. A transit network consistent with this statewide network was developed. Kazi also was responsible for transit parking demand and validation.

H-GAC Model Update. For the Houston-Galveston Area Council (H-GAC), CS updated the activity-based model (ABM). Kazi was involved in updating transit assignment by adding new transportation network company and bike access links. Transit skim was updated accordingly along with non-traditional attributes such as comfort, amenity, and transit reliability. Crowding model in Cube was implemented during transit assignment reflecting capacity constraints.

LA Metro Model Conversion. For the Los Angeles County Metropolitan Transportation Authority (LA Metro), Kazi is involved in converting the old TRANPLAN model into a Cube/Voyager platform. The base- and future-year model is being converted and validated for highway and transit assignment. After validation, this new platform will be used to develop intermediate year models.

Southeast Florida Regional Planning Model (SERPM) 8 Model Update. For the Southeast Florida region, CS updated ABM SERPM 7 to SERPM 8. Kazi was involved with the update of the highway and transit network along with other necessary applications of Cube interface and CTRamp. Base scenario for 2015 and future scenario for 2040 were updated using Cube.

Wisconsin Statewide Travel Demand Model Integration. Kazi was involved with the integration and update of all 19 county travel demand models into one software platform. Cube/Voyager was used as a common platform for all metropolitan planning organizations (MPO) to use the same software for traffic forecasting. The statewide network merges the nine existing MPO and regional model networks and 10 new district networks to create a single statewide model network. Socioeconomic data for all 19 counties was integrated into the model such that the model can run seamlessly.

Minnesota DOT Met Council ABM. CS developed an ABM for the Minnesota DOT. Kazi was involved during validation of the ABM. The validation process involved base-year traffic and transit assignment comparison with counts. Traffic assignment validation included traffic flow and vehicle miles traveled comparison by different time periods as well as for the entire day. Transit validation included boardings at route level and corridor level using Cube/Voyager.

New York City DOT Manhattan Traffic Model. For the New York City DOT, Kazi was involved with development of an integrated mesoscopic traffic modeling platform for analyzing traffic operations on the roadway network in the Manhattan Central Business District and adjacent arterial roadways to support planning studies. This simulation model covers Manhattan south of 179th Street and regional facilities

to/from Queens and Brooklyn to provide a basis for congestion studies. Kazi was responsible for providing subarea trip tables for use in the microsimulation study using AIMSUN software.

Congestion Relief Study in Manhattan, NY. CS performed a congestion relief study for the New York City DOT. Kazi was involved with developing different scenarios for tolling taxis and hired vehicles entering and exiting Manhattan. Revenue calculation was estimated for various scenarios based on the latest Best Practice Model (BPM). Congestion analysis was done for relevant scenarios to select the best possible scenario.

Subway Closure Study between Manhattan and Brooklyn, NY. CS performed a study for the New York City DOT in which Kazi evaluated congestion and traffic impact during the L subway closing period in April 2019. To alleviate the resulting additional congestion, CS was hired by the DOT to evaluate the impacts of high occupancy vehicle (HOV) restrictions on East River crossings. Kazi used the BPM and updated GISDK scripts to account for these HOV restrictions that included developing different scenarios for tolling taxis and hired vehicles entering and exiting Manhattan. Revenue calculation was estimated for various scenarios based on the latest BPM. Model scripts were updated for this study. Congestion analysis was done for relevant scenarios to select the best possible scenario.

New York DOT Cross-Harbor Freight Movement EIS. CS developed freight demand forecasts using the BPM to prepare an environmental impact statement. Kazi was a key member of the team to develop and analyze alternatives designed to improve the performance of the goods movement system in the greater New York/New Jersey region using TRANSEARCH data and truck survey data. A base- and future-year freight model was developed using TransCAD software.

NJTPA Freight Study. For the North Jersey Transportation Planning Authority (NJTPA), CS developed freight forecasting tools for the Portway Extension Project using the latest freight analysis framework (FAF) network and TRANSEARCH data. Kazi developed the base-year and future-year freight model using Cube/TP+ software.

Florida DOT Air Quality Post Processor. CS developed an Air Quality Post Processor tool for the Florida DOT to calculate emissions for a non-attainment area using existing travel demand model along with the Motor Vehicle Emission Simulator. The emissions include Oxides of Nitrogen (NO_x, Volatile Organic Compounds (VOCs), and Carbon Dioxide Equivalents (CO₂eq). Kazi developed the tool in Cube/Voyager, which automates the process of calculating total emissions by roadway class.

NYMTC Statewide Freight Study. CS developed freight forecasting methodology for the New York Metropolitan Transportation Council (NYMTC). Kazi developed the base-year freight model using TRANSEARCH data and the future-year truck model using TransCAD software. The truck trip table from the existing NYMTC model was used for cross check.

FHWA Computerized Method to Disaggregate FAF Data to County Origin-Destinations. For the Federal Highway Administration (FHWA), Kazi was involved in a project to develop a computerized method whereby the current FAF 2 regional commodity origin-destination data for all modes and commodities can be further divided into county-level origin-destination data by mode and commodity.

Moscow DOT Freight Study. CS developed a freight logistics and demand forecasting tool for the Moscow DOT. Kazi was involved in developing a model network system from scratch to identify freight flow patterns in and around Moscow. Truck survey data and counts were used to develop a base-year truck trip table using TransCAD's matrix estimation procedure. The analysis was used to portray truck restrictions to be used to reduce congestion in Moscow.

Education

M.S., Civil and Environment Engineering, Utah State University, 1993

B.S., Civil Engineering, Bangladesh University of Engineering and Technology, 1984

Professional Licenses/Certifications

Professional Engineer, Massachusetts, No. 38812