



DEPARTMENT OF CITY PLANNING

APPEAL RECOMMENDATION REPORT

City Planning Commission

Date: December 14, 2023
Time: After 8:30 a.m.*
Place: Van Nuys City Hall, 2nd Floor
14410 Sylvan Street
Van Nuys, Los Angeles 91401

This meeting may be available virtually, in hybrid format. Please check the meeting agenda (available at the link below) approximately 72 hours before the meeting for additional information or contact cpc@lacity.org.

<https://planning.lacity.org/about/commissions-boards-hearings>

Public Hearing: Required
Appeal Status: Not further appealable.
Expiration Date: December 14, 2023
Multiple Approval: Yes

Case No.: DIR-2019-7299-TOC-SPR-1A
CEQA No.: ENV-2019-7300-SCEA
Related Cases: N/A
Council No.: 5 - Katy Young Yaroslavsky
Plan Area: Wilshire

Certified NC: Mid City West
Zone: C2-1-O

Applicant: Chris Clifford, 830 Fairfax Owner II, LLC

Applicant's Representative: Todd Nelson, Armbruster Goldsmith & Delvac

Appellant: Lynn Matsumoto, Annmarie Hehir, Fairfax Gardens Tenants' Association

Appellant's Representative: N/A

PROJECT LOCATION: 800-840 South Fairfax Avenue

PROPOSED PROJECT: The proposed project includes the partial demolition of existing improvements, including two apartment buildings and a surface parking lot, and the construction, use and maintenance of a new eight-story, 94-foot tall, mixed-use project with 209 dwelling units, including 23 Extremely Low Income and five (5) Low Income affordable housing units, and approximately 2,653 square feet of commercial floor area. The existing Tom Bergin's restaurant and tavern, located at 840 South Fairfax Avenue would remain. The project will provide a total of 239 automobile parking spaces: 199 residential and 40 commercial spaces.

APPEAL: An appeal of the September 19, 2023, Planning Director's Determination which:

1. **Found** that pursuant to Public Resources Code (PRC), Section 21155.2, the City Council held a hearing and on May 16, 2023, after consideration of the whole of the administrative record and all comments received, and after finding that after imposition of mitigation measures there is no substantial evidence that the project will have a significant effect on the environment, adopted the SB 375 Sustainable Communities Environmental Assessment, No. ENV-2019-7300-SCEA ("SCEA") prepared for the project, adopted findings pursuant to PRC Section 21155.2, and adopted the Mitigation Monitoring Program (MMP) prepared for the SCEA;
2. **Approved** an 80% increase in density consistent with the provisions of the Transit Oriented Communities Affordable Housing Incentive Program for a Tier 4 project with a total of 209 dwelling units, including 23 units reserved for Extremely Low Income (ELI) Households and

five (5) units reserved for Low Income (LI) Households for a period of 55 years, along with the following three (3) Additional Incentives:

- a. **RAS3 Zone Yards (Sides).** To permit the use of the rear and side yard requirements of the RAS3 Zone of five (5) feet;
 - b. **Open Space.** To permit up to a 25% decrease in required open space;
 - c. **Transitional Height.** To permit the utilization of Tier 4 Transitional Height requirements. Within the first 25 feet of the property line abutting or across the street or alley from the RW1 or more restrictive zone in which the project's building height limit shall be stepped-back at a 45-degree angle as measured from a horizontal plane originating 25 feet above grade at the property line of the adjoining lot in the more restrictive zone;
3. **Approved with Conditions** a Site Plan Review for a development project creating 50 or more residential dwelling units; and
 4. **Adopted** the Findings.

RECOMMENDED ACTIONS:

- 1) **Deny** the appeal;
- 2) **Find** that pursuant to Public Resources Code (PRC), Section 21155.2, the City Council held a hearing and on May 16, 2023, after consideration of the whole of the administrative record and all comments received, and after finding that after imposition of mitigation measures there is no substantial evidence that the project will have a significant effect on the environment, adopted the SB 375 Sustainable Communities Environmental Assessment, No. ENV-2019-7300-SCEA ("SCEA") prepared for the project, adopted findings pursuant to PRC Section 21155.2, and adopted the Mitigation Monitoring Program (MMP) prepared for the SCEA;
- 3) **Sustain** the Planning Director's Determination to approve the TOC Affordable Housing Incentive Program request to allow an 80 percent increase in density along with the following three incentives for a qualifying Tier 4 project totaling 209 dwelling units, reserving 23 units for Extremely Low Income (ELI) and five (5) units for Low Income (LI) Household occupancy for a period of 55 years:
 - a. **RAS3 Zone Yards (Sides).** To permit use of the rear and side yard requirements of the RAS3 Zone of five (5) feet;
 - b. **Open Space.** To permit up to a 25% decrease in required open space;
 - c. **Transitional Height.** To permit the utilization of Tier 4 Transitional Height requirements. Within the first 25 feet of the property line abutting or across the street or alley from the RW1 or more restrictive zone in which the project's building height limit shall be stepped-back at a 45-degree angle as measured from a horizontal plane originating 25 feet above grade at the property line of the adjoining lot in the more restrictive zone;
- 4) **Sustain** the Planning Director's Determination to conditionally approve a Site Plan Review for a development project creating 50 or more residential dwelling units; and
- 5) **Adopt** the attached Findings.

VINCENT P. BERTONI, AICP
Director of Planning



Heather Bleemers
Senior City Planner



Esther Ahn
City Planner

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1299.

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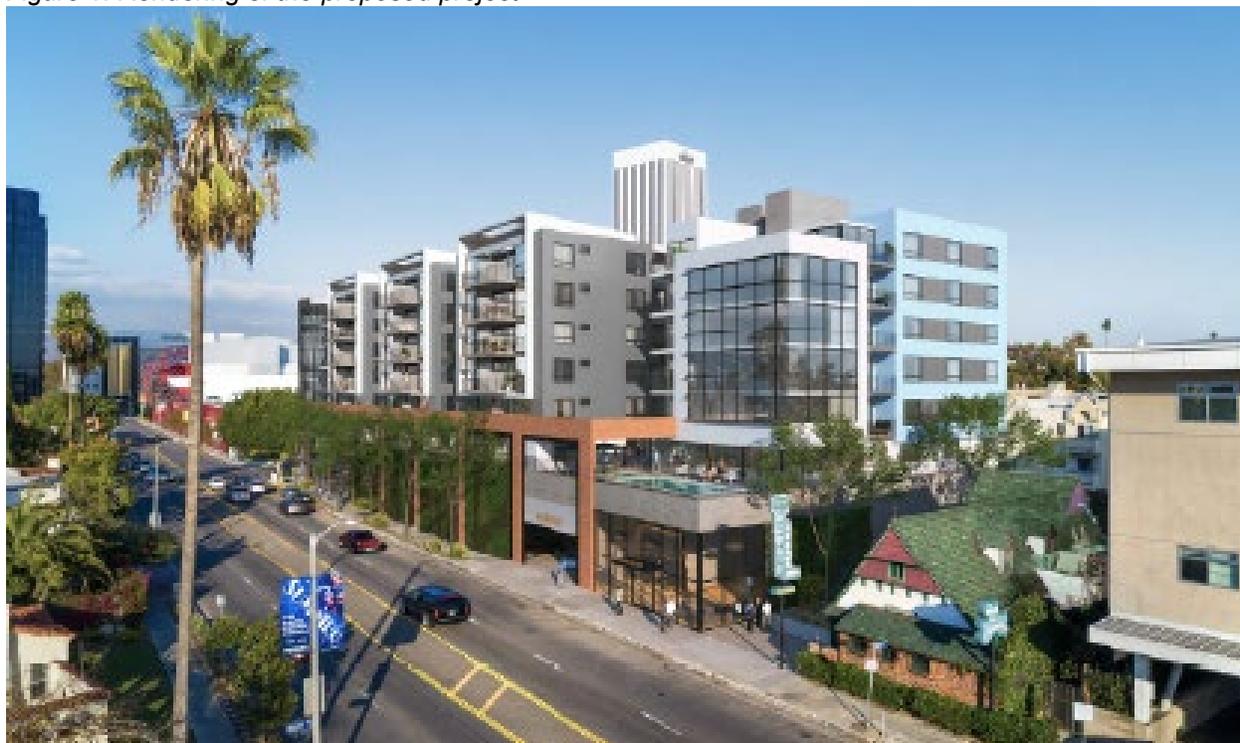
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PROJECT ANALYSIS

PROJECT SUMMARY

The proposed project involves the approval of a Site Plan Review in conjunction with a Tier 4 Transit Oriented Communities (TOC) Affordable Housing Incentive Program request. The project consists of the construction, use, and maintenance of a new, eight-story mixed-use building with 209 dwelling units, as depicted below in Figure 1. Of these, 23 units will be set aside for Extremely Low Income households and five (5) units will be set aside for Low Income households for 55 years, pursuant to the TOC Guidelines. The building will be constructed with one (1) level of subterranean level parking, ground level parking along with a 2,653 square-foot commercial space, a second level of parking, and six (6) residential levels above. The project includes 95 one-bedroom units, 108 two-bedroom units, six (6) three-bedroom units and a minimum of 18,038 square feet of open space for residents. The project will provide a total of 239 automobile parking spaces: 199 residential and 40 commercial spaces. Additionally, there will be 16 short-term and 130 long-term bicycle parking spaces. Vehicular access to the site is provided via two (2) two-way driveways along South Fairfax Avenue and West 8th Street.

Figure 1: Rendering of the proposed project



The project proposes a total of approximately 196,000 square feet of building floor area, resulting in a total floor area ratio (FAR) of approximately 4.25:1. The subject property is currently improved with two apartment buildings and parking lot and the existing Tom Bergin's restaurant and tavern building, which will remain. The project will provide a zero-foot setback for the front yard (8th Street) and side yard (Fairfax) while maintaining a rear yard setback of 43-feet, 10-inches and a eastern side yard setback of five feet. The project will also provide approximately 21,440 square feet of open space, of which 1,707 square feet will be landscaped.

APPEAL SCOPE

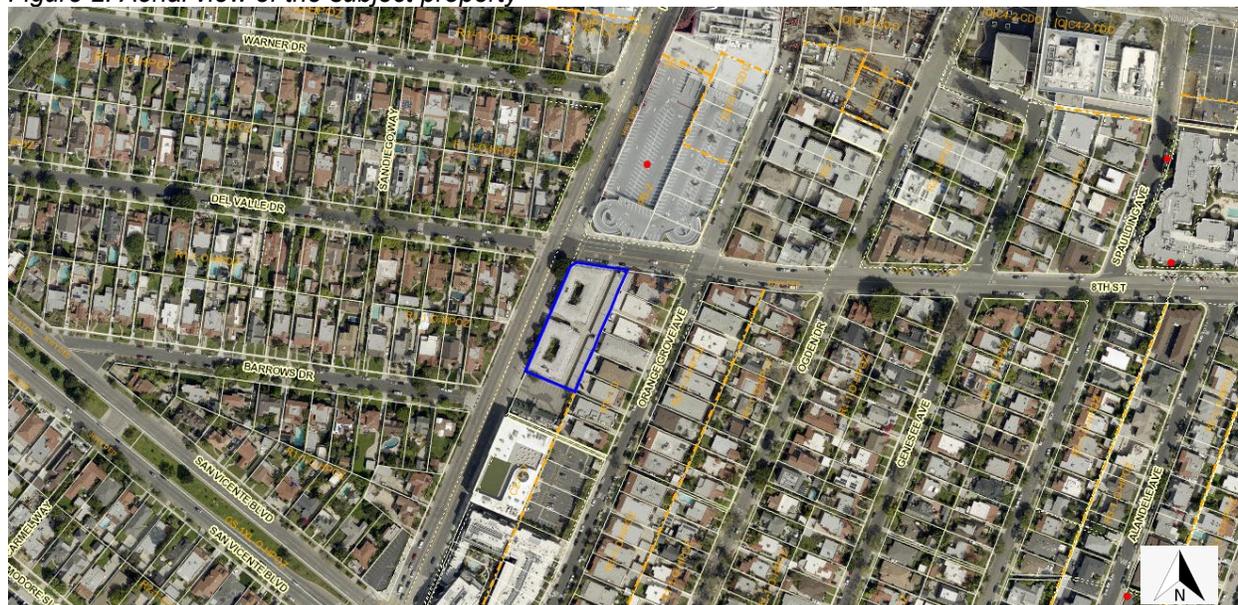
The appeal challenges a part of the Director of Planning's determination on September 19, 2023, to conditionally approve a TOC Affordable Housing Incentive Program and Site Plan Review request, pursuant to LAMC Section 12.22 A.31, with a SB 375 Sustainable Communities Environmental Assessment (SCEA) under Case No. ENV-2019-7300-SCEA as the environmental clearance for the project. The appellant is an adjacent tenant who is appealing the decision in part regarding the Conditions of Approval (Condition No. 5). As the case involves a TOC request, the appellate body is the City Planning Commission; the decision of the City Planning Commission is not further appealable.

PROJECT BACKGROUND

The subject property is a flat, approximately 46,087 square-foot site comprised of two (2) parcels with a frontage of approximately 360 feet along Fairfax Avenue to the west and 123 feet along 8th Street to the north. The subject property is currently improved with two apartment buildings and parking lot and the existing Tom Bergin's restaurant and tavern building, which will remain. The subject property is zoned C2-1-O within the Wilshire Community Plan area with a Community Commercial land use designation. The project site is located within a Transit Oriented Communities (TOC) Tier 4 incentive area. The site is located within 2.6 kilometers of the Newport-Inglewood Fault, and within a Methane Zone and Urban Agriculture Incentive Zone. The site is not located within a flood zone, liquefaction or landslide area.

The subject property is located in an established and heavily urbanized neighborhood in the Mid City area of Los Angeles, as shown in Figure 2. Surrounding properties are developed with commercial and residential uses. The property to the north and across 8th street, is zoned PB-2 and improved with the Peterson Automotive Museum. The properties to east, are zoned R3-1-O and improved with multi-family residential buildings. The property to the south, C2-1 and improved with the Shalhevet School. The properties to the west and across Fairfax Avenue are zoned R1-1-O-HPOZ and improved with single-family residences.

Figure 2: Aerial view of the subject property



Streets

Fairfax Avenue, abutting the property to the west, is designated an Avenue II, dedicated to a right-of-way width of 86 feet and improved with asphalt roadway, curb, gutter, and concrete sidewalks.

West 8th Street, abutting the property to the north, is designated Collector, dedicated to a right-of-way width of 66 feet and improved with asphalt roadway, curb, gutter, and concrete sidewalks.

APPROVED ACTIONS

On September 19, 2023, the Director of Planning took the following actions:

1. **Found** that pursuant to Public Resources Code (PRC), Section 21155.2, the City Council held a hearing and on May 16, 2023, after consideration of the whole of the administrative record and all comments received, and after finding that after imposition of mitigation measures there is no substantial evidence that the project will have a significant effect on the environment, adopted the SB 375 Sustainable Communities Environmental Assessment, No. ENV-2019-7300-SCEA (“SCEA”) prepared for the project, adopted findings pursuant to PRC Section 21155.2, and adopted the Mitigation Monitoring Program (MMP) prepared for the SCEA;
2. **Approved** an 80% increase in density consistent with the provisions of the Transit Oriented Communities Affordable Housing Incentive Program for a Tier 4 project with a total of 209 dwelling units, including 23 units reserved for Extremely Low Income (ELI) Households and five (5) units reserved for Low Income (LI) Households for a period of 55 years, along with the following three (3) Additional Incentives:
 - a. **RAS3 Zone Yards (Sides)**. To permit the use of the rear and side yard requirements of the RAS3 Zone of five (5) feet,
 - b. **Open Space**. To permit up to a 25% decrease in required open space,
 - c. **Transitional Height**. To permit the utilization of Tier 4 Transitional Height requirements. Within the first 25 feet of the property line abutting or across the street or alley from the RW1 or more restrictive zone in which the project’s building height limit shall be stepped-back at a 45 degree angle as measured from a horizontal plane originating 25 feet above grade at the property line of the adjoining lot in the more restrictive zone;
3. **Approved with Conditions** a Site Plan Review for a development project creating 50 or more residential dwelling units, and

APPEAL POINTS

On October 4, 2023, within the required 15-day appeal period, an appeal was filed by Lynn Matsumoto and Annmarie Hehir (Fairfax Gardens Tenants’ Association), an adjacent resident, for part of the Director of Planning’s determination. The appellant contends that the City improperly conditioned the required affordable units under the TOC entitlement because the separate units which are subject to the City’s Rent Stabilization Ordinance (RSO) are not designated and there are no provisions for interim housing and designated parking spaces for Right of Return units.

RESPONSES TO APPEAL POINTS

As part of the Planning Director's determination issued on September 19, 2023, an Applicant-volunteered condition was included as Condition No. 5 granting a right of return to tenants of the site's currently existing residential buildings ("Right of Return Condition"). The Right of Return Condition provides that an income-qualifying existing tenant will have the first opportunity to lease one of the project's 28 restricted affordable units; in addition, for those tenants that do not income qualify for one of the restricted affordable units, the Right of Return Condition provides that they will be offered the right to return to a market-rate unit in the project of the same bedroom type as their current unit at the same monthly rental rate that they are currently paying for their current unit, subject only to the annual rent increases allowed by the RSO.

The project's 28 restricted affordable units will not be specifically identified until the Los Angeles Housing Department (LAHD) prepares the project's affordable housing covenant which will occur as part of the building permit plan check process and will reflect the project's final proposed unit sizes, configurations, and locations. Furthermore, LAHD's affordable housing covenants allow for "floating" restricted units to address the circumstance in which a formerly income-qualifying household may no longer be eligible to rent a restricted unit, in which case another unit within the project would be designated as a restricted affordable unit to ensure that 28 restricted units are consistently provided. As such, it is not possible to specifically identify within Planning's Conditions of Approval which of the project's proposed 209 units will be initially designated as restricted affordable units by LAHD.

Regarding interim housing during the construction phase, the applicant has agreed to provide a one-year notice to all current tenants to vacate, at which time the applicant will establish escrow accounts with relocation funds in compliance with all relevant provisions of the RSO and related City requirements. These relocation amounts, which can be utilized to help identify interim housing and pay for relocation costs during construction, vary from \$9,900 to \$24,650 depending on the tenant's status as either a qualified or eligible tenant. The applicant will also assist tenants in locating new housing accommodations on a case-by-case basis, including the assignment of a relocation specialist to work with each existing tenant household to best meet their individual needs. The applicant has already helped place several former tenants into new housing accommodations which demonstrates their willingness and ability to provide this type of assistance. Unfortunately, the applicant is not able to accommodate the request for parking spaces specifically assigned to each Right of Return unit because as of January 1, 2024, State law (as amended by Assembly Bill "AB" 1317) will require all residential buildings containing more than 16 units that are issued a Certificate of Occupancy on or after January 1, 2025, to unbundle all parking spaces.

The project's obligation to provide replacement units has been determined by LAHD in full compliance with all applicable State law requirements, including State density bonus law as amended by AB 2556. Specifically, LAHD staff determined in their letter issued on September 23, 2019, that 28 of the site's existing 40 dwelling units are to be replaced with restricted affordable units. LAHD also determined that the remaining 12 units are to be replaced in compliance with the City's RSO. All returning tenants, whether they qualify an income-restricted unit or not, will be afforded the protections of the RSO for the life of their tenancy in the new building. Therefore, LAHD staff made a replacement unit determination based upon the site's existing dwelling unit characteristics and applicable replacement unit requirements under State law, and the applicant has demonstrated compliance with all applicable provisions. While the comments from the Appellant have been taken into consideration, there is no substantial evidence provided into the record to demonstrate that the City erred in the project's determination and approval of requested entitlements.

CONCLUSION

For all of the reasons stated herein, and in the findings of the Director's Determination, the proposed project complies with all applicable provisions of the LAMC, TOC Affordable Housing Incentive Program, and CEQA. Planning has evaluated the proposed project and determined that all relevant land use provisions have been included properly as Conditions of Approval. Although the applicant's arguments for appeal have been considered, Planning maintains that the required findings and imposed conditions of the Director's Determination are valid and that the appeal arguments are not grounds for reversal of any portion of the approval.

Therefore, it is recommended that the City Planning Commission find that the project has been adequately assessed under CEQA, deny the appeal of the Director's Determination, and sustain the Director's Determination for a Site Plan Review and the approval of a TOC Affordable Housing Incentive Program request for a project totaling 209 dwelling units, as described herein.

EXHIBIT A
Appeal Documents

APPLICATIONS



APPEAL APPLICATION

Instructions and Checklist

RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

PURPOSE

This application is for the appeal of Los Angeles City Planning determinations, as authorized by the LAMC, as well as first-level Building and Safety Appeals.

APPELLATE BODY

Check only one. If unsure of the Appellate Body, check with City Planning staff before submission.

- Area Planning Commission (APC)
 City Planning Commission (CPC)
 City Council
 Zoning Administrator (ZA)
 Director of Planning (DIR)

CASE INFORMATION

Case Number: DIR-2019-7299-TOC-SPR

Project Address: 800 - 840 South Fairfax Avenue Los Angeles, CA 90036

Final Date to Appeal: October 4, 2023

APPELLANT

For main entitlement cases, except for Building and Safety Appeals:

Check all that apply.

- Person, other than the Applicant, Owner or Operator claiming to be aggrieved
 Representative
 Property Owner
 Applicant
 Operator of the Use/Site

For Building and Safety Appeals only:

Check all that apply.

- Person claiming to be aggrieved by the determination made by **Building and Safety**¹
 Representative
 Property Owner
 Applicant
 Operator of the Use/Site

¹ Appellants of a Building and Safety Appeal are considered the Applicant and must provide the Noticing Requirements identified on page 4 of this form at the time of filing. Pursuant to LAMC Section 12.26 K, an appeal fee shall be required pursuant to LAMC Section 19.01 B.2.

APPELLANT INFORMATION

Appellant Name: Lynn Matsumoto, Annmarie Hehir

Company/Organization: Fairfax Gardens Tenants' Association

Mailing Address: 800 S. Fairfax Avenue, #20 (LM) & 830 S. Fairfax Avenue, #10 (AH)

City: Los Angeles State: CA Zip Code: 90036

Telephone: (323) 244-3352 E-mail: lhmat@gmail.com; ahehir@earthlink.net

Is the appeal being filed on your behalf or on behalf of another party, organization, or company?

Self Other: Fairfax Gardens Tenants' Association

Is the appeal being filed to support the original applicant's position? YES NO

REPRESENTATIVE / AGENT INFORMATION

Representative/Agent Name (if applicable):

Company:

Mailing Address:

City: State: Zip Code:

Telephone: E-mail:

JUSTIFICATION / REASON FOR APPEAL

Is the decision being appealed in its entirety or in part? Entire Part

Are specific Conditions of Approval being appealed? YES NO

If Yes, list the Condition Number(s) here: Paragraph 5 (Right of Return); 2

On a separate sheet provide the following:

- Reason(s) for the appeal
Specific points at issue
How you are aggrieved by the decision
How the decision-maker erred or abused their decision

APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true.

Appellant Signature: Lynn Matsumoto, Annmarie Hehir Date: 10/3/2023

GENERAL NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

The appellate body must act on the appeal within a time period specified in the LAMC Section(s) pertaining to the type of appeal being filed. Los Angeles City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

THIS SECTION FOR CITY PLANNING STAFF USE ONLY

Base Fee: 166.00

Reviewed & Accepted by (DSC Planner):

Joe Tam

Receipt No.:

2023277002-602

Date:

6/4/2023

Determination authority notified

Original receipt and BTC receipt (if original applicant)

Supporting Documentation for Appeal (10/3/2023)

Reason for the Appeal:

Request to include three additional points within the Right of Return clause of the Determination Letter.

Points Addressed for the Appeal:

1. That the RSO affordable replacement units in the new building be identified and covenanted separately from any other "affordable" units (i.e., the 28 Extremely Low Income and Low Income units) so that it is clear which units the current Fairfax Gardens tenants will be eligible to rent.
2. As currently written, the applicant gives no provisions for the interim housing during the construction phase of any Fairfax Gardens tenant who chooses the Right of Return designation at the tenant's current rental rate and under the RSO.
3. As currently written, the applicant gives no provisions for parking spaces specifically assigned to each Right of Return unit.

Possible Aggrieved Issues:

N/A

Decision-maker Error:

As outlined in the Project Background section of the Letter of Determination (Paragraph 3 – Housing Replacement), the applicant cites, "*The remaining 12 units are required to be replaced in accordance with the City's Rent Stabilization Ordinance (RSO).*" No data of rental income was collected from HCIDLA's Rent Division to calculate this number. In the absence of data, a formula was applied -- that is not supported by any substantial evidence -- to conclude that 12 of the 40 existing units were occupied by market rate income tenants between 2014 and 2019. No tenants were contacted by either the applicant's representatives and/or HCIDLA to verify either their rental rate or their income.

EXHIBIT B

Director's Determination DIR-2019-7299-TOC-SPR



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

DATE: September 23, 2019

TO: 830 Fairfax Owner I, LLC, a Delaware limited liability company, Owner
830 Fairfax Owner II, LLC, a Delaware limited liability company, Owner
830 Fairfax Owner III, LLC, a Delaware limited liability company, Owner
840 Fairfax Owner, LLC, a California limited liability company, Owner

FROM: Marites Cunanan, Senior Management Analyst I 
Los Angeles Housing and Community Investment Department

SUBJECT: **AB 2556 (TOC) Determination for
800-840 South Fairfax Avenue, Los Angeles, CA 90036**

Based on the Application for an Affordable Unit Determination (Application) submitted by Matthew Hayden on behalf of 830 Fairfax Owner I, LLC, a Delaware limited liability company (Owner), 830 Fairfax Owner II, LLC, a Delaware limited liability company (Owner), 830 Fairfax Owner III, LLC, a Delaware limited liability company (Owner) and 840 Fairfax Owner, LLC, a California limited liability company (Owner), the Los Angeles Housing + Community Investment Department (HCIDLA) has determined that forty (40) units (as detailed below) are subject to replacement under AB 2556 (formerly AB 2222).

Information about the existing property for the five (5) years prior to the date of the Application is required in order to make a determination. HCIDLA received the Application on August 8, 2019, so HCIDLA must collect data from August 2014 to August 2019.

Owner acquired the property commonly known as:
800-830 S. Fairfax Ave. under APN 5086-008-010, Lot FR LT B Arb 2 on April 8, 2019 per Grant Deed.
840 S. Fairfax Ave. under APN 5086-008-012, Lot FR LT B Arb 1 on June 26, 2019 per Grant Deed.

Department of City Planning (ZIMAS), County Assessor Parcel Information (LUPAMS), DataTree database, Billing Information Management System (BIMS) database, and the Code, Compliance and Rent Information System (CRIS) database, indicates a use code of "0500 – Residential – Five or More Units or Apartments (Any Combination) – 4 Stories or Less" for the property commonly known as 800-830 S. Fairfax Ave. Google Earth images, Internet Search and the Rent Stabilization Ordinance (RSO) Unit confirms that the property contains a multifamily structure.

Department of City Planning (ZIMAS), County Assessor Parcel Information (LUPAMS), DataTree database, Billing Information Management System (BIMS) database, and the Code, Compliance and Rent Information System (CRIS) database, indicates a use code of "2100 – Commercial – Restaurant, Cocktail Lounge – One Story" for the property commonly known as 840 S. Fairfax Ave. Google Earth images, Internet Search and the Rent Stabilization Ordinance (RSO) Unit confirms that the property contains a commercial structure.

The Los Angeles Department of Building and Safety database indicates that the Owner has not applied for either a Building Permit or a Demolition Permit for the project.

Per the Application received by HCIDLA on August 8, 2019, the Owner plans to construct a two hundred and nine (209) unit apartment building, pursuant to Transit Oriented Communities (TOC) guidelines.

ADDRESS	BEDROOM TYPE
800 S. Fairfax Ave. #1	2 Bedroom
800 S. Fairfax Ave. #2	2 Bedroom
800 S. Fairfax Ave. #3	2 Bedroom
800 S. Fairfax Ave. #4	2 Bedroom
800 S. Fairfax Ave. #5	2 Bedroom
800 S. Fairfax Ave. #6	2 Bedroom
800 S. Fairfax Ave. #7	2 Bedroom
800 S. Fairfax Ave. #8	2 Bedroom
800 S. Fairfax Ave. #9	1 Bedroom
800 S. Fairfax Ave. #10	1 Bedroom
800 S. Fairfax Ave. #11	1 Bedroom
800 S. Fairfax Ave. #12	1 Bedroom
800 S. Fairfax Ave. #14	1 Bedroom
800 S. Fairfax Ave. #15	1 Bedroom
800 S. Fairfax Ave. #16	1 Bedroom
800 S. Fairfax Ave. #17	1 Bedroom
800 S. Fairfax Ave. #18	1 Bedroom
800 S. Fairfax Ave. #19	1 Bedroom
800 S. Fairfax Ave. #20	1 Bedroom
800 S. Fairfax Ave. #21	1 Bedroom
800 S. Fairfax Ave. #22	1 Bedroom
830 S. Fairfax Ave. #1	1 Bedroom
830 S. Fairfax Ave. #2	1 Bedroom
830 S. Fairfax Ave. #3	1 Bedroom
830 S. Fairfax Ave. #4	1 Bedroom
830 S. Fairfax Ave. #5	1 Bedroom
830 S. Fairfax Ave. #6	1 Bedroom
830 S. Fairfax Ave. #7	1 Bedroom
830 S. Fairfax Ave. #8	1 Bedroom
830 S. Fairfax Ave. #9	1 Bedroom
830 S. Fairfax Ave. #10	1 Bedroom
830 S. Fairfax Ave. #11	1 Bedroom
830 S. Fairfax Ave. #12	1 Bedroom
830 S. Fairfax Ave. #14	1 Bedroom
830 S. Fairfax Ave. #15	1 Bedroom
830 S. Fairfax Ave. #16	1 Bedroom
830 S. Fairfax Ave. #17	1 Bedroom
830 S. Fairfax Ave. #18	1 Bedroom
830 S. Fairfax Ave. #19	1 Bedroom
830 S. Fairfax Ave. #20	1 Bedroom

No income documents were provided for these unit(s). Pursuant to AB 2556, where incomes of existing or former tenants are unknown, the required percentage of affordability is determined by the percentage of extremely low, very low, and low income rents in the jurisdiction as shown in the HUD Comprehensive Housing Affordability Strategy (CHAS) database. At present, the CHAS database shows 32% Extremely Low (Below 31%

Area Median Income [AMI]), 19% Very Low ([31% to 50% AMI]), and 18% Low ([51% to 80% AMI]) renter households for Los Angeles (for a total of 69%). The balance of these unit(s) (i.e. 31%) are presumed to have been occupied by persons and families above-lower income.

Number of Existing RSO Units within five (5) years of Owner's application = 40
Number of Affordable Replacement Units required per CHAS: 28 (see table)

40 Units x 69%	28 Units
32% Extremely Low	13 Units
19% Very Low	8 Units
18% Low	7 Unit
Market Rate RSO units	12 Unit

Number of Unit(s) presumed to be above-lower income subject to replacement = 12

For Rental:

Pursuant to CHAS, twenty-eight (28) unit(s) need to be replaced with equivalent type, with thirteen (13) units restricted to Extremely Low Income Households, eight (8) units restricted to Very Low Income Households, and seven (7) units to Low Income Households. For the twelve (12) remaining units presumed to have been occupied by an above-lower income person or household, as permitted by California Government Code §65915(c)(3)(C)(ii), the City has opted to require that those unit(s) be replaced in compliance with the City's Rent Stabilization Ordinance (RSO).

Please note that all the new units may be subject to RSO requirements unless an RSO Exemption is filed and approved by the RSO Section. This determination is provisional and subject to verification by the RSO Section.

This AB 2556 determination only applies if the proposed project is a rental TOC project and NOT condominiums. In the event the project changes to condominiums, the owner needs to request an AB 2556 amendment to reflect 100% replacement of the units. In addition, if the project is changed from TOC to Density Bonus or vice-versa, an AB 2556 amendment will also be required.

****WARNING****

LOT TIES AND EXISTING PRE-1978 SINGLE FAMILY DWELLING ON ONE LOT

ISSUE:	Is a LOT TIE required for the NEW project?
IF NO:	Owner's existing Rent Stabilization (RSO) replacement obligation, if any, remains the SAME as above.
IF YES:	Owner's existing RSO replacement obligation, if any, will INCREASE by one and the new project will also be subject to the RSO, unless the existing single family dwelling is demolished before the lots are tied.

NOTE: This determination is provisional and is subject to verification by HCIDLA's Rent Division. If you have any questions regarding this determination, please contact Jacob Comer at Jacob.comer@lacity.org.

cc: Los Angeles Housing and Community Investment Department File
 830 Fairfax Owner I, LLC, a Delaware limited liability company, Owner
 830 Fairfax Owner II, LLC, a Delaware limited liability company, Owner
 830 Fairfax Owner III, LLC, a Delaware limited liability company, Owner
 840 Fairfax Owner, LLC, a California limited liability company, Owner
 Ulises Gonzalez, Case Management Section, City Planning Department

MAC:jc

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
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**DIRECTOR'S DETERMINATION
TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM
AND SITE PLAN REVIEW**

September 19, 2023

Applicant

Chris Clifford
830 Fairfax Owner II, LLLC
3960 Howard Hughes Parkway,
Suite 150
Las Vegas, NV 89169

Owner

830 Fairfax Owner I LLC
830 Fairfax Owner II LLC
830 Fairfax
840 Fairfax Owner LLC
3960 Howard Hughes Parkway,
Suite 150
Las Vegas, NV 89169

Representative

Todd Nelson
Rand Paster & Nelson LLP
633 W. 5th Street, Ste 5880
Los Angeles, CA 90071

Case No. DIR-2019-7299-TOC-SPR

CEQA: ENV-2019-7300-SCEA

Location: 800-840 South Fairfax Avenue

Council District: 5 – Yaroslavsky

Neighborhood

Council: Mid City West

Community Plan

Area: Wilshire

Land Use Community Commercial

Designation:

Zone: C2-1-O

Legal Description: Lot FR LOT B Arb 1 and 2, Tract 6286

Last Day to File an Appeal: October 4, 2023

DETERMINATION – Transit Oriented Communities Affordable Housing Incentive Program

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.22-A,31, I have reviewed the proposed project and as the designee of the Director of City Planning, I hereby:

1. **Find** that pursuant to Public Resources Code (PRC), Section 21155.2, the City Council held a hearing and on May 16, 2023, after consideration of the whole of the administrative record and all comments received, and after finding that after imposition of mitigation measures there is no substantial evidence that the project will have a significant effect on the environment, adopted the SB 375 Sustainable Communities Environmental Assessment, No. ENV-2019-7300-SCEA (“SCEA”) prepared for the project, adopted findings pursuant to

PRC Section 21155.2, and adopted the Mitigation Monitoring Program (MMP) prepared for the SCEA;

2. **Approve** a 80% increase in density consistent with the provisions of the Transit Oriented Communities Affordable Housing Incentive Program for a Tier 4 project with a total of 209 dwelling units, including 23 units reserved for Extremely Low Income (ELI) Households and five (5) units reserved for Low Income (LI) Households for a period of 55 years, along with the following three (3) Additional Incentives:
 - a. **RAS3 Zone Yards (Sides).** To permit the use of the rear and side yard requirements of the RAS3 Zone of five (5) feet,
 - b. **Open Space.** To permit up to a 25% decrease in required open space,
 - c. **Transitional Height.** To permit the utilization of Tier 4 Transitional Height requirements. Within the first 25 feet of the property line abutting or across the street or alley from the RW1 or more restrictive zone in which the project's building height limit shall be stepped-back at a 45 degree angle as measured from a horizontal plane originating 25 feet above grade at the property line of the adjoining lot in the more restrictive zone;
3. **Approve with Conditions** a Site Plan Review for a development project creating 50 or more residential dwelling units, and
4. **Adopt** the attached Findings.

CONDITIONS OF APPROVAL

Pursuant to LAMC Sections 12.22-A,31 and 16.05, the following conditions are hereby imposed upon the use of the subject property:

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Expedited Processing Section, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Base Incentives.**
 - a. **Residential Density.** The project shall be limited to a maximum density of 209 residential units, including On-site Restricted Affordable Units.
 - b. **Floor Area Ratio (FAR).** The project is permitted a maximum FAR of 4.25 to 1.
 - c. **Parking.**
 - i. **Automobile Parking.** No minimum residential automobile parking requirements shall apply consistent with LAMC Section 12.22-A,31 and the TOC Guidelines. In addition, the project shall be provided up to a 40% reduction in the nonresidential parking requirement.
 - ii. **Bicycle Parking.** Bicycle parking shall be provided in compliance with LAMC Section 12.21-A.16 and to the satisfaction of the Department of Building and Safety. In the event that the number of On-Site Restricted Affordable Units should increase, or the composition of such units should change, then no modification of this determination shall be necessary, and the number of bicycle parking spaces shall be re-calculated consistent with LAMC Section 12.21-A.16. No variance from the bicycle parking requirements has been requested or granted herein.
 - iii. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should increase or the composition of such units should change (i.e. the number of bedrooms, or the number of units made available to Senior Citizens and/or Disabled Persons), and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth pursuant to LAMC Section 12.22-A,31.
 - iv. **Unbundling.** Required parking may be sold or rented separately from the units, with the exception of all Restricted Affordable Units which shall include any required parking in the base rent or sales price, as verified by the Los Angeles Housing Department (LAHD).
3. **Additional Incentives.**

- a. **RAS3 Yards.** The project shall be permitted to use the RAS3 side and rear yard requirements.
 - b. **Open Space.** The project shall be permitted a 25% decrease in the required open space provided that the landscaping for the Housing Development Project is sufficient to qualify for the number of landscape points equivalent to 10% more than otherwise required by Section 12.40 of this Code and Landscape Ordinance Guidelines "O".
 - c. **Transitional Height.** The project shall be permitted to use the Transitional Height requirements contained within the TOC Guidelines. Within the first 25 feet of the property line abutting or across the street or alley from the RW1 or more restrictive zone the building height limit shall be stepped-back at a 45 degree angle as measured from a horizontal plane originating 25 feet above grade at the property line of the adjoining lot in the more restrictive zone or Specific Plan subarea.
4. **On-site Restricted Affordable Units.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of LAHD to make 23 units available for Extremely Low Income Households and 5 units available for Low Income Households, as defined by the Los Angeles Housing Department (LAHD) and California Government Code Section 65915(c) for sale or rental as determined to be affordable to such households by LAHD for a period of 55 years. In the event the applicant reduces the proposed density of the project, the number of required set-aside affordable units may be adjusted, consistent with LAMC Section 12.22-A,31, to the satisfaction of LAHD. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the LAHD. Refer to the Density Bonus Legislation Background section of this determination.
 5. **Right of Return.** Any tenant who currently resides in the existing apartment buildings at the time of clearing this condition, who does not otherwise qualify for a deed restricted affordable unit in the new TOC project, will be offered the right to return to a market rate unit of the same bedroom type in the new development once it is constructed and available for occupancy. The tenants who exercise this right of return will be offered a market rate unit at the same monthly rental rate that they are currently paying for their existing (much older) rent controlled unit, subject to only the annual rent increases permitted by the City's Rent Stabilization Board for the intervening years. The applicant also will provide any income qualifying existing tenant the first opportunity to lease a deed restricted affordable unit in the new project.
 6. **Changes in On-site Restricted Units.** Deviations that increase the number of On-site Restricted Units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22-A,31.

Site Plan Review

7. **Landscaping.**
 - a. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.

- b. All planters containing trees, including those located on the rooftop area or above a parking garage, shall have a minimum depth and volume of soil consistent with the Urban Design Studio, Design Resource 2, Soil Depths.
8. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view. The transformer, if located in the front yard, shall be screened with landscaping.
9. **Maintenance.** The subject property (including all trash storage areas, associated parking facilities, sidewalks, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.
10. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way, nor from above.
11. **Electric Vehicle Parking.** All vehicular parking shall provide electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) in compliance with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.
12. **Solar Panels.** The project shall comply with Sections 99.04.211.1 and 99.05.211.1 of the LAMC.

Environmental Conditions

13. The Mitigation Monitoring and Reporting Program (MM) included in the SCEA adopted by the City Council on May 16, 2023 (ENV-2019-7300-SCEA, Council File No. 21-0781) shall be enforced through all phases of the project. The applicant shall be responsible for implementing each Mitigation Measure (MM) and shall be obligated to provide certification to the appropriate monitoring and enforcement agencies that each MM has been implemented.

Administrative Conditions

14. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building & Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building & Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building & Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
15. **Covenant.** Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in case file.
16. **Notations on Plans.** Plans submitted to the Department of Building & Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval

herein attached as a cover sheet, and shall include any modifications or notations required herein.

17. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
18. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
19. **Department of Building & Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
20. **Department of Water and Power.** Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Rules Governing Water and Electric Service. Any corrections and/or modifications to plans made subsequent to this determination in order to accommodate changes to the project due to the under-grounding of utility lines, that are outside of substantial compliance or that affect any part of the exterior design or appearance of the project as approved by the Director, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
21. **Enforcement.** Compliance with and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
22. **Expedited Processing Section Fee.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
23. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

 - a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
 - b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out, in whole or in part, of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any

- judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
 - d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
 - e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the applicant otherwise created by this condition.

PROJECT BACKGROUND

The subject property is a flat, approximately 46,087 square-foot site comprised of two (2) parcels with a frontage of approximately 360 feet along Fairfax Avenue to the west and 123 feet along 8th Street to the north. The subject property is currently improved with two apartment buildings and parking lot and the existing Tom Bergin's restaurant and tavern building, which will remain.

The subject property is zoned C2-1-O within the Wilshire Community Plan area with a Community Commercial land use designation. The project site is located within a Transit Oriented Communities (TOC) Tier 4 incentive area. The site is located within 2.6 kilometers of the Newport-Inglewood Fault, and within a Methane Zone and Urban Agriculture Incentive Zone. The site is not located within a flood zone, liquefaction or landslide area.

The proposed project is the construction, use, and maintenance of a new, eight-story, approximately 196,000 square-foot mixed-use building with 209 dwelling units, including 28 units set aside for Extremely Low Income Households as well as a 2,653 square-foot commercial tenant space. The building will be constructed with one (1) level of subterranean level parking, ground level parking along with a commercial space, a second level parking and six (6) residential levels above. The project includes 95 one-bedroom units, 108 two-bedroom units, six (6) three-bedroom units and a minimum of 18,038 square feet of open space for residents.

The project will provide a total of 239 automobile parking spaces; 199 residential and 40 commercial. Additionally, there will be 16 short-term and 130 long-term bicycle parking spaces. Vehicular access to the site is provided via two (2) two-way driveways along South Fairfax Avenue and West 8th Street.

The project is located in Tier 4 of the Transit Oriented Communities Incentive Areas and therefore, pursuant to the Transit Oriented Communities Affordable Housing Incentive Program Guidelines (TOC Guidelines), by setting aside at least 11% of the total number of dwelling units for Extremely Low Income Households, the project is eligible for the Base Incentives (Residential Density, Floor Area Ratio [FAR] and Automobile Parking); and by setting aside at least 11% of the base density the project is entitled to three (3) Additional Incentives; three (3) are requested.

The Additional Incentives requested are found on the Menu of Incentives and include: the use of RAS3 Zone yard requirements, reduced open space, and transitional height.

SURROUNDING PROPERTIES

Surrounding properties are developed with commercial and residential uses. The property to the north and across 8th street, is zoned PB-2 and improved with the Peterson Automotive Museum. The properties to east, are zoned R3-1-O and improved with multi-family residential buildings. The property to the south, C2-1 and improved with the Shalhevet School. The properties to the west and across Fairfax Avenue are zoned R1-1-O-HPOZ and improved with single-family residences.

STREETS

Fairfax Avenue, abutting the property to the west, is designated an Avenue II, dedicated to a right-of-way width of 86 feet and improved with asphalt roadway, curb, gutter, and concrete sidewalks.

West 8th Street, abutting the property to the north, is designated Collector, dedicated to a right-of-way width of 66 feet and improved with asphalt roadway, curb, gutter, and concrete sidewalks.

TRANSIT ORIENTED COMMUNITIES

Pursuant to the voter-approved Measure JJJ, Los Angeles Municipal Code (LAMC) 12.22-A,31 was added to create the Transit Oriented Communities (TOC) Affordable Housing Incentive Program (TOC Program). The Measure requires the Department of City Planning to create TOC Affordable Housing Incentive Program Guidelines (TOC Guidelines) for all Housing Developments located within a ½-mile (or 2,640-foot) radius of a Major Transit Stop. These Guidelines provide the eligibility standards, incentives, and other necessary components of the TOC Program consistent with LAMC 12.22-A,31.

A qualifying TOC Project shall be granted Base Incentives with regard to increased residential density, increased floor area ratio, and reduced automobile parking requirements. In addition to these Base Incentives, an eligible project may be granted Additional Incentives with regard to yards and setbacks, open space, lot coverage, lot width, averaging, density calculation, height, and developments in public facilities zones. Up to three (3) Additional Incentives may be granted in exchange for providing the requisite set aside of affordable housing as enumerated in the TOC Guidelines.

The proposed project is located less than 750 feet from a Major Transit Stop, the Metro D Line (Purple Line Extension) at Wilshire/ Fairfax Station intersection with the Metro 720 Rapid. As such, the project meets the TOC Tier 4 eligibility requirement for proximity to a Major Transit Stop. Furthermore, as the project will set aside at least 11% of the total number of units for Extremely Low Income Households and meets all other eligibility requirements of the TOC Affordable Housing Incentive Program, the project is entitled to the Base Incentives. In addition, as the project will set aside at least 11% of the base number of units for Extremely Low Income Households, the project is entitled to three (3) Additional Incentives. The applicant is requesting three (3) Additional Incentives.

Given the above, the proposed project includes the following Base and Additional Incentives for a qualifying Tier 4 Project:

Tier 4 Base Incentives:

- a. **Density:** The subject property is zoned C2-1-O and is limited to a maximum density of one (1) dwelling unit per 400 square feet of lot area. At 46,087 square feet in size, the property has a base density of 116 units (46,087 square feet of lot area divided by 400 square feet and rounded up). As an eligible Housing Development, the project is entitled for a 80 percent density increase for a maximum of 209 total units; 209 units are proposed.
- b. **Floor Area Ratio (FAR):** The subject property is zoned C2-1-O and limited to an FAR of 1.5 to 1. As an eligible Housing Development, the project is entitled to a percentage increase of up to 55%, or an FAR increase resulting in at least 4.25 to 1 FAR in commercial zones, whichever is greater. As proposed, the project has a maximum FAR of 4.25 to 1.
- c. **Parking:** Pursuant to LAMC Section 12.21-A,4, the proposed 209-unit project would be required to provide a total of 370 residential automobile parking spaces and 50 commercial automobile parking spaces, including 23 replacement commercial parking spaces for the existing Tom Bergin's restaurant and tavern building. As an Eligible Housing Development, the project shall not be required to provide parking for residential units, and

is eligible for a 40% reduction in required commercial spaces. As proposed, the project is providing 199 residential parking spaces and 40 commercial parking spaces for a total of 239 automobile parking spaces.

Tier 4 Additional Incentives:

Pursuant to the Transit Oriented Communities Affordable Housing Incentive Program Guidelines (TOC Guidelines), the Tier 4 Project is eligible for and has been granted three (3) Additional Incentives in order to construct the proposed project:

- a. **Side Yard.** Eligible Housing Developments in Commercial Zones may utilize any or all of the yard requirements for the RAS3 zone. The subject property is zoned C2-1-O and as proposed, the project will provide the rear yard and one side yard in compliance with the RAS3 Zone's side and rear yard requirements of five (5) feet.
- b. **Open Space.** Eligible Housing Developments in Tier 4 may decrease the required open space by up to 25%. Given the proposed unit mix, the project would be required to provide 24,050 square feet of open space. A 25% reduction would allow for a minimum of 18,038 square feet of open space. The project proposes to provide a total of 21,440 square feet of open space.
- c. **Transitional Height:** For Eligible Housing Developments in Tier 4, within the first 25 feet of the property line abutting or across the street or alley from the RW1 or more restrictive zone the building height limit shall be stepped-back at a 45 degree angle as measured from a horizontal plane originating 25 feet above grade at the property line of the adjoining lot in the more restrictive zone or Specific Plan subarea. The project proposes to comply with this transitional height requirement.

HOUSING REPLACEMENT

Pursuant to LAMC Section 12.22-A,31(b)(1), a Housing Development located within a Transit Oriented Communities (TOC) Affordable Housing Incentive Area shall be eligible for TOC Incentives if it meets any applicable replacement requirements of California Government Code Section 65915(c)(3) (California State Density Bonus Law).

Assembly Bill 2222 (AB 2222) amended the State Density Bonus Law to require applicants of density bonus projects filed as of January 1, 2015 to demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control; or occupied by Low or Very Low Income Households.

On September 28, 2016, Governor Brown signed Assembly Bill 2556 (AB 2556) which further amended the State Density Bonus Law. The amendments took effect on January 1, 2017. AB 2556 clarifies the implementation of the required replacement of affordable units in Density Bonus projects, first introduced by AB 2222. AB 2556 further defines "equivalent size" to mean that as a whole, the new units must contain at least the same total number of bedrooms as the units being replaced.

The Los Angeles Housing Department (LAHD) has determined, per the AB 2556 (TOC) Determination, dated September 23, 2019, that 40 units are subject to replacement under AB 2556, and that 28 units need to be replaced with equivalent type units, with 13 units restricted to Extremely Low Income Households, eight (8) units restricted to Very Low Income Households, and seven (7) units to Low Income Households. The twelve remaining units are subject to the City's Rent Stabilization Ordinance (RSO). The applicant will comply with these replacement obligations by providing 23 Extremely Low Income units and 5 Low Income units of equivalent type within the new project. Note that because the project's entitlement applications were filed and deemed complete prior to January 1, 2020, it is not subject to the replacement unit provisions of the Housing Crisis Act of 2019 (Government Code Section 66300 et seq.) as subsequently amended by Senate Bill 8.

TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM ELIGIBILITY REQUIREMENTS

To be an eligible Transit Oriented Communities (TOC) Housing Development, a project must meet the Eligibility criteria set forth in Section IV of the Transit Oriented Communities Affordable Housing Incentive Program Guidelines (TOC Guidelines). A Housing Development located within a TOC Affordable Housing Incentive Area shall be eligible for TOC Incentives if it meets all of the following requirements, **which it does**:

1. ***On-Site Restricted Affordable Units.*** *In each Tier, a Housing Development shall provide On-Site Restricted Affordable Units at a rate of at least the minimum percentages described below. The minimum number of On-Site Restricted Affordable Units shall be calculated based upon the total number of units in the final project.*
 - a. *Tier 1 - 8% of the total number of dwelling units shall be affordable to Extremely Low Income (ELI) income households, 11% of the total number of dwelling units shall be affordable to Very Low (VL) income households, or 20% of the total number of dwelling units shall be affordable to Lower Income households.*
 - b. *Tier 2 - 9% ELI, 12% VL or 21% Lower.*
 - c. *Tier 3 - 10% ELI, 14% VL or 23% Lower.*
 - d. *Tier 4 - 11% ELI, 15% VL or 25% Lower.*

The project site is located within a Tier 4 Transit Oriented Communities Affordable Housing Incentive Area. As part of the proposed development, the project is required to reserve a minimum of 11 percent of the total number of on-site dwelling units for Extremely Low Income Households. The project will reserve a total of 23 on-site dwelling units for Extremely Low Income Households, which is equivalent to 11 percent of the 209 total project units. In addition, pursuant to the Project's AB 2556 (TOC) Determination, an additional five (5) units will be reserved for Low Income Households. As such, the project meets the eligibility requirement for On-Site Restricted Affordable Units under both the TOC Guidelines and AB 2556.

2. ***Major Transit Stop.*** *A Housing Development shall be located on a lot, any portion of which must be located within 2,640 feet of a Major Transit Stop, as defined in Section II and according to the procedures in Section III.2 of the TOC Guidelines.*

As defined in the TOC Guidelines, a Major Transit Stop means a site with an existing rail transit station or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. The subject property is located within a Tier 4 TOC Affordable Housing Incentive

Area, qualified by its proximity, less than 750 feet, to a Major Transit Stop consisting of the intersection of the Metro D Line (Purple) Wilshire/Fairfax Station and the Metro Rapid 720.

3. **Housing Replacement.** *A Housing Development must meet any applicable housing replacement requirements of California Government Code Section 65915(c)(3), as verified by the Los Angeles Housing Department (LAHD) prior to the issuance of any building permit. Replacement housing units required per this section may also count towards other On-Site Restricted Affordable Units requirements.*

Pursuant to the Determination made by the Housing and Community Investment Department (HCIDLA) dated September 23, 2019, 40 units are subject to replacement under AB 2556. Consistent with AB 2556, HCIDLA has determined that 28 units need to be replaced with equivalent type, with 13 units restricted to Extremely Low Income Households, eight (8) units restricted to Very Low Income Households, and seven (7) units restricted to Low Income households. The remaining 12 units are required to be replaced in accordance with the City's Rent Stabilization Ordinance (RSO). The project is setting aside 28 units for restricted affordable housing, consisting of 23 restricted Extremely Low Income units and 5 restricted Low Income units. As such, the project meets the eligibility requirement for providing replacement housing consistent with California Government Code Section 65915(c)(3). Additionally, the 28 Extremely Low Income and Low Income units offered for restricted affordable housing are reflected in the Conditions of Approval. Refer to the Transit Oriented Communities Affordable Housing Incentive Program Background section of this determination for additional information.

4. **Other Density or Development Bonus Provisions.** *A Housing Development shall not seek and receive a density or development bonus under the provisions of California Government Code Section 65915 (state Density Bonus law) or any other State or local program that provides development bonuses. This includes any development bonus or other incentive granting additional residential units or floor area provided through a General Plan Amendment, Zone Change, Height District Change, or any affordable housing development bonus in a Transit Neighborhood Plan, Community Plan Implementation Overlay (CPIO), Specific Plan, or overlay district.*

There are no additional requests for density or development bonuses under the provisions of the State Density Bonus Law or any other State or local program that provides development bonuses, including, but not limited to a General Plan Amendment, Zone Change, Height District Change, or any affordable housing development bonus in a Transit Neighborhood Plan, Community Implementation Overlay (CPIO), Specific Plan, or overlay district. Therefore, the project meets this eligibility requirement.

5. **Base Incentives and Additional Incentives.** *All Eligible Housing Developments are eligible to receive the Base Incentives listed in Section VI of the TOC Guidelines. Up to three Additional Incentives listed in Section VII of the TOC Guidelines may be granted based upon the affordability requirements described below. For the purposes of this section below "base units" refers to the maximum allowable density allowed by the zoning, prior to any density increase provided through these Guidelines. The affordable housing units required per this section may also count towards the On-Site Restricted Affordable Units requirement in Section IV.1 above (except Moderate Income units).*

- a. *One Additional Incentive may be granted for projects that include at least 4% of the base units for Extremely Low Income Households, at least 5% of the base*

units for Very Low Income Households, at least 10% of the base units for Lower Income Households, or at least 10% of the base units for persons and families of Moderate Income in a common interest development.

- b. Two Additional Incentives may be granted for projects that include at least 7% of the base units for Extremely Low Income Households, at least 10% of the base units for Very Low Income Households, at least 20% of the base units for Lower Income Households, or at least 20% of the base units for persons and families of Moderate Income in a common interest development.*
- c. Three Additional Incentives may be granted for projects that include at least 11% of the base units for Extremely Low Income Households, at least 15% of the base units for Very Low Income Households, at least 30% of the base units for Lower Income Households, or at least 30% of the base units for persons and families of Moderate Income in a common interest development.*

As an Eligible Housing Development, the project is entitled to receive the Base Incentives listed in the TOC Guidelines. The project may be granted three (3) Additional Incentives for reserving at least 11% of the base units for Extremely Low Income Households. Base units are the maximum allowable density allowed by the zone (rounded up, prior to any requests for increase in density provided by the Guidelines). The subject site is zoned C2-1-O and has a base density of 116 units. The project is setting aside 23 units for Extremely Low Income Households, which equates to more than 11% of the 116 unit base density. The project is requesting three (3) Additional Incentives, for the use of the side and rear yard requirements of RAS3 Zone, a decrease in open space and transitional height.

6. **Projects Adhering to Labor Standards.** *Projects that adhere to the labor standards required in LAMC 11.5.11 may be granted two Additional Incentives from the menu in Section VII of these Guidelines (for a total of up to five Additional Incentives).*

The project is not seeking Additional Incentives beyond the three (3) requested as a means of reserving at least 11% of the base units for Extremely Low Income Households. Therefore, the project is not required to adhere to the labor standards required in LAMC Section 11.5.11; this eligibility requirement does not apply.

7. **Multiple Lots.** *A building that crosses one or more lots may request the TOC Incentives that correspond to the lot with the highest Tier permitted by Section III above.*

The proposed building crosses two (2) lots; one within Tier 4 and one within Tier 3 of the Transit Oriented Communities Affordable Housing Incentive Area. The project requests Tier 4 Incentives which is the lot with the highest Tier.

8. **Request for a Lower Tier.** *Even though an applicant may be eligible for a certain Tier, they may choose to select a Lower Tier by providing the percentage of On-Site Restricted Affordable Housing units required for any lower Tier and be limited to the Incentives available for the lower Tier.*

The applicant has not selected a Lower Tier and is not providing the percentage of On-Site Restricted Affordable Housing units required for any lower Tier. Therefore, this eligibility requirement does not apply.

9. **100% Affordable Housing Projects.** *Buildings that are Eligible Housing Developments that consist of 100% On-Site Restricted Affordable units, exclusive of a building manager's unit or units shall, for purposes of these Guidelines, be eligible for one increase in Tier than otherwise would be provided.*

The project does not consist of 100 percent On-Site Restricted Affordable units. It is not eligible for or seeking an increase in Tier. As such, this eligibility requirement does not apply.

TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM /AFFORDABLE HOUSING INCENTIVES COMPLIANCE FINDINGS

Pursuant to LAMC Section 12.22-A,31(e), the Director of Planning shall review a Transit Oriented Communities Affordable Housing Incentive Program project application in accordance with the procedures outlined in LAMC Section 12.22-A,25(g), and shall approve a density bonus and requested incentives unless the Director finds that:

1. **The Incentive does not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.**

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

No substantial evidence has been entered into the record indicating that any of the requested Incentives do not result in identifiable and actual cost reductions to provide for the project's affordable housing costs (as defined in California Health and Safety Code Sections 50052.5 or 50053) and/or accommodate the restricted extremely low income unit rents.

Additionally, the list of Additional Incentives in the Transit Oriented Communities Guidelines were pre-evaluated at the time the Transit Oriented Communities Affordable Housing Incentive Program Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the Additional Incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project.

RAS3 Yards. The requested reduction in yards/setbacks is expressed in the Menu of Incentives in the Transit Oriented Communities Guidelines. Eligible Housing Developments located within a commercial zone can use any or all of the yard requirements of the RAS3 Zone. In this case, the project is utilizing the RAS3 yard requirements for one side yard setback and the rear yard setback of 5-feet. The requested incentive allows the developer to achieve an expanded building envelope, which facilitates the creation of more total residential square footage.

Open Space. The requested incentive for a 25 percent reduction in the required amount of open space is expressed in the Menu of Incentives in the TOC Guidelines which permit exceptions to zoning requirements that result in building design or construction efficiencies that facilitate the creation of affordable housing. The requested incentive allows the developer to utilize more of the total building square footage for residential units, which facilitates the creation of more affordable units, while remaining in compliance with all other applicable zoning regulations.

Transitional Height. As required, within the first 25 feet of the property line abutting or across the street or alley from the RW1 or more restrictive zone the building height limit shall be stepped-back at a 45 degree angle as measured from a horizontal plane originating 25 feet above grade at the property line of the adjoining lot in the more restrictive zone or Specific Plan subarea. The requested incentive allows the developer to achieve an expanded building envelope and a corresponding increase in total building square footage for residential units.

Therefore, the requested Additional Incentives are necessary to provide for affordable housing costs.

2. **The Incentive will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.**

There has been no evidence provided that indicated that the proposed incentives will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)).

The project's potential to impact existing or potential historic resources has been fully examined in the Sustainable Communities Environmental Assessment (SCEA) prepared for the project pursuant to the California Environmental Quality Act (CEQA) Guidelines and the City's L.A. CEQA Thresholds Guide. As set forth in the SCEA, which is fully adopted and final, the site's existing apartment buildings are not eligible to be designated as historical resources, and while the existing Tom Bergin's restaurant and tavern building is a locally designated historic-cultural monument, the development and operation of the project will not alter this resource's eligibility. Furthermore, the development and operation of the project will not result in any direct or indirect impacts to the continued historic eligibility of the Carthay Circle Historic Preservation Overlay Zone (HPOZ) located to the west of the site, or to the Miracle Mile HPOZ located to the east of the site. Furthermore, the site is not located on a substandard street in a Hillside area and is not located in an Alquist-Priolo Fault Zone, Liquefaction Zone, a Special Grading Area, or a Very High Fire Hazard Severity Zone. The site is located within a City-designated Methane Zone, within which prescriptive design measures must be implemented for all new development projects, as mandated during the City's building permit and plan check process, to ensure no methane-related hazards occur. Therefore, there is no substantial evidence that the

proposed project, and thus the requested Incentives, will have a specific adverse impact on the physical environment, on public health and safety or the physical environment, or on any Historical Resource. Based on the above, there is no basis to deny the requested Incentives.

3. The Incentives are contrary to State or Federal law.

There is no substantial evidence in the record indicating that the requested Incentives are contrary to any State or federal laws.

SITE PLAN REVIEW FINDINGS

4. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.

The Los Angeles General Plan sets forth goals, objectives, and policies that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, but not limited to, Land Use, Housing, Transportation/Mobility, Noise, and Safety. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City. While the General Plan sets out a long-range vision and guide to future development, the 35 Community Plans provide the specific, neighborhood-level detail, relevant policies, and implementation strategies necessary to achieve the General Plan objectives. The project site is located in the Wilshire Community Plan area and is not subject to any applicable specific plans.

Wilshire Community Plan

The Wilshire Community Plan was adopted by the City Council in 2001. The Community Plan's purpose is to enhance neighborhood characteristics while providing housing opportunities, improving commercial areas preserving community identity, development around transit, providing economic base, and improving the quality of the built environment. The Land Use Designations and corresponding zones in the Community Plan are implemented through zoning regulations in the Los Angeles Municipal Code (LAMC) including applicable ordinances that are codified in the LAMC.

Goal 1 *Provide a safe, secure, and high-quality residential environment for all economic, age, and ethnic segments of the Wilshire community.*

Objective 1-1 *Provide for the preservation of existing quality housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area to the year 2010.*

Policy 1-1.3 *Provide for adequate multi-family residential development.*

Objective 1-2 Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.

Policy 1-2.1 Encourage higher density residential uses near major public transportation centers.

Objective 1-3 Preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.

Development of a mixed-use building with 209 dwelling units, including 28 affordable units reserved for Extremely Low Income and Low Income Households, increases the housing stock and promotes greater individual choice in new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area. The 209-unit project, with 2,653 square feet of ground floor commercial space, as a higher density residential use, will be located within a ¼ mile of a Major Transit Stop and thereby reducing the need for vehicular trips and congestion. The project will be compatible with the surrounding multi-family residential and commercial developments. Therefore, the project is consistent with the Wilshire Community Plan.

The **Framework Element** for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives and policies relevant to the instant request:

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more livable city.

Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Policy 3.1.4: Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram.

Objective 3.2: Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.

Policy 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by

considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

Policy 3.2.2: Establish, through the Framework Long-Range Land Use Diagram, community plans, and other implementing tools, patterns and types of development that improve the integration of housing with commercial uses and the integration of public services and various densities of residential development within neighborhoods at appropriate locations.

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

The proposed project will result in the development of a mixed-use building that will provide 209 dwelling units, including 28 restricted affordable units reserved for Extremely Low Income and Low Income Households, and 2,653 square feet of ground floor commercial space, thereby contributing toward and facilitating the City's long-term economic viability and vision for a more livable city.

The project site is zoned C2-1-O with a Community Commercial land use designation. The project is proper in relation to its proximity to regional transit services (within 750 feet of the intersection of the Metro D Line Extension rail line and Metro Rapid 720 bus line). With this project, the project achieves the City's housing needs and relieves pressure on existing stable residential neighborhoods. The approval of the project allows for more intense use of the subject property providing residential units and commercial uses within close proximity to transit and thereby reducing vehicular trips to the property.

Therefore, the proposed mixed-use building is consistent with the Distribution of Land Use goals, objectives and policies of the General Plan Framework Element.

The **Housing Element** is the City's blueprint for meeting housing and growth challenges. It identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City. The Housing Element includes the following objectives and policies relevant to the instant request:

Goal 1: Housing Production and Preservation.

Objective 1.1: Forecast and plan for existing and projected housing needs over time with the intention of furthering Citywide Housing Priorities.

Policy 1.1.3: Account for existing housing needs when planning for future development by conducting analysis to develop and incorporate a buffer above household projections.

Objective 1.3: Promote a more equitable distribution of affordable housing opportunities throughout the city, with a focus on increasing Affordable Housing in Higher Opportunity Areas and in ways that further Citywide Housing Priorities.

Policy 1.3.1: Prioritize housing capacity, resources, policies and incentives to include Affordable Housing in residential development, particularly near transit, jobs, and in Higher Opportunity Areas.

The proposed project implements the Housing Element by increasing the housing supply. The site encompasses two (2) parcels developed with a commercial building and multi-family residential buildings. The project proposes to demolish the existing apartment buildings and surface parking lot on these two (2) contiguous lots while retaining the existing commercial building (Tom Bergin's restaurant and tavern). The approval of the request would permit 209 units and a commercial space through the TOC process with 28 restricted affordable units set aside for Extremely Low Income and Low Income Households. The project would achieve the production of new housing opportunities, meeting the needs of the city, while ensuring a range of different housing types (one-, two- and three-bedroom rental units) that address the needs of the city's households. Therefore, the project is consistent with the Housing Element goals, objectives and policies of the General Plan.

The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Fairfax Avenue, abutting the property to the west, is designated an Avenue II, dedicated to a right-of-way width of 86 feet and improved with asphalt roadway, curb, gutter, and concrete sidewalks.

The project as designed will support the development of these Networks and meets the following goals and objectives of Mobility Plan 2035:

Policy 2.3: Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

Vehicular access to the project site will be provided via two (2) two-way driveways; one (1) along Fairfax Avenue and one (1) along 8th Street.

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Policy 3.7: Improve transit access and service to major regional destinations, job centers, and inter-modal facilities.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The project's proximity to existing regional transit services will reduce vehicular trips to and from the project, vehicle miles traveled, and will contribute to the improvement of air quality. The adjacency of the regional transit services along with the creation of 209 dwelling units and a commercial space, ties the proposed project into a regional network of transit and housing.

Policy 5.4 Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, the project shall comply with LAMC Sections 99.04.106 and 99.05.106.

In addition, the project will provide a total of 130 long-term and 16 short-term bicycle parking spaces in areas located within the parking garage to provide bicyclists with convenient, secure and well-maintained bicycle parking facilities. Therefore, the project is consistent with Mobility Plan 2035 goals, objectives and policies of the General Plan.

The **Air Quality Element** of the General Plan will be implemented by the recommended action herein. The Air Quality Element sets forth the goals, objectives and policies which will guide the City in the implementation of its air quality improvement programs and strategies. The Air Quality Element recognizes that air quality strategies must be integrated into land use decisions and represent the City's effort to achieve consistency with regional Air Quality, Growth Management, Mobility and Congestion Management Plans. The Air Quality Element includes the following Goal and Objective relevant to the request:

Goal 5 Energy efficiency through land use and transportation planning, the use of renewable resources and less polluting fuels, and the implementation of conservation measures including passive methods such as site orientation and tree planting.

Objective 5.1: It is the objective of the City of Los Angeles to increase energy efficiency of City facilities and private developments.

As conditioned, the project shall comply with LAMC Sections 99.04.211.1 and 99.05.211.1. Therefore, the project is in conformance with the goals and policies of the Air Quality Element.

Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan and does not conflict with any applicable regulations or standards.

5. **The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that is or will be compatible with existing and future development on adjacent properties and neighboring properties.**

The subject property is a flat, 46,087 square-foot site comprised of two (2) parcels with a frontage of approximately 360 feet along Fairfax Avenue to the west and 123 feet along

8th Street to the north. The subject property is currently improved with a two apartment buildings and parking lot, as well as the Tom Bergin's restaurant and tavern building.

Surrounding properties are developed with commercial and residential uses. The property to the north and across 8th street, is zoned PB-2 and improved with the Peterson Automotive Museum. The properties to east, are zoned R3-1-O and improved with multi-family residential buildings. The property to the south, C2-1 and improved with the Shalhevet School. The properties to the west and across Fairfax Avenue are zoned R1-1-O-HPOZ and improved with single-family residences.

The proposed project is the construction, use, and maintenance of a new, eight-story, approximately 196,000 square-foot mixed-use building with 209 dwelling units, including 23 units set aside for Extremely Low Income Households and five (5) units set aside for Low Income Households, as well as a 2,653 square-foot commercial tenant space. The building will be constructed with one (1) level of subterranean level parking, ground level parking along with a commercial space, a second level parking and six (6) residential levels above. The project includes 95 one-bedroom units, 108 two-bedroom units, six (6) three-bedroom units and 18,356 square feet of open space for residents.

The project will provide a total of 239 automobile parking spaces; 199 residential and 40 commercial. Additionally, there will be 16 short-term and 130 long-term bicycle parking spaces. Vehicular access to the site is provided via two (2) two-way driveways along South Fairfax Avenue and West 8th Street.

Height, Bulk, and Setbacks

The proposed project is for an eight-story, approximately 93-foot and 2-inch tall mixed-use building, with a total of 209 residential units and a 2,653 square-foot commercial space. The apparent bulk of the structure is minimized by a third level pool court and courtyards that break the massing of the building as seen along Fairfax Avenue. Changes in material, and articulation serve to reduce the visual mass of the structure, highlighting individual sections of the building and adding to the aesthetic appeal of the façade. The project incorporates architectural details including use of balconies, differing building materials, and fenestration.

The new building will observe a similar footprint of the existing residential structures. The requested incentives will allow for an increase in the buildable area of the parcel so units reserved for Extremely Low Income and Low Income Households can be constructed and the overall space dedicated to residential uses can be increased. Thus, the incentives support the applicant's decision to reserve 28 affordable units (23 units for Extremely Low Income Households and five (5) units for Low Income Households) with the remaining 181 units to be rented as market-rate units, for a total of 209 units. Therefore, the height, bulk, and setbacks of project are consistent with existing development in the immediate surrounding area. Therefore, the project will be compatible with the existing and future developments in the neighborhood.

Parking

The project will provide a total of 239 automobile parking spaces; 199 residential and 40 commercial. There will be a total of 146 bicycle parking spaces; 130 long-term bicycle parking spaces and 16 short-term bicycle parking spaces. All parking will be located within the second, an at-grade and one subterranean level.

The proposed parking is located within the building and therefore will not be visible from the public right-of-way. Vehicular ingress and egress for the parking will be located along Fairfax Avenue and 8th Street. Therefore, the parking facilities will be compatible with the existing and future development in the neighborhood.

Lighting

Lighting is required to be provided per LAMC requirements. The project proposes security lighting will be provided to illuminate the street level. The project is required to provide outdoor lighting with shielding, so that the light source cannot be seen from adjacent residential properties. Therefore, the lighting will be compatible with the existing and future developments in the neighborhood.

On-Site Landscaping

The project will provide approximately 21,440 square feet total of open space, which includes a ground level lounge and courtyard, second level library, gym, media room, third level courtyards, recreation room and pools, and eighth level terrace and recreation room. The proposed project also includes 8,600 square feet of private balconies. The project has been conditioned so that all open areas not used for buildings, driveways, parking areas. Recreational facilities or walks will be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect. The planting of any required trees and street trees will be selected and installed per the Bureau of Street Services, Urban Forestry Divisions' requirements. Therefore, the on-site landscaping will be compatible with the existing and future developments in the neighborhood.

Loading/Trash Area

The development is not required to provide a loading area pursuant to LAMC Section 12.21-C,6.

The project will include on-site trash collection for both refuse and recyclable materials, in conformance with the LAMC. Compliance with these regulations will allow the project to be compatible with existing and future development. The service area for trash and recycling collection will be conditioned to be located at the ground level and accessible from the parking area. Therefore, as proposed and conditioned, the project is compatible with existing and future development on neighboring properties.

As described above and as depicted within the plans and elevations submitted with the application, the project consists of a eight-story, mixed-use building, with parking on-site for residents, lighting, landscaping, trash collection, and other pertinent improvements, that is compatible with existing and future development in the surrounding area.

6. Any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

The project proposes provide a variety of unit types which includes: 95 one-bedroom units, 108 two-bedroom units, and six three-bedroom units. With the utilization of the Additional Incentive for Open Space as discussed above, the project would be required to provide 18,038 square feet of open space and pursuant to LAMC Section 12.21-A,16, the project

would be required to provide 146 total bicycle parking spaces. The project will provide 21,440 square feet of open space and 146 bicycle parking spaces; 16 short-term and 130 long-term.

The project will provide 21,440 square feet of open space; distributed between common areas on the ground through third levels, and eighth level. The remaining open space will be provided by private balconies throughout the building. All common open space areas will be landscaped. The pool outdoor amenity is oriented towards the street and away from the neighboring residential properties to the east. As proposed, the project would provide recreational and service amenities which would improve habitability for its residents and minimize impacts on neighboring properties.

ENVIRONMENTAL FINDINGS

7. **SCEA.** Pursuant to Public Resources Code (PRC) Section 21155.2, on May 16, 2023, the City Council found, after consideration of the whole of the administrative record, including the SB 375 Sustainable Communities Environmental Assessment, No. ENV-2019-7300-SCEA (“SCEA”), and all comments received, after imposition of all mitigation measures that:
 - a. There is no substantial evidence that the Project will have a significant effect on the environment.
 - b. The City Council held a hearing on April 18, 2023 for adoption of the SCEA pursuant to PRC Section 21155.2(b).
 - c. The Project is a transit priority project pursuant to PRC Section 21155, and the Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in prior Environmental Impact Report(s) (EIR), including the Southern California Association of Governments’ (SCAG) 2016-2040 2 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) and 2020-2045 RTP/SCS Program EIRs.
 - d. All potentially significant effects required to be identified and analyzed pursuant to the California Environmental Quality Act (CEQA) in the initial study have been identified and analyzed in the SCEA.
 - e. With respect to each significant effect on the environment required to be identified in the initial study for the SCEA, changes or alterations have been required in or incorporated into the Project that avoid or mitigate the significant effects to a level of insignificance or those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
 - f. The SCEA reflects the independent judgment and analysis of the City.
 - g. The mitigation measures have been made enforceable conditions on the Project.
 - h. The proposed project contains more than 50% residential; provides a minimum net density greater than 20 units an acre; and is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan.
 - i. The proposed project is a residential or mixed-use project as defined by Public Resources Code Section 21159.28(d).
 - j. The Project complies with the requirements of the CEQA for using the SCEA as authorized pursuant to PRC Section 21155.2(b).

In consideration of the above findings, the City Council adopted the SCEA and MMP prepared for the SCEA, including the Environmental Findings.

ADDITIONAL MANDATORY FINDINGS

8. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is not located in a flood zone.

TRANSIT ORIENTED COMMUNITIES AFFORDABLE HOUSING INCENTIVE PROGRAM BACKGROUND

Measure JJJ was adopted by the Los Angeles City Council on December 13, 2016. Section 6 of the Measure instructed the Department of City Planning to create the Transit Oriented Communities (TOC) Affordable Housing Incentive Program, a transit-based affordable housing incentive program. The measure required that the Department adopt a set of TOC Guidelines, which establish incentives for residential or mixed-use projects located within ½ mile of a major transit stop. Major transit stops are defined under existing State law.

The TOC Guidelines, adopted September 22, 2017, establish a tier-based system with varying development bonuses and incentives based on a project's distance from different types of transit. The largest bonuses are reserved for those areas in the closest proximity to significant rail stops or the intersection of major bus rapid transit lines. Required affordability levels are increased incrementally in each higher tier. The incentives provided in the TOC Guidelines describe the range of bonuses from particular zoning standards that applicants may select.

TIME LIMIT – OBSERVANCE OF CONDITIONS

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. Pursuant to LAMC Section 12.25-A,2, the instant authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles, West Los Angeles Development Services Center, or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077, (310) 231-2901, (818) 374-5050, or through the Department of City Planning website at <http://cityplanning.lacity.org>. The applicant is further advised to notify any consultant representing you of this requirement as well.

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a

misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction. Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment.”

TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

APPEAL PERIOD - EFFECTIVE DATE

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

This determination will become effective after the end of appeal period date on the first page of this document, unless an appeal is filed with the Department of City Planning. An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment.

An appeal may be filed utilizing the following options:

Online Application System (OAS): The OAS (<https://planning.lacity.org/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning’s DSC, and submit fee payment by credit card or e-check.

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

Metro DSC
(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012
planning.figcounter@lacity.org

Van Nuys DSC
(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401
planning.mbc2@lacity.org

West Los Angeles DSC
(CURRENTLY CLOSED)
(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025
planning.westla@lacity.org

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Verification of condition compliance with building plans and/or building permit applications are done at the City Planning Metro or Valley DSC locations. An in-person or virtual appointment for Condition Clearance can be made through the City's [BuildLA](https://www.lacity.org/buildla) portal (appointments.lacity.org). The applicant is further advised to notify any consultant representing you of this requirement as well.



QR Code to
Online Appeal
Filing



QR Code to Forms for In-
Person Appeal Filing



QR Code to BuildLA Appointment Portal
for Condition Clearance

Only an applicant or any owner or tenant of a property abutting, across the street or alley from, or having a common corner with the subject property can appeal the Transit Oriented Communities/Density Bonus Compliance Review Determination. Per the Density Bonus Provision of State Law (Government Code Section 65915), the Density Bonus increase in units above the base density limits per the underlying zone(s) and the appurtenant parking reductions are not a discretionary action and therefore cannot be appealed. Only the requested incentives are appealable. Per LAMC Sections 12.22 A.25 and 12.22 A.31, appeals of Density Bonus Compliance Review and Transit Oriented Communities cases with the Director of Planning or Zoning Administrator as the initial decision maker are heard by the City Planning Commission.

Vincent P. Bertoni, AICP
Director of Planning

Approved by:



Heather Bleemers, Senior City Planner

Prepared by:

Alexander Truong

Alex Truong, City Planner
alexander.truong@lacity.org

EXHIBIT C

Approved Project Plans

800 SOUTH FAIRFAX AVE

EXHIBIT "A"
Page No. 1 of 26
Case No. DIR-2019-7299-TOC-SPR

NEW 100% PRIVATELY FUNDED MIXED USE PROJECT CONSISTING OF 209 RESIDENTIAL UNITS OVER THREE LEVELS OF GARAGE AND 2,653 SF OF COMMERCIAL SPACE, IN ACCORDANCE WITH THE TIER4 OF THE T.O.C. ORDINANCE REQUIREMENTS. EXISTING TOM BEGIN'S RESTAURANT TO REMAIN - NO CHANGE TO EXISTING BUILDING OR USE IS PROPOSED.

PROJECT INFORMATION:

ADDRESS: 800-840 S FAIRFAX AVE, LOS ANGELES, CA 90036
ZONING: ZONE C2-1-0
APN: 5086008010, 5086008012
LOT AREA: AREA FOR A.P.N. 5086-008-010: 33,505.01 SQ. FT. OR 0.7692 ACRES
 AREA FOR A.P.N. 5086-008-012: 12,582.55 SQ. FT. OR 0.2889 ACRES
EXISTING USES: MULTI-FAMILY (21 + 19 UNITS)
 COMMERCIAL (3,829 SF RESTAURANT)
PROPOSED USES: MIXED USE BUILDING CONSISTING OF 209 RESIDENTIAL UNITS + 2,500 SF OF COMMERCIAL SPACE
 EXISTING 3,829 SF RESTAURANT WILL REMAIN.
TOC BASE INCENTIVES: DENSITY (80% INCREASE PER T.O.C. TIER 4)
 FLOOR AREA RATIO (4.25:1 PER T.O.C. TIER 4 IN COMMERCIAL LOTS)
 PARKING (40% REDUCTION ON NON-RESIDENTIAL PARKING REQUIRED)
ON-MENU INCENTIVES: YARD REDUCTION (USE OF RAS3 SETBACKS PER LAMC 12.10.5 IN COMMERCIAL ZONES)
 OPEN SPACE (UP TO A 25% DECREASE IN REQUIRED OPEN SPACE FOR TOC TIERS 3 & 4)
 TRANSITIONAL HEIGHT IN LIEU OF REGULATIONS SET FORTH IN LAMC 12.21.1 A.10

SIDE	TYPE	REQUIRED	PROVIDED
FRONT (8TH ST)	COMMERCIAL	0'-0"	0'-0"
SIDE-FAIRFAX	COMMERCIAL	0'-0"	0'-0"
SIDE-EAST	RAS 3	5'-0"	5'-0"
REAR - SOUTH	RAS 3	5'-0"	4.3'-10"

LEVEL	RESIDENTIAL		COMMERCIAL		GARAGE, STORAGE, MECHANICAL
	EXISTING	PROPOSED	EXISTING	PROPOSED	
P-1 FLOOR					24,816.40
1ST FLOOR	2,295.77	3,829.00	2,653.28		29,157.35
2ND FLOOR	5,468.21				25,905.90
3RD FLOOR	30,117.98				-
4TH FLOOR	30,570.24				-
5TH FLOOR	30,478.27				-
6TH FLOOR	30,478.27				-
7TH FLOOR	30,515.24				-
8TH FLOOR	29,465.88				-
TOTAL	189,389.85		6,482.28		
		195,872.13			79,879.65

ALLOWABLE F.A.R.: BUILDABLE AREA @ C2 LOTS: 100% OF LOT AREA: 33,505.01 SF + 12,582.55 SF = 46,087.56
 46,087.56 SF x 4.25 (PER TOC, TIER 4) = 195,872.13 SF

PROPOSED F.A.R.: 195,872 SF (4.25% F.A.R.)
HEIGHT: ALLOWABLE: UNLIMITED
OF STORIES: ALLOWABLE: UNLIMITED
 PROPOSED: 93'-2"
 PROPOSED: 8 STORIES ABOVE GRADE + 1 SUBTERRANEAN

SPECIFIC PLAN: NONE

ZONE:	BASE DENSITY:	DENSITY INCREASE PER T.O.C. TIER 4=80%
C2-1	46,087.56 / 400 = 115.2 UNITS->118	116 UNITS X 80% = 208.8->209 UNITS

FLOOR	1 BEDROOM	2 BEDROOM	3 BEDROOM	TOTAL
1ST				
2ND				
3RD	12	17	2	31
4TH	17	17	2	36
5TH	16	19	0	35
6TH	16	16	2	34
7TH	17	19	0	36
8TH	13	20	0	33
SUB-TOTAL	95	108	6	209
TOTAL				209

LOT COVERAGE: LOT SIZE (AFTER DEDICATION) 44,601.78 SF 100%
 AREA OF EXISTING AND PROPOSED BUILDINGS 39,050.16 SF 87.5%
 HARDSCAPE 3,339.80 SF 7.50%
 LANDSCAPE 2,212.00 SF 5.00%

TREES: REQUIRED: (1/500 OF LANDSCAPE AREA PER GUIDELINES 'C', 12.42 C LAMC)
 2,212SF/500 = 5
 1/4 RESIDENTIAL UNITS PER LAMC 12.21.G.2 (a) (3) : 209/4= 52.25 -> 53
 PROVIDED: 56 TOTAL - SEE A2.2 LANDSCAPE PLAN

OCCUPANCY: P-1 FLOOR S-2
 1ST FLOOR S-2, M & R-2
 2ND FLOOR S-2 R-2
 3RD THROUGH 8TH R-2

PARKING: REQUIRED (TOC - TIER 4):
 COMMERCIAL: 1/100 SF -> 2,653 SF/100 = 27-10 (40% REDUCTION) = 17 CARS REQUIRED
 RESIDENTIAL: 0 PER UNIT -> 209 UNITS x 0 = 0 CARS REQUIRED
 TOM BEGIN'S REPLACEMENT PARKING: EXISTING=23 PROPOSED= 23 CARS REQUIRED
 TOTAL: 40 CARS REQUIRED

	RESIDENTIAL				COMMERCIAL			
	STANDARD	COMPACT	ADA	EV	STANDARD	COMPACT	ADA	EV
P-1 PARKING	5	62	2	0	5	0	0	1
1ST FLOOR	0	49	1	1	11	15	2	1
2ND FLOOR	3	64	2	10	4	1	0	0
SUBTOTAL	8	175	5	11	20	16	2	2
			199				40	
TOTAL				239				

EV STALLS: 5% OF TOTAL PARKING SPACES: 40x.05=2; 199x.05=10; -> 12 EVs

BIKE RACK CALCULATION:

	REQUIRED:		PROVIDED:	
	SHORT TERM:	LONG TERM:	SHORT TERM:	LONG TERM:
BUILDING A: 1/2 UNITS:138/2= 69	RESIDENTIAL: 1-25: 1 PER 10U= 3 26-100: 1 PER 15U= 5 101-200: 1 PER 20U= 5 201 UP: 1 PER 40U= 1 TOTAL 14	1-25: 1 PER U= 25 26-100: 1 PER 1.5U=50 101-200: 1 PER 2U= 50 201 UP: 1 PER 4U= 3 TOTAL 128	14	128
BUILDING B: 1/1.5 UNITS:49/1.5= 33	RETAIL: 1/2,000 SF (MIN.2)= 2	1/2,000 SF (MIN.2)= 2	2	2
			16	130

OPEN SPACE: OPEN SPACE REQUIRED:
 UNITS WITH LESS THAN 3 HABITABLE ROOMS: 100 95 9,500 SF
 UNITS WITH THREE HABITABLE ROOMS: 125 108 13,500 SF
 UNITS WITH MORE THAN 3 HABITABLE ROOMS: 175 6 1,050 SF
 TOTAL 24,050 SF

OPEN SPACE REDUCTION PER T.O.C. ORDINANCE, TIER III & IV: 25%
 24,050 SF x .75 = 18,037.55 SF

OPEN SPACE PROVIDED:
 PRIVATE: 172 50 SF OR LARGER, 6'x6' MIN. CLR. BALCONIES: 8,600.0 SF
 COMMON OPEN SPACE: 6,827.7 SF
 COMMON ENCLOSED (UP TO 25% OF REQD' OPEN SPACE= 6,012.5 SF): 6,012.5 SF
 TOTAL OPEN SPACE: 21,440.2 SF

LANDSCAPE:
 REQUIRED: 25% OF PROPOSED COMMON OPEN SPACE= 6,827.7 SF x .25 = 1,706.95 SF
 PROPOSED: 1,707 SF

PROJECT RENDERING:



OWNER/CONSULTANTS

OWNER: 830 FAIRFAX OWNER II, LLC ?
 3960 HOWARD HUGHES PARKWAY,
 SUITE 150
 LAS VEGAS, NEVADA 89169

LANDSCAPE ARCHITECT: T.B.D.

ARCHITECT: REED ARCHITECTURAL GROUP
 657 ROSE AVE.
 VENICE, CA 90291
 TEL: (310) 393-9128

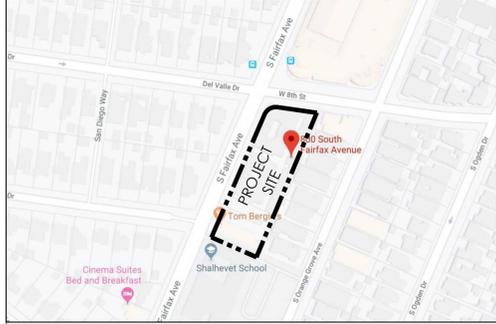
SURVEYOR: JACK LITTLE SURVEYING COMPANY, INC
 LICENSED LAND SURVEYORS
 17620 SHERMAN WAY, SUITE 218
 VAN NUYS, CA 91406
 PHONE: (818) 342-3277

SOILS ENGINEER: APPLIED EARTH SCIENCES
 4742 SAN FERNANDO BLVD.
 GLENDALE, CA 91204
 PHONE: (618) 552-6000

SHEET INDEX:

A1.0	COVERSHEET	A4.1	BUILDING A ELEVATIONS
A1.1	RENDERING	A4.2	BUILDING A ELEVATIONS
A1.2	RENDERING	A4.3	BUILDING A ELEVATIONS
A1.3	RENDERING	A5.1	SECTION A-A
		A5.2	SECTION B-B
C-1	SURVEY	A6.1	PHOTO MAP
A2.1	SITE PLAN	A6.2	CONTEXTUAL PHOTOS
A2.2	LANDSCAPE PLAN	A6.3	CONTEXTUAL PHOTOS
		A6.4	CONTEXTUAL PHOTOS
A3.1	P-1 PARKING		
A3.2	1ST FLOOR PLAN		
A3.3	2ND FLOOR PLAN		
A3.4	3RD FLOOR PLAN		
A3.5	4TH FLOOR PLAN		
A3.6	5TH FLOOR PLAN		
A3.7	6TH FLOOR PLAN		
A3.8	7TH FLOOR PLAN		
A3.9	8TH FLOOR PLAN		
A3.10	ROOF PLAN		

VICINITY MAP:



800 S. FAIRFAX AVE.

REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION	COVERSHEET A1.0
07-17-19	PARKING SCHEMES	10-17-19	UPDATED DRAWINGS	
07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS	
08-21-19	REVISED UNIT MIX	09-01-23	UPDATED DRAWINGS	
08-23-19	PROGRESS DRAWINGS			
09-27-19	PROGRESS DRAWINGS			
10-01-19	MEETING			
10-03-19	DESIGN CHANGES			





REED ARCHITECTURAL GROUP, INC

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www.reedarchgroup.com



LEGEND

- AC ASPHALTIC CONCRETE
- BPW BRICK PLANTER WALL
- BRPW BRICK RETAINING PLANTER WALL
- CBW CONCRETE BLOCK WALL
- C.E.F.B. CITY ENGINEER FIELD BOOK
- CL CENTERLINE
- CONC CONCRETE
- COND CONDUIT
- CTV/PB CABLE TELEVISION PULL-BOX
- DC DEPRESSED CURB
- EG EDGE OF GUTTER
- ELEV ELEVATION
- EMH ELECTRIC MANHOLE
- FD FOUND
- FH FIRE HYDRANT
- FL FLOW LINE
- FSCV FIRE SPRINKLER CONTROL VALVE
- GM GAS METER
- GV GAS VALVE
- MH MANHOLE (USE UNKNOWN)
- P.L. PROPERTY LINE
- PROD. PRODUCED
- RET RETAINING
- SD STORM DRAIN
- SDMH STORM DRAIN MANHOLE
- SLPB STREET LIGHT PULL BOX
- SMH SEWER MANHOLE
- SS SANITARY SEWER
- STA STATION
- TC TOP OF CURB
- TMH TELEPHONE MANHOLE
- TSPB TRAFFIC SIGNAL PULL BOX
- CTV/PB CABLE TELEVISION PULL BOX
- TW TOP OF WALL
- UTB UTILITY BOX (USE UNKNOWN)
- UTV UTILITY VALVE (USE UNKNOWN)
- WM WATER METER
- WV WATER VALVE

- SIGN
- VALVE
- ⊙ FIRE HYDRANT
- ⊕ MANHOLE
- ⊕ HANDICAPPED PARKING AND/OR HANDICAPPED ACCESS
- ⊕ TYPICAL TREE & TRUNK DIAMETER (DRIP LINE NOT INDICATED)
- ⊕ TRAFFIC SIGNALS AND STREET LIGHT
- ⊕ STREET LIGHT
- ⊕ TRAFFIC SIGNAL (NO ARM)
- PROPERTY LINE
- EXISTING CONTOUR
- RETAINING / SITE WALL
- WROUGHT IRON OR WOOD FENCE
- SPOT ELEVATION
- FOOTPRINT OF EXISTING BUILDING
- HOOK INDICATES LOTS HELD AS ONE PER ASSESSOR MAP

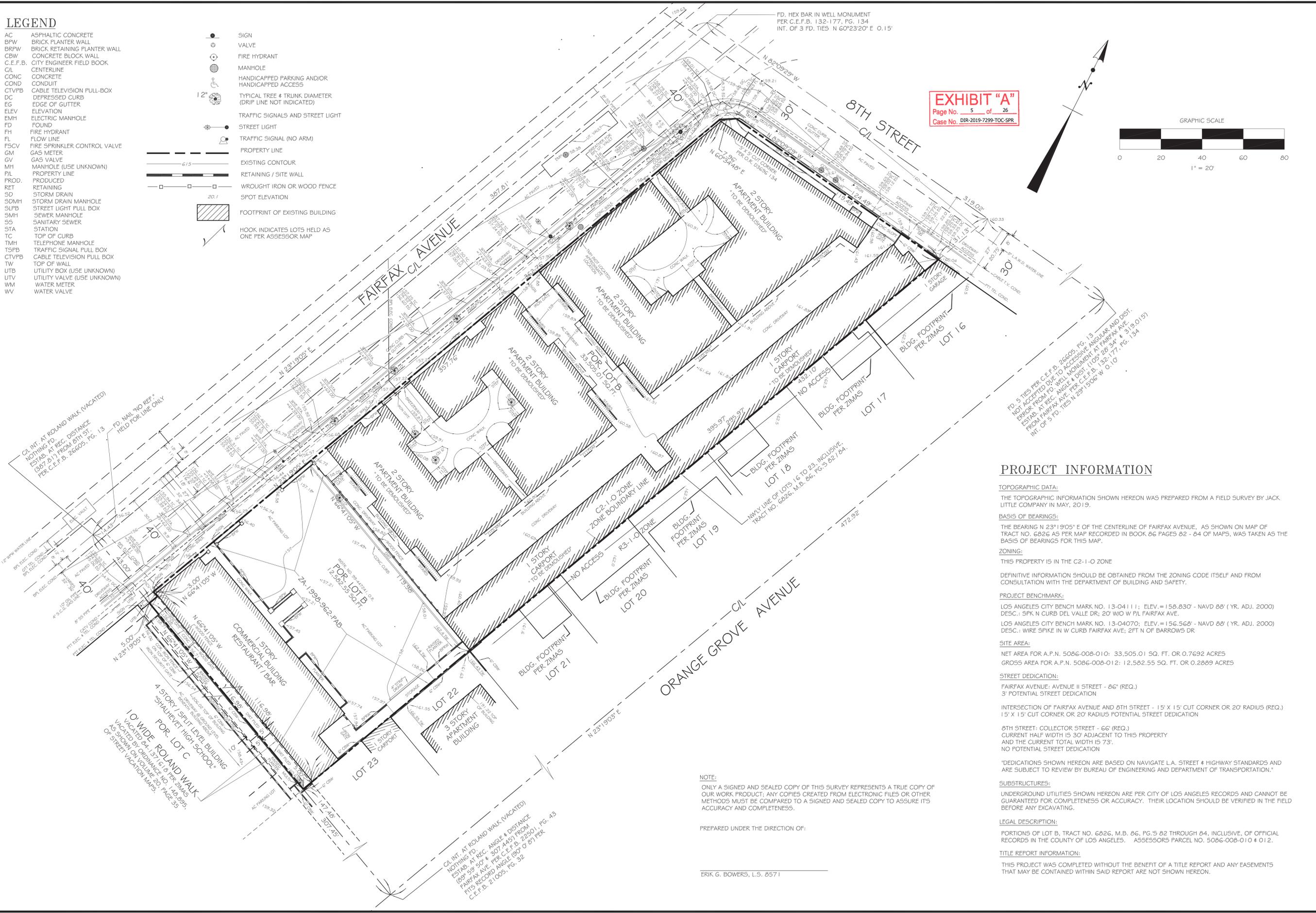
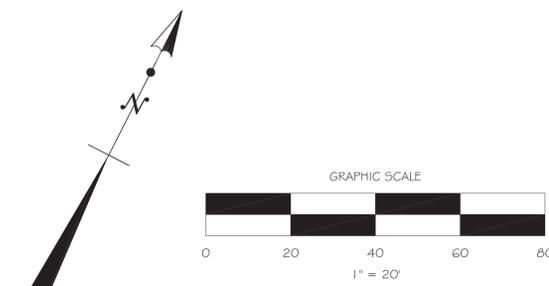


EXHIBIT "A"
 Page No. 5 of 26
 Case No. DIR-2019-7299-TOC-SPR



PROJECT INFORMATION

TOPOGRAPHIC DATA:
 THE TOPOGRAPHIC INFORMATION SHOWN HEREON WAS PREPARED FROM A FIELD SURVEY BY JACK LITTLE COMPANY IN MAY, 2019.

BASIS OF BEARINGS:
 THE BEARING N 23°19'05" E OF THE CENTERLINE OF FAIRFAX AVENUE, AS SHOWN ON MAP OF TRACT NO. 6826 AS PER MAP RECORDED IN BOOK 86 PAGES 82 - 84 OF MAPS, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS MAP.

ZONING:
 THIS PROPERTY IS IN THE C2-1-O ZONE

DEFINITIVE INFORMATION SHOULD BE OBTAINED FROM THE ZONING CODE ITSELF AND FROM CONSULTATION WITH THE DEPARTMENT OF BUILDING AND SAFETY.

PROJECT BENCHMARK:
 LOS ANGELES CITY BENCH MARK NO. 13-04111; ELEV.= 158.830' - NAVD 88' (YR. ADJ. 2000) DE5C.: 5PK N CURB DEL VALLE DR; 20' W/O W P/L FAIRFAX AVE.
 LOS ANGELES CITY BENCH MARK NO. 13-04070; ELEV.= 156.568' - NAVD 88' (YR. ADJ. 2000) DE5C.: WIRE SPIKE IN W CURB FAIRFAX AVE; 2FT N OF BARROWS DR

SITE AREA:
 NET AREA FOR A.P.N. 5086-008-010: 33,505.01 SQ. FT. OR 0.7692 ACRES
 GROSS AREA FOR A.P.N. 5086-008-012: 12,582.55 SQ. FT. OR 0.2889 ACRES

STREET DEDICATION:
 FAIRFAX AVENUE: AVENUE II STREET - 86' (REQ.)
 3' POTENTIAL STREET DEDICATION

INTERSECTION OF FAIRFAX AVENUE AND 8TH STREET - 15' X 15' CUT CORNER OR 20' RADIUS (REQ.)
 15' X 15' CUT CORNER OR 20' RADIUS POTENTIAL STREET DEDICATION

8TH STREET: COLLECTOR STREET - 66' (REQ.)
 CURRENT HALF WIDTH IS 30' ADJACENT TO THIS PROPERTY
 AND THE CURRENT TOTAL WIDTH IS 73'.
 NO POTENTIAL STREET DEDICATION

"DEDICATIONS SHOWN HEREON ARE BASED ON NAVIGATE L.A. STREET & HIGHWAY STANDARDS AND ARE SUBJECT TO REVIEW BY BUREAU OF ENGINEERING AND DEPARTMENT OF TRANSPORTATION."

SUBSTRUCTURES:
 UNDERGROUND UTILITIES SHOWN HEREON ARE PER CITY OF LOS ANGELES RECORDS AND CANNOT BE GUARANTEED FOR COMPLETENESS OR ACCURACY. THEIR LOCATION SHOULD BE VERIFIED IN THE FIELD BEFORE ANY EXCAVATING.

LEGAL DESCRIPTION:
 PORTIONS OF LOT B, TRACT NO. 6826, M.B. 86, PG. 5 82 THROUGH 84, INCLUSIVE, OF OFFICIAL RECORDS IN THE COUNTY OF LOS ANGELES, ASSESSORS PARCEL NO. 5086-008-010 & 012.

TITLE REPORT INFORMATION:
 THIS PROJECT WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT AND ANY EASEMENTS THAT MAY BE CONTAINED WITHIN SAID REPORT ARE NOT SHOWN HEREON.

NOTE:
 ONLY A SIGNED AND SEALED COPY OF THIS SURVEY REPRESENTS A TRUE COPY OF OUR WORK PRODUCT; ANY COPIES CREATED FROM ELECTRONIC FILES OR OTHER METHODS MUST BE COMPARED TO A SIGNED AND SEALED COPY TO ASSURE ITS ACCURACY AND COMPLETENESS.

PREPARED UNDER THE DIRECTION OF:

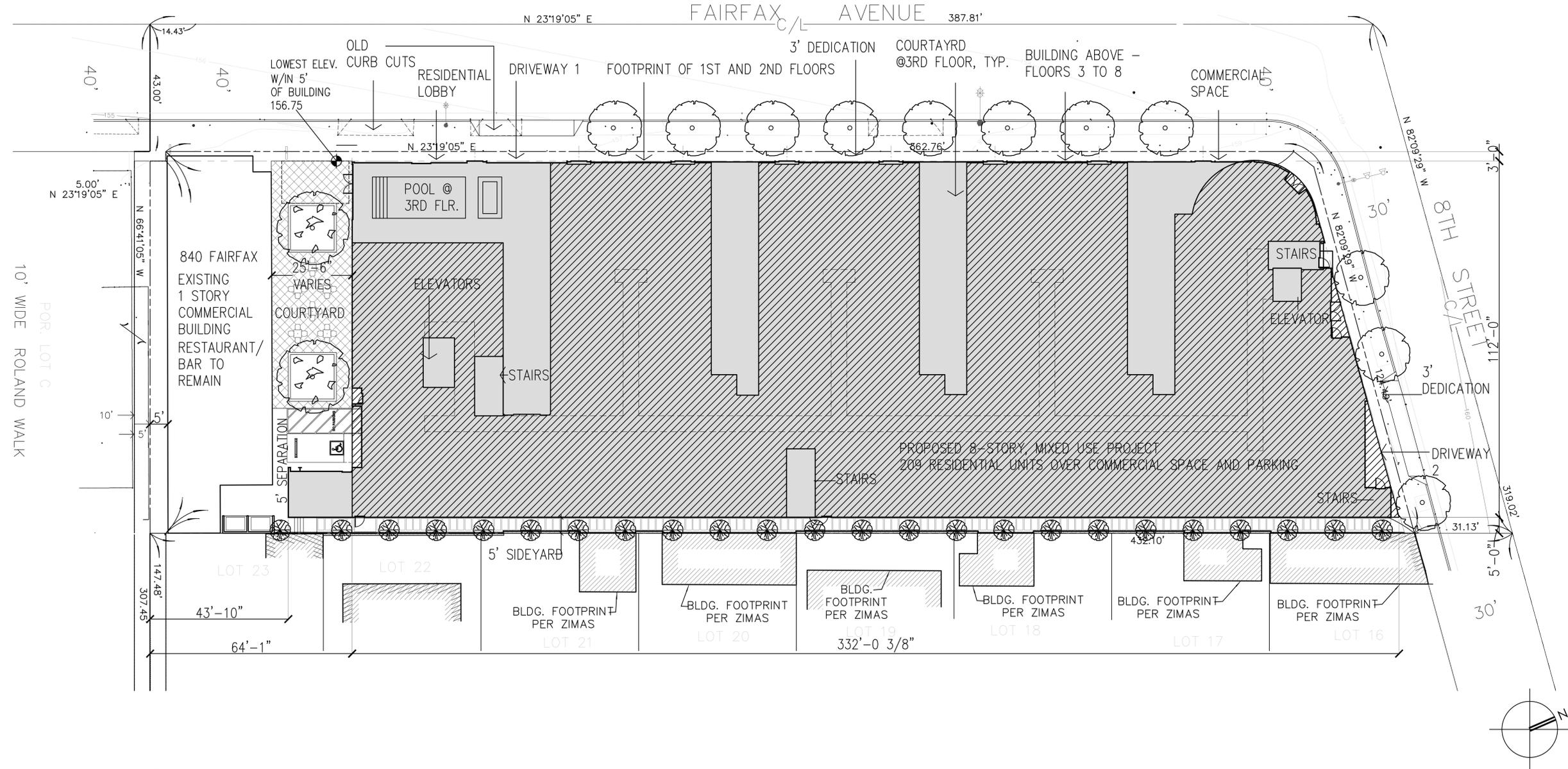
ERIK G. BOWERS, L.S. 8571

REVISION	BY

JACK LITTLE COMPANY INC.
 LICENSED LAND SURVEYORS
 17620 SHERMAN WAY SUITE 218 VAN NUYS, CA 91406
 PHONE: (818) 342-3277 FAX: (818) 344-5787

TOPOGRAPHIC SURVEY OF
 830 - 840 S. FAIRFAX AVENUE
 FOR 830 FAIRFAX OWNER II, LLC

DATE:	05/07/19
SCALE:	1" = 20'
PROJ.:	49-037-19
DRN. BY:	PLS
SHEET NO.:	1
OF 1 SHEETS	



SITE PLAN

SCALE: 1/16"=1' IF PRINTED 42"x24"

800 S. FAIRFAX AVE.

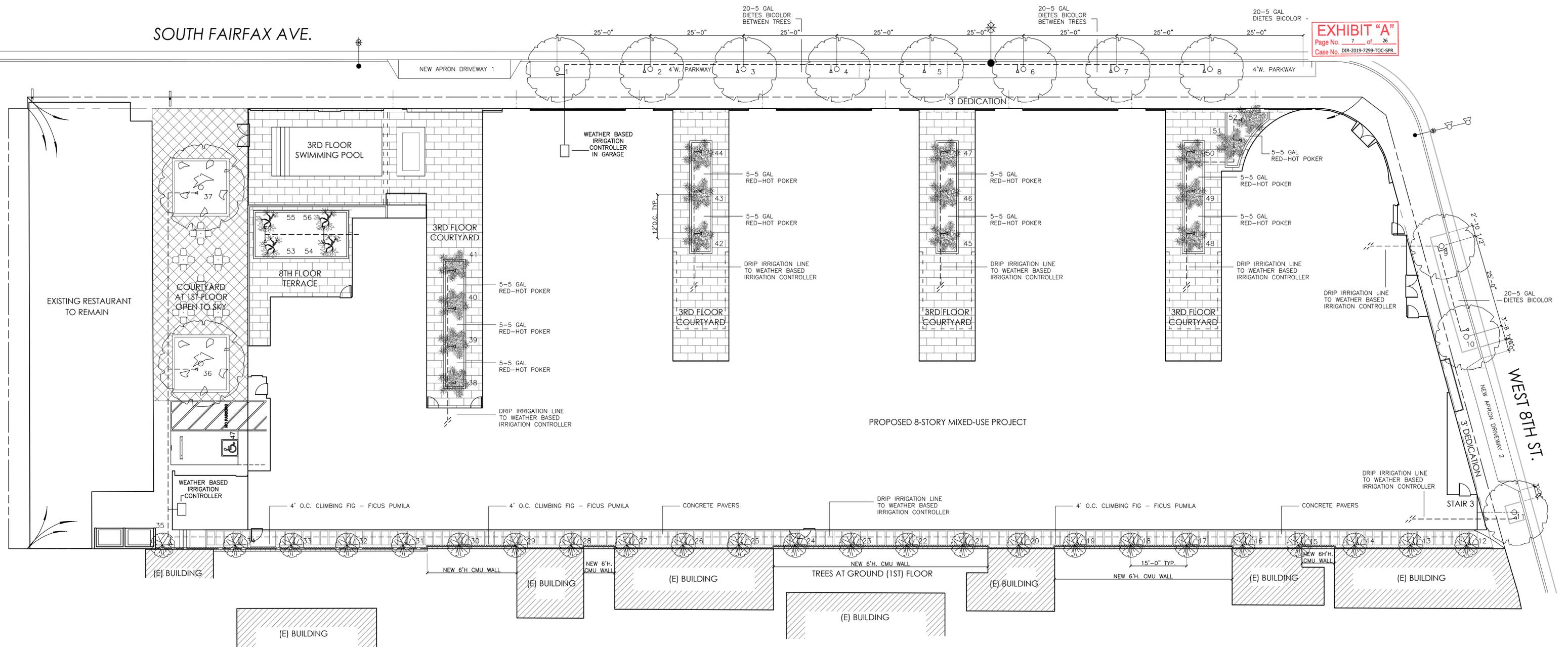
REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION
07-17-19	PARKING SCHEMES	10-17-19	UPDATED DRAWINGS
07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS
08-21-19	REVISED UNIT MIX	09-01-23	UPDATED DRAWINGS
08-23-19	PROGRESS DRAWINGS		
09-27-19	PROGRESS DRAWINGS		
10-01-19	MEETING		
10-03-19	DESIGN CHANGES		

SITE PLAN
A2.1

SOUTH FAIRFAX AVE.

EXHIBIT "A"
 Page No. 7 of 26
 Case No. DIR-2019-7299-TOC-SPR



LANDSCAPE PLAN

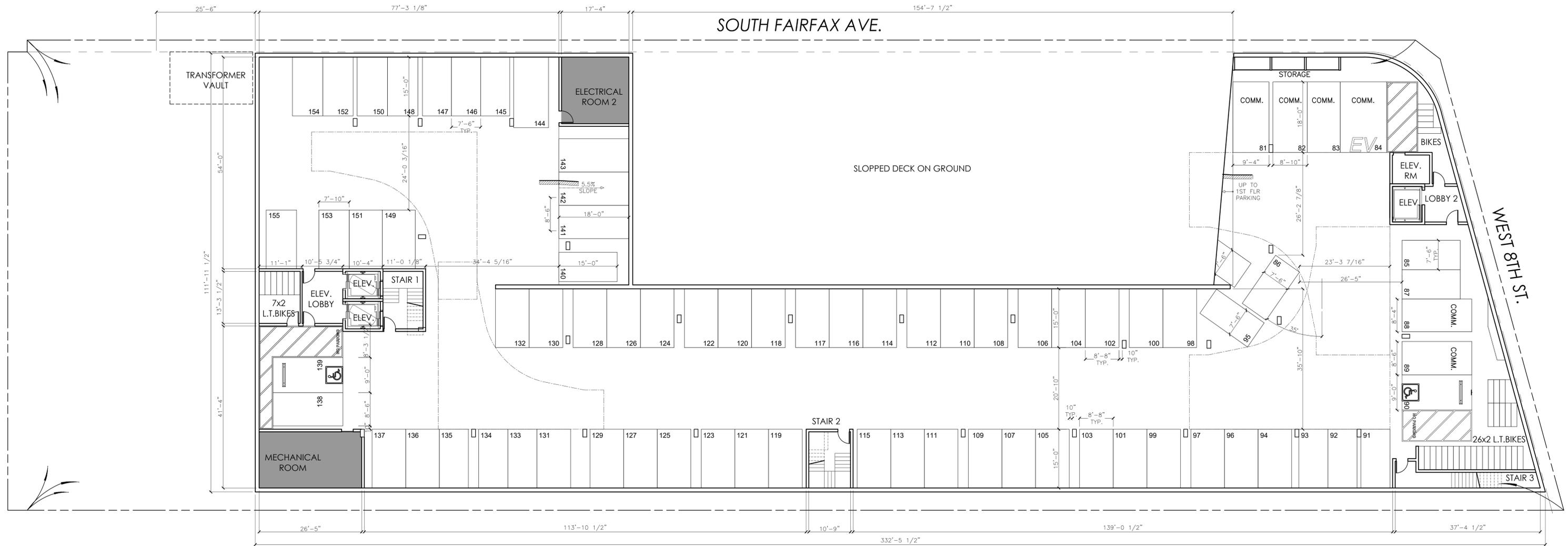
SCALE: 3/32"=1'

- TREE SCHEDULE:
 TREES 1 THROUGH 11: 24" BOX JACARANDA MIMOSIFOLIA
 TREES 12 THROUGH 35: 24" BOX PARKISONIA ACULEATA - JERUSALEM THORN
 TREES 36 AND 37: 36" BOX JACARANDA MIMOSIFOLIA
 TREES 38 THROUGH 52: 24" BOX ACACIA STENOPHILLA
 TREES 53 THROUGH 56: 24" BOX ALOE BAINESII

800 S. FAIRFAX AVE.

REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION	LANDSCAPE PLAN
07-17-19	PARKING SCHEMES	10-17-19	UPDATED DRAWINGS	A2.2
07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS	
08-21-19	REVISED UNIT MIX			
08-23-19	PROGRESS DRAWINGS			
09-27-19	PROGRESS DRAWINGS			
10-01-19	MEETING			
10-03-19	DESIGN CHANGES			



P-1 PARKING LEVEL

SCALE: 3/32"=1'

PARKING COUNT			
	COMMERCIAL	RESIDENTIAL	TOTAL
STANDARD	5	5	10
ADA	0	2	2
EV	1	0	1
COMPACT	0	62	62
TOTAL	6	69	75

800 S. FAIRFAX AVE.

REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION	P-1 PARKING
07-17-19	PARKING SCHEMES	10-17-19	UPDATED DRAWINGS	A3.1
07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS	
08-21-19	REVISED UNIT MIX			
08-23-19	PROGRESS DRAWINGS			
09-27-19	PROGRESS DRAWINGS			
10-01-19	MEETING			
10-03-19	DESIGN CHANGES			

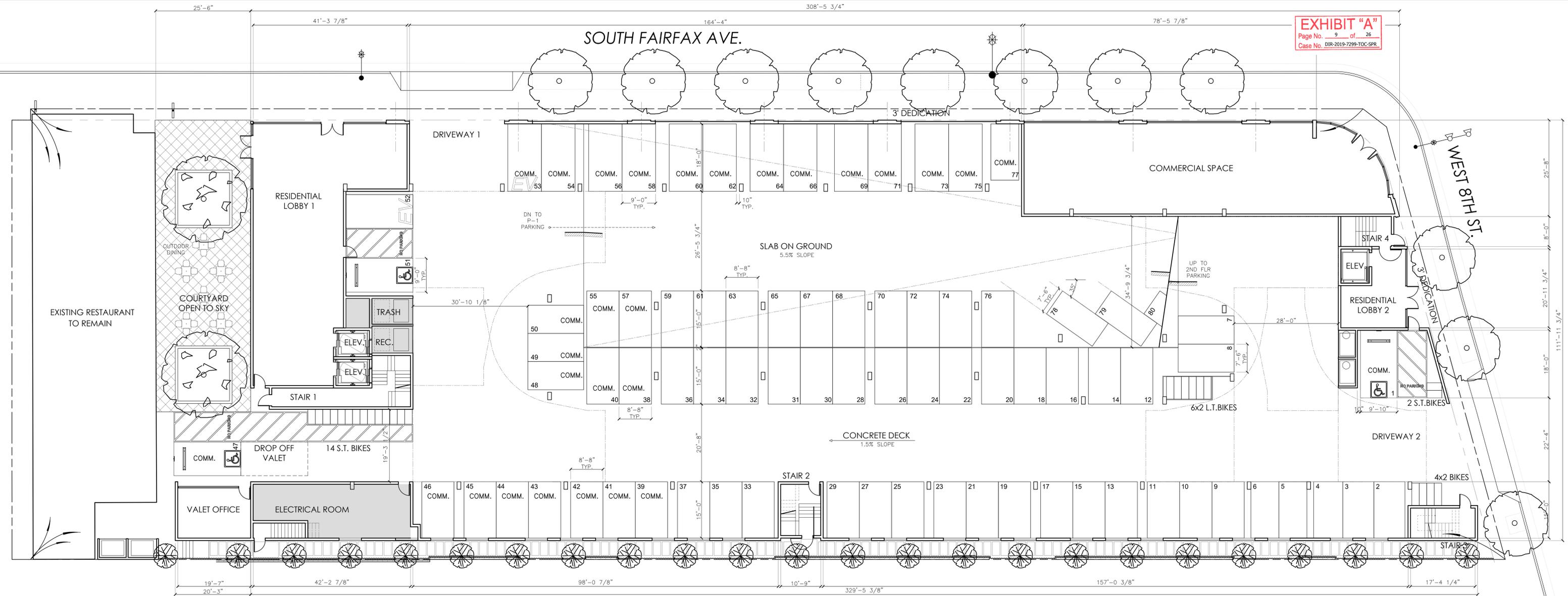
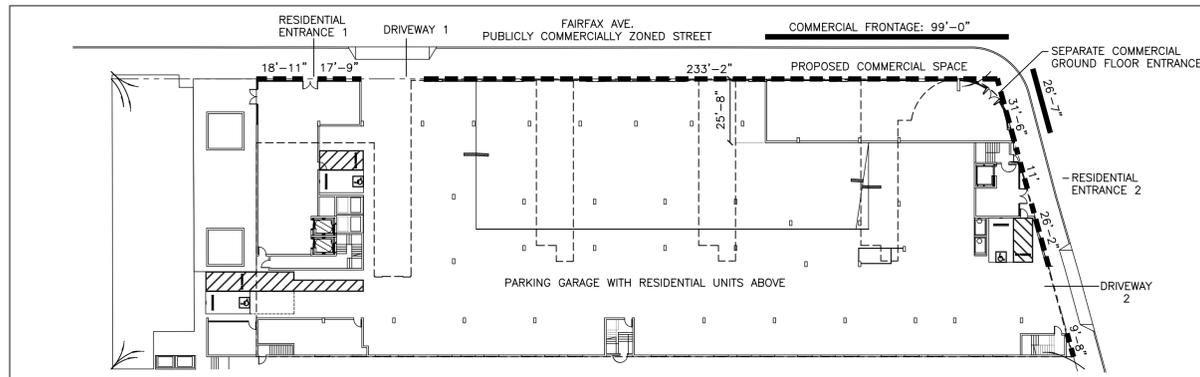


EXHIBIT "A"
 Page No. 9 of 26
 Case No. DIR-2019-7299-TOC-SPR

MIXED USE EXHIBIT



MIXED USE PROJECT MEANS A PROJECT WHICH COMBINES ONE OR MORE COMMERCIAL USES AND MULTIPLE DWELLING UNITS IN A SINGLE BUILDING OR IN A UNIFIED DEVELOPMENT AND WHICH PROVIDES THE FOLLOWING:

- (1) A SEPARATE, GROUND FLOOR ENTRANCE TO THE RESIDENTIAL COMPONENT, OR A LOBBY THAT SERVES BOTH THE RESIDENTIAL AND COMMERCIAL USES COMPONENTS; AND
- (2) A PEDESTRIAN ENTRANCE TO THE COMMERCIAL USES COMPONENT THAT IS DIRECTLY ACCESSIBLE FROM A PUBLIC STREET, AND THAT IS OPEN DURING THE NORMAL BUSINESS HOURS POSTED BY THE BUSINESS.
- (3) A MINIMUM OF 35 PERCENT OF THE GROUND FLOOR BUILDING FRONTAGE ABUTTING A PUBLIC COMMERCIAL ZONED STREET, EXCLUDING DRIVEWAYS OR PEDESTRIAN ENTRANCES, MUST BE DESIGNED TO ACCOMMODATE COMMERCIAL USES TO A MINIMUM DEPTH OF 25 FEET.

FAIRFAX FRONTAGE COMPUTATION:
 (EXCLUDING DRIVEWAYS AND PEDESTRIAN ENTRANCES): 18'-11"+17'-9"+233'-2"= 269'-10"
 PROPOSED COMMERCIAL FRONTAGE: 99'-0" -> 36.6%

8TH STREET FRONTAGE COMPUTATION:
 (EXCLUDING DRIVEWAYS AND PEDESTRIAN ENTRANCES): 31'-6"+11'-0"+26'-2"+ 9'-8"= 71'-4"
 PROPOSED COMMERCIAL FRONTAGE: 26'-7" -> 37.2%

1ST FLOOR PLAN

SCALE: 3/32":1'

PARKING COUNT			
	COMMERCIAL	RESIDENTIAL	TOTAL
STANDARD	11	0	11
ADA	2	1	3
EV	1	1	2
COMPACT	15	49	64
TOTAL	29	51	80

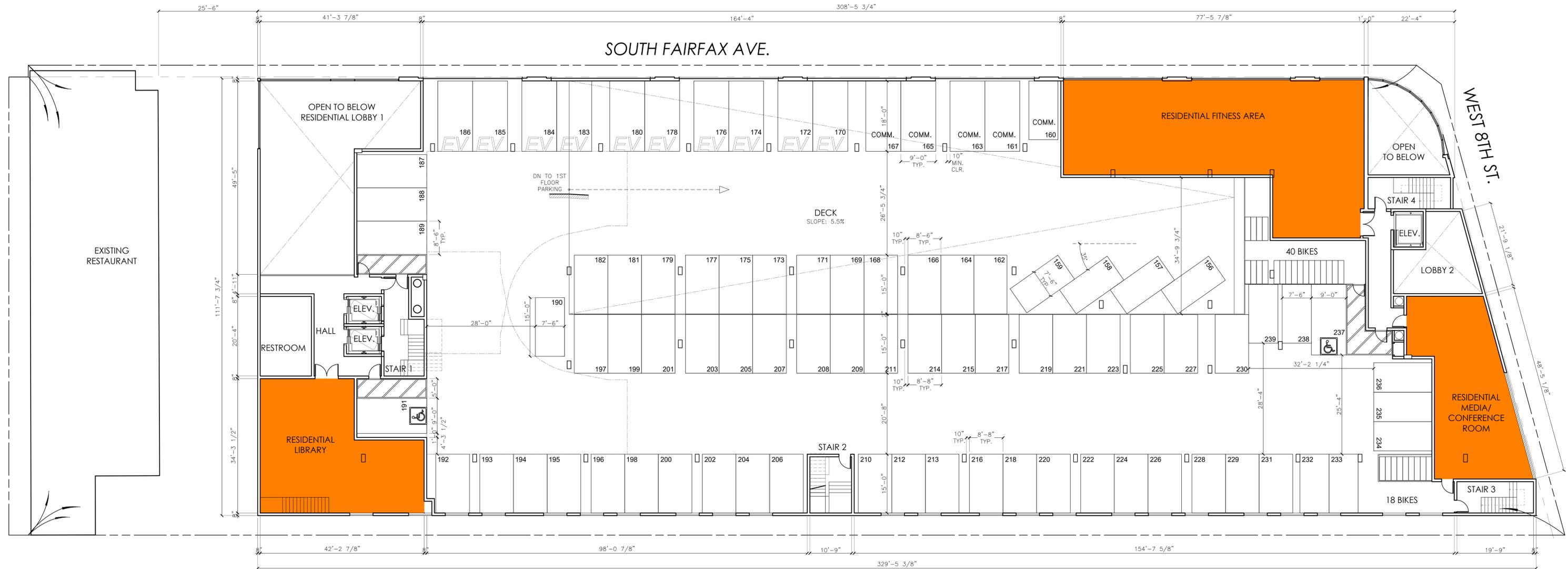
800 S. FAIRFAX AVE.

REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION
07-17-19	PARKING SCHEMES	10-17-19	UPDATED DRAWINGS
07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS
08-21-19	REVISED UNIT MIX	07-26-23	UPDATED DRAWINGS
08-23-19	PROGRESS DRAWINGS		
09-27-19	PROGRESS DRAWINGS		
10-01-19	MEETING		
10-03-19	DESIGN CHANGES		

1st FLOOR PLAN

A3.2



2ND FLOOR PLAN

SCALE: 3/32"=1'

PARKING COUNT			
	COMMERCIAL	RESIDENTIAL	TOTAL
STANDARD	4	3	7
ADA	0	2	2
EV	0	10	10
COMPACT	1	64	65
TOTAL	5	79	84

800 S. FAIRFAX AVE.

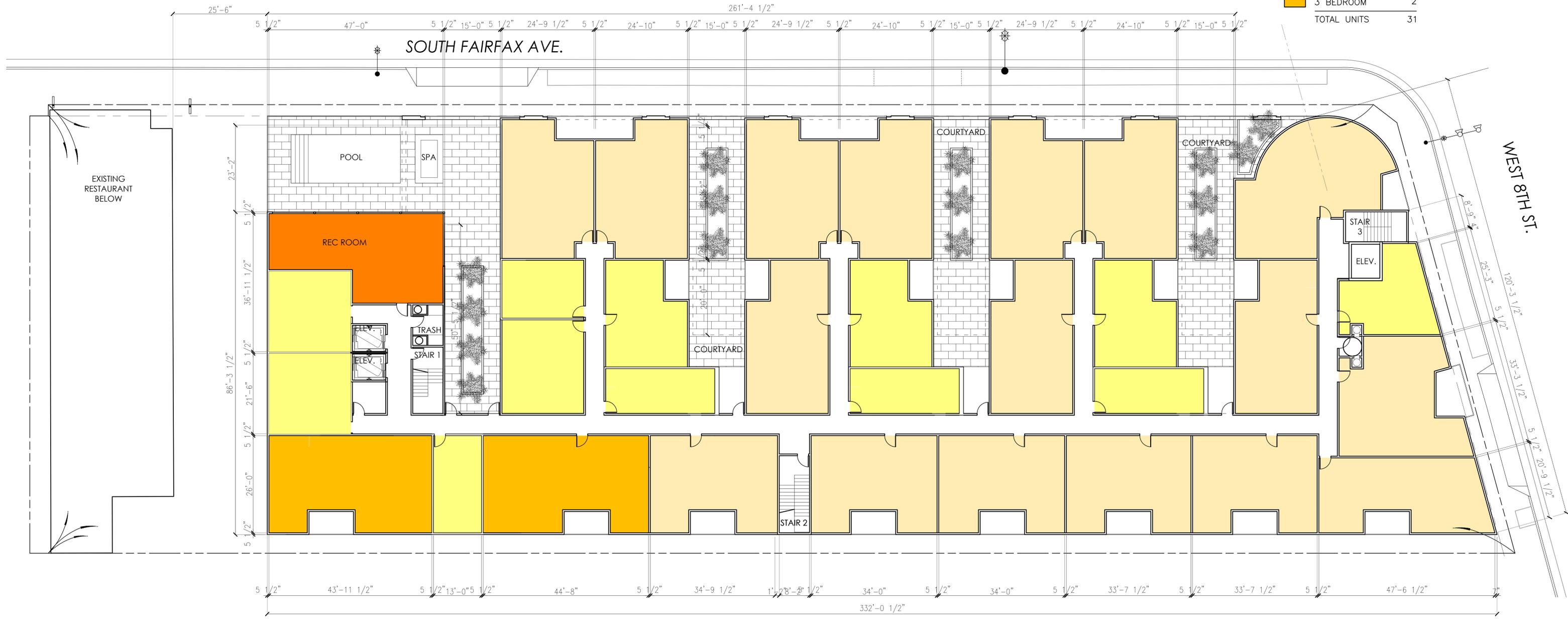
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08-23-19	PROGRESS DRAWINGS		
09-27-19	PROGRESS DRAWINGS		
10-01-19	MEETING		
10-03-19	DESIGN CHANGES		

2nd FLOOR PLAN

A3.3

1 BEDROOM	12
2 BEDROOM	17
3 BEDROOM	2
TOTAL UNITS	31



3RD FLOOR PLAN

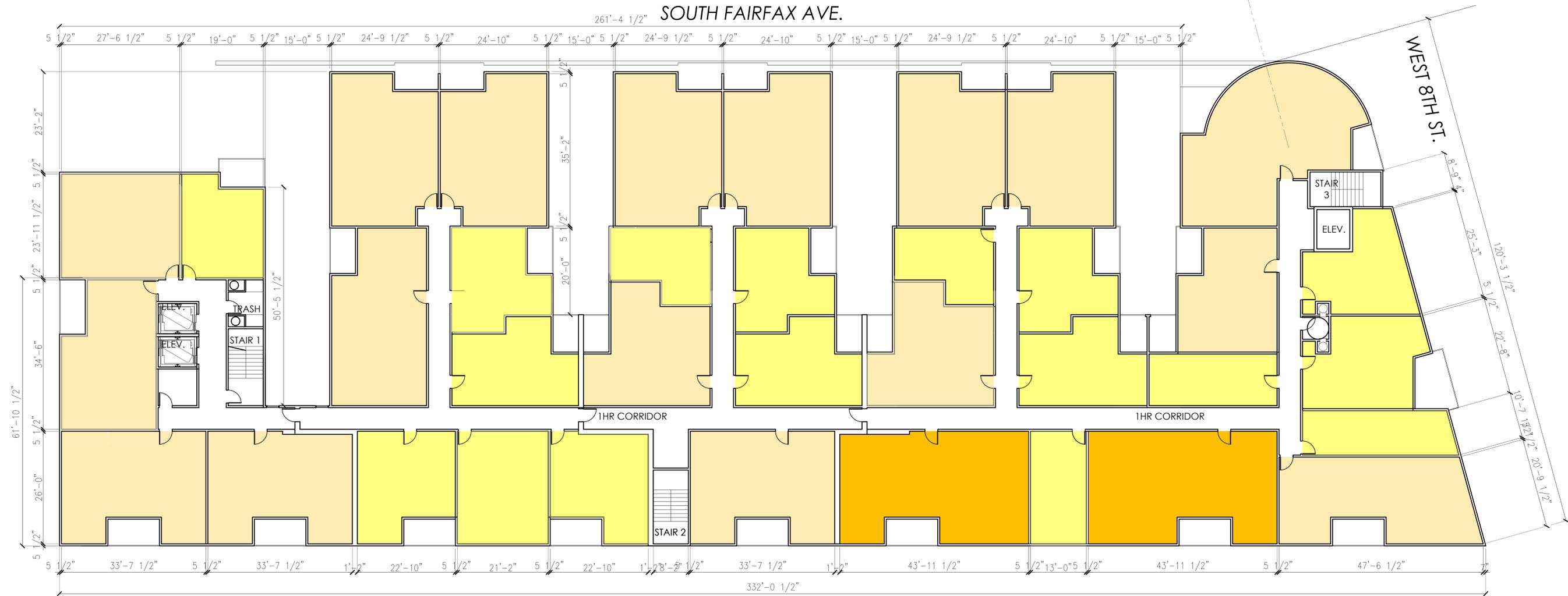
SCALE: 3/32"=1'

800 S. FAIRFAX AVE.

REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION	
07-17-19	PARKING SCHEMES	10-17-19	UPDATED DRAWINGS	3rd FLOOR PLAN A3.4
07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS	
08-21-19	REVISED UNIT MIX			
08-23-19	PROGRESS DRAWINGS			
09-27-19	PROGRESS DRAWINGS			
10-01-19	MEETING			
10-03-19	DESIGN CHANGES			

1 BEDROOM	17
2 BEDROOM	17
3 BEDROOM	2
TOTAL UNITS	36



4TH FLOOR PLAN

SCALE: 3/32"=1'

800 S. FAIRFAX AVE.

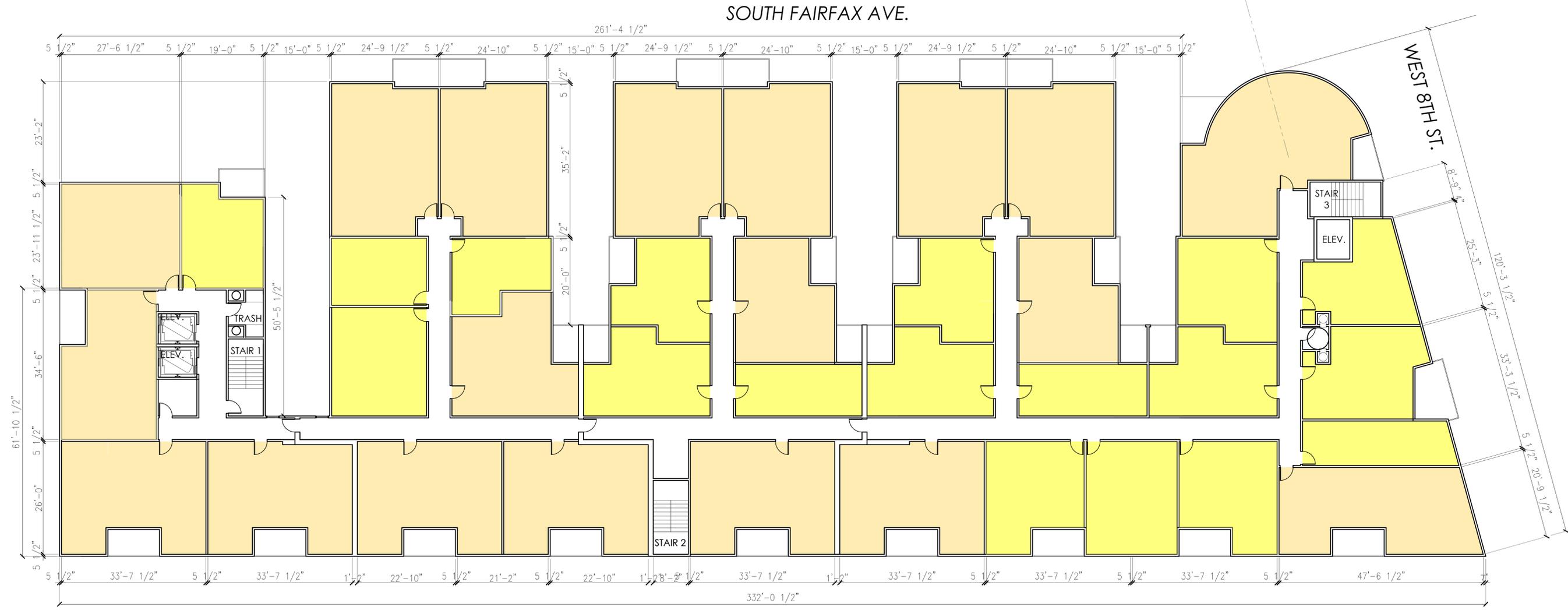
REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION
07-17-19	PARKING SCHEMES	10-17-19	UPDATED DRAWINGS
07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS
08-21-19	REVISED UNIT MIX		
08-23-19	PROGRESS DRAWINGS		
09-27-19	PROGRESS DRAWINGS		
10-01-19	MEETING		
10-03-19	DESIGN CHANGES		

4th FLOOR PLAN

A3.5

1 BEDROOM	18
2 BEDROOM	19
3 BEDROOM	
TOTAL UNITS	37



5TH FLOOR PLAN

SCALE: 3/32"=1'

800 S. FAIRFAX AVE.

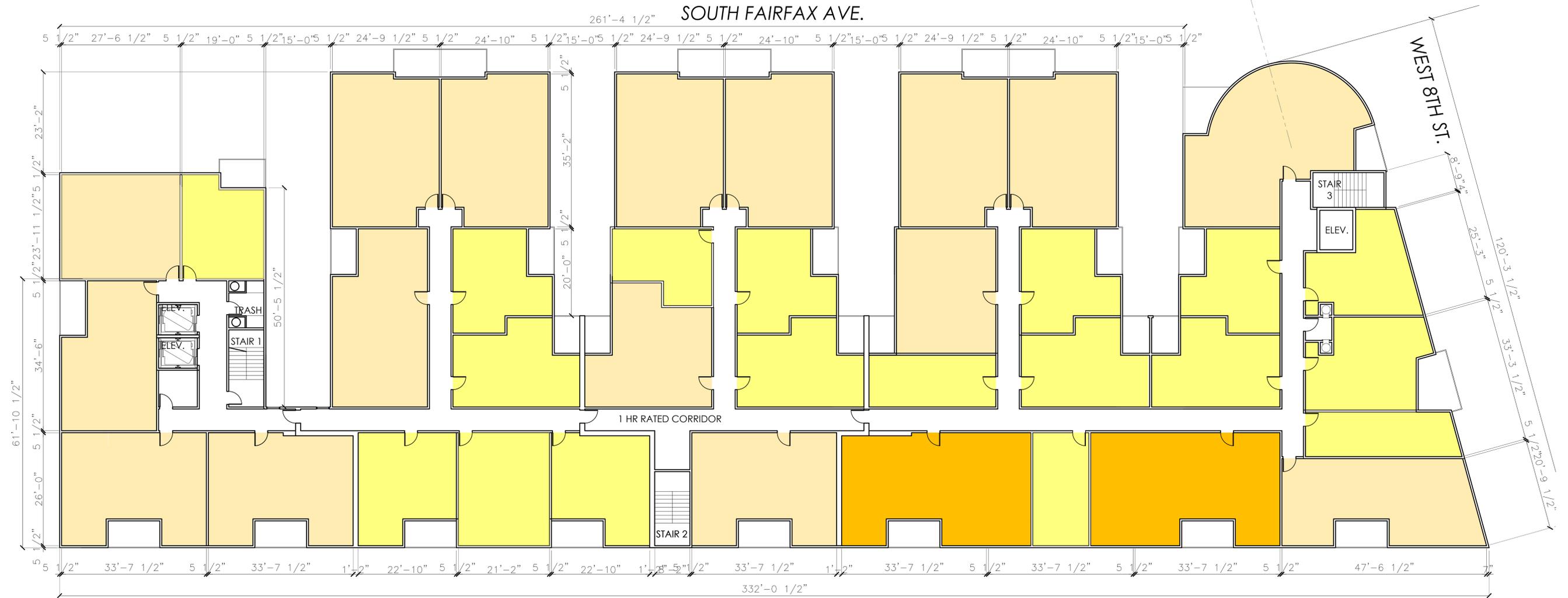
REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION
07-17-19	PARKING SCHEMES	10-17-19	UPDATED DRAWINGS
07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS
08-21-19	REVISED UNIT MIX		
08-23-19	PROGRESS DRAWINGS		
09-27-19	PROGRESS DRAWINGS		
10-01-19	MEETING		
10-03-19	DESIGN CHANGES		

5th FLOOR PLAN

A3.6

1 BEDROOM	18
2 BEDROOM	16
3 BEDROOM	2
TOTAL UNITS	36



6TH FLOOR PLAN

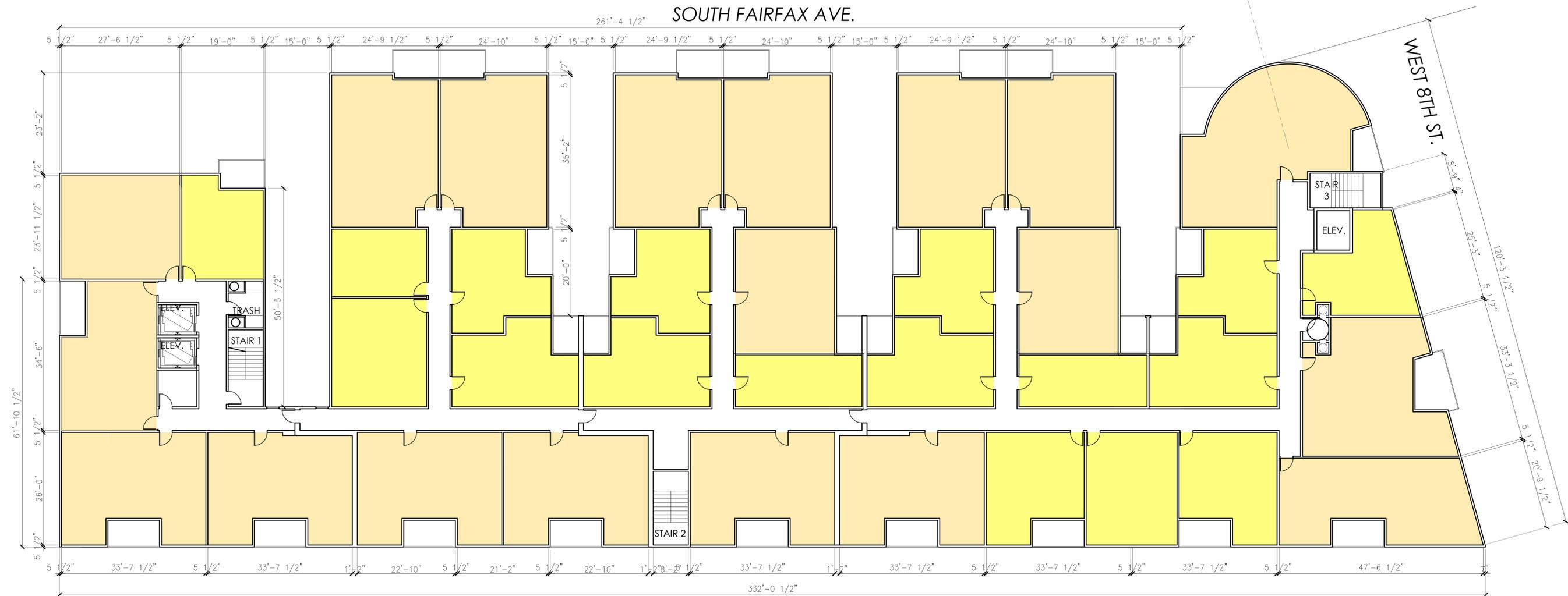
SCALE: 3/32":1'

800 S. FAIRFAX AVE.

REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION	6th FLOOR PLAN A3.7
07-17-19	PARKING SCHEMES	10-17-19	UPDATED DRAWINGS	
07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS	
08-21-19	REVISED UNIT MIX			
08-23-19	PROGRESS DRAWINGS			
09-27-19	PROGRESS DRAWINGS			
10-01-19	MEETING			
10-03-19	DESIGN CHANGES			

1 BEDROOM	17
2 BEDROOM	19
3 BEDROOM	
TOTAL UNITS	36



7TH FLOOR PLAN

SCALE: 3/32"=1'

800 S. FAIRFAX AVE.

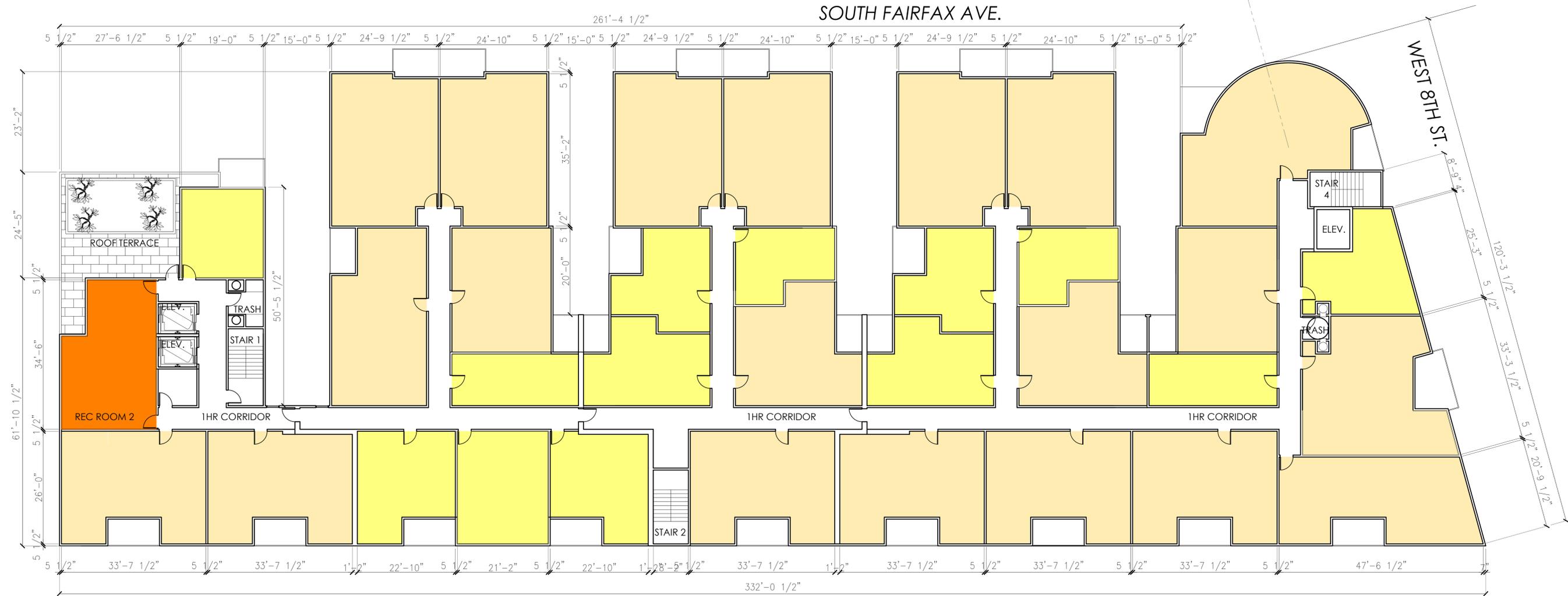
REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION
07-17-19	PARKING SCHEMES	10-17-19	UPDATED DRAWINGS
07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS
08-21-19	REVISED UNIT MIX		
08-23-19	PROGRESS DRAWINGS		
09-27-19	PROGRESS DRAWINGS		
10-01-19	MEETING		
10-03-19	DESIGN CHANGES		

7th FLOOR PLAN

A3.8

1 BEDROOM	13
2 BEDROOM	20
3 BEDROOM	
TOTAL UNITS	33



8TH FLOOR PLAN

SCALE: 3/32"=1'

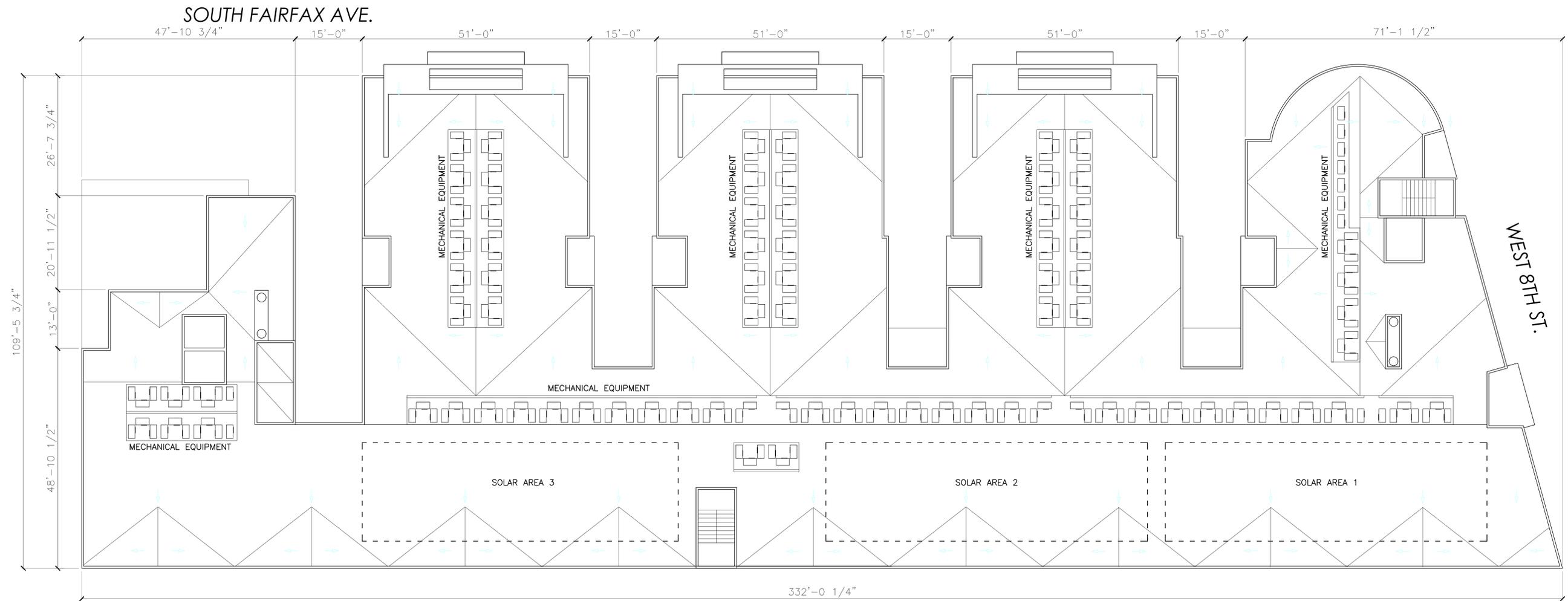
800 S. FAIRFAX AVE.

REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION
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07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS
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08-23-19	PROGRESS DRAWINGS		
09-27-19	PROGRESS DRAWINGS		
10-01-19	MEETING		
10-03-19	DESIGN CHANGES		

8th FLOOR PLAN

A3.9



ROOF PLAN

SCALE: 3/32":1'

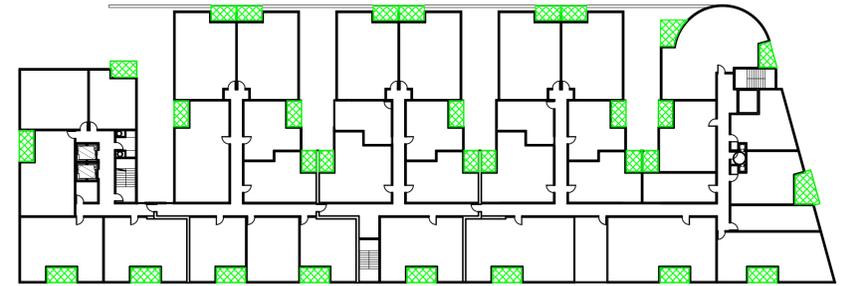
800 S. FAIRFAX AVE.

REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

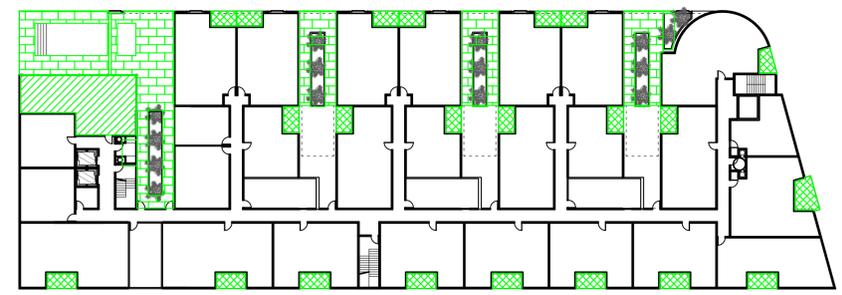
DATE	ISSUE / REVISION	DATE	ISSUE / REVISION
07-17-19	PARKING SCHEMES	10-17-19	UPDATED DRAWINGS
07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS
08-21-19	REVISED UNIT MIX		
08-23-19	PROGRESS DRAWINGS		
09-27-19	PROGRESS DRAWINGS		
10-01-19	MEETING		
10-03-19	DESIGN CHANGES		

ROOF PLAN

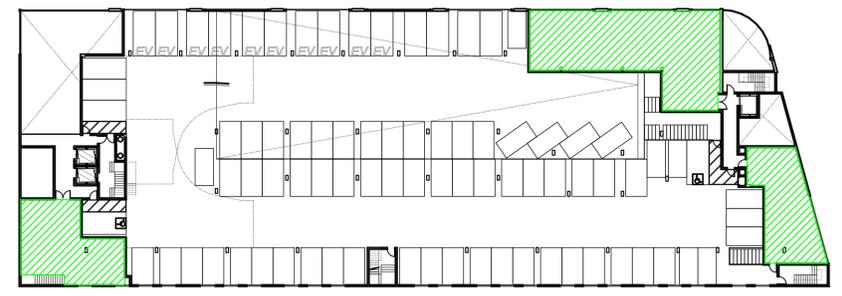
A3.10



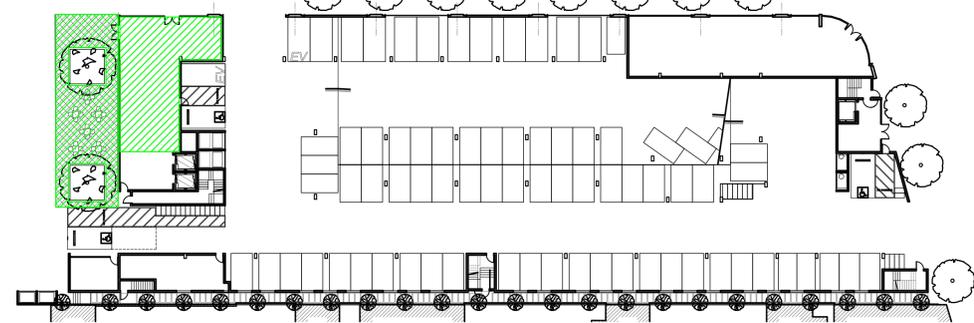
4TH FLOOR PLAN



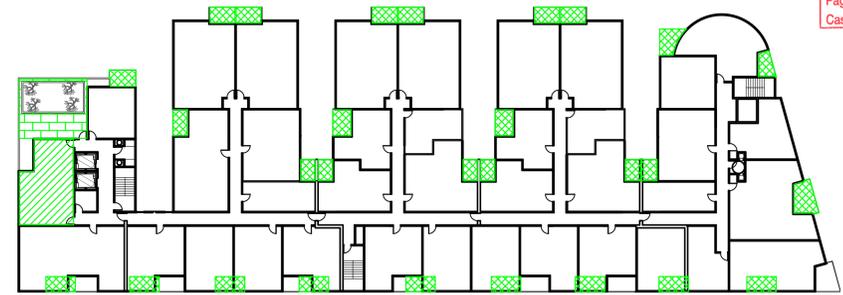
3RD FLOOR PLAN



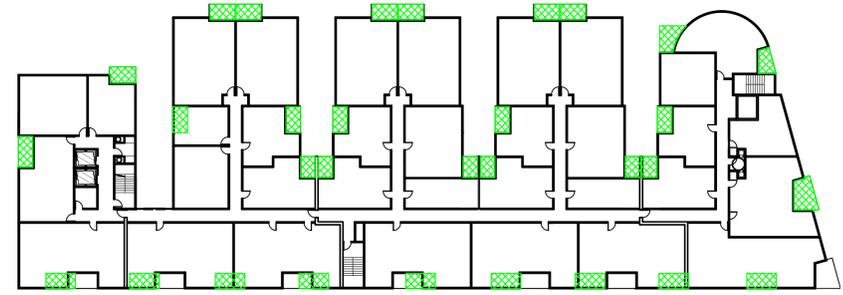
2ND FLOOR PLAN



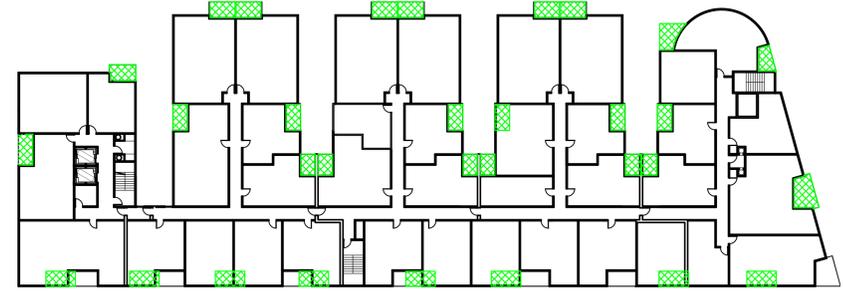
1ST FLOOR PLAN



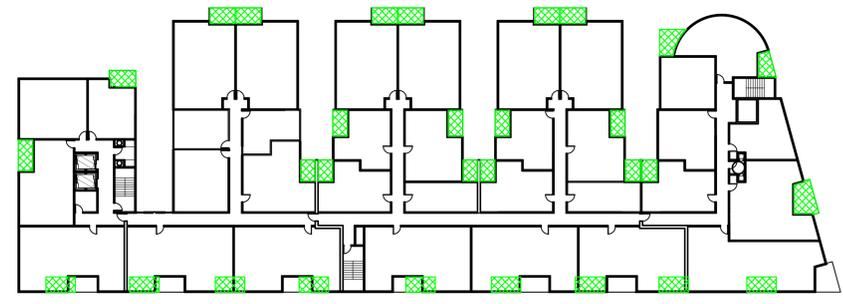
8TH FLOOR PLAN



7TH FLOOR PLAN



6TH FLOOR PLAN



5TH FLOOR PLAN

OPEN SPACE REQUIRED:

	REQD'/UNIT	#UNITS	TOTAL REQD'
UNITS WITH LESS THAN 3 HABITABLE ROOMS:	100	95	9,500 SF
UNITS WITH THREE HABITABLE ROOMS:	125	108	13,500 SF
UNITS WITH MORE THAN 3 HABITABLE ROOMS:	175	6	1,050 SF
			24,050 SF

OPEN SPACE REDUCTION PER T.O.C. ORDINANCE, TIER III & IV: 25%
 24,050 SF x .75= 18,037.5 SF

OPEN SPACE PROVIDED:

PRIVATE:

	3RD FLR	4TH FLR	5TH FLR	6TH FLR	7TH FLR	8TH FLR	
BALCONIES	22	30	30	31	31	28	172
A/BALCONY	50 SF						
SUBTOTAL	1100 SF	1500 SF	1500 SF	1550 SF	1550 SF	1400 SF	
TOTAL							8,600 SF

COMMON OPEN:

1ST FLOOR COURTYARD:	1,970.4 SF
3RD FLOOR COURTYARD 1:	2,393.4 SF
3RD FLOOR COURTYARD 2:	572.1 SF
3RD FLOOR COURTYARD 3:	572.1 SF
3RD FLOOR COURTYARD 4:	659.7 SF
8TH FLOOR TERRACE:	660.0 SF
	6,827.7 SF

COMMON ENCLOSED (UP TO 25% OF REQD' OPEN SPACE= 6,012.5 SF):

1ST FLOOR LOUNGE:	1,613.0 SF
2ND FLOOR LIBRARY:	1,095.4 SF
2ND FLOOR GYM:	2,167.0 SF
2ND FLOOR MEDIA ROOM:	998.0 SF
3RD FLOOR REC ROOM	923.9 SF
8TH FLOOR REC ROOM	683.4 SF
	7,480.7 SF-> 6,012.5 SF

TOTAL OPEN SPACE PROVIDED: 21,440.2 SF

LANDSCAPE:

REQUIRED: 25% OF PROPOSED COMMON OPEN SPACE=
 6,827.7 SF x .25= 1,706.9SF

PROPOSED:

LANDSCAPE AT 1ST FLOOR COURTYARD	468.0 SF
LANDSCAPE AT 3RD FLOOR COURTYARDS	914.0 SF
LANDSCAPE AT 8TH FLOOR COURTYARD	325.0 SF
	1,707 SF

TREES:

REQUIRED:
 1-24" TREE FOR EVERY 4 UNITS:
 209/4= 52.25 -> 53

PROVIDED: 56

800 S. FAIRFAX AVE.

REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION	OPEN SPACE
07-17-19	PARKING SCHEMES	10-17-19	UPDATED DRAWINGS	A3.11
07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS	
08-21-19	REVISED UNIT MIX	09-01-23	UPDATED DRAWINGS	
08-23-19	PROGRESS DRAWINGS			
09-27-19	PROGRESS DRAWINGS			
10-01-19	MEETING			
10-03-19	DESIGN CHANGES			

- 9 42"H. GLASS HANDRAIL
- 10 42"H. METAL-BARS HANDRAIL
- 11 CMU WALL
- 12 CONCRETE COLUMN
- 13 PAINTED METAL LOUVER
- 14 PAINTED METAL GRILL
- 15 ARCHITECTURAL METAL CHANNELS
- 16 BRICK VENEER
- 17 SPANDREL GLASS
- 18 GREENSCAPE WALL

EXHIBIT "A"

Page No. 19 of 26
Case No. DIR-2019-7299-TOC-SPR

- 1 7/8" THCK. STUCCO OVER METAL LATH OVER TWO LAYERS OF 1HR. BUILDING PAPER - SMOOTH FINISH
- 2 7/8" THCK. STUCCO OVER METAL LATH OVER TWO LAYERS OF 1HR. BUILDING PAPER - CONCRETE FINISH
- 3 POUR-IN-PLACE CONCRETE
- 4 PRE-PAINTED METAL SIDING OVER TWO LAYERS OF BUILDING PAPER OVER EXT. SHEET ROCK
- 5 BREAK METAL OVER TWO LAYERS OF BUILDING PAPER OVER EXT. SHEET ROCK
- 6 CONTROL JOINT - ALUMINUM REGLET
- 7 STOREFRONT SYSTEM - ANOD. ALUMINUM
- 8 ARCHITECTURAL PROJECTION - BREAK METAL



SCALE: 3/32"=1'

WEST ELEVATION - FAIRFAX AVE.

800 S. FAIRFAX AVE.

REED ARCHITECTURAL GROUP, INC
657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

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ELEVATION
A4.1

- 9 42"H. GLASS HANDRAIL
- 10 42"H. METAL-BARS HANDRAIL
- 11 CMU WALL
- 12 CONCRETE COLUMN
- 13 PAINTED METAL LOUVER
- 14 PAINTED METAL GRILL
- 15 ARCHITECTURAL METAL CHANNELS
- 16 BRICK VENEER
- 17 SPANDREL GLASS
- 18 GREENSCAPE WALL

EXHIBIT "A"
Page No. 20 of 26
Case No. DIR-2019-7299-TOC-SPR

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- 4 PRE-PAINTED METAL SIDING OVER TWO LAYERS OF BUILDING PAPER OVER EXT. SHEET ROCK
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- 6 CONTROL JOINT - ALUMINUM REGLET
- 7 STOREFRONT SYSTEM - ANOD. ALUMINUM
- 8 ARCHITECTURAL PROJECTION - BREAK METAL



SCALE: 3/32":1'

NORTH ELEVATION - 8TH STREET



SCALE: 3/32":1'

SOUTH ELEVATION - TOM BERGIN SIDE

800 S. FAIRFAX AVE.

REED ARCHITECTURAL GROUP, INC
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10-03-19	DESIGN CHANGES		

ELEVATIONS

A4.2

- 13 PAINTED METAL LOUVER
- 14 PAINTED METAL GRILL
- 15 ARCHITECTURAL METAL CHANNELS
- 16 BRICK VENEER
- 17 SPANDREL GLASS

- 6 CONTROL JOINT - ALUMINUM REGLET
- 7 STOREFRONT SYSTEM - ANOD. ALUMINUM
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- 5 BREAK METAL OVER TWO LAYERS OF BUILDING PAPER OVER EXT. SHEET ROCK

EXHIBIT "A"

Page No. 21 of 26
Case No. DIR-2019-7299-TOC-SPR



SCALE: 3/32":1'

EAST ELEVATION

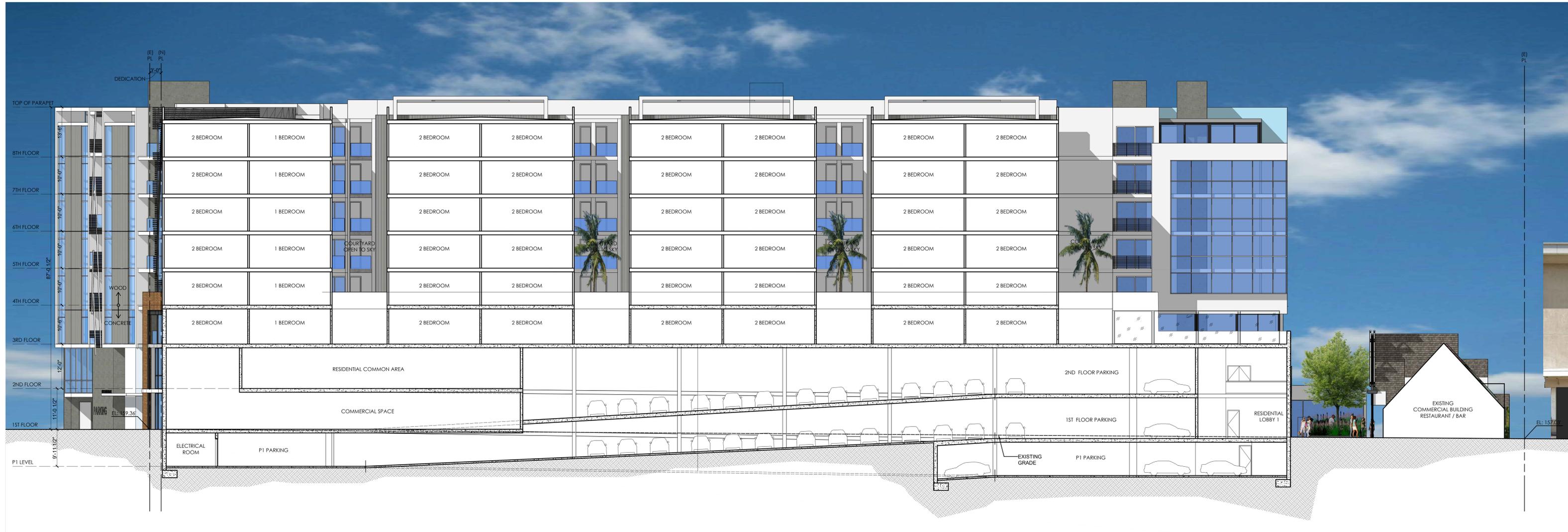
800 S. FAIRFAX AVE.

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DATE	ISSUE / REVISION	DATE	ISSUE / REVISION
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07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS
08-21-19	REVISED UNIT MIX	07-26-23	UPDATED DRAWINGS
08-23-19	PROGRESS DRAWINGS		
09-27-19	PROGRESS DRAWINGS		
10-01-19	MEETING		
10-03-19	DESIGN CHANGES		

ELEVATION

A4.3



SCALE: 3/32":1"

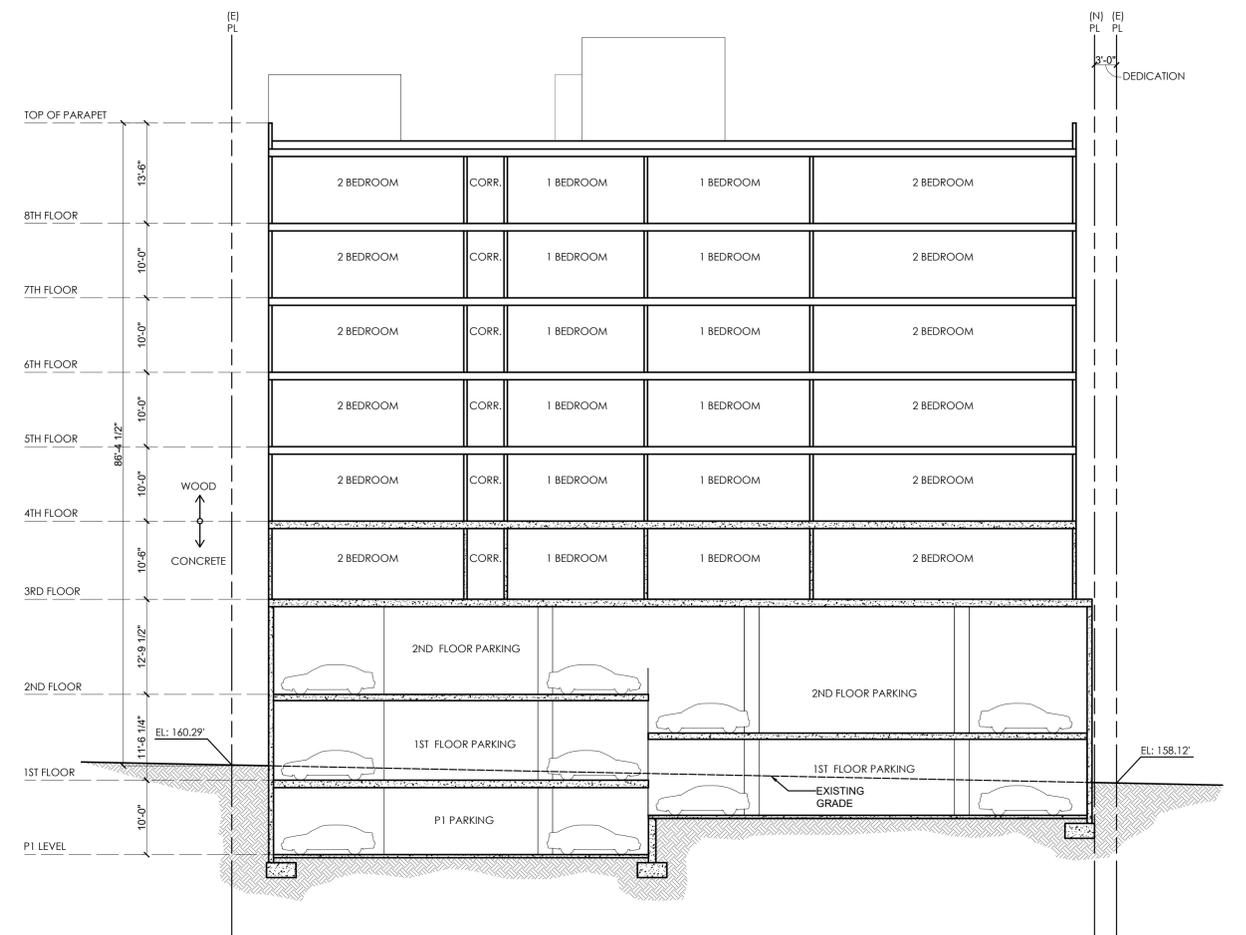
A-A LONGITUDINAL SECTION

800 S. FAIRFAX AVE.

REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION
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08-23-19	PROGRESS DRAWINGS		
09-27-19	PROGRESS DRAWINGS		
10-01-19	MEETING		
10-03-19	DESIGN CHANGES		

A-A LONGITUDINAL SECTION
A5.1



SCALE: 3/32":1'

B-B TRANSVERSAL SECTION

800 S. FAIRFAX AVE.

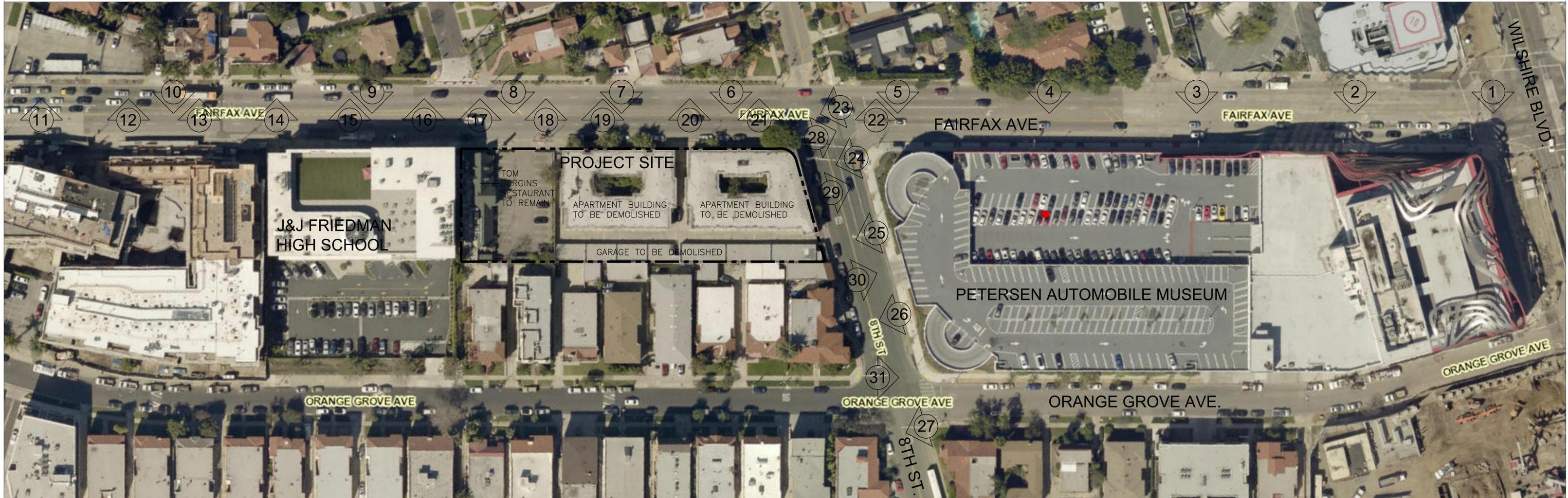
REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION
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07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS
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08-23-19	PROGRESS DRAWINGS		
09-27-19	PROGRESS DRAWINGS		
10-01-19	MEETING		
10-03-19	DESIGN CHANGES		

B-B TRANSVERSAL SECTION

A5.2

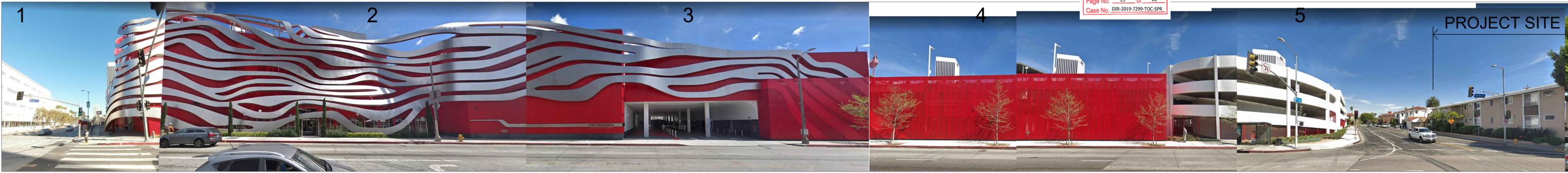
CONTEXTUAL PHOTO MAP



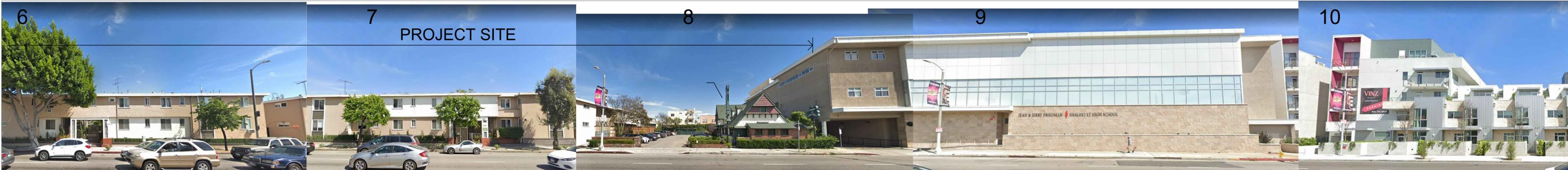
800 S. FAIRFAX AVE.

