



DEPARTMENT OF CITY PLANNING Executive Office

City Hall, 200 N. Spring Street, Room 525, Los Angeles, CA 90012

September 25, 2024

TO: Department of City Planning Staff

FROM: Vincent P. Bertoni, AICP
Director of Planning

SUBJECT: **ADVISORY MEMO ON THE DEPARTMENT OF CITY PLANNING
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) THRESHOLDS AND
METHODOLOGY FOR CONSTRUCTION NOISE AND VIBRATION AND
HISTORICAL RESOURCES**

This memorandum serves to document that pursuant to CEQA Guideline Section 15064.7(b), the Department of City Planning (Department) is adopting updated thresholds of significance and methodologies to analyze impacts: 1) for construction noise and vibration, and 2) to historical resources. Pursuant to the authority of the Director of Planning (Director) under Los Angeles Charter Section 506(b) to make and enforce any necessary rules and regulations, and Los Angeles Municipal Code Section 13B.11.1.B to prepare environmental documents, issue administrative guidelines to implement CEQA, and determine the significance of environmental effects, the Director adopts the attached thresholds and methodology, and Department Staff are directed to utilize the new thresholds and methodology in their preparation of CEQA clearances, as directed below.

Background

The Director is responsible for preparing CEQA clearances for all discretionary actions identified in Chapter 1 and Chapter 1A of the Los Angeles Municipal Code (LAMC), as well as for certain discretionary projects considered under the City's Building Code (e.g., haul route permits). Starting in 2006, preparation of the Department's CEQA clearances relied on a combination of the State CEQA Guidelines Appendix G Checklist (Appendix G), other agency guidance and regulations, and the [2006 LA City CEQA Threshold Guide](#) (2006 Guide).

The 2006 Guide established thresholds of significance and methodologies for analysis for a portion of the current Appendix G impact topics. The 2006 Guide was prepared by the City's former Environmental Affairs Department in consultation with other City departments responsible for preparing CEQA clearances, and was an initial effort to provide consistent citywide guidance for CEQA. The 2006 Guide was to be used as a voluntary tool by various City departments, and was meant to be re-evaluated after a period of use. However, the Environmental Affairs Department was disbanded in 2010, and over time, the 2006 Guide became outdated in light of changes to State Law and Appendix G of the CEQA Guidelines.

The City Council authorized, but did not mandate, the use of the 2006 Guide by City departments and did not prohibit City departments from adopting different thresholds of significance or methodologies (Council File No. [98-2064](#)). On May 2, 2019, the Department adopted the

Appendix G environmental checklist as the Department's thresholds of significance through an [Advisory Memo](#). The Memo also acknowledged the continued use of agency guidance and regulations and the 2006 Guide, where thresholds would be supported by substantial evidence. The 2006 Guide may still be used to inform environmental analysis, as appropriate, and be used as a reference guide, but will no longer be used as the Department's default threshold.

Since 2019, the Department has been working on the development of an updated CEQA Guide, by preparing more specific thresholds and methodologies to address Appendix G questions for projects reviewed pursuant to CEQA by the Department. This effort has included hiring professional environmental consultants with technical expertise to help develop new guidance and update methodologies, as well as consulting with Technical Advisory Committees (TACs) on certain impact areas. It is anticipated that updated thresholds and methodologies will be released on a rolling basis for the Appendix G impact categories, and will be later combined into a comprehensive updated CEQA Guide. This Memorandum addresses updates to the preparation of environmental impact analyses for Construction Noise and Vibration and for Historical Resources, which will inform the updated CEQA Guide.

Adoption of the New Thresholds and Methodology

I. Construction Noise and Vibration

The construction noise and vibration thresholds of significance and methodology in the [Construction Noise and Vibration – Updates to Thresholds and Methodology Report](#) is hereby adopted for general use by the Department in its review and preparation of environmental clearances to comply with CEQA. The thresholds of significance and methodology shall be used in the analysis of Appendix G, XIII. Noise, questions (a) and (b) for temporary noise and vibration impacts resulting from construction activities. These thresholds of significance and methodology are supported by substantial evidence, as demonstrated in the report. The thresholds were developed in collaboration with and vetted by the TAC, which consisted of a number of noise consultants and experts with decades of experience in preparing noise studies in the City and throughout the State. In addition, the Department has considered public comments and has incorporated revisions or clarifications to the threshold documents and report as appropriate.