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DATE	ISSUE / REVISION	DATE	ISSUE / REVISION	PHOTO MAP A7.0
07-17-19	PARKING SCHEMES	10-17-19	UPDATED DRAWINGS	
07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS	
08-21-19	REVISED UNIT MIX			
08-23-19	PROGRESS DRAWINGS			
09-27-19	PROGRESS DRAWINGS			
10-01-19	MEETING			
10-03-19	DESIGN CHANGES			



660 W WILSHIRE BLVD – 770-750 FAIRFAX AVE – PETERSEN AUTOMOBILE MUSEUM



800 S FAIRFAX – APARTMENT BUILDINGS TO BE DEMOLISHED

TOM BERGINS RESTAURANT TO REMAIN

910 S FAIRFAX – JEAN & JERRY FRIEDMAN HIGH SCHOOL

910-950 S FAIRFAX – MIXED USE BUILDING



939 S FAIRFAX – PARKING LOT

925 S FAIRFAX

915 S FAIRFAX

6106 BARROWS DR.

BARROWS DR.



BARROWS DR.

817 S FAIRFAX

813 S FAIRFAX

6106 W DEL VALLE DR.

DEL VALLE DR

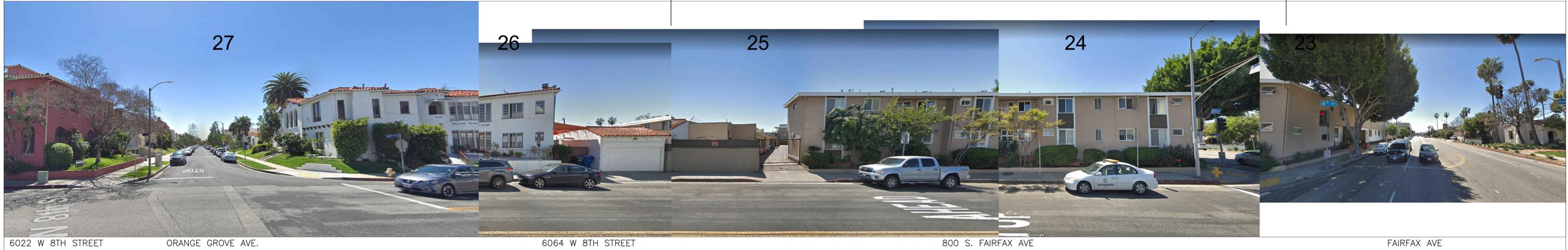
800 S. FAIRFAX AVE.

REED ARCHITECTURAL GROUP, INC
 657 ROSE AVE. - VENICE, CA 90291 - PHONE: 310 393 9128

DATE	ISSUE / REVISION	DATE	ISSUE / REVISION
07-17-19	PARKING SCHEMES	10-17-19	UPDATED DRAWINGS
07-29-19	CLIENT REVIEW MEETING	12-03-19	UPDATED DRAWINGS
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08-23-19	PROGRESS DRAWINGS		
09-27-19	PROGRESS DRAWINGS		
10-01-19	MEETING		
10-03-19	DESIGN CHANGES		

CONTEXTUAL PHOTOS
A7.1

PROJECT SITE



6022 W 8TH STREET ORANGE GROVE AVE. 6064 W 8TH STREET 800 S. FAIRFAX AVE FAIRFAX AVE



FAIRFAX AVE 750 S FAIRFAX AVE. 761 ORANGE GROVE AVE. ORANGE GROVE AVE.

800 S. FAIRFAX AVE.

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09-27-19	PROGRESS DRAWINGS		
10-01-19	MEETING		
10-03-19	DESIGN CHANGES		

CONTEXTUAL
 PHOTOS
A7.2

EXHIBIT D

**Environmental Documents
ENV-2019-7300-SCEA
Applicant Response Letter**



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November 28, 2023

VIA EMAIL

Esther Ahn
Department of City Planning
City of Los Angeles
200 N. Spring Street, Room 763
Los Angeles, CA 90012

esther.ahn@lacity.org

Re: Case No. DIR-2019-7299-TOC-SPR-1A, Applicant Responses to Appeal Points

Dear Ms. Ahn:

This firm represents 830 Fairfax Owner II, LLLC (“Applicant”) in connection with the above-referenced case, which involves the development of a new mixed-use housing development project (“Project”) containing 209 units (including 23 units restricted to very low income households and five units restricted to low income households) at 800-840 South Fairfax Avenue (“Site”). The Project would involve the demolition of two existing residential buildings at the Site, each of which are subject to the City’s Rent Stabilization Ordinance (“RSO”), which limits maximum allowable rent increases and establishes various other tenant protections.

The Project was approved by the Director of Planning on September 19, 2023, subject to an Applicant-volunteered condition of approval granting a right of return to tenants of the Site’s currently existing residential buildings (“Right of Return Condition”). The Right of Return Condition provides that an income-qualifying existing tenant will have the first opportunity to lease one of the Project’s 28 restricted affordable units; in addition, for those tenants that do not income qualify for one of the restricted affordable units, the Right of Return Condition provides that such non-qualifying tenants will be offered the right to return to a market-rate unit in the Project of the same bedroom type as their current unit, at the same monthly rental rate that they are currently paying for their current unit, subject only to the annual rent increases allowed by the RSO.

On October 4, 2023, the Fairfax Gardens Tenants Association (“Appellant”) appealed the Project and requested that several additional points be addressed by the Right of Return Condition. On behalf of the Applicant, below please find responses to the points raised by the Appellant.

Appeal Point No. 1

That the RSO affordable replacement units in the new building be identified and covenanted separately from other "affordable" units. So it's clear which units the current Fairfax Gardens Tenants will be eligible to rent.

Response to Appeal Point No. 1

The Project's 28 restricted affordable units will not be specifically identified until the Los Angeles Housing Department ("LAHD") prepares the Project's affordable housing covenant, which will occur as part of the Project's building permit plan check process, and which will reflect the Project's final proposed unit sizes, configurations, and locations. Furthermore, LAHD's affordable housing covenants typically allow for "floating" restricted units to address the circumstance in which a formerly income-qualifying household may no longer be eligible to rent a restricted unit, in which case another unit within the Project would be designated as a restricted affordable unit to ensure that 28 restricted units are consistently provided. Accordingly, it is not possible at this time to specifically identify which of the Project's 209 units will be initially designated as restricted affordable units by LAHD.

Regardless, as noted above, and pursuant to the Right of Return Condition, whether a returning tenant income qualifies for one of the Project's affordable units or will be renting a market-rate unit, all returning tenants will be afforded the protections of the RSO for the life of their tenancy in the new building. In essence, once a tenant exercises the provisions of the Right of Return Condition for a market-rate unit and enters into a new lease agreement (which will reflect the tenant's current rent subject to annual allowable RSO increases) for the new building, that tenant and all other qualifying tenants utilizing the Right of Return Condition would be protected by the RSO similarly to what they have in place now.

Appeal Point No. 2.

As currently written the applicant gives no provisions for the interim housing during construction phase of any Fairfax Garden Tenants who chooses the Right of Return designation at the tenants current rental rate & under the RSO

Response to Appeal Point No. 2

The Applicant will agree to provide a one-year notice to all current tenants to vacate, and at the time of sending the notices, the Applicant will establish escrow accounts with relocation funds in compliance with all relevant provisions of the RSO and related City requirements. These relocation amounts vary from \$9,900 to \$24,650 depending on the tenant's status as either a qualified or eligible tenant. These relocation assistance funds can be utilized to help identify interim housing and pay for relocation costs while the Project is under construction. The Applicant is also willing to assist tenants in locating new housing accommodations on a case by case basis, including by assigning a relocation specialist to work with each existing tenant household to see how help can best be provided during the process. In fact, the Applicant has already helped place several former Site tenants in new housing accommodations, demonstrating a willingness and ability to provide this type of direct relocation assistance.

Appeal Point No. 3

As currently written the applicant gives no provisions for parking spaces specifically assigned to each Right of Return unit.

Response to Appeal Point No. 3

Unfortunately, the Applicant will not be able to accommodate this request, due to the fact that as of January 1, 2024, State law (as amended by Assembly Bill ["AB"] 1317) will require all residential buildings that contain more than 16 units and that are issued a certificate of occupancy on or after January 1, 2025 to unbundle all parking spaces.

Appeal Point No. 4.

As outlined in the Project Background section of the Letter of Determination (Paragraph 3 – Housing Replacement), the applicant cites, "The remaining 12 units are required to be replaced in accordance with the City's Rent Stabilization Ordinance (RSO)." No data of rental income was collected from HCIDLA's Rent Division to calculate this number. In the absence of data, a formula was applied – that is not supported by any substantial evidence – to conclude that 12 of the 40 existing units were occupied by market rate income tenants between 2014 and 2019. No tenants were contacted by either the applicant's representatives and/or HCIDLA to verify either their rental rate or their income.

Response to Appeal Point No. 4

The Project's obligation to provide replacement units has been determined by LAHD (formerly named the Housing and Community Investment Department of Los Angeles, or HCIDLA) in full compliance with all applicable State law requirements, including State density bonus law as amended by AB 2556. Specifically, as set forth in the Project's AB 2556 determination letter issued by LAHD on September 23, 2019, LAHD staff determined that 28 of the Site's existing 40 dwelling units are to be replaced with restricted affordable units. In compliance with this requirement, the Project will include 23 very low income units and five low-income units. LAHD staff also determined that the remaining 12 units are to be replaced in compliance with the RSO. Accordingly, contrary to the Appellant's claim, LAHD staff properly assessed the Site's existing dwelling unit characteristics and applicable replacement unit requirements under State law, and issued a correct and complete determination of the Project's replacement unit obligations.

Sincerely,



Todd Nelson
Partner
of RAND PASTER & NELSON, LLP



CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
CITY HALL 200 NORTH SPRING STREET LOS ANGELES CA 90012

SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT

800 S. Fairfax Avenue Project

Case Number: ENV-2019-7300-SCEA

Project Location: 800-840 S. Fairfax Avenue, Los Angeles, CA 90036

Council District: 4 – Nithya Raman

Project Description: The Project would entail the partial demolition of existing improvements, including two apartment buildings and a surface parking lot, and the construction of a new mixed-use project with 209 dwelling units, including 28 Extremely Low Income affordable housing units, and approximately 2,653 square feet of new commercial uses (the Project). The existing Tom Bergin's restaurant and tavern, located at 840 S. Fairfax Avenue and containing approximately 3,829 square feet of floor area, would remain. The Project includes construction of an eight-story building with a maximum height of approximately 94 feet and a total floor area of approximately 189,115 square feet. The Project would include a total of 239 vehicular parking spaces, 146 bicycle parking spaces, and a minimum of 18,356.25 square feet of open space.

PREPARED FOR:
The City of Los Angeles
Department of City Planning

PREPARED BY:
CAJA Environmental Services
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March 2021

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1 INTRODUCTION

An application for the proposed 800 S. Fairfax Avenue Project (Project) has been submitted to the City of Los Angeles Department of City Planning for discretionary review. The Department of City Planning, as Lead Agency, has determined that the Project is subject to the California Environmental Quality Act (CEQA).

The State of California adopted Senate Bill 375 (SB 375), also known as “The Sustainable Communities and Climate Protection Act of 2008,” which outlines growth strategies that better integrate regional land use and transportation planning and that help meet the State of California’s greenhouse gas (GHG) emissions reduction mandates. SB 375 requires the State’s 18 metropolitan planning organizations to incorporate a “sustainable communities strategy” (SCS) into the regional transportation plans to achieve their respective region’s GHG emission reduction targets set by the California Air Resources Board (CARB). Correspondingly, SB 375 provides various CEQA streamlining provisions for projects that are consistent with an adopted applicable SCS and meet certain objective criteria; one such CEQA streamlining tool is the Sustainable Communities Environmental Assessment (SCEA).

The Southern California Association of Governments (SCAG) is the metropolitan planning organization for the County of Los Angeles (along with the Counties of Imperial, San Bernardino, Riverside, Orange, and Ventura). On April 7, 2016, SCAG’s Regional Council adopted the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS). For the SCAG region, CARB has set GHG emissions reduction targets at eight percent below 2005 per capita emissions levels by 2020, and 13 percent below 2005 per capita emissions levels by 2035. The 2016-2040 RTP/SCS outlines strategies to meet or exceed the targets set by CARB.¹ By Executive Order, approved June 28, 2016, CARB officially determined that the 2016-2040 RTP/SCS would achieve CARB’s 2020 and 2035 GHG emission reduction targets.

On September 3, 2020, SCAG’s Regional Council adopted the 2020-2045 RTP/SCS (also known as the Connect SoCal plan). For the SCAG region, CARB has revised its long-range GHG emissions reduction target at 19 percent below 2005 per capita emissions levels by 2035, which the 2020-2045 RTP/SCS intends to meet or exceed. On October 30, 2020, CARB officially determined that the 2020-2045 RTP/SCS would achieve CARB’s 2035 GHG emission reduction target.

SB 375 allows the City, acting as lead agency, to prepare a SCEA as the environmental CEQA Clearance for “transit priority projects” (as described below) that are consistent with SCAG’s RTP/SCS.

¹ Southern California Association of Governments, 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy, Introduction, April 7, 2016. <http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx>

1.1 TRANSIT PRIORITY PROJECT CRITERIA

SB 375 provides CEQA streamlining benefits to qualifying transit priority projects (TPPs). For purposes of projects in the SCAG region, a qualifying TPP is a project that meets the following four criteria (see Public Resources Code §21155 (a) and (b)):

1. Is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in the SCAG RTP/SCS;
2. Contains at least 50 percent residential use, based on total building square footage and, if the project contains between 26 percent and 50 percent nonresidential uses, a floor area ratio of not less than 0.75;
3. Provides a minimum net density of at least 20 units per acre; and
4. Is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan.

1.2 SCEA PROCESS AND STREAMLINING PROVISIONS

Qualifying TPPs that have incorporated all feasible mitigation measures and performance standards, or criteria set forth in the prior applicable EIR (e.g., SCAG's 2016-2040 RTP/SCS and 2020-2040 RTP/SCS Program EIRs) and that are determined to not result in significant and unavoidable environmental impacts may be approved with a SCEA. The specific substantive and procedural requirements for the approval of a SCEA include the following:

1. An initial study shall be prepared for a SCEA to identify all significant impacts or potentially significant impacts, except for the following:
 - a. Growth-inducing impacts, and
 - b. Project-specific or cumulative impacts from cars and light trucks on global warming or the regional transportation network.²
2. The initial study shall identify any cumulative impacts that have been adequately addressed and mitigated in a prior applicable certified EIR. Where the lead agency determines the impact has been adequately addressed and mitigated, the impact shall not be cumulatively considerable.

² "Regional transportation network" means all existing and proposed transportation system improvements, including the state transportation system, that were included in the transportation and air quality conformity modeling, including congestion modeling, for the final regional transportation plan adopted by the metropolitan planning organization, but shall not include local streets and roads. Nothing in the foregoing relieves any project from a requirement to comply with any conditions, exactions, or fees for the mitigation of the project's impacts on the structure, safety, or operations of the regional transportation network or local streets and roads.

3. The SCEA shall contain mitigation measures that either avoid or mitigate to a level of insignificance all potentially significant or significant effects of the project required to be identified in the initial study.
4. A draft of the SCEA shall be circulated for a public comment period not less than 30 days, and the lead agency shall consider all comments received prior to acting on the SCEA.
5. The SCEA may be approved by the lead agency after the lead agency's legislative body, or a planning commission if local ordinances allow for the appeal of a CEQA determination by a non-elected decisionmaker to the legislative body, conducts a public hearing, reviews comments received, and finds the following:
 - a. All potentially significant or significant effects required to be identified in the initial study have been identified and analyzed, and
 - b. With respect to each significant effect on the environment required to be identified in the initial study, either of the following apply:
 - i. Changes or alterations have been required or incorporated into the project that avoid or mitigate the significant effects to a level of insignificance.
 - ii. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
6. The lead agency's decision to review and approve a TPP with a SCEA shall be reviewed under the substantial evidence standard.

1.3 REQUIRED FINDINGS

Based on the information contained in Section 2 (Project Description), Section 3 (SCEA Criteria and Transit Priority Project Consistency Analysis), Section 4 (RTP/SCS Project EIR Mitigation Measures), and Section 5 (Initial Study/Sustainable Communities Environmental Impact Analysis) of this document, the City finds that preparation of a SCEA in accordance with Public Resources Code Section 21155.2(b) is appropriate for the Project for the following reasons:

- The Project is consistent with the general use designations, density, building intensity, and applicable policies specified for the area of the Project Site in the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS prepared by SCAG, which is the metropolitan planning organization for the City.
- The State Air Resources Board, pursuant to subparagraph (H) of paragraph (2) of subdivision (b) of Section 65080 of the Government Code, has accepted SCAG's

determination that the sustainable communities strategy adopted by SCAG would, if implemented, achieve the greenhouse gas emission reduction targets.

- The Project qualifies as a TPP pursuant to Public Resources Code Section 21155 in that the Project contains more than 50 percent residential use; provides a minimum net density greater than 20 units an acre; and is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan;
- The Project is a residential or mixed-use project as defined by Public Resources Code Section 21159.28(d);
- The Project incorporates all relevant and applicable mitigation measures, performance standards, or criteria set forth in the prior environmental reports and adopted findings made pursuant to Public Resources Code Section 21081, including SCAG's 2016-2040 and 2020-2045 RTP/SCS Program EIRs;
- All potentially significant or significant effects required to be identified and analyzed pursuant to CEQA in an initial study have been identified and analyzed in an initial study; and
- As outlined in detail in Section 5 (Initial Study/Sustainable Communities Environmental Impact Analysis) changes or alterations have been required in or incorporated into the Project that avoid or mitigate the significant effects to a level of less than significant.

1.4 ORGANIZATION OF THE SCEA

Based on the information presented above, the SCEA for the Project is organized as follows:

Section 1. Introduction: This section provides introductory information about the Project and background information regarding SB 375, lists the TPP criteria, and describes the required content of the SCEA.

Section 2. Project Description: This section provides a detailed description of the environmental setting and the Project characteristics.

Section 3. SCEA Criteria and Transit Priority Project Consistency: This section includes a discussion of the Project's consistency with the TPP criteria listed above and demonstrates that the Project satisfies all necessary criteria for approval of a SCEA as set forth in California Public Resources Code Sections 21155 and 21155.2.

Section 4. RTP/SCS Program EIR Mitigation Measures: This section identifies all of the mitigation measures contained in the Mitigation Monitoring and Reporting Program (MMRP) for SCAG's 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs and provides a discussion of the applicability of the mitigation measures to the Project.

Section 5. Initial Study/Sustainable Communities Environmental Impact Analysis: Each environmental issue identified in the Initial Study Checklist contains an assessment and discussion of Project-specific and cumulative impacts associated with each subject area. Where the evaluation identifies potentially significant effects, as identified on the Checklist, mitigation measures are provided to reduce such impacts to less-than-significant levels.

Section 6. SCEA Conditions: This section identifies all conditions the Project would be required to implement.

Appendices: Includes various documents, technical reports, and information used in preparation of the SCEA and can be found in the case file at the Department of City Planning.

2 PROJECT DESCRIPTION

Introduction

The Project would entail the partial demolition of existing improvements, including two apartment buildings and a surface parking lot, and the construction of a new mixed-use project with 209 dwelling units, including 28 Extremely Low Income affordable housing units, and approximately 2,653 square feet of new commercial uses (the Project). The existing Tom Bergin's restaurant and tavern, located at 840 S. Fairfax Avenue and containing approximately 3,829 square feet of floor area, would remain. The Project includes construction of an eight-story building with a maximum height of approximately 94 feet and a total floor area of approximately 189,115 square feet. The Project would include a total of 239 vehicular parking spaces, 146 bicycle parking spaces, and a minimum of 18,356.25 square feet of open space.

Environmental Setting

The subject property comprises two contiguous lots located on the east side of S. Fairfax Avenue just south of W. 8th Street at 800-840 S. Fairfax Avenue (the Project Site). The Project Site is surrounded by the Shalhevet School to the south adjacent to the Project Site, a single-family residential neighborhood to the west across S. Fairfax, the Petersen Automotive Museum to the north across W. 8th Street, and multi-family residential to the east adjacent to the Project Site.

The Project Site is located within the Wilshire Community Plan area of the City of Los Angeles, which designates the Project Site as Community Commercial. The Project Site is zoned C2-1-O. The Project Site is currently developed with two multi-family buildings with 21 units and 19 units, respectively. Adjacent to the southern boundary of the Project Site, there exists a small tavern (Tom Bergin's), which would remain as part of the Project.

A map showing the Project Site in its regional and local context is included as Figure 2-1, and an aerial photograph is provided as Figure 2-2.

Surrounding Transit Services

The Project Site is located on S. Fairfax Avenue and will be served by the new Metro D Line (formerly the Purple Line) Wilshire/Fairfax Station that is under construction at Wilshire Boulevard and Orange Grove Avenue. The Project Site is also served by Metro bus lines 218 and 780 with stops on S. Fairfax Avenue, Metro bus lines 20 and 720 with stops on Wilshire Boulevard, Metro bus lines 28 and 728 with stops on Olympic Boulevard, and Metro bus lines 30 and 330 with stops on San Vicente Boulevard.

Related Projects

In this SCEA, cumulative impact analyses are provided for each environmental issue discussed in Section 5 (Initial Study/Sustainable Communities Environmental Impact Assessment) and can be found in each respective subsection of Section 5.¹ Table 2-1, Related Projects List, lists eight reasonably foreseeable related projects within a 0.5-mile radius of the Project Site that were considered in the cumulative impact analyses. This list was prepared based on information obtained from LADOT and the Department of City Planning.

**Table 2-1
Related Projects List**

No.	Land Use/Description	Size	Units	Address
1	Academy Museum of Motion Pictures Visitors Employees Retail Restaurant	5,000 135 3,000 6,000	persons persons sf sf	6067 Wilshire Boulevard
2	Residential Apartments	48	units	5891 Olympic Boulevard
3	LACMA Renovations Museum	-24,571 (reduction)	sf	5905 Wilshire Boulevard
4	Mixed Use Apartments Restaurant	57 1,596	units sf	6001 Olympic Boulevard
5	Acute Care Hospital	47,036	sf	6000 San Vicente Boulevard
6	Mixed-Use Apartments Restaurant	120 3,152	units sf	6052-66 Olympic Boulevard
7	Mixed-Use ¹ Office Commercial	125,089 8,668	sf sf	5700 Wilshire Boulevard
8	Mixed-Use Apartments	112	units	6401 Wilshire Boulevard

¹ Pursuant to Public Resources Code Section 21155.2(b)(1), the SCEA is required to identify all significant or potentially significant impacts of a TPP through the preparation of an initial study, other than growth inducing impacts or specific or cumulative impacts from cards and light-duty trucks trips consistent with Section 21159.28, based on substantial evidence in light of the whole record. The Initial Study Checklist for the Project is attached hereto in Section 4 of this SCEA. Additionally, the SCEA is required to identify any cumulative effects that have been adequately addressed and mitigated in prior applicable certified EIRs.

**Table 2-1
Related Projects List**

No.	Land Use/Description	Size	Units	Address
	Commercial	5,110	sf	
<p><i>sf = square feet</i></p> <p>¹<i>Consistent with the Supplemental Traffic Assessment, the analysis contained in this SCEA assumes a 10% buildout of Related Project No. 7 by the Project's buildout year of 2024.</i></p> <p><i>Sources: All project descriptions and trip generation information provided by LADOT Case Logging and Tracking System ("CLATS") as well as a review of pending Department of City Planning cases, unless otherwise noted.</i></p>				

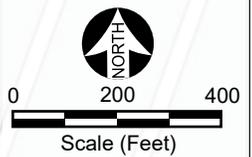


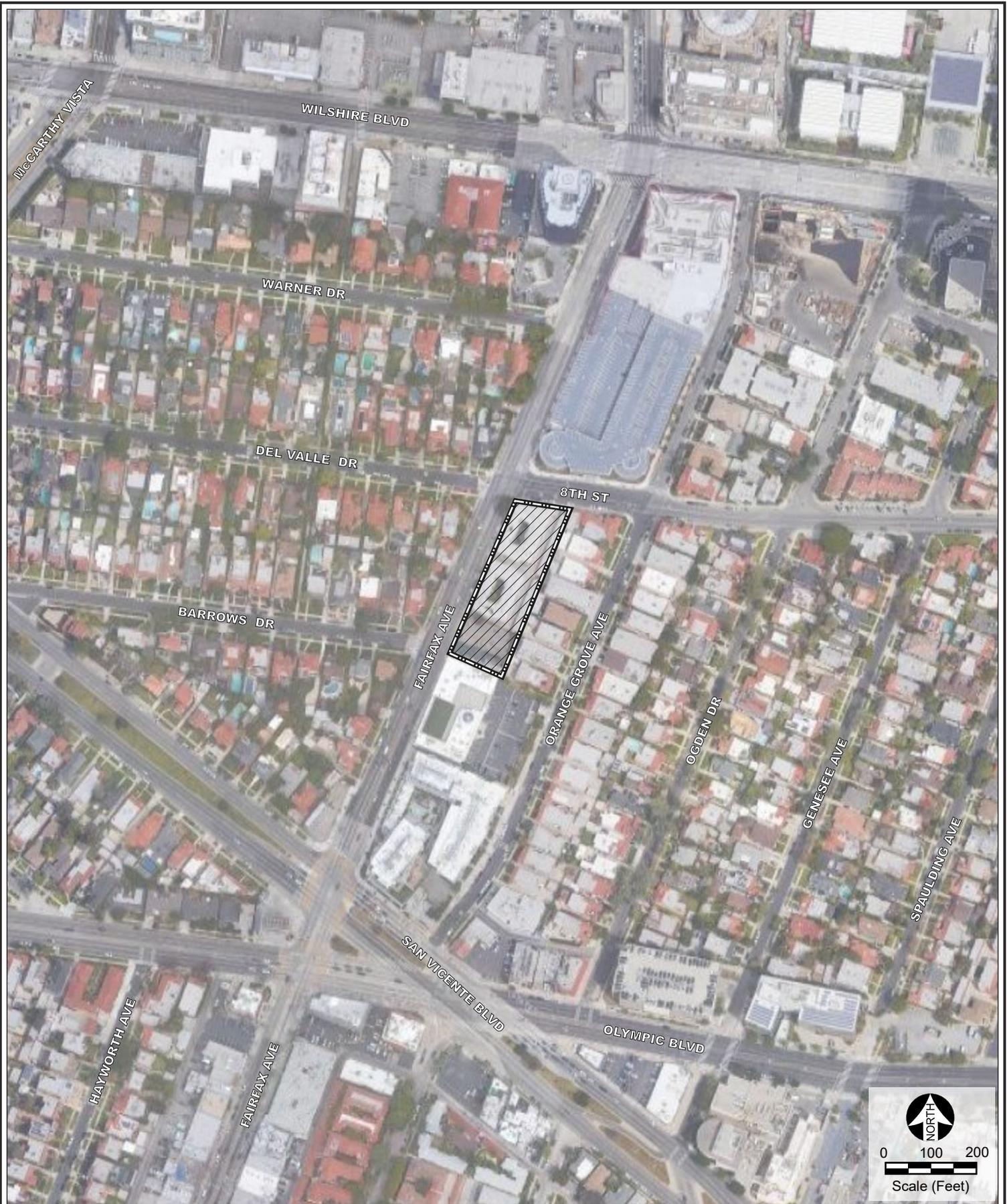
Legend

 Project Site

Source: Google Maps, 2020.

**Figure 2-1
Regional Map**





Legend



Project Site

Source: Google Maps 2020.

Figure 2-2
Aerial Map

Project Characteristics

The Applicant proposes to redevelop two continuous lots in the Wilshire Community Plan area of the City of Los Angeles, extending along the eastern side of Fairfax Avenue between 8th Street to the north and San Vicente Boulevard to the south. The Project consists of the demolition of two existing buildings occupied by residential units and the construction of a new 8-story mixed-use building with up to 209 multiple family dwelling units and approximately 2,653 square feet of ground floor commercial/restaurant uses for a total floor area of approximately 189,115 square feet. As noted previously, the building currently occupied by Tom Bergin's (840 S. Fairfax Avenue) would be retained as part of the Project.

Pedestrian access to the commercial uses will be from Fairfax Avenue. Pedestrian access to the primary residential lobby will also be from Fairfax Avenue. At the ground level, the Project would include an entry courtyard with outdoor dining space and landscaping, which would enhance the existing restaurant space and would create an active space for lounging and dining.

In order to develop the Project as proposed, the Project Applicant is seeking an 80 percent density bonus under City of Los Angeles Municipal Code (LAMC) Section 12.22.A.31 and the City's adopted Transit Oriented Communities (TOC) Guidelines with the provision of affordable housing. In addition to the density bonus, the Applicant is also seeking base incentives for an increased floor area ratio (FAR) of 4.25 to 1 in lieu of 1.5 to 1 and a 40 percent reduction in commercial parking, and additional incentives for use of the RAS3 yard setbacks in the C zone, up to a 25 percent reduction in the required open space, and use of the transitional height provisions contained in the TOC Guidelines in lieu of LAMC Section 12.21.1.A.10. Based on the Project Site's location within 750 feet of a Major Transit Stop (i.e., the intersection of Metro's D Line Wilshire/Fairfax rail station and Metro's Rapid 720 bus line), the Project is eligible for Tier 4 incentives under the TOC Guidelines with the provision of affordable housing. The Project includes 28 units (approximately 13 percent of the total number of units and approximately 24 percent of the Project Site's base density) that will be designated as affordable housing units for Extremely Low Income households.

The Project's site plan, floor plans, and elevations are provided in Figures 2-3 through 2-17 (provided at the end of this section).

Density

The permitted residential density in the C2 zone is one dwelling unit per 400 square feet of lot area. The Project Site has a total lot area of 46,087.56 square feet, resulting in a by-right density of 115.2 dwelling units, which pursuant to the TOC Guidelines, is rounded up to establish a base density of 116 dwelling units. Due to its location within a TOC Tier 4 area, and with the provision of a minimum of 11 percent of the total number of units affordable for Extremely Low Income households, the Project qualifies for a TOC Guidelines base incentive to increase density by 80 percent. After the 80 percent density increase is applied, the maximum permitted density is 208.8

dwelling units, which rounds up to 209 units. The Project proposes 209 dwelling units, in conformance with the TOC Guidelines.

Floor Area and Height

The permitted FAR in the C2-1 zone is 1.5 to 1 with no height limitation; however, the Project Site is within the distances specified in LAMC Section 12.21.1.A.10 to properties zoned RW or more restrictive (i.e., the R1-zoned properties to the west across Fairfax Avenue), so the LAMC's transitional height provisions would apply which would limit height as follows:

1. 25 feet within 0 to 49 feet.
2. 33 feet within 50 to 99 feet; and
3. 61 feet within 100 to 199 feet.

Pursuant to a TOC Guidelines base incentive, the Project qualifies for an increase in FAR of 4.25 to 1 in lieu of 1.5 to 1. The Project proposes an FAR of approximately 4.1 to 1, in conformance with the TOC Guidelines.

Pursuant to a TOC Guidelines additional incentive, in lieu of the LAMC's transitional height provisions, the Project may utilize the transitional height standards in the TOC Guidelines, which require that within the first 25 feet of the property line abutting or across the street from the RW1 or more restrictive zone, the building height shall be stepped back at a 45 degree angle originating 25 feet above grade at the property line of the adjoining lot in the RW1 or more restrictive zone. The Project complies with the TOC Guidelines' transitional height standard.

Yard Setbacks

In the C2 zone, no front yards are required, and the side and rear yards requirements of the R4 zone (which require a five-foot side yard plus one foot for each story over two and a 15-foot rear yard plus one foot for each story over three) apply at the first level of a building containing residential units. Pursuant to LAMC Section 12.22.A.18(c)(3), no yard requirements shall apply to the residential portions of buildings located on lots in the CR, C1, C1.5, C2, C4, and C5 Zones used for combined commercial and residential uses, if such portions are used exclusively for residential uses, and abut a street, private street or alley, and the first floor of such buildings at ground level is used for commercial uses or for access to the residential portions of such buildings.

The Project Site abuts a street or an alley for the westerly side yard (S. Fairfax Avenue) and the ground floor of the Project is used exclusively for commercial uses and access to the residential units. The lot line opposite the designated front yard (W. 8th Street) is assumed to be the rear yard and abuts existing commercial uses. The lot line opposite S. Fairfax Avenue abutting the R3 zone is assumed to be a second side yard. Therefore, the LAMC-required yard setbacks are as follows: front and one side yard (S. Fairfax Avenue) – zero; second side yard (eastern property line) – 5 feet plus one additional foot for each story over two, or 11 feet; and rear (southern

property line) – 15 feet plus one additional foot for each story over three, or 20 feet. The TOC Guidelines permit an additional incentive that allows the Applicant to request approval to apply the requirements of the RAS3 zone for commercially-zoned properties regardless of the type of project. The Applicant is seeking approval of this TOC Guidelines additional incentive for one side yard and the rear yard; therefore, the required side (abutting the R3 zone) and rear (abutting the C2 zone) yard setbacks would be five feet.

Vehicle Access and Parking

Under the LAMC's standard requirements, vehicular parking for residential dwelling units is required at a rate of 1.5 spaces for each unit with three habitable rooms (such as the one-bedroom units proposed for the Project) and 2.0 spaces for each unit with more than three habitable rooms (such as the two- and three-bedroom units proposed for the Project); therefore, the Project would be required to provide a minimum of 269 parking spaces for the residential units under the LAMC. The commercial uses will consist of 2,653 square feet of restaurant; LAMC vehicular parking is required at a rate of one space per 100 square feet for restaurant uses. Therefore, the Project would be required to provide a minimum of 27 parking spaces for the new commercial uses. In addition, there are 23 existing parking spaces that serve the Tom Bergin's restaurant and tavern that would need to be replaced. The total LAMC-required parking and replacement parking would be 319 parking spaces, prior to the application of any reductions for provision of bicycle parking.

Under the TOC Guidelines, no vehicular parking is required for the residential uses since the Project is eligible for Tier 4 TOC incentives. The Project is also eligible for a 40 percent reduction in the required commercial parking, or a total of 17 commercial parking spaces. Therefore, under the TOC Guidelines, the minimum required parking for the Project would be 40 spaces (15 commercial parking spaces plus the 23 replacement parking spaces). The Project includes a total of 199 vehicular parking spaces for the residential units and 40 vehicular parking spaces for the commercial uses.

Parking will be provided in one subterranean parking level and in an at-grade level and second-floor level that would be screened from view by the commercial uses, residential amenity space, and a series of green walls. Restaurant and commercial patrons will access the parking garage from S. Fairfax Avenue where a passenger drop-off space will be provided. Residential tenants will have the option of entering the parking garage from either S. Fairfax Avenue or W. 8th Street.

Bicycle Parking

Long-term bicycle parking for the residential units is required at a rate of 1 space for each unit up to 25 units, 1 space per 1.5 units for units 26-50, 1 space per 2 units for units 101-200, and 1 space per 4 units for units above 200. Short-term bicycle parking for the residential units is required at a rate of 1 space for each 10 units up to 25 units, 1 space per 15 units for units 26-50, 1 space per 20 units for units 101-200, and 1 space per 40 units for units above 200. Bicycle parking for the commercial uses is required at a rate of one short-term space and one long-term

space per 2,000 square feet for retail and restaurant uses with a minimum of two spaces each of short-term and long-term for each of the retail and restaurant uses. The total required bicycle parking would be 128 long-term and 14 short-term spaces for the residential units and two short-term and two long-term spaces for the commercial uses for a total of 146 spaces. The Project includes a total of 146 bicycle parking spaces.

Open Space

Pursuant to Section 12.21.G.2 of the LAMC, there shall be 100 square feet of open space provided for each residential unit having less than three habitable rooms; 125 square feet of open space provided for each residential unit consisting of three habitable rooms; and 175 square feet of open space provided for each residential unit containing more than three habitable rooms. The Project is a mixed-use project containing 209 apartment units, which results in a requirement to include 24,050 square feet of open space. The Applicant is requesting a TOC Guidelines additional incentive to reduce the open space requirement by 25 percent so that 18,356.25 square feet would be required in lieu of 24,050 square feet otherwise required under LAMC Section 12.21.G.2. The Project would include a minimum of 18,356.25 square feet of open space that is inclusive of common open space areas as well as private (balcony) open space areas. In addition to the entry courtyard that will connect Tom Bergin's, the new development residential lobby, and the public sidewalk creating active space for lounging and dining, the common open space areas include a reading library room, fitness center, recreation room, media center, pool, spa and four courtyards at the third level, and viewing terrace at the eighth level.

Lighting

Lighting would include low-level exterior lights adjacent to buildings and along pathways for security and way-finding purposes. In addition, low-level lighting to accent architectural features and landscaping elements would also be incorporated throughout the Site. Proposed lighting would be designed to provide for efficient, effective, and aesthetically pleasing lighting solutions, which would minimize light trespass from the proposed buildings and overall Project Site, reduce sky-glow to increase night sky access, and improve nighttime visibility through glare reduction.

Trash Collection and Loading Areas

The Project is designed to minimize the visual impact of trash receptacles and loading areas. Electrical rooms, storage rooms, trash enclosures, and loading spaces are located within the Project and are not visible from surrounding public streets and public view. Rooftop equipment will be set back from the roof parapet edge and appropriately screened from public view. The loading area for the commercial uses will be provided at grade within the podium and will be accessed from the alley.

Project Design Features

The following Project Design Features (PDFs) are included as part of the Project:

PDF-AES-1 During the duration of the Project's demolition and construction activities, temporary construction fencing will remain along the periphery of the Project Site to maintain security of the Project Site. The Project Applicant will ensure through daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways that are accessible/visible to the public, and that such temporary barriers and walkways are maintained in a visually attractive manner (i.e., free of trash, graffiti, peeling postings, etc.) throughout the duration of construction.

PDF-AES-2 The Project has been designed to preserve the Tom Bergin's building, and this building will be isolated from construction activities taking place in the northern portions of the Project Site, and a landscaped courtyard will physically separate the new building from the Tom Bergin's building. The Project will also provide an outdoor deck facing Fairfax Avenue and the Tom Bergin's building with a swimming pool, spa, and recreation room at the third level, creating more open space between the Tom Bergin's building and the new building. The Project has been designed in such a way that it will be compatible with the massing, size, scale, and features of the Tom Bergin's building. Specifically, the new building has been designed so that its southwest volume, at 22 feet tall, is considerably lower than the rest of the building and slightly lower than the top of the front gable of the Tom Bergin's building, helping to soften the transition in scale between the one-and-a-half story historic building the new eight-story building. Stepping back the massing of the new building in this way also has the effect of preserving views of the Tom Bergin's building as it is being approached from the north.

In addition to the stepped massing, the new building also strategically incorporates glazing and other materials to further soften the transition between the Tom Bergin's building and the adjacent new construction. The new building will incorporate a variety of materials and textures into its design; its southern volumes, which are nearest Tom Bergin's, are extensively glazed, resulting in façades that are generally lighter, tauter, and less visually impactful than the rest of the new building. This will further ease the visual transition between the historic building and the proposed new construction.

PDF-CUL-1 Photo documentation of the Tom Bergin's building and its current site conditions will be undertaken before commencement of construction activities on the Project Site. Documentation will include the surface parking lot and all site features on the property, in addition to the building itself and its two freestanding signs. Photographic documentation will follow the guidelines of the Historic American

Building Survey (HABS) Level III, although it is not required that they be submitted to the Library of Congress. Photographic documentation will be submitted to local repositories including (and not limited to) the Los Angeles Public Library and the Los Angeles Conservancy.

PDF-CUL-2 The condition of the Tom Bergin's building will be monitored during excavation and construction activities by a historic architect meeting the Secretary of the Interior's Professional Qualification Standards, to ensure it is protected from vibration and other construction-related disturbances.

PDF-PS-1 During construction, the Project would include security features, such as fencing the perimeter of the construction area and deploying site security, to prevent trespassing and theft during construction activities.

PDF-PS-2 The Project would implement principles of the City of Los Angeles Crime Prevention Through Environmental Design (CPTED) Guidelines, such as:

- The inclusion of adequate and strategically positioned functional and thematic lighting to enhance public safety;
- Visually obstructed and infrequently accessed "dead zones" would be limited; and
- Access controls would be used for the residential portion of the Project.

PDF-TR-1 **Construction Traffic Management Plan.** Prior to the start of construction, the Project Applicant shall prepare a detailed Construction Traffic Management Plan (CTMP), including street closure information, detour plans, haul routes, and staging plans, and submit it to LADOT for review and approval. The Construction Traffic Management Plan shall include a Worksite Traffic Control Plan, which will facilitate traffic and pedestrian movement, and minimize the potential conflicts between construction activities, street traffic, bicyclists, and pedestrians. The Construction Traffic Management Plan and Worksite Traffic Control Plan shall be based on the nature and timing of specific construction activities and other projects in the vicinity, and shall include, but not be limited to, the following measures:

- Maintain access for land uses in the vicinity of the Project Site during construction;
- Minimize obstruction of traffic lanes adjacent to the Project Site to the extent feasible;
- Organize Project Site deliveries and the staging of all equipment and materials in the most efficient manner possible, and on-site where possible, to avoid an impact to the surrounding roadways;

- Coordinate truck activity and deliveries to ensure trucks do not wait to unload or load at the Project Site and impact roadway traffic, and if needed, utilize an organized off-site staging area;
- Provide advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation;
- Prohibit construction worker or equipment parking on adjacent streets;
- Provide temporary pedestrian, bicycle, and vehicular traffic controls to ensure traffic safety on public rights-of-way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's driveways;
- Schedule construction activities to reduce the effect on traffic flow on surrounding arterial streets;
- Contain construction activity within the Project Site boundaries;
- Implement safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers as appropriate;
- Limit sidewalk and lane closures to the maximum extent possible, and avoid peak hours to the extent possible. Where such closures are necessary, the Project's Worksite Traffic Control Plan will identify the location of any sidewalk or lane closures and identify all traffic detours and control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of demolition and construction activity;
- Schedule construction-related deliveries, haul trips, etc., so as to occur outside the commuter peak hours to the extent feasible; and/or
- Prepare a haul truck route program that specifies the construction truck routes to and from the Project Site.

Construction

The Project's construction would occur over an approximately 37-month period and would include the following phases: demolition, grading, building construction, and architectural coatings, with the Project becoming operational in 2024. The Project's estimated construction schedule is shown in Table 2-2.

**Table 2-2
Estimated Construction Schedule**

Phase	Duration	Notes
Demolition	Month 1	5,700 cubic yards of material demolished and hauled in 10-cubic yard capacity trucks up to 30 miles away
Grading (includes shoring)	Months 2-5	17,000 cubic yards of soil export hauled up to 30 miles away in 10-cubic yard capacity trucks
Building Construction	Months 6-37	Construction of the building, exterior skin, and buildout
Architectural Coatings	Months 32-37	
<i>Source: DKA Planning, 2020.</i>		

The Project includes approximately 5,700 cubic yards of demolition material and approximately 17,000 cubic yards of soil that would be exported from the Project Site. Therefore, a Truck Haul Route Program would be required as part of the Project's Construction Traffic Management Program, which would be reviewed and approved as part of the City's permitting process. The haul route would be as follows:

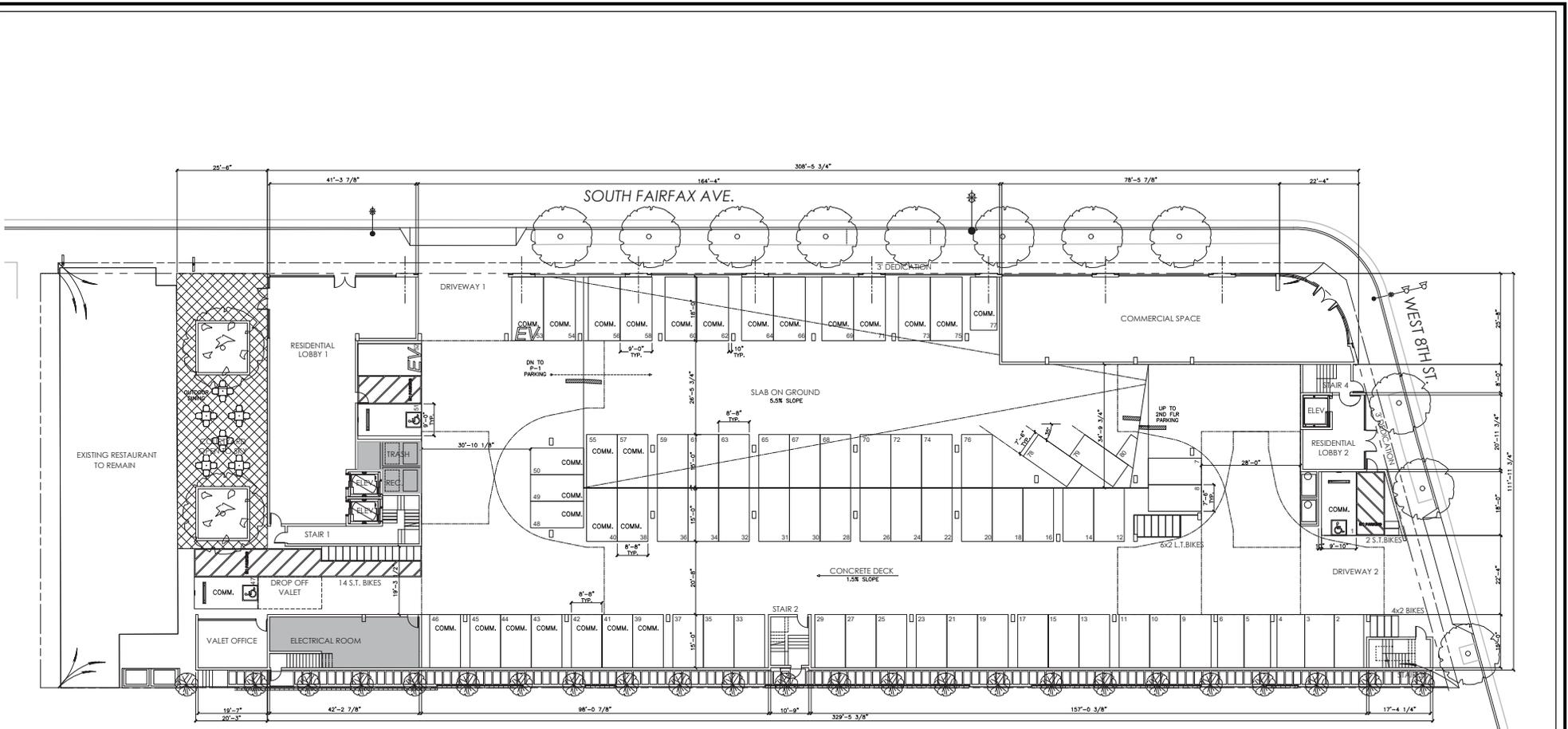
- Trucks would exit the Project Site either onto Fairfax Avenue or 8th Street, and would travel south on Fairfax Avenue to access the I-10 freeway.
- Trucks returning to the Project Site would exit the I-10 freeway onto Fairfax Avenue and would travel north on Fairfax Avenue until they reach the Project Site.

Requested Discretionary Actions

In order to implement the Project, the Project Applicant is requesting approval of the following discretionary actions from the City:

- Pursuant to the TOC Guidelines and LAMC Section 12.22.A.31, base incentives for a density increase of 80 percent, an FAR increase of 4.25 to 1 in lieu of 1.5 to 1; reduced residential parking of 199 spaces, and a 40 percent parking reduction for the commercial uses;
- Pursuant to the TOC Guidelines and LAMC Section 12.22.A.31, the Applicant requests an additional incentive to reduce the required open space by 25 percent to a minimum of 18,356.25 square feet in lieu of 24,050 square feet;
- Pursuant to the TOC Guidelines and LAMC 12.22.A.31, the Applicant requests an additional incentive to apply the RAS3 zone yard setbacks in the C zone in lieu of the requirements of LAMC 12.21.1.A.10;

- Pursuant to the TOC Guidelines and LAMC 12.22.A.31, the Applicant requests an additional incentive to apply the transitional height standards in the TOC Guidelines which require that within the first 25 feet of the property line abutting or across the street from the RW1 or more restrictive zone, the building height shall be stepped back at a 45 degree angle originating 25 feet above grade at the property line of the adjoining lot in the RW1 or more restrictive zone in lieu of the transitional height standards of LAMC 12.21.1.A.10;
- Pursuant to LAMC Section 16.05, approval of Site Plan Review findings; and
- Other discretionary and ministerial permits and approvals that may be deemed necessary, including but not limited to temporary street closure permits, street tree removal permits, grading permits, excavation permits, foundation permits, and building permits.



MIXED USE EXHIBIT

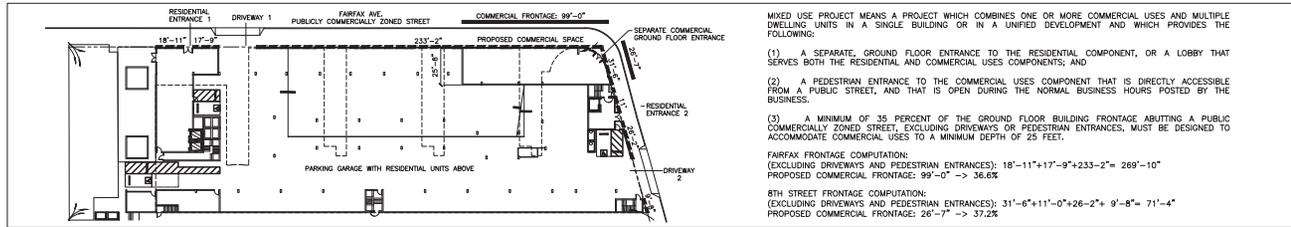


Figure 2-5
1st Floor Plan

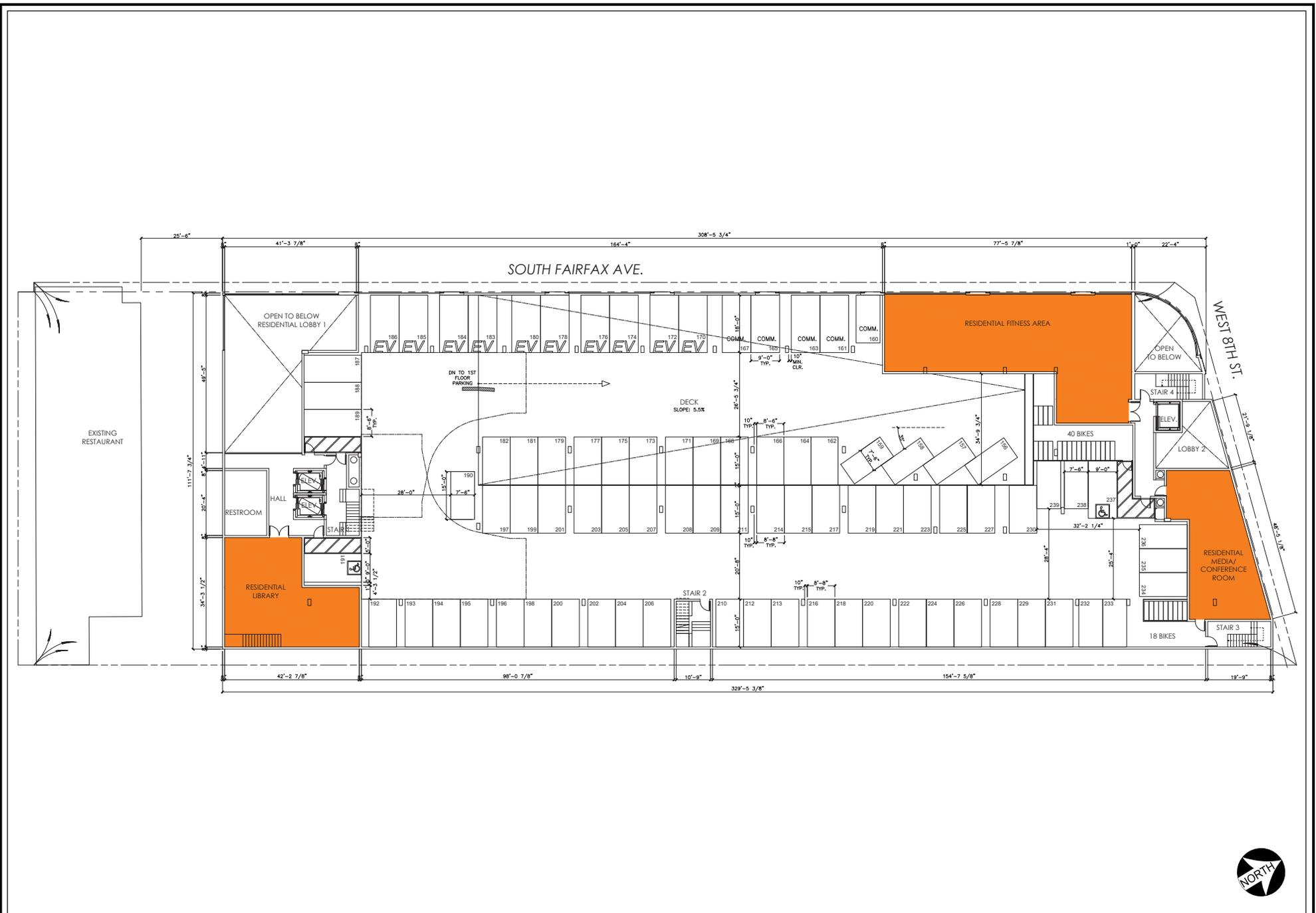


Figure 2-6
2nd Floor Plan

Source: Reed Architectural Group, Inc. 2019.



Figure 2-8
4th Floor Plan

 1 BEDROOM	18
 2 BEDROOM	19
 3 BEDROOM	
TOTAL UNITS	37

SOUTH FAIRFAX AVE.

WEST 8TH ST.

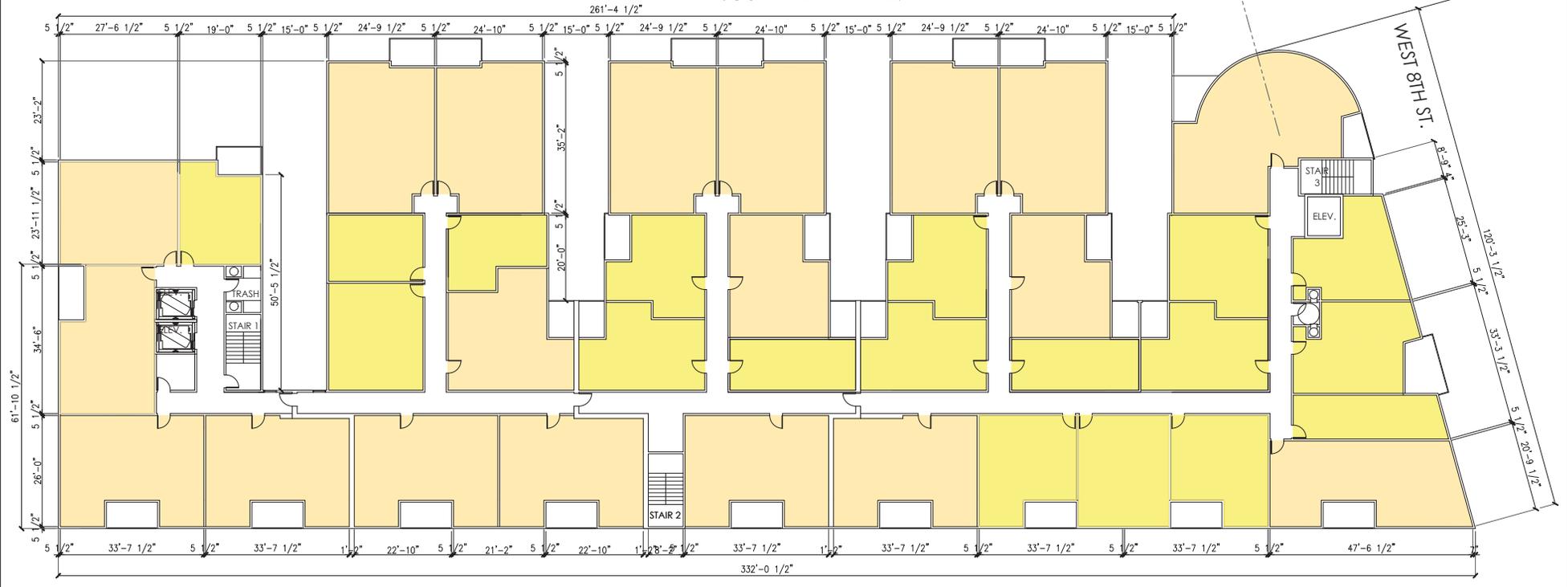


Figure 2-9
5th Floor Plan

	1 BEDROOM	17
	2 BEDROOM	19
	3 BEDROOM	
TOTAL UNITS		36

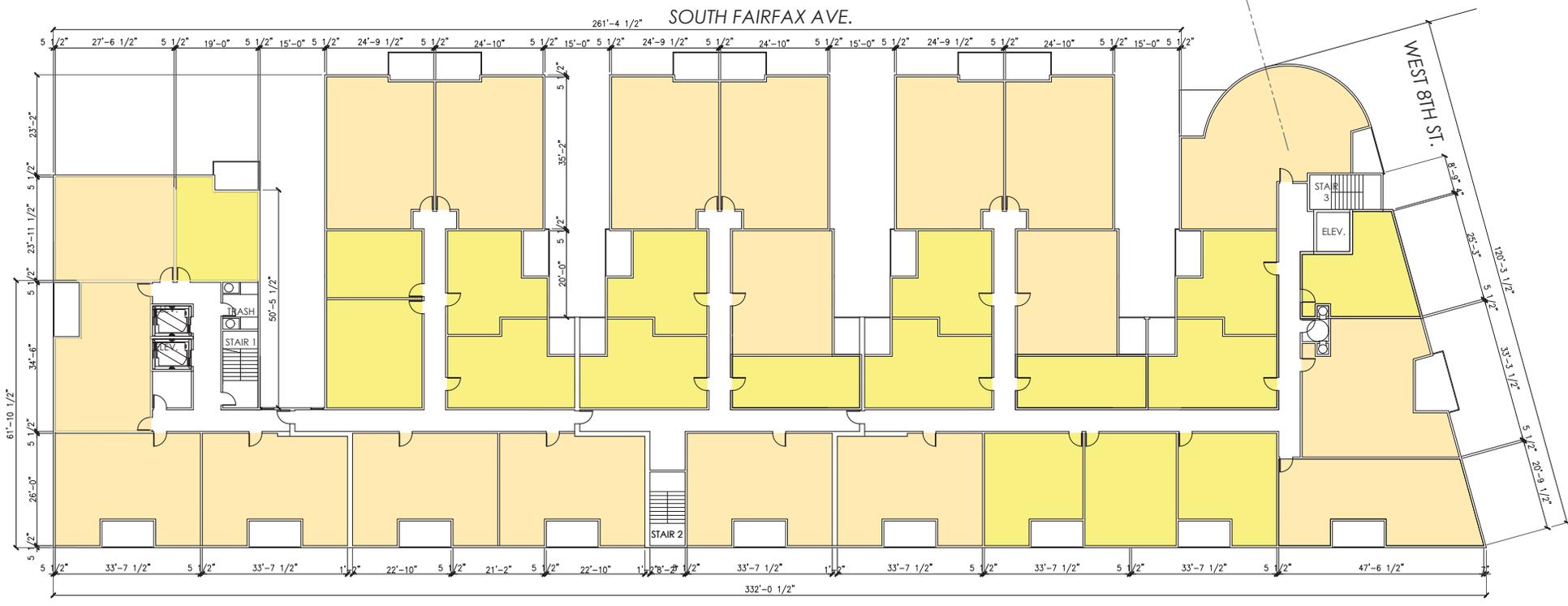


Figure 2-11
7th Floor Plan



Figure 2-12
8th Floor Plan

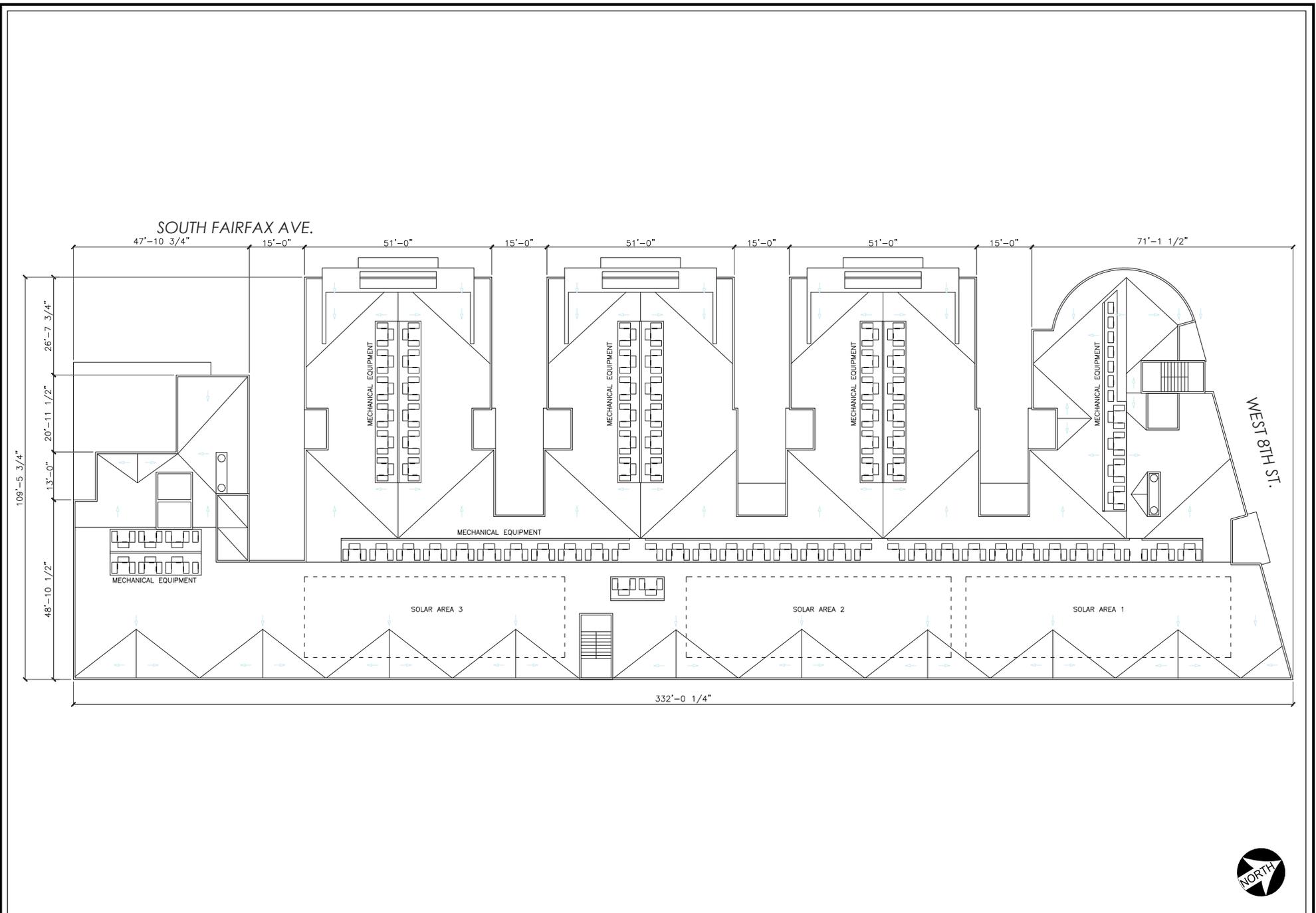


Figure 2-13
Roof Plan

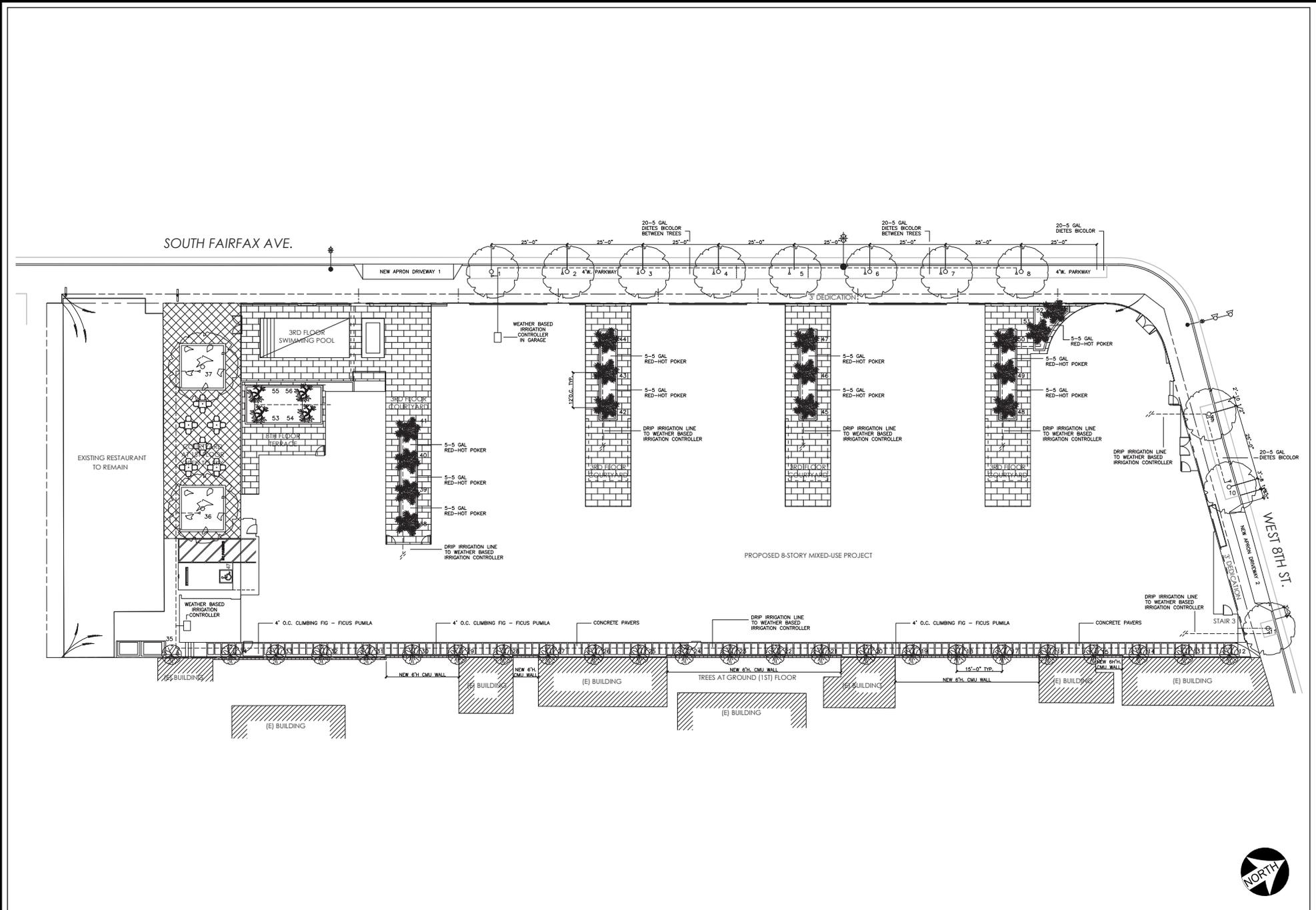


Figure 2-14
Landscape Plan

Source: Reed Architectural Group, Inc. 2019.

- | | |
|---|--|
| <ul style="list-style-type: none"> 9 42"H. GLASS HANDRAIL 10 42"H. METAL-BARS HANDRAIL 11 CMU WALL 12 CONCRETE COLUMN 13 PAINTED METAL LOUVER 14 PAINTED METAL GRILL 15 ARCHITECTURAL METAL CHANNELS 16 BRICK VENEER 17 SPANDREL GLASS 18 GREENSCAPE WALL | <ul style="list-style-type: none"> 1 3/4" THCK. STUCCO OVER METAL LATH OVER TWO LAYERS OF 1HR. BUILDING PAPER - SMOOTH FINISH 2 3/4" THCK. STUCCO OVER METAL LATH OVER TWO LAYERS OF 1HR. BUILDING PAPER - CONCRETE FINISH 3 POUR-IN-PLACE CONCRETE 4 PRE-PAINTED METAL SIDING OVER TWO LAYERS OF BUILDING PAPER OVER EXT. SHEET ROCK 5 BREAK METAL OVER TWO LAYERS OF BUILDING PAPER OVER EXT. SHEET ROCK 6 CONTROL JOINT - ALUMINUM REGLET 7 STOREFRONT SYSTEM - ANOD. ALUMINUM 8 ARCHITECTURAL PROJECTION - BREAK METAL |
|---|--|



Figure 2-15
West Elevation

- 9 42"H. GLASS HANDRAIL
- 10 42"H. METAL-BARS HANDRAIL
- 11 CMU WALL
- 12 CONCRETE COLUMN
- 13 PAINTED METAL LOUVER
- 14 PAINTED METAL GRILL
- 15 ARCHITECTURAL METAL CHANNELS
- 16 BRICK VENEER
- 17 SPANDREL GLASS
- 18 GREENSCAPE WALL

- 1 7/8" THICK STUCCO OVER METAL LATH OVER TWO LAYERS OF 1HR. BUILDING PAPER - SMOOTH FINISH
- 2 7/8" THICK STUCCO OVER METAL LATH OVER TWO LAYERS OF 1HR. BUILDING PAPER - CONCRETE FINISH
- 3 POUR-IN-PLACE CONCRETE
- 4 PRE-PAINTED METAL SIDING OVER TWO LAYERS OF BUILDING PAPER OVER EXT. SHEET ROCK
- 5 BREAK METAL OVER TWO LAYERS OF BUILDING PAPER OVER EXT. SHEET ROCK
- 6 CONTROL JOINT - ALUMINUM REGLET
- 7 STOREFRONT SYSTEM - ANOD. ALUMINUM
- 8 ARCHITECTURAL PROJECTION - BREAK METAL



NORTH ELEVATION - 8TH STREET



SOUTH ELEVATION - TOM BERGIN SIDE

- 13 PAINTED METAL LOUVER
- 14 PAINTED METAL GRILL
- 15 ARCHITECTURAL METAL CHANNELS
- 16 BRICK VENEER
- 17 SPANDREL GLASS

- 6 CONTROL JOINT - ALUMINUM REGLET
- 7 STOREFRONT SYSTEM - ANOD. ALUMINUM
- 8 ARCHITECTURAL PROJECTION - BREAK METAL
- 9 42"H. GLASS HANDRAIL
- 10 42"H. METAL-BARS HANDRAIL
- 11 CMU WALL
- 12 CONCRETE COLUMN

- 1 3/4" THICK STUCCO OVER METAL LATH OVER TWO LAYERS OF 1HR. BUILDING PAPER - SMOOTH FINISH
- 2 3/4" THICK STUCCO OVER METAL LATH OVER TWO LAYERS OF 1HR. BUILDING PAPER - CONCRETE FINISH
- 3 POUR-IN-PLACE CONCRETE
- 4 PRE-PAINTED METAL SIDING OVER TWO LAYERS OF BUILDING PAPER OVER EXT. SHEET ROCK
- 5 BREAK METAL OVER TWO LAYERS OF BUILDING PAPER OVER EXT. SHEET ROCK



Figure 2-17
East Elevation

3 SCEA FINDINGS AND CONSISTENCY

CONSISTENCY WITH TRANSIT PRIORITY PROJECT CRITERIA

As discussed in Section 1, Introduction, a Sustainable Communities Environmental Assessment (SCEA) may be prepared for a project that (a) is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in a sustainable communities strategy (see California Public Resources Code Section 21155(a) and (b) is a “transit priority project” (as defined in California Public Resources Code Section 21155(b)). As further described below, the Project meets these criteria and thus, is eligible for certain CEQA streamlining benefits by way of preparing a SCEA for purposes of clearance under the California Environmental Quality Act (CEQA). Specifically, Section 21155(b) applies to a project that:

1. Is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy, for which the California Air Resources Board (CARB) has accepted a metropolitan planning organization’s determination that the sustainable communities strategy or the alternative planning strategy would, if implemented achieve the greenhouse gas emission reduction targets established by CARB;
2. Is a Transit Priority Project in that the project meets the following criteria:
 - a. Contains at least 50 percent residential use, based on total building square footage and if the project contains between 26 percent and 50 percent nonresidential uses, a floor area ratio of not less than 0.75;
 - b. Provides a minimum net density of at least 20 units per acre; and
 - c. Is located within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan/sustainable communities strategy (RTP/SCS).

The Southern California Association of Governments (SCAG) is the metropolitan planning organization for the Project Site area, and in that capacity bears the responsibility under SB 375 to implement and administer regional transportation plans (RTPs) and sustainable communities strategies (SCSs) for purposes of achieving the goals for reducing greenhouse gases as envisioned by AB 32. On April 7, 2016, SCAG adopted the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS). The 2016-2040 RTP/SCS contains a forecasted transportation system and development pattern for the region, which, if implemented, will reduce greenhouse gas emissions to meet regional greenhouse gas emission reduction targets, which CARB had established as eight percent below 2005 per capita emissions levels by 2020, and 13 percent below 2005 per capita emissions levels by 2035.

On June 28, 2016, CARB accepted SCAG's quantification of GHG emission reductions from the 2016-2040 RTP/SCS and determined that the 2016-2040 RTP/SCS would, if implemented, achieve the 2020 and 2035 GHG emission reduction targets and thus, met the criteria to be a sustainable communities strategy. The 2016-2040 RTP/SCS was last amended in September 2018, to reflect CARB's revised long-range GHG emissions reduction target of 19 percent below 2005 per capita emissions levels by 2035.

The 2020-2045 RTP/SCS (also known as the Connect SoCal plan) is SCAG's most recent update to the 2016-2040 RTP/SCS. Like the 2016-2040 RTP/SCS, the 2020-2045 RTP/SCS is a long-range visioning plan for the six-county SCAG region that highlights the existing land use and transportation conditions throughout the SCAG region and forecasts how it will meet the region's transportation needs between 2020 and 2045, as well as achieve CARB's GHG emissions reduction targets. Specifically, the 2020-2045 RTP/SCS identifies and prioritizes expenditures of this anticipated funding for transportation projects of all transportation modes: highways, streets and roads, transit, rail, bicycle and pedestrian, as well as aviation ground access. It also includes a set of visions, goals, objectives, policies and performance measures developed through public and stakeholder outreach sessions across SCAG's region. On September 3, 2020, SCAG's Regional Council formally adopted the 2020-2045 RTP/SCS. On October 30, 2020, CARB officially determined that the 2020-2045 RTP/SCS would achieve CARB's 2035 GHG emission reduction target. Collectively, the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS demonstrate how the SCAG region will achieve CARB's identified GHG reduction targets, and for this reason, this SCEA addresses the consistency of the Project with both plans.

Consistency with Criterion #1 – The Project is consistent with the general use designation, density, and building intensity and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy.

Consistency with RTP/SCS Land Use, Density and Intensity

2016-2040 RTP/SCS

The 2016-2040 RTP/SCS contains SCAG's regional growth projections, goals, and policies, as well as a regional overview of projected land uses and development standards. Using data collected from local jurisdictions, including general plans, SCAG has categorized existing and projected land use into land use types. Given the number of square miles the SCAG region encompasses, SCAG developed a simplified series of Land Development Categories (LDCs) to represent the themes taken from the region's many general plans. This was developed in order to facilitate regional modeling of land use information from six counties representing nearly 200 distinct jurisdictions.

As described in the 2016-2040 RTP/SCS, the LDCs employed in the 2016-2040 RTP/SCS are not intended to represent detailed land use policies, but are used to describe the general conditions likely to occur within a specific area if recently emerging trends, such as transit-oriented development, were to continue in concert with the implementation of the 2016-2040 RTP/SCS.

These forecasted regional development types are shown in various maps by county and subregion. The smallest level of information provided in the 2016-2040 RTP/SCS is the subregion, which in the case of the Project Site is within the “Los Angeles City” Subregion, encompassing the entire City of Los Angeles.

Each county and subregion in the SCAG region is classified by the 2016-2040 RTP/SCS into one of three LDCs (urban, compact, or standard) and then the land use types are combined into 35 Place Types. SCAG uses each of these categories to describe the conditions that exist and/or are likely to exist within each specific area of the region. (2016-2040 RTP/SCS, pp. 20-21.)

Land Development Category (LDC)

The 2016-2040 RTP/SCS contains land use projections in the SCS Background Documentation Appendix. *Exhibit 14: Forecasted Regional Development Types (2040)* is a map of the Los Angeles City Subregion and includes the following language:

Note: The forecasted land use development patterns shown are based on Transportation Analysis Zone (TAZ) level data utilized to conduct required modeling analyses. Data at the TAZ level or at a geography smaller than the jurisdictional level are advisory only and non-binding, because SCAG sub-jurisdictional forecasts are not to be adopted as part of the 2016 RTP/SCS. The data is controlled to be within the density ranges of local general plans and/or input received from local jurisdictions. For purposes of determining consistency for California Environmental Quality Act (CEQA) streamlining, lead agencies have the sole discretion in determining a local project’s consistency with the 2016 RTP/SCS.

Due to the scale and level of detail of the 2016-2040 RTP/SCS map, the Project Site is located in an area that is within the range of “Compact” LDC to “Urban” LDC. Due to the fact that the location of the Project is located very near the blended boundary between the Compact LDC and Urban LDC, both of these LDCs are described in detail below:

The 2016-2040 RTP/SCS describes the Compact LDC as follows:

These areas are less dense than those in the Urban Land Development Category, but they are highly walkable with a rich mix of retail, commercial, residential and civic uses. These areas are most likely to occur as new growth on the urban edge, or as large-scale redevelopment. They have a rich mix of housing, from multifamily and attached single-family (townhome) to small- and medium-lot single-family homes. These areas are well served by regional and local transit service, but they may not benefit from as much service as urban growth areas and are less likely to occur around major multimodal hubs. Streets in these areas are well connected and walkable, and destinations such as schools, shopping and entertainment areas can typically be reached by walking, biking, taking transit, or with a short auto trip. (2016-2040 RTP/SCS, at page 20.)

The 2016-2040 RTP/SCS describes the Urban LDC as follows:

These areas are often found within and directly adjacent to moderate and high density urban centers. Nearly all urban growth in these areas would be considered infill or redevelopment. The majority of housing is multifamily and attached single-family (townhome), which tend to consume less water and energy than the larger types found in greater proportion in less urban locations. These areas are supported by high levels of regional and local transit service. They have well-connected street networks, and the mix and intensity of uses result in a highly walkable environment. These areas offer enhanced access and connectivity for people who choose not to drive or do not have access to a vehicle.

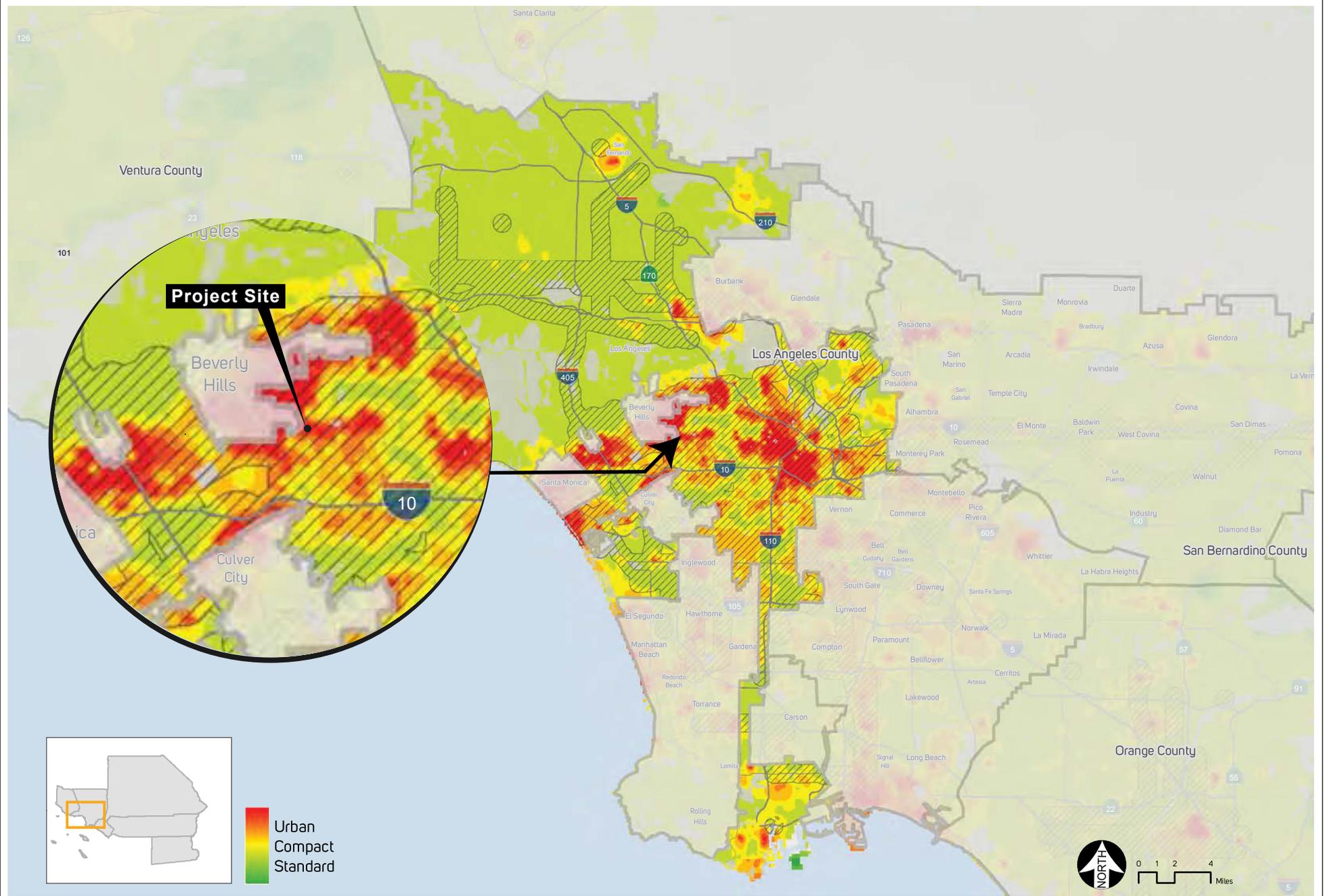
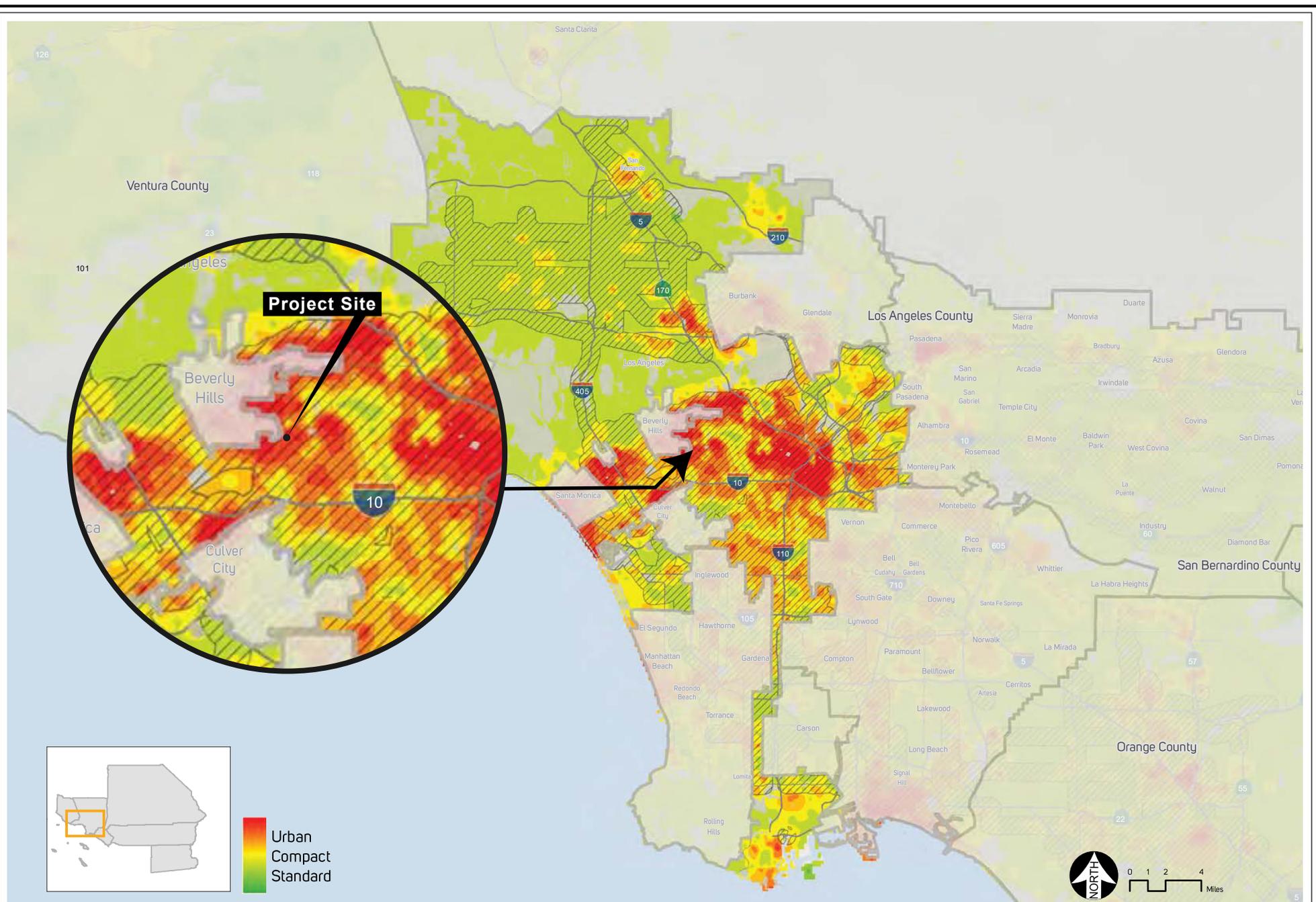


Figure 3-1
 Forecasted Regional Development Types by
 Land Development Categories (2012) - Los Angeles City Subregion

Source: SCAG, 2015.



Source: SCAG, 2015.

Figure 3-2
 Forecasted Regional Development Types by
 Land Development Categories (2040) - Los Angeles City Subregion

As noted on the 2016-2040 RTP/SCS map, the Lead Agency retains the authority to determine a project's consistency with the 2016-2040 RTP/SCS and the LDC designation on the map is considered advisory and non-binding with respect to any site geographically smaller than a jurisdiction or sub-region, because the SCAG data has been assembled for the purpose of making a regional sustainability projection. For these reasons, and for purposes of analyzing potential consistency with SCAG policies in this SCEA, the discussion below focuses on the Project's consistency with the Urban LDC. The Project Site is located within the Mid-City area, which conforms to the classifications of the Urban LDC. The Project conforms to the Urban LDC goals of transit connectivity and well-connected street networks associated with multi-family housing. Finally, the Project is located within a High Quality Transit Area (HQTA) as defined by SCAG and a Transit Priority Area as defined by SB 743.^{1 2}

Although the Project closely aligns with the Urban LDC standards, it also conforms to a majority of the Compact LDC standards related to areas exhibiting a mix of retail, commercial, and housing uses.

Place Type

The 2016-2040 RTP/SCS also identifies 35 Place Types for modeling purposes, which provide a blueprint for consistency with its Land Use Density Designation and Density provisions, including mixed use, residential, commercial, office, research and development, industrial, civic, and open space.³ Within the Urban LDC, the City Residential designation most typifies the proposed Project and is characterized below.

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- ¹ SCAG, High Quality Transit Areas (HQTA) 2016 – SCAG Region, <https://gisdata-scag.opendata.arcgis.com/datasets/high-quality-transit-areas-hqta-2016-scag-region?geometry=-118.367%2C34.060%2C-118.357%2C34.062>, accessed on October 27, 2020.
 - ² SCAG, Transit Priority Areas (2016), <https://gisdata-scag.opendata.arcgis.com/datasets/transit-priority-areas-2016?geometry=-118.367%2C34.060%2C-118.357%2C34.062>, accessed on October 27, 2020.
 - ³ SCAG 2016-2040 RTP/SCS Background Documentation, Urban Footprint Place Types, http://scagrtpscs.net/documents/2016/supplemental/UrbanFootprint_PlaceTypesSummary.pdf. Refer to Appendix C; see also Place Types Categorized into Land Development Categories, available at: http://scagrtpscs.net/Documents/2016/supplemental/LDC_PlaceType.pdf.

City Residential



Land Use Mix		Residential Mix	
Residential	65%	SF Large Lot	0%
Employment	4%	SF Small Lot	0%
Mixed Use	11%	Townhome	3%
Open Space/Civic	20%	MultiFamily	97%
Built Environment		Employment Mix	
Intersections per mi ²	200	Office	40%
Average Floors	7	Retail	60%
Floors Range	5 – 40	Industrial	0%
Total Net FAR	2.9		
Gross Density Range (per acre)		Average Density (per acre)	
Household	35-75	Household	58
Employee	0-17	Employee	14

Description

An dense residential-focused type, City Residential is dominated by mid- and high-rise residential towers, with some ground-floor retail space. Parking is usually structured, below or above ground. Residents are well served by transit, and can walk or bicycle for many of their daily needs.

The Project is a mixed-use development consisting of mostly residential uses with ground floor commercial uses in a highly urbanized part of Los Angeles. Land uses within the general vicinity of the Project Site are characterized by a mix of varying residential uses (from low-rise single-family uses to high-rise multi-family uses), assorted commercial and retail uses, as well as office and institutional buildings, which vary widely in building style and period of construction.

The Project is approximately 99 percent residential, and the housing consists entirely of multi-family dwelling units. The Project would contain a total of 189,115 square feet with a total proposed floor area ratio (FAR) of up to 4.25:1. Specifically, the Project would provide 209 multi-family units and approximately 2,653 square feet of ground floor commercial space. The Project would include eight stories with a maximum height of approximately 94 feet. The area of the Project Site is also supported by high levels of regional and local transit. The Project Site is located on S. Fairfax Avenue and will be served by the new Metro D Line Wilshire/Fairfax Station that is under construction. The Project Site is also served by Metro bus lines 218 and 780 with stops on S. Fairfax Avenue, Metro bus lines 20 and 720 with stops on Wilshire Boulevard, Metro bus lines 28 and 728 with stops on Olympic Boulevard, and Metro bus lines 30 and 330 with stops on San Vicente Boulevard.

Accordingly, using SCAGs Urban Footprint Scenario Planning Model in the 2016-2040 RTP/SCS to help determine form, scale, and function of the suggested Place Types and LDCs, the Project is consistent with the SCAG's "Urban" Land Use Designation and City Residential place type, and associated density and building intensity identified for the area of the Project Site in the 2016-2040 RTP/SCS.

2020-2040 RTP/SCS

The 2020-2045 RTP/SCS includes strategies for accommodating projected population, household, and employment growth in the SCAG region by 2045 as well as a transportation investment strategy for the region. These land use strategies are directly tied to supporting related GHG emissions reductions through increasing transportation choices aimed at triggering reduced

dependence on automobiles and increased growth in walkable, mixed-use communities and HQTAs, and by encouraging growth near destinations and mobility options, promoting diverse housing choices, leveraging technology innovations, supporting implementation of sustainability policies, and promoting a green region. As a land use tool, the 2020-2045 RTP/SCS identifies Priority Growth Areas (PGAs) throughout the SCAG region where these land use strategies can be fully realized. These PGAs include Job Centers, Transit Priority Areas, High Quality Transit Areas, Neighborhood Mobility Areas, Livable Corridors, and Spheres of Influence. These PGAs account for only four percent of region's total land area, but implementation of SCAG's growth strategies will help these areas accommodate an estimated 64 percent of forecasted household growth and 74 percent of forecasted employment growth between 2016 and 2045. This more compact form of regional development, if fully realized, can reduce travel distances, increase mobility options, improve access to workplaces, and conserve the region's resource areas.

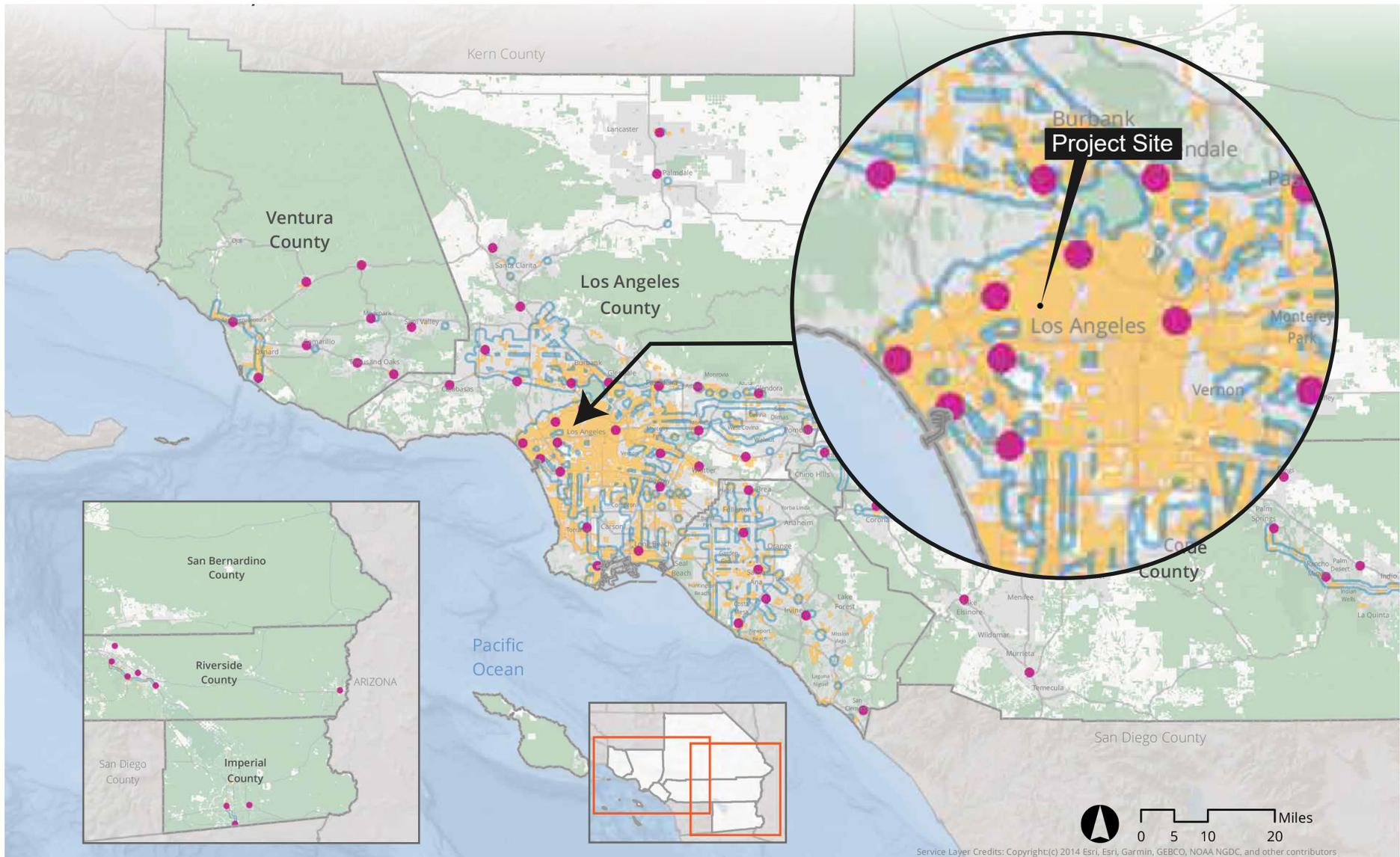
The 2020-2045 RTP/SCS identifies these PGAs on Exhibits 3.4 through 3.10, which are included in this SCEA as Figures 3-3 through 3-9. As shown on the figures, the Project Site is located near a Job Center; within the boundaries of a TPA, a HQTAs, and a Neighborhood Mobility Area; and along a Livable Corridor. (The Project Site is not within a Sphere of Influence.) Accordingly, the Project would be consistent with the general use designation, density, and building intensity set forth in the 2020-2045 RTP/SCS for each of these types of PGA.

- Job Centers: Areas with denser employment than their surroundings. The Project would be located near several Job Centers including those located in Beverly Hills, Culver City, Hollywood, and Downtown Los Angeles. The 2020-2045 RTP/SCS prioritizes employment growth and residential growth in existing Job Centers in order to leverage existing density and infrastructure. When growth is concentrated in Job Centers, the length of vehicle trips for residents can be reduced.
- Transit Priority Areas (TPAs): Areas within one-half mile of a major transit stop that is existing or planned. According to the 2020-2045 RTP/SCS, focusing regional growth in areas with planned or existing transit stops is key to achieving equity, economic, and environmental goals. Infill within TPAs can reinforce the assets of existing communities, efficiently leveraging existing infrastructure and potentially lessening impacts on natural and working lands. Growth within TPAs supports the 2020-2045 RTP/SCS's strategies for preserving natural lands and farmlands and alleviates development pressure in sensitive resource areas by promoting compact, focused infill development in established communities with access to high-quality transportation.
- High Quality Transit Areas (HQTAs): Areas within one-half mile from major transit stops and high quality transit corridors. Like TPAs, HQTAs are places where vibrant TOD can be realized and are a cornerstone of land use planning best practice in the SCAG region. Infrastructure investments that support walkable, compact communities that integrate land use and transportation planning for a better functioning built environment are essential within HQTAs. New developments should be context-sensitive, responding to the existing physical conditions of the surrounding area. Sensitively designed TODs can preserve existing development patterns and neighborhood character while providing a balance of housing choices.

- **Neighborhood Mobility Areas (NMAs):** These areas focus on creating, improving, restoring and enhancing safe and convenient connections to schools, shopping, services, places of worship, parks, greenways and other destinations. NMAs have robust residential to non-residential land use connections, high roadway intersection densities and low-to-moderate traffic speeds. NMAs can encourage safer, multimodal, short trips in existing and planned neighborhoods and reduce reliance on single occupancy vehicles. NMAs support the principles of center focused placemaking. Fundamental to neighborhood scale mobility in urban, suburban and rural settings is encouraging “walkability,” active transportation and short, shared vehicular trips on a connected network through increased density, mixed land uses, neighborhood design, enhanced destination accessibility and reduced distance to transit. Targeting future growth in these areas has inherent benefits to Southern California residents – providing access to “walkable” and destination-rich neighborhoods to more people in the future.
- **Livable Corridors:** Livable Corridor land-use strategies include development of mixed use retail centers at key nodes along corridors, increasing neighborhood-oriented retail at more intersections, applying a “Complete Streets” approach to roadway improvements and zoning that allows for the replacement of underperforming auto-oriented strip retail between nodes with higher density residential and employment. Livable Corridors also encourage increased density at nodes along key corridors, and redevelopment of single-story, under-performing retail with well-designed, higher density housing and employment centers.

The Project would construct housing and neighborhood-serving commercial uses on an infill site near transit and sources of shopping and employment. The Project Site is located within specifically designated areas identified in the 2020-2045 RTP/SCS as PGAs, and the Project would significantly increase housing supply in the Project area. The Project would also increase housing diversity and affordability in the PGA in which the Project Site is located. Of the Project’s 209 proposed dwelling units, 28 units would be set aside for rental to households qualifying at the Extremely Low Income level. Given the urban nature of the Project Site area, Project residents and employees would be able to walk and bike to work and to shop. In addition, the Project Site’s location near robust transit opportunities (including multiple bus lines and the future Metro D Line) would further reduce dependence on automobile travel, reducing the need to own an automobile and pay for parking.

The Project would include an entry courtyard, which would connect Tom Bergin’s, the new residential lobby, and the public sidewalk, creating active space for dining and lounging, where pedestrians could rest. The provision of ground floor commercial spaces, including outdoor dining spaces, would further activate the pedestrian environment of the neighborhood. Finally, the Project would include approximately 130 long-term bicycle parking stalls and 16 short-term bicycle parking stalls, which would encourage bicycling as a form of exercise and transportation. This type of transit-oriented mixed-use project helps to reduce both dependence on automobile travel and mobile-source GHG emissions. Thus, the Project is consistent with SCAG’s land use strategies related to reducing GHG emissions by encouraging growth near destinations and mobility options. As such, the Project would be consistent with the 2020-2045 RTP/SCS’s goals, policies and benefits for land use, density, and intensity of development.



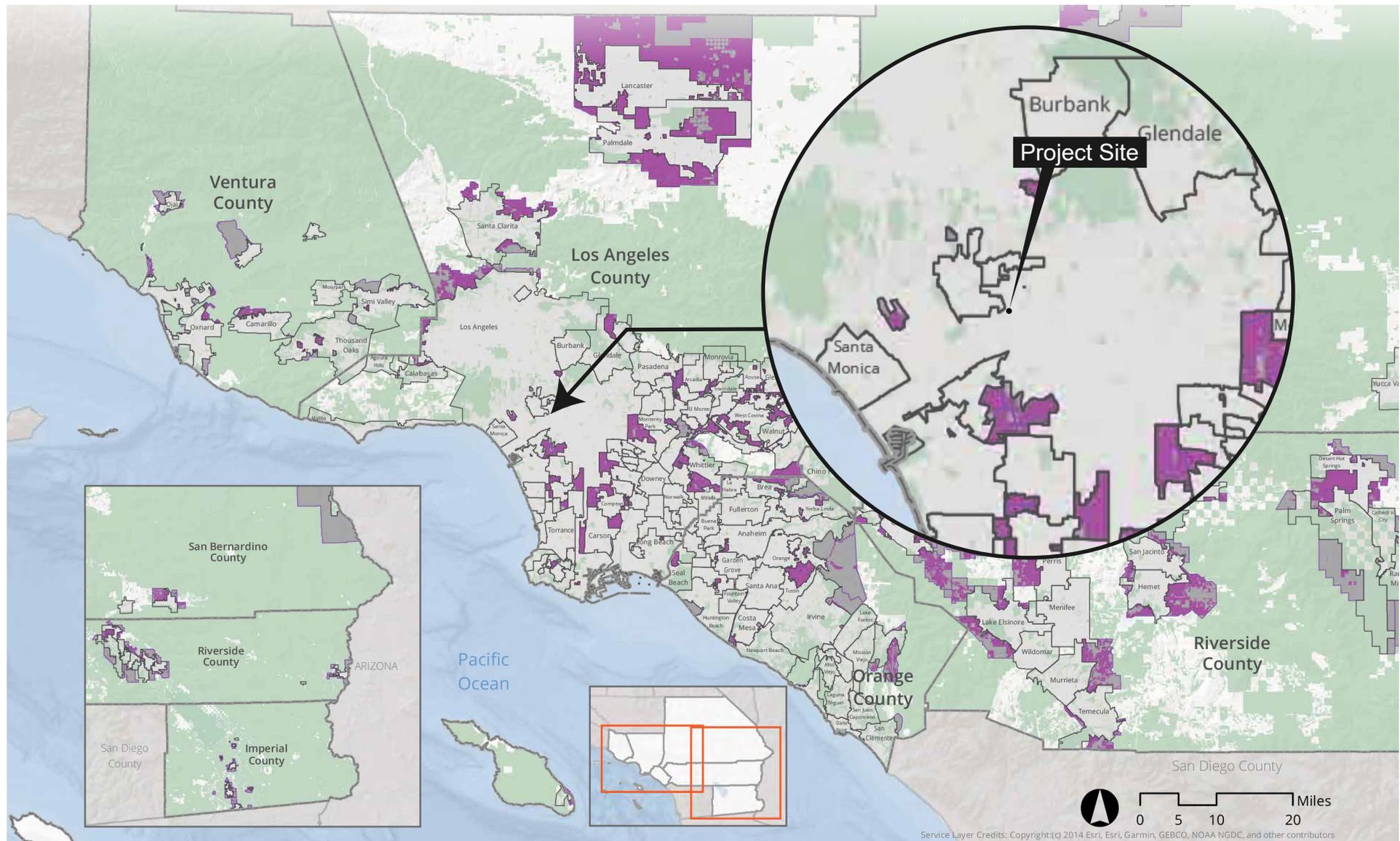
Priority Growth Areas vs. Regional Growth Constraints

- Job Center
- Neighborhood Mobility Areas
- High Quality Transit Area
- Regional Growth Constraints

Source: CalBRACE, California Department of Conservation, CPAD, CCED, County Transportation Commissions, NOAA Coastal Services Center, SCAG, 2019

Note: SCAG used locally informed data elements to determine Regional Growth Constraints such as Tribal lands, Conserved Land and others. See the Sustainable Communities Strategy Technical Report for more details.

Figure 3-3
Priority Growth Areas Vs. Regional Growth Constraints

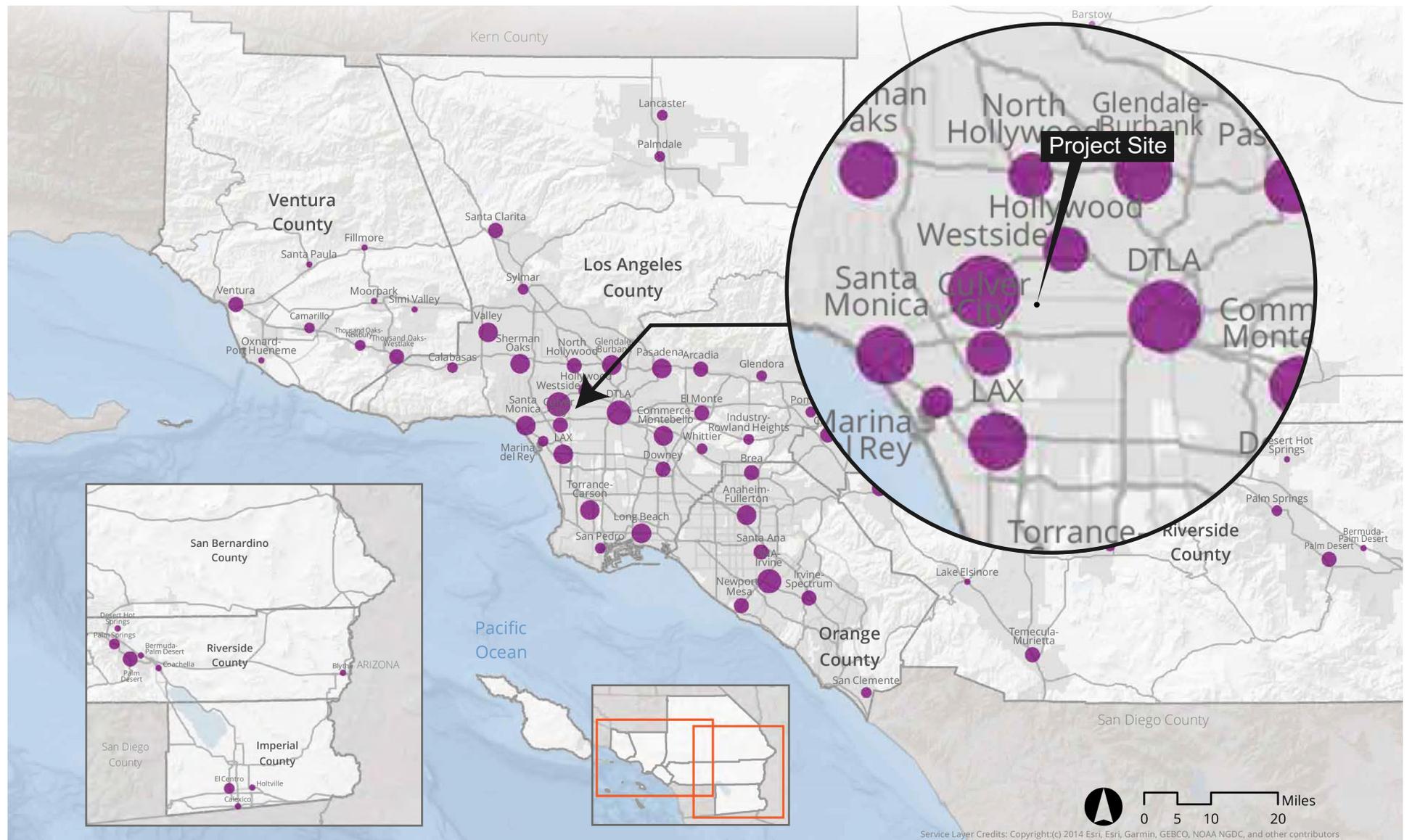


- County Boundaries
- Sphere of Influence
- City Boundaries
- Regional Growth Constraints

Note: SCAG used locally informed data elements to determine Regional Growth Constraints such as Tribal lands, Conserved Land and others. See the Sustainable Communities Strategy Technical Report for more details.

Source: Counties and local jurisdictions LAFCO in SCAG region, 2018

Figure 3-4
Priority Growth Areas - Spheres of Influence



SCAG Region Proposed 2020 RTP/SCS Job Centers (Total Employment)

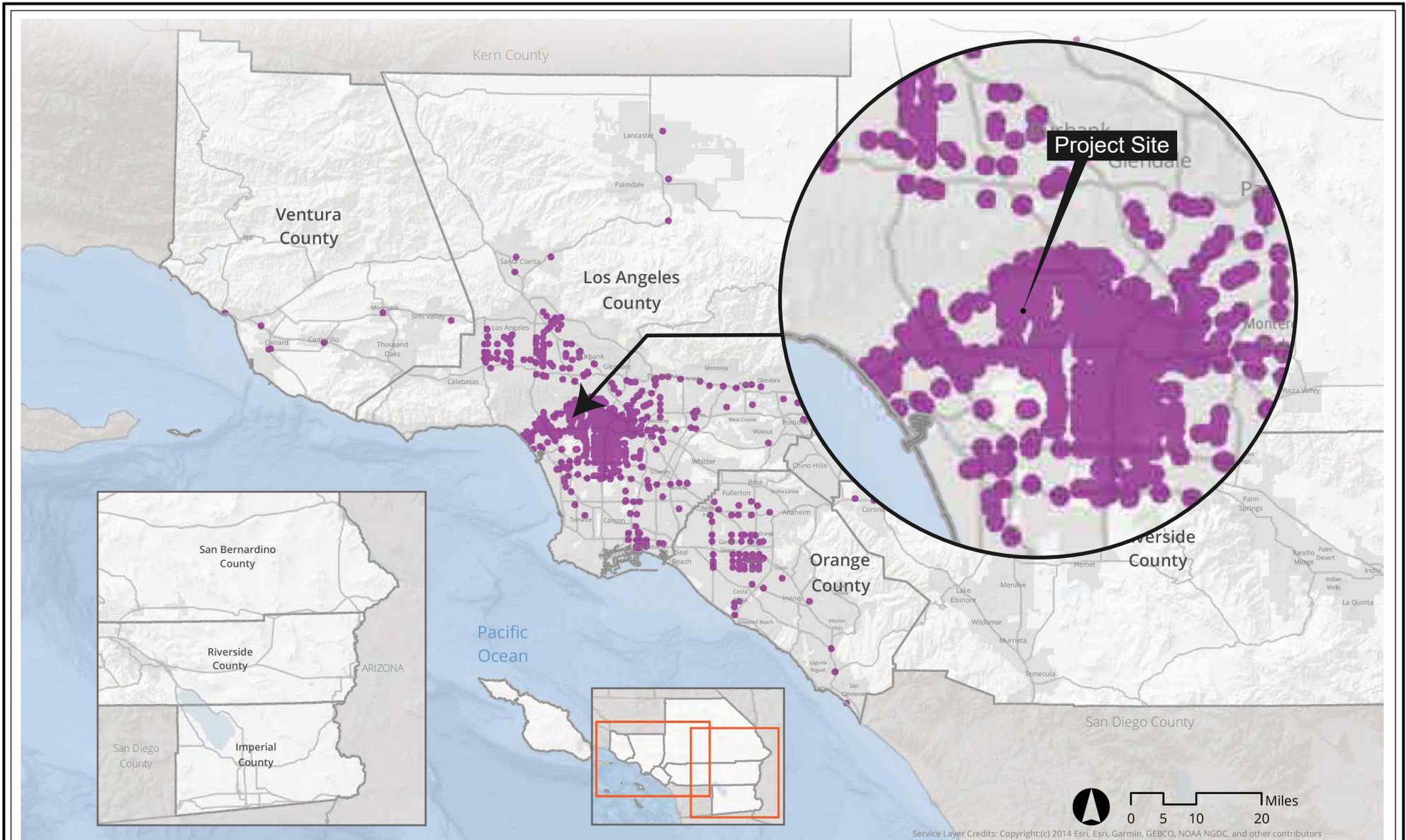
- Less than 10,001 (17)
- 10,001 - 25,000 (22)
- 25,001 - 50,000 (19)
- 50,001 - 150,000 (11)
- More than 150,000 (3)

Source: SCAG, 2019

Notes:

- (1) Centers are areas with denser employment than their surroundings.
- (2) Dots represent the total employment in each center, not center boundaries.
- (3) Names are intended to be illustrative and may not reflect all the jurisdictions in which a center fully lies.

Figure 3-5
SCAG Region Proposed 2020 RTP/SCS Job Centers (Total Employment)

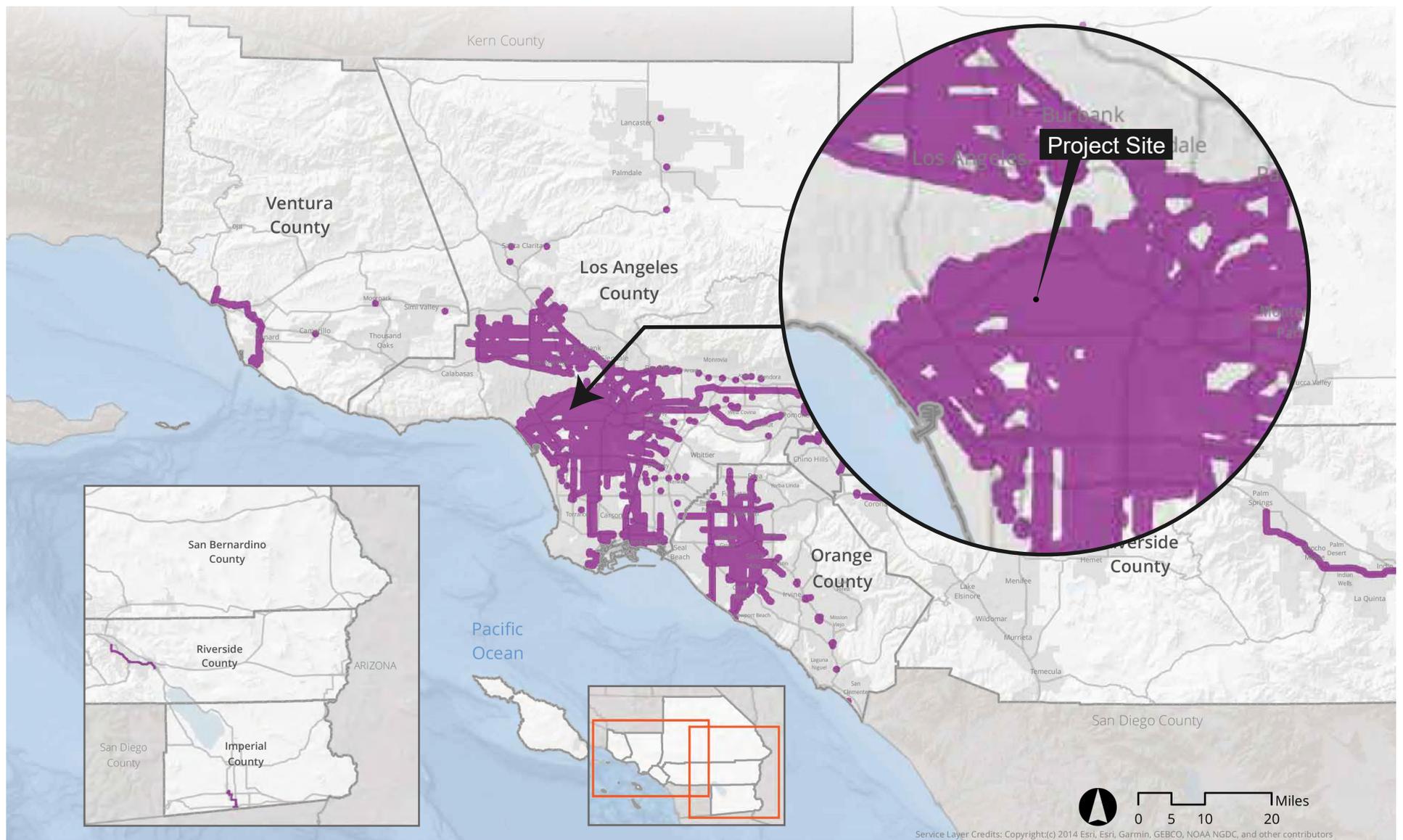


Transit Priority Areas (2045)

■ TPA

Source: County Transportation Commissions, SCAG, 2019

Note: Transit priority area (TPA) refers to an area within one-half mile of a major transit stop that is existing or planned. SCAG identifies major transit stops and transit priority areas using the methodology described in the Transit Technical Report. Major transit stops are extracted from 2045 plan year data of Connect SoCal.

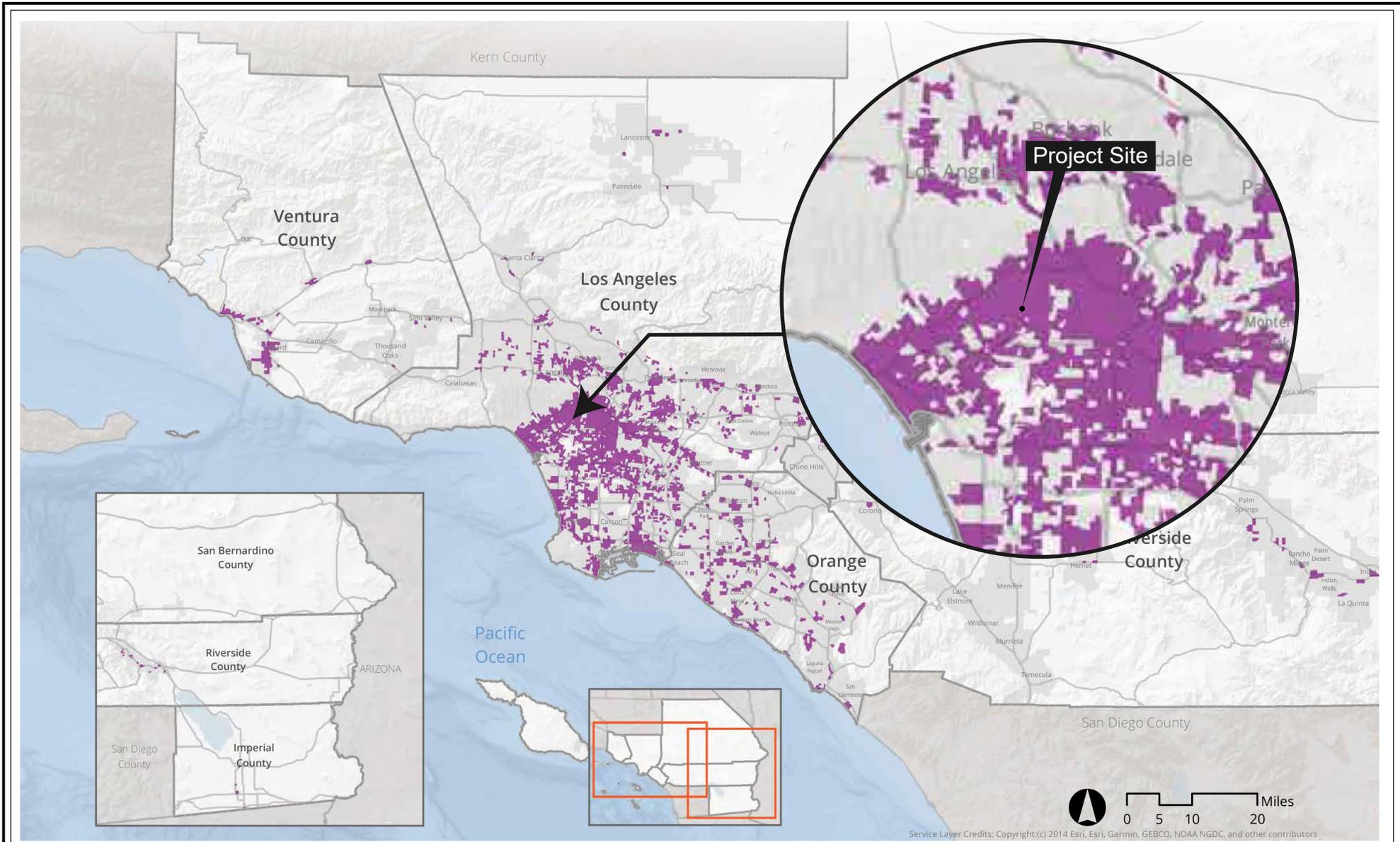


High Quality Transit Areas (2045)

■ HQTA

Source: County Transportation Commissions, SCAG, 2019

Note: SCAG's High Quality Transit Area (HQTA) is within one-half mile from major transit stops and high quality transit corridors (HQTC). SCAG identifies major transit stops and HQTAs using the methodology described in the Transit Technical Report. Major transit stops and HQTAs are extracted from 2045 plan year data of Connect SoCal.



Neighborhood Mobility Areas (NMA)

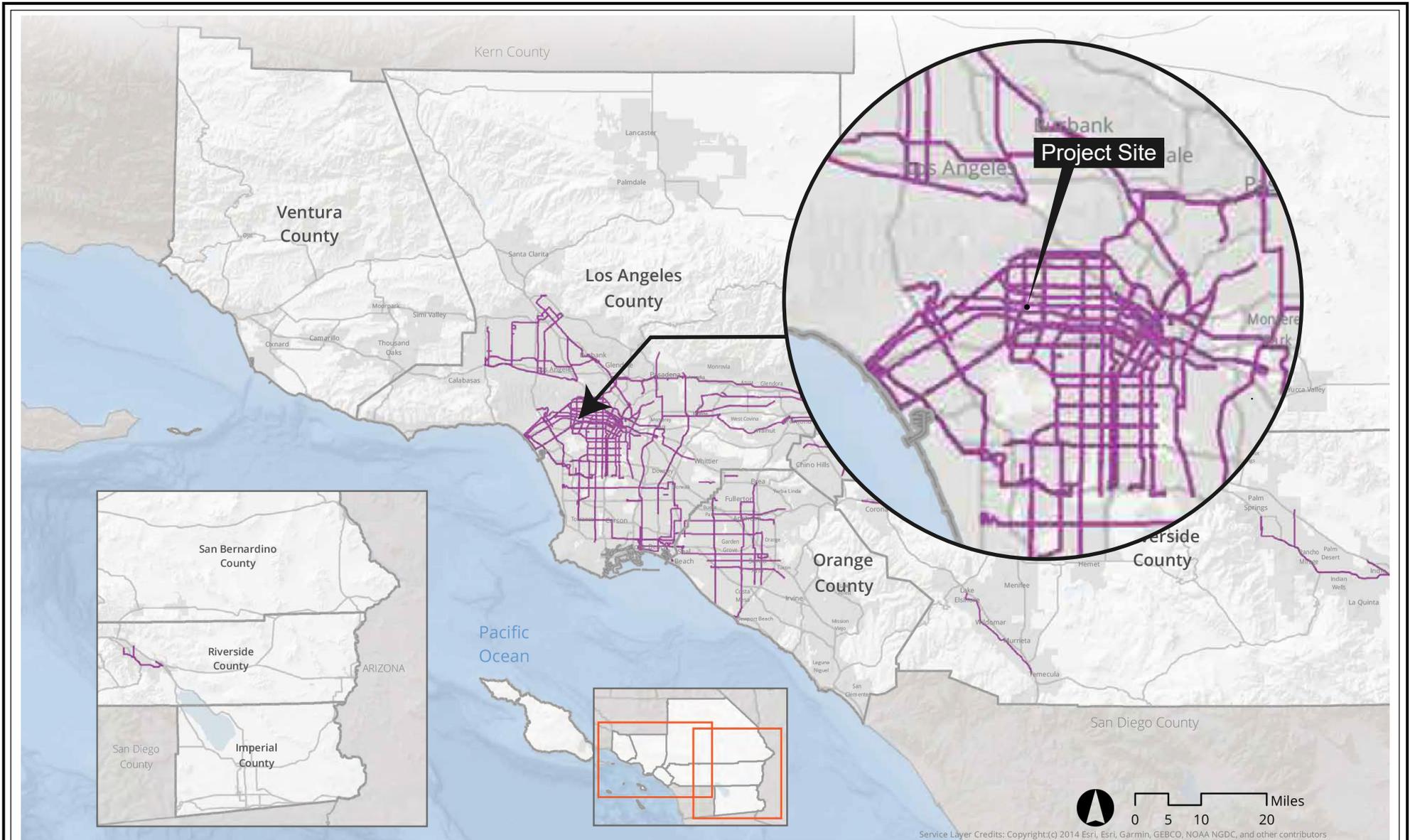
■ NMA

Source: SCAG, 2019

Note: Neighborhood Mobility Areas (NMA) were identified by analyzing and assigning z-scores four measures at the Tier 2 TAZ level, and subsequently summing the z-scores. TAZs that scored at the 80th percentile or higher for the composite score were considered NMAs.

Source: Connect SoCal, May 2020.

Figure 3-8
Priority Growth Area - Neighborhood Mobility Areas



Livable Corridors

— Livable Corridors

Source: SCAG, 2019

Source: Connect SoCal, May 2020.

Figure 3-9
Priority Growth Area - Livable Corridors

Consistency with Applicable RTP/SCS Policies

2016-2040 RTP/SCS

As illustrated in Table 3-1, the Project would be substantially consistent with the applicable goals, policies, and benefits of SCAG's 2016-2040 RTP/SCS.

**Table 3-1
Consistency with SCAG's 2016-2040 RTP/SCS**

Project Consistency Assessment
<p>Goal 1 Align the plan investments and policies with improving regional economic development and competitiveness.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This goal is directed towards SCAG and the City and does not apply to the Project. However, the Project would contribute to the economic development of the region by including approximately 2,653 square feet of commercial space that would provide jobs and generate sales tax revenue.</p>
<p>Goal 2 Maximize mobility and accessibility for all people and goods in the region.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project Site is located in a highly urbanized area in the City and would develop 209 multi-family residential units and approximately 2,653 square feet of commercial land uses within an HQTAs, as defined by SCAG, and within a transit priority area as defined by SB 743, and also in close proximity to existing and proposed residences and commercial opportunities. Therefore, the Project would help maximize accessibility between people and goods.</p>
<p>Goal 3 Ensure travel safety and reliability for all people and goods in the region.</p> <p>Project Consistency Assessment: <i>Consistent.</i> Though not necessarily applicable to individual development projects, the Project would ensure safe travel at and near the Project Site by improving the public sidewalks adjacent to Project Site and ensuring safe vehicular and pedestrian access.</p> <p>In addition, the Project would include low-level exterior lights adjacent to buildings and along pathways for security and wayfinding purposes to provide for safer pedestrian travel. Furthermore, the Project would be subject to the Site Plan Review requirements of the City and would be required to coordinate with the Department of Building and Safety and the Los Angeles Fire Department to ensure that all access points, driveways, and parking areas would not create a design hazard to local roadways.</p>
<p>Goal 4 Preserve and ensure a sustainable regional transportation system.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This goal is directed towards SCAG transportation projects and does not apply to the Project. Nevertheless, the Project would minimize impacts on the existing roadway system by placing housing near jobs and transit opportunities, and also providing ample bicycle parking and bicycle and pedestrian infrastructure to encourage biking and walking. The Project also encourages transit use through the Project Site's location near existing transit as well as the Metro D Line currently under construction, thereby contributing to ridership and sustainability of the multimodal transportation system in the region.</p>

**Table 3-1
Consistency with SCAG's 2016-2040 RTP/SCS**

Project Consistency Assessment
<p>Goal 5 Maximize the productivity of our transportation system.</p> <p>Project Consistency Assessment: <i>Consistent.</i> Given the Project Site's proximity to transit, the Project would encourage the utilization of transit as a mode of transportation to and from the Project Site area. Thus, the Project would contribute to the productivity and use of the regional transportation system by providing new housing and employment opportunities near transit.</p>
<p>Goal 6 Protect the environment and health of our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking).</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would construct housing and neighborhood-serving commercial uses near other commercial, office, and cultural uses. Therefore, Project residents and employees would be able to walk and bike to work, to shopping, and to entertainment. In addition, the Project Site's location near robust transit opportunities (bus and the future Metro D Line) would further reduce dependence on automobile travel, reducing vehicle miles traveled (VMT) and associated pollutant emissions.</p> <p>The Project would include an entry courtyard, which would connect Tom Bergin's, the new residential lobby, and the public sidewalk, creating active space for dining and lounging, where pedestrians could rest. The provision of ground floor commercial spaces, including outdoor dining spaces, would further activate the pedestrian environment of the neighborhood. Finally, the Project would include approximately 130 long-term bicycle parking stalls and 16 short-term bicycle parking stalls, which would encourage bicycling as a form of transportation.</p>
<p>Goal 7 Actively encourage and create incentives for energy efficiency, where possible.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would meet the requirements of the City's Green Building Code and the California Green Building Code, which would result in energy and water efficiency. Moreover, as described throughout this SCEA, the Project would reduce passenger vehicle trips by encouraging alternative modes of transportation, including walking, biking, and the use of public transit, which would lead to a reduction in transportation energy demand.</p>
<p>Goal 8 Encourage land use and growth patterns that facilitate transit and active transportation.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project Site is located in a highly urbanized area in the City within an HQTa and a TPA. The Project would construct housing and neighborhood-serving commercial uses near other commercial, office, and cultural uses. Therefore, Project residents and employees would be able to walk and bike to work, to shopping, and to entertainment. In addition, the Project Site's location near robust transit opportunities (bus and the future Metro D Line) would further reduce dependence on automobile travel, reducing VMT.</p> <p>The Project would include an entry courtyard, which would connect Tom Bergin's, the new residential lobby, and the public sidewalk, creating active space for dining and lounging, where pedestrians could rest. The provision of ground floor commercial spaces, including outdoor dining spaces, would further activate the pedestrian environment of the neighborhood. Finally, the Project would include approximately 130 long-term</p>

**Table 3-1
Consistency with SCAG's 2016-2040 RTP/SCS**

Project Consistency Assessment
bicycle parking stalls and 16 short-term bicycle parking stalls, which would encourage bicycling as a form of transportation.
<p>Goal 9 Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This goal is directed towards SCAG to ensure the safety and security of the regional transportation system. As such, no further assessment is required.</p>
<p>Guiding Policy 1 Transportation investments shall be based on SCAG's adopted regional Performance Indicators.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This policy is directed towards SCAG in allocating transportation investments and does not apply to the individual development projects. As such, no further assessment is required.</p>
<p>Guiding Policy 2 Ensuring safety, adequate maintenance and efficiency of operations on the existing multimodal transportation system should be the highest RTP/SCS priorities for any incremental funding in the region.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This policy is directed towards SCAG in allocating transportation system funding and does not apply to the individual development projects. As such, no further assessment is required.</p>
<p>Guiding Policy 3 RTP/SCS land use and growth strategies in the RTP/SCS will respect local input and advance smart growth initiatives.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This goal is directed towards SCAG and the City and does not apply to individual development projects. As such, no further assessment is required.</p>
<p>Guiding Policy 4 Transportation demand management (TDM) and active transportation will be focus areas, subject to Policy 1.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This policy is directed towards transportation investment by SCAG and does not apply to individual projects such as the Project. Notwithstanding, the Project would support active transportation (e.g. walking and bicycling) by adding landscaping along public rights-of-way and active ground floor uses, which promotes and supports pedestrian activity in the area. Additionally, the Project Site's location within an HQTAs promotes the use of public transit and pedestrian activity. As discussed in Section 5.XVII (Transportation) of this SCEA, the Project would include TDM measures, such as a reduced parking supply, the unbundling of parking, and provision of bike parking. In addition, the Project would comply with all applicable requirements of the City's TDM Ordinance.</p>
<p>Guiding Policy 5 HOV gap closures that significantly increase transit and rideshare usage will be supported and encouraged, subject to Policy 1.</p>

**Table 3-1
Consistency with SCAG’s 2016-2040 RTP/SCS**

Project Consistency Assessment
<p>Project Consistency Assessment: <i>Not Applicable.</i> This policy is directed towards transportation investment by SCAG to support high occupancy vehicles (HOV), transit and rideshare. As such, no further assessment is required.</p>
<p>Guiding Policy 6 The RTP/SCS will support investments and strategies to reduce non-recurrent congestion and demand for single occupancy vehicle use, by leveraging advanced technologies.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This guiding policy relates to SCAG goals in supporting investments and strategies to reduce congestion and the use of single occupancy vehicles. Nevertheless, the Project Site is located within an HQTAs (as defined by SCAG) and a transit priority area (as defined by SB 743). The Project would support the use of public transportation and other alternative methods of transportation (e.g., walking and biking) due to its location in close proximity to existing and future transit infrastructure, its provision of bicycle parking, and its inclusion of both residential and neighborhood-serving commercial uses.</p>
<p>Guiding Policy 7 The RTP/SCS will encourage transportation investments that result in cleaner air, a better environment, a more efficient transportation system and sustainable outcomes in the long run.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This policy is directed towards SCAG transportation projects to encourage and support transportation investments and does not apply to the Project. As such, no further assessment is required.</p>
<p>Guiding Policy 8 Monitoring progress on all aspects of the Plan, including the timely implementation of projects, programs, and strategies, will be an important and integral component of the Plan.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This policy is directed towards SCAG and governmental agencies to encourage and support transportation investments, and does not apply to individual development projects. As such, no further assessment is required.</p>
<p>Land Use Policy 1 Identify regional strategic areas for infill and investment.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This policy is directed towards SCAG to identify regional strategic areas. Nevertheless, the Project is an infill development in an HQTAs (defined by SCAG) and within a transit priority area (as defined by SB 743).</p>
<p>Land Use Policy 2 Structure the plan on a three-tiered system of centers development.⁴</p>

⁴ The 2016-2040 RTP/SCS reaffirms the 2008 Advisory Land Use Policies that were incorporated into the 2012-2035 RTP/SCS. The complete language from the original SCAG Advisory Land Use Policies is “Identify strategic centers based on a three-tiered system of existing, planned and potential relative to transportation infrastructure. This strategy more effectively integrates land use planning and transportation investment.” A more detailed description of these strategies and policies can be found on pages 90–92 of the SCAG 2008 Regional Transportation Plan, adopted in May 2008.

**Table 3-1
Consistency with SCAG’s 2016-2040 RTP/SCS**

Project Consistency Assessment
<p>Project Consistency Assessment: <i>Not Applicable.</i> This policy is directed towards SCAG and does not apply to individual development projects. Nevertheless, the Project is located in an existing center comprised of existing residential, commercial, cultural, and institutional uses where existing transportation infrastructure exists to support the proposed density of the Project.</p>
<p>Land Use Policy 3 Develop “Complete Communities.”</p> <p>Project Consistency Assessment: <i>Consistent.</i> SCAG describes the development of “complete communities” to provide areas that encourage households to be developed with a range of mobility options to complete short trips. The 2016-2040 RTP/SCS supports the creation of these districts through a concentration of activities with housing, employment, and a mix of retail and services, located in proximity to each other, where most daily needs can be met within a short distance of home, providing residents with the opportunity to patronize their local area and run daily errands by walking or cycling rather than traveling by automobile.⁵</p> <p>The Project would place residential and commercial land uses in a transit-rich area. The Project Site’s location near transit and in proximity to services, retail stores, and employment opportunities promotes the use of a variety of transportation options, which includes walking, biking, and the use of public transportation. Thus, the Project would be consistent with this land use policy to reduce VMT.</p>
<p>Land Use Policy 4 Develop nodes on a corridor.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This policy is directed towards SCAG and City goals to identify and develop locations that promote nodes.</p>
<p>Land Use Policy 5 Plan for additional housing and jobs near transit.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project Site is located in a highly urbanized area in the City within a HQTa and a TPA. The Project would develop 209 residential units and approximately 2,653 square feet of commercial uses in close proximity to robust transit opportunities. The area surrounding the Project Site is supported by high levels of regional and local transit, including Metro Lines 218, 780, 20, 720, 28, 728, 30, and 300. In addition, the Project would be located in close proximity to Metro’s D Line Wilshire/Fairfax Station.</p>
<p>Land Use Policy 6 Plan for changing demand in types of housing.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project meets projected housing needs by providing 209 multi-family residential units, including 28 units for Extremely Low Income households.</p>
<p>Land Use Policy 7 Continue to protect stable, existing single-family areas.</p>

⁵ SCAG, 2016-2040 RTP/SCS, April 2016 (page 79).

**Table 3-1
Consistency with SCAG's 2016-2040 RTP/SCS**

Project Consistency Assessment
<p>Project Consistency Assessment: <i>Consistent.</i> The Project would not displace any existing single-family residential units or be constructed within a single-family neighborhood. The Project provides multi-family housing on an infill site that allows such uses based on the Site's existing commercial zoning.</p>
<p>Land Use Policy 8 Ensure adequate access to open space and preservation of habitat.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project Site is located within an urbanized area of the City. Development of the Project would not remove any existing open space areas or habitat, since the Project Site is currently fully developed. In addition, the Project would provide a minimum of 18,356.25 square feet of open space and associated amenities for use by future residents.</p>
<p>Land Use Policy 9 Incorporate local input and feedback on future growth.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This Land Use Policy is directed towards SCAG and does not apply to individual development projects. Regardless, the purpose of the Project is to respond to the City's need to provide additional housing units, including housing reserved for lower income households.</p>
<p>Benefit 1: The RTP/SCS will promote the development of better places to live and work through measures that encourage more compact development in certain areas of the region, varied housing options, bicycle and pedestrian improvements, and efficient transportation infrastructure.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would develop 209 multi-family residential units, including 28 units for Extremely Low Income households. The Project would also provide approximately 2,653 square feet of neighborhood-serving commercial uses, and the Project would be located near other commercial and office uses. Therefore, Project residents and employees would be able to walk and bike to work and to shopping. In addition, the Project Site's location near robust transit opportunities (bus and the future Metro D Line) would further reduce dependence on automobile travel, reducing VMT.</p> <p>The Project would include an entry courtyard, which would connect Tom Bergin's, the new residential lobby, and the public sidewalk, creating active space for dining and lounging, where pedestrians could rest. The provision of ground floor commercial spaces, including outdoor dining spaces, would further activate the pedestrian environment of the neighborhood. Finally, the Project would include approximately 130 long-term bicycle parking stalls and 16 short-term bicycle parking stalls, which would encourage bicycling as a form of transportation.</p>
<p>Benefit 2: The RTP/SCS will encourage strategic transportation investments that add appropriate capacity and improve critical road conditions in the region, increase transit capacity and expand mobility options. Meanwhile, the Plan outlines strategies for developing land in coming decades that will place destinations closer together, thereby decreasing the time and cost of traveling between them.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> Benefit 2 is directed towards SCAG and does not apply to individual development projects. Nevertheless, the Project is an infill, mixed-use development located within an HQTAs, thereby decreasing the time and cost of traveling between places.</p>

**Table 3-1
Consistency with SCAG's 2016-2040 RTP/SCS**

Project Consistency Assessment
<p>Benefit 3: The RTP/SCS is expected to result in less energy and water consumption across the region, as well as lower transportation costs for households.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would meet the requirements of the City's Green Building Code and the California Green Building Code.</p> <p>The Project's incorporation of bicycle- and pedestrian-friendly elements and location near various bus lines and Metro's future D Line would provide future residents with various affordable transportation options.</p>
<p>Benefit 4: Improved placemaking and strategic transportation investments will help improve air quality; improve health as people have more opportunities to bicycle, walk and pursue other active alternatives to driving; and better protect natural lands as new growth is concentrated in existing urban and suburban areas.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would construct housing and neighborhood-serving commercial uses near other commercial and office uses in an existing urban area. Therefore, Project residents and employees would be able to walk and bike to work and to shop. In addition, the Project Site's location near robust transit opportunities (bus and the future Metro D Line) would further reduce dependence on automobile travel, reducing VMT and associated pollutant emissions.</p> <p>The Project would include an entry courtyard, which would connect Tom Bergin's, the new residential lobby, and the public sidewalk, creating active space for dining and lounging, where pedestrians could rest. The provision of ground floor commercial spaces, including outdoor dining spaces, would further activate the pedestrian environment of the neighborhood. Finally, the Project would include approximately 130 long-term bicycle parking stalls and 16 short-term bicycle parking stalls, which would encourage bicycling as a form of transportation.</p>
<p><i>Source: SCAG, 2016-2040 RTP/SCS, 2016.</i></p>

2020-2045 RTP/SCS

As discussed below in Table 3-2, the Project would be substantially consistent with the applicable goals and policies of SCAG's 2020-2045 RTP/SCS. Additionally, as discussed in Table 3-3, the Project would be substantially consistent with the applicable strategies of SCAG's 2020-2045 RTP/SCS.

**Table 3-2
Consistency with 2020-2045 RTP/SCS: Goals and Guiding Principles**

Project Consistency Assessment
<p>Goal 1 Encourage regional economic prosperity and global competitiveness.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This goal is directed towards SCAG and the City and does not apply to the Project. However, the Project would construct housing and neighborhood-serving commercial uses near other commercial, office, and cultural uses in an existing urban area, supporting the regional economic prosperity and global competitiveness of Southern California by providing housing and supportive commercial uses.</p>
<p>Goal 2 Improve mobility, accessibility, reliability, and travel safety for people and goods.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project Site is located in a highly urbanized area in the City and would develop 209 multi-family residential units and approximately 2,653 square feet of commercial land uses within an HQTAs, as defined by SCAG, and within a transit priority area as defined by SB 743, and also in close proximity to existing and proposed residences and commercial opportunities. Also, the Project would ensure safe travel at and near the Project Site by improving the public sidewalks adjacent to Project Site and ensuring safe vehicular and pedestrian access. In addition, the Project would include lighting of pedestrian pathways adjacent to the Project Site to allow for safe travel. Furthermore, the Project would be subject to the Site Plan Review requirements of the City and would be required to coordinate with the Department of Building and Safety and the Los Angeles Fire Department to ensure that all access points, driveways, and parking areas would not create a design hazard to local roadways. Therefore, the Project would allow for mobility, accessibility, reliability, and travel safety for people and goods.</p>
<p>Goal 3 Enhance the preservation, security, and resilience of the regional transportation system.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This goal is directed toward SCAG and other jurisdictions that are responsible for developing, maintaining, and improving the regional transportation system.</p>
<p>Goal 4 Increase person and goods movement and travel choices within the transportation system.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would construct housing and neighborhood-serving commercial uses near other commercial, office, and cultural uses. Therefore, Project residents and employees would be able to walk and bike to work, to shopping, and to entertainment. In addition, the Project Site's location near robust transit opportunities (bus and the future Metro D Line) would further reduce dependence on automobile travel, reducing VMT and associated pollutant emissions.</p> <p>The Project would include an entry courtyard, which would connect Tom Bergin's, the new residential lobby, and the public sidewalk, creating active space for dining and lounging, where pedestrians could rest. The provision of ground floor commercial spaces, including outdoor dining spaces, would further activate the pedestrian environment of the neighborhood. Finally, the Project would include approximately 130 long-term bicycle parking stalls and 16 short-term bicycle parking stalls, which would</p>

**Table 3-2
Consistency with 2020-2045 RTP/SCS: Goals and Guiding Principles**

Project Consistency Assessment
encourage bicycling as a form of transportation.
<p>Goal 5 Reduce greenhouse gas emissions and improve air quality.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would construct housing and neighborhood-serving commercial uses near other commercial, office, and cultural uses. Therefore, Project residents and employees would be able to walk and bike to work, to shopping, and to entertainment. In addition, the Project Site's location near robust transit opportunities (bus and the future Metro D Line) would further reduce dependence on automobile travel, reducing VMT and associated pollutant emissions.</p> <p>The Project would include an entry courtyard, which would connect Tom Bergin's, the new residential lobby, and the public sidewalk, creating active space for dining and lounging, where pedestrians could rest. The provision of ground floor commercial spaces, including outdoor dining spaces, would further activate the pedestrian environment of the neighborhood. Finally, the Project would include approximately 130 long-term bicycle parking stalls and 16 short-term bicycle parking stalls, which would encourage bicycling as a form of transportation and reduce mobile-source GHG and other pollutant emissions.</p>
<p>Goal 6 Support healthy and equitable communities.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would construct housing and neighborhood-serving commercial uses near other commercial, office, and cultural uses and add to housing diversity. Of the 209 proposed dwelling units, 28 of the units would be set aside for rental to households qualifying at the Extremely Low Income level. Given the urban nature of the Project Site area, Project residents and employees would be able to walk and bike to work, to shopping, and to entertainment uses. In addition, the Project Site's location near robust transit opportunities (bus and the future Metro D Line) would further reduce dependence on automobile travel, reducing the need to own an automobile and pay for parking.</p> <p>The Project would include an entry courtyard, which would connect Tom Bergin's, the new residential lobby, and the public sidewalk, creating active space for dining and lounging, where pedestrians could rest. The provision of ground floor commercial spaces, including outdoor dining spaces, would further activate the pedestrian environment of the neighborhood. Finally, the Project would include approximately 130 long-term bicycle parking stalls and 16 short-term bicycle parking stalls, which would encourage bicycling as a form of exercise and transportation.</p>
<p>Goal 7 Adapt to a changing climate and support an integrated regional development pattern and transportation network.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project includes development of mixed residential and commercial uses on an infill site in an urbanized area of the City that is near several sources of transit. Also, the Project includes pedestrian improvements and 146 bicycle parking spaces. This type of transit-oriented mixed-use project helps to reduce dependence on automobile travel and to reduce</p>

**Table 3-2
Consistency with 2020-2045 RTP/SCS: Goals and Guiding Principles**

Project Consistency Assessment
mobile-source GHG emissions.
<p>Goal 8 Leverage new transportation technologies and data-driven solutions that result in more efficient travel.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This goal is directed toward SCAG and other jurisdictions that are responsible for developing, maintaining, and improving the regional transportation system.</p>
<p>Goal 9 Encourage development of diverse housing types in areas that are supported by multiple transportation options.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project includes development of 209 residential units, in addition to ground floor commercial uses. Of the 209 proposed units, 28 of the units would be set aside for rental to households qualifying at the Extremely Low Income level.</p>
<p>Goal 10 Promote conservation of natural and agricultural lands and restoration of habitats.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development that would not affect any natural or agricultural lands or restoration of habitats.</p>
<p>Guiding Principle 1 Base transportation investments on adopted regional performance indicators and MAP-21/FAST Act regional targets.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This principle is directed toward SCAG and other jurisdictions/agencies that are responsible for developing, maintaining, and improving the regional transportation system.</p>
<p>Guiding Principle 2 Place high priority for transportation funding in the region on projects and programs that improve mobility, accessibility, reliability and safety, and that preserve the existing transportation system.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This principle is directed toward SCAG and other jurisdictions/agencies that are responsible for developing, maintaining, and improving the regional transportation system.</p>
<p>Guiding Principle 3 Assure that land use and growth strategies recognize local input, promote sustainable transportation options, and support equitable and adaptable communities.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This principle is directed toward SCAG and other jurisdictions/agencies that are responsible for developing and implementing growth strategies.</p>
<p>Guiding Principle 4 Encourage RTP/SCS investments and strategies that collectively result in reduced non-recurrent congestion and demand for single occupancy vehicle use, by leveraging new</p>

Table 3-2
Consistency with 2020-2045 RTP/SCS: Goals and Guiding Principles

Project Consistency Assessment
<p>transportation technologies and expanding travel choices.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This principle is directed toward SCAG and other jurisdictions/agencies that are responsible for developing, maintaining, and improving the regional transportation system.</p>
<p>Guiding Principle 5 Encourage transportation investments that will result in improved air quality and public health, and reduced greenhouse gas emissions.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This principle is directed toward SCAG and other jurisdictions/agencies that have control over transportation investments.</p>
<p>Guiding Principle 6 Monitor progress on all aspects of the Plan, including the timely implementation of projects, programs, and strategies.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This principle is directed toward SCAG that has the responsibility of monitoring the progress of Connect SoCal.</p>
<p>Guiding Principle 7 Regionally, transportation investments should reflect best-known science regarding climate change vulnerability, in order to design for long term resilience.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This principle is directed toward SCAG and other jurisdictions/agencies that have control over transportation investments.</p>
<p><i>Source: 2020-2045 RTP/SCS, 2020.</i></p>

**Table 3-3
Consistency with 2020-2045 RTP/SCS: Strategies**

Project Consistency Assessment
<i>Focus Growth Near Destinations & Mobility Options</i>
<p>Strategy: Emphasize land use patterns that facilitate multimodal access to work, educational and other destinations.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would construct housing and neighborhood-serving commercial uses near existing sources of shopping and employment and robust transit opportunities (i.e., bus lines and the future Metro D line). The Project would include an entry courtyard, which would connect Tom Bergin’s, the new residential lobby, and the public sidewalk, creating active space for dining and lounging, where pedestrians could rest. The provision of ground floor commercial spaces, including outdoor dining spaces, would further activate the pedestrian environment of the neighborhood. Finally, the Project would include approximately 130 long-term bicycle parking stalls and 16 short-term bicycle parking stalls, which would encourage bicycling as a form of transportation. Project users would have multiple sources of access to local destinations.</p>
<p>Strategy: Focus on a regional jobs/housing balance to reduce commute times and distances and expand job opportunities near transit and along center-focused main streets.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project includes development of mixed residential and commercial uses on an infill site in an urbanized area of the City that is near several sources of transit. Also, the Project includes pedestrian improvements and 146 bicycle parking spaces. This type of transit-oriented mixed-use project helps to reduce dependence on automobile travel and to reduce commute times.</p>
<p>Strategy: Plan for growth near transit investments and support implementation of first/last mile strategies.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project includes development of mixed residential and commercial uses on an infill site in an urbanized area of the City that is near several sources of transit, including the future Metro D line. Also, the Project includes pedestrian improvements and 146 bicycle parking spaces. The Project’s inclusion of pedestrian amenities and bicycle parking would support implementation of first/last mile strategies for people traveling to and from the Project Site from the existing bus lines or the future Metro D Line.</p>
<p>Strategy: Promote the redevelopment of underperforming retail developments and other outmoded nonresidential uses.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project includes development of mixed residential and commercial uses on an infill site, in an urbanized area of the City that is near several sources of transit, including the future Metro D line. The Project’s redevelopment of the Site would allow for the inclusion of additional needed residential units to be constructed, including 28 units reserved for Extremely Low Income households.</p>
<p>Strategy: Prioritize infill and redevelopment of underutilized land to accommodate new growth, increase</p>

**Table 3-3
Consistency with 2020-2045 RTP/SCS: Strategies**

Project Consistency Assessment
<p>amenities and connectivity in existing neighborhoods.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project includes development of mixed residential and commercial uses on an infill site, in an urbanized area of the City that is near several sources of transit, including the future Metro D line. The Project would include an entry courtyard, which would connect Tom Bergin's, the new residential lobby, and the public sidewalk, creating active space for dining and lounging, where pedestrians could rest, and providing connectivity between the Project and the existing neighborhood. The provision of ground floor commercial spaces, including outdoor dining spaces, would further activate the pedestrian environment of the neighborhood. Finally, the Project would include approximately 130 long-term bicycle parking stalls and 16 short-term bicycle parking stalls, which would encourage bicycling as a form of transportation as another form of connectivity with the existing neighborhood.</p>
<p>Strategy: Encourage design and transportation options that reduce the reliance on and number of solo car trips (this could include mixed uses or locating and orienting close to existing destinations).</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project's location near several sources of transit, including the future Metro D line, would reduce reliance of the automobile and solo car trips. Also, the Project includes pedestrian improvements and 146 bicycle parking spaces, which would further reduce reliance on the automobile, VMT, and associated pollutant emissions.</p>
<p>Strategy: Identify ways to "right size" parking requirements and promote alternative parking strategies (e.g., shared parking or smart parking).</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project includes approximately 199 vehicle parking spaces and approximately 40 vehicle parking spaces for the commercial uses. Parking would be unbundled from residential leases.</p>
<p>Promote Diverse Housing Choices</p>
<p>Strategy: Preserve and rehabilitate affordable housing and prevent displacement.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project Site currently contains 40 multi-family residential units that would be removed as part of the Project. All current tenants would receive relocation assistance pursuant to the City's Rent Stabilization Ordinance and Ellis Act regulations. Moreover, the Project would provide 209 multi-family residential units (169 net new units), including 28 Extremely Low Income affordable housing units, resulting in a net increase of both total residential units and restricted affordable units at the Project Site.</p>
<p>Strategy: Identify funding opportunities for new workforce and affordable housing development</p> <p>Project Consistency Assessment: <i>Consistent.</i> Although the Project is not responsible for identifying funding opportunities for a new workforce, the Project does include 2,653 square feet of commercial uses, which would provide employment for approximately six people. Also, of the 209 proposed</p>

**Table 3-3
Consistency with 2020-2045 RTP/SCS: Strategies**

Project Consistency Assessment
<p>residential units, 28 of the units would be set aside for rental to households qualifying at the Extremely Low Income level.</p>
<p>Strategy: Create incentives and reduce regulatory barriers for building context-sensitive accessory dwelling units to increase housing supply.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This strategy is directed to jurisdictions/agencies that can create incentives and have control over regulations.</p>
<p>Strategy: Provide support to local jurisdictions to streamline and lessen barriers to housing development that supports reduction of greenhouse gas emissions.</p> <p>Project Consistency Assessment: <i>Consistent.</i> Although the Project has no control over the City's policy making, the Project does include development of mixed residential and commercial uses on an infill site, in an urbanized area of the City that is near several sources of transit, including the future Metro D line. Also, the Project includes pedestrian improvements and 146 bicycle parking spaces. This type of transit-oriented mixed-use project supports growth near transit as a way to reduce reliance on the automobile, VMT, and associated pollutant emissions.</p>
<p>Leverage Technology Innovations</p>
<p>Strategy: Promote low emission technologies such as neighborhood electric vehicles, shared rides hailing, car sharing, bike sharing and scooters by providing supportive and safe infrastructure such as dedicated lanes, charging and parking/drop-off space.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would include 146 bicycle parking spaces. Further, as discussed in Section 5.XVII (Transportation) of this SCEA, the Project would include TDM measures, such as a reduced parking supply, the unbundling of parking, and provision of bike parking.</p>
<p>Strategy: Improve access to services through technology—such as telework and telemedicine as well as other incentives such as a “mobility wallet,” an app-based system for storing transit and other multi-modal payments.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> Although this strategy is not applicable to the Project, the Project would not inhibit its implementation.</p>
<p>Strategy: Identify ways to incorporate “micro-power grids” in communities, for example solar energy, hydrogen fuel cell power storage and power generation.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> The Project has no authority to develop sources of power.</p>

**Table 3-3
Consistency with 2020-2045 RTP/SCS: Strategies**

Project Consistency Assessment
<i>Support Implementation of Sustainability Policies</i>
<p>Strategy: Pursue funding opportunities to support local sustainable development implementation projects that reduce greenhouse gas emissions.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This strategy is directed at SCAG and other jurisdictions/agencies. However, the Project's provision of both residential and commercial uses near robust transit options, including multiple bus lines and the future Metro D Line, would allow Project residential, employees, and guests to be able to walk or bike to work, shopping, or entertainment uses, thereby reducing VMT and greenhouse gas emissions.</p>
<p>Strategy: Support statewide legislation that reduces barriers to new construction and that incentivizes development near transit corridors and stations.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This strategy is directed at SCAG and other jurisdictions/agencies. However, the Project involves the development of residential and commercial uses within a HQTAs and in close proximity to the future Metro D Line Wilshire/Fairfax Station.</p>
<p>Strategy: Support local jurisdictions in the establishment of Enhanced Infrastructure Financing Districts (EIFDs), Community Revitalization and Investment Authorities (CRIAs), or other tax increment or value capture tools to finance sustainable infrastructure and development projects, including parks and open space.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This strategy is directed at SCAG and other jurisdictions/agencies.</p>
<p>Strategy: Work with local jurisdictions/communities to identify opportunities and assess barriers to implement sustainability strategies.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This strategy is directed at SCAG and other jurisdictions/agencies.</p>
<p>Strategy: Enhance partnerships with other planning organizations to promote resources and best practices in the SCAG region.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This strategy is directed at SCAG and other jurisdictions/agencies.</p>
<p>Strategy: Continue to support long range planning efforts by local jurisdictions.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This strategy is directed at SCAG and other jurisdictions/agencies.</p>
<p>Strategy: Provide educational opportunities to local decisions makers and staff on new tools, best</p>

**Table 3-3
Consistency with 2020-2045 RTP/SCS: Strategies**

Project Consistency Assessment
<p>practices and policies related to implementing the Sustainable Communities Strategy.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This strategy is directed at SCAG and other jurisdictions/agencies.</p>
<p><i>Promote a Green Region</i></p>
<p>Strategy: Support development of local climate adaptation and hazard mitigation plans, as well as project implementation that improves community resiliency to climate change and natural hazards.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This strategy is directed at SCAG and other jurisdictions/agencies.</p>
<p>Strategy: Support local policies for renewable energy production, reduction of urban heat islands and carbon sequestration.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This strategy is directed at SCAG and other jurisdictions/agencies.</p>
<p>Strategy: Integrate local food production into the regional landscape.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This strategy is directed at SCAG and other jurisdictions/agencies.</p>
<p>Strategy: Promote more resource efficient development focused on conservation, recycling and reclamation.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This strategy is directed at SCAG and other jurisdictions/agencies.</p>
<p>Strategy: Preserve, enhance and restore regional wildlife connectivity.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development in an urbanized area and would not interfere with regional wildlife connectivity.</p>
<p>Strategy: Reduce consumption of resource areas, including agricultural land.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development in an urbanized area would not affect any agricultural land.</p>
<p>Strategy: Identify ways to improve access to public park space.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development in an urbanized</p>

**Table 3-3
Consistency with 2020-2045 RTP/SCS: Strategies**

Project Consistency Assessment
area would not interfere with access to public park space.
<i>Source: 2020-2045 RTP/SCS, 2020.</i>

Consistency with TPP Criterion #2(a) – The Project contains at least 50 percent residential use.

Criterion 2(a) requires that a project “Contains at least 50 percent residential use, based on total building square footage and if the project contains between 26 percent and 50 percent nonresidential uses, a floor area ratio of not less than 0.75.”

The Project includes the construction of approximately 189,115 square feet of floor area, and based on total square footage, the Project contains approximately 99 percent residential uses. In addition, the FAR for the Project would be up to 4.25:1. As such, the Project would be consistent with this criterion.

Consistency with TPP Criterion #2(b) – The Project includes a minimum net density of at least 20 units per acre.

Criterion 2(b) requires that a project “Provides a minimum net density of at least 20 units per acre.” The proposed density of the Project is approximately 197 residential dwelling units per acre (209 units on approximately 1.06 acres). As such, the Project would be consistent with this criterion.

Consistency with TPP Criterion #2(c) – The Project Site is located within one-half mile of a major transit stop or a high quality transit corridor included in the RTP/SCS.

Criterion 2(c) requires that a project “Is located within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan/sustainable communities strategy (RTP/SCS).

PRC Section 21064.3 defines “major transit stop” as “a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.” PRC Section 21155 (b) states that a “major transit stop” is defined in PRC Section 21064.3, except that, for purposes of Section 21155 (b), it also includes major transit stops that are included in the applicable regional transportation plan.

Public Resources Code (PRC) Section 21155 (b) defines a “high-quality transit corridor” (HQTC) as a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

The Project meets both of the definitions to qualify for this criterion. The Project Site is located in an urban area served by multiple local bus lines operating with service intervals of 15 minutes or less during morning and afternoon peak commute periods along corridors in close proximity to the Project Site. Specifically, Metro's Rapid 780 line runs along Fairfax Avenue, while the Rapid 720 line runs along Wilshire Boulevard. Other nearby transit routes include: two Metro local lines (Routes 20 and 217), and the LADOT DASH Fairfax line. Transit services are also available farther south along Olympic Boulevard. Transfer opportunities are available to/from the Project area by these local and regional transit lines. Therefore, the Project Site is located within one-half mile of a high-quality transit corridor.

In addition, Metro is currently constructing the extension of the D Line (formerly Purple Line) subway system from its existing western terminus near Wilshire Boulevard and Western Avenue into the Westwood community of the City of Los Angeles near the Veterans Administration (VA) Hospital campus. The first phase of construction, extending the D Line through the immediate Project area to near the intersection of Wilshire Boulevard and La Cienega Boulevard, is scheduled to begin operations in 2023, and would include a new station at Wilshire Boulevard and Fairfax Avenue. Metro's D line extension and the Wilshire/Fairfax station are identified in both the 2016-2040 RTP/SCS and the 2020-2045 RTP/SCS. Therefore, the Project is also located within one-half mile of a major transit stop.

4 RTP/SCS MITIGATION MEASURES

INCORPORATION OF APPLICABLE MITIGATION MEASURES FROM THE 2016-2040 RTP/SCS AND 2020-2045 RTP/SCS PROGRAM EIRS

Public Resources Code (PRC) Section 21151.2 requires that a Transit Priority Project (TPP) incorporate all feasible mitigation measures, performance standards, or criteria from prior applicable EIRs, including the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs.

The Mitigation Monitoring and Reporting Programs for the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs (collectively referred to as the “SCAG MMRP”) contain both regional-level mitigation measures that would be implemented by SCAG and project-level mitigation measures that may be implemented by a lead agency. Specifically, the SCAG MMRP provides a list of mitigation measures that SCAG determined a lead agency can and should consider, as applicable and feasible, where the lead agency has identified that a project has the potential for significant effects.

To comply with PRC Section 21151.2, the City has reviewed all mitigation measures contained in the SCAG MMRP (shown on Table 4-1) and determined their applicability to the Project. For each such mitigation measure, the City considered whether to use the SCAG MMRP mitigation measure or an equally effective City mitigation measure or federal, state, regional, or City regulation. The City’s applicability determination is found on Table 4-1.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

Aesthetics

Scenic Vista

2016-2040 RTP/SCS Measure:

MM-AES-1(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects of visual intrusions on scenic vistas, or National Scenic Byways that are in the jurisdiction and responsibility of Caltrans, other public agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with regulations for Caltrans scenic vistas and goals and policies within county and city general plans, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Use a palette of colors, textures, building materials that are graffiti-resistant, and/or plant materials that complement the surrounding landscape and development.
- Use contour grading to better match surrounding terrain. Contour edges of major cut-and-fill to provide a more natural looking finished profile.
- Use alternating facades to “break up” large facades and provide visual interest.
- Design new corridor landscaping to respect existing natural and man-made features and to complement the dominant landscaping of the surrounding areas.
- Replace and renew landscaping along corridors with road widenings, interchange projects, and related improvements.
- Retain or replace trees bordering highways, so that clear-cutting is not evident.
- Provide new corridor landscaping that respects and provides appropriate transition to existing natural and man-made features and is complementary to the dominant landscaping or native habitats of surrounding areas.

Implement design guidelines, local policies, and programs aimed at protecting views of scenic corridors and avoiding visual intrusions in design of projects to minimize contrasts in scale and massing between the project and surrounding natural forms and developments. Avoid, if possible, large cuts and fills when the visual environment (natural or urban) would be substantially disrupted. Site or design of projects should minimize their intrusion into important viewsheds and use contour grading to better match surrounding terrain.

2020-2045 RTP/SCS Measure:

PMM AES-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to address potential aesthetic impacts to scenic vistas, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Use a palette of colors, textures, building materials that are graffiti-resistant, and/or plant materials that complement the surrounding landscape and development.
- b) Use contour grading to better match surrounding terrain. Contour edges of major cut-and-fill to provide a more natural looking finished profile.
- c) Design new corridor landscaping to respect existing natural and man-made features and to complement the dominant landscaping of the surrounding areas.
- d) Replace and renew landscaping along corridors with road widenings, interchange projects, and related improvements.
- e) Retain or replace trees bordering highways, so that clear-cutting is not evident.
- f) Provide new corridor landscaping that respects and provides appropriate transition to existing natural and man-made features and is complementary to the dominant landscaping or native habitats of surrounding areas.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- g) Reduce the visibility of construction staging areas by fencing and screening these areas with low contrast materials consistent with the surrounding environment, and by revegetating graded slopes and exposed earth surfaces at the earliest opportunity;
- h) Use see-through safety barrier designs (e.g. railings rather than walls)

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated because PRC Section 21099, enacted by Senate Bill 743, provides that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.” The Project includes the development of 209 residential units (a net increase of 169 residential units) and approximately 2,653 square feet of commercial uses. Extensive public bus and rail transit service is provided in the Project area that provides regular service intervals of 15 minutes or less during the peak hours. Thus, the Project Site is located in a transit priority area as defined in PRC Section 21099, as confirmed by SCAG.¹ As such, the Project’s aesthetic impacts shall not be considered significant impacts on the environment pursuant to PRC Section 21099 and no mitigation is required.

2020-2045 RTP/SCS: PMM AES-1 is substantially similar to MM-AES-1(b) and is not incorporated into the Project for the reasons discussed above for MM-AES-1(b).

Aesthetics

Visual Character/Quality

2016-2040 RTP/SCS Measure:

MM-AES-3(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects of degrading the existing public viewpoints, visual character, or quality of the site that are in the jurisdiction and responsibility of local jurisdictions and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the goals and policies within county and city general plans, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Minimize contrasts in scale and massing between the projects and surrounding natural forms and development, minimize their intrusion into important viewsheds, and use contour grading to better match surrounding terrain in accordance with county and city hillside ordinances, where applicable.
- Design landscaping along highway corridors to add significant natural elements and visual interest to soften the hard-edged, linear transportation corridors.
- Require development of design guidelines for projects that make elements of proposed buildings/facilities visually compatible or minimize visibility of changes in visual quality or character through use of hardscape and softscape solutions. Specific measures to be addressed include setback buffers, landscaping, color, texture, signage, and lighting criteria.
- Design projects consistent with design guidelines of applicable general plans.
- Apply development standards and guidelines to maintain compatibility with surrounding natural areas, including site coverage, building height and massing, building materials and color, landscaping, site grading, and so forth in accordance with general plans and adopted design guidelines, where applicable.

¹ SCAG, Transit Priority Areas (2016), <https://gisdata-scag.opendata.arcgis.com/datasets/transit-priority-areas-2016?geometry=-118.367%2C34.060%2C-118.357%2C34.062>, accessed on October 27, 2020.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

Require that sites are kept in a blight/nuisance-free condition. Remove blight or nuisances that compromise visual character or visual quality of project areas including graffiti abatement, trash removal, landscape management, maintenance of signage and billboards in good condition, and replace compromised native vegetation and landscape.

2020-2045 RTP/SCS Measure:

PMM AES-2: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to address potential aesthetic impacts that substantially degrade visual character, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Minimize contrasts in scale and massing between the projects and surrounding natural forms and development, minimize their intrusion into important viewsheds, and use contour grading to better match surrounding terrain in accordance with county and city hillside ordinances, where applicable.
- b) Design landscaping along highway corridors to add significant natural elements and visual interest to soften the hard-edged, linear transportation corridors.
- c) Require development of design guidelines for projects that make elements of proposed buildings/facilities visually compatible or minimize visibility of changes in visual quality or character through use of hardscape and softscape solutions. Specific measures to be addressed include setback buffers, landscaping, color, texture, signage, and lighting criteria.
- d) Design projects consistent with design guidelines of applicable general plans.
- e) Require that sites are kept in a blight/nuisance-free condition. Remove blight or nuisances that compromise visual character or visual quality of project areas including graffiti abatement, trash removal, landscape management, maintenance of signage and billboards in good condition, and replace compromised native vegetation and landscape.
- f) Where sound walls are proposed, require sound wall construction and design methods that account for visual impacts as follows:
 - use transparent panels to preserve views where sound walls would block views from residences;
 - use landscaped earth berm or a combination wall and berm to minimize the apparent sound wall height;
 - construct sound walls of materials whose color and texture complements the surrounding landscape and development;

Design sound walls to increase visual interest, reduce apparent height, and be visually compatible with the surrounding area; and landscape the sound walls with plants that screen the sound wall, preferably with either native vegetation

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated because PRC Section 21099, enacted by Senate Bill 743, provides that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.” As described above, the Project qualifies for this provision, and no mitigation is required.

2020-2045 RTP/SCS: PMM AES-2 is substantially similar to MM-AES-3(b) and is not incorporated into the Project for the reasons discussed above for MM-AES-3(b).

Aesthetics

Light/Glare/Shade

2016-2040 RTP/SCS Measure:

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

MM-AES-4(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or minimizing the effects of light and glare on routes of travel for motorists, cyclists, and pedestrians, or on adjacent properties, and limit expanded areas of shade and shadow to areas that would not adversely affect open space or outdoor recreation areas that are in the jurisdiction and responsibility of local jurisdictions and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the goals and policies within county and city general plans, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Use lighting fixtures that are adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties.
- Restrict the operation of outdoor lighting for construction and operation activities in accordance with local regulations.
- Use high pressure sodium and/or cut-off fixtures instead of typical mercury-vapor fixtures for outdoor lighting.
- Use unidirectional lighting to avoid light trespass onto adjacent properties.
- Design exterior lighting to confine illumination to the project site, and/or to areas which do not include light-sensitive uses.
- Provide structural and/or vegetative screening from light-sensitive uses.
- Shield and direct all new street and pedestrian lighting away from light-sensitive off-site uses.
- Use non-reflective glass or glass treated with a non-reflective coating for all exterior windows and glass used on building surfaces.

Architectural lighting shall be directed onto the building surfaces and have low reflectivity to minimize glare and limit light onto adjacent properties.

2020-2045 RTP/SCS Measure:

PMM AES-3: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to address potential aesthetic impacts