The thresholds and methodology were developed based on input from technical experts and a review of noise thresholds used by other state and local agencies. It was determined that the current construction noise thresholds being utilized by the Department had been overly conservative. This updated set of thresholds is intended to be more suited to the City's urban nature, yet still recognizes the importance of human health, including sleep disruption. The updated thresholds are intended to account for reasonable expectations regarding noise and vibration during daytime and nighttime hours, and also include absolute noise levels that are intended to protect human health.

II. Historical Resources

The historical resources thresholds of significance and methodology in the Department's CEQA Guide's [Chapter 4: Guide to Preparation of Impact Analyses - Cultural Resources - Historical Resources](#) and the CEQA Guide's [Chapter 5: Technical Studies - Cultural Resources - Historical Resources](#) are hereby adopted for general use by the Department in its review and preparation of environmental clearances to comply with CEQA. The threshold

of significance shall be used in the analysis of Appendix G, V. Cultural Resources, question (a), for impacts to historical resources. The thresholds and methodology are supported by substantial evidence, as the thresholds were prepared by a qualified historic preservation expert in collaboration with the Department's Office of Historic Resources. In addition, the Department has considered public comments and has incorporated revisions or clarifications to the threshold documents as appropriate. The updated methodology and thresholds for historical resources are intended to clarify, formalize, and standardize the Department's existing approaches to analyzing historical resources.

Use of the New Thresholds and Methodology

All Department Staff, in their environmental review and preparation of CEQA clearances, shall utilize the Construction Noise and Vibration thresholds of significance and methodology and the Historical Resource thresholds of significance and methodology identified in this Memorandum. However, nothing prevents the Department from using a different threshold or methodology on a project-specific basis, as appropriate and supported by substantial evidence and the legal requirements of CEQA. Nothing in the adoption of these thresholds and methodology is intended to substitute for the use of independent judgment of those planners conducting environmental analysis and City decisionmakers to determine significance of impacts or the evaluation of the evidence in the record, or the requirement to comply with CEQA and the CEQA Guidelines. Any impact conclusion shall be supported with substantial evidence and all legal requirements of CEQA and the CEQA Guidelines.

In addition, for purposes of implementation of the Construction Noise and Vibration thresholds of significance and methodology, until such time as the environmental protection measures are made applicable citywide, such as proposed in the Downtown Community Plan Update and the New Zoning Code (CF No. 22-0617), staff shall consider, when approving discretionary entitlements and preparing findings, whether it is necessary or appropriate to impose any or all of the draft noise environmental protection measures, found in Attachments 1 and 2 to the [Construction Noise and Vibration – Updates to Thresholds and Methodology Report](#), as a condition of approval to support consistency with the policies in the City's Noise Element and/or to ensure that the project will meet any applicable public health, safety, or welfare findings for approval, including findings that the project will not degrade or adversely affect the surrounding neighborhood.

Authority

The Department's action complies with CEQA Guideline Section 15064.7(b) as thresholds and methodology were adopted after a public review process and pursuant to the Director's rulemaking authority provided in City Charter Section 506. The public review process included notification of the City's Environmental Consultant list and interested parties; publication of the proposed thresholds and methodology on the City's website; and a public comment period from December 8, 2023, to February 19, 2024, including a public hearing on December 20, 2023; as well as the publication of a Fact Sheet summarizing and addressing public comments on construction noise and vibration.

Links to Attachments:

Construction Noise and Vibration

Technical Advisory Committee Report:

[*Construction Noise and Vibration – Updates to Thresholds and Methodology Report*](#)

The above link includes the following attachments:

Attachment 1 - Environmental Protection Measures Related to Noise & Vibration

Attachment 2 - Additional EPM to Address Vibration-Sensitive Uses

Attachment 3 - Thresholds

Attachment 4 - Methodology

Historical Resources

CEQA Guide:

[*Chapter 4: Guide to Preparation of Impact Analyses: Cultural Resources - Historical Resources*](#)

[*Chapter 5: Technical Studies: Cultural Resources - Historical Resources*](#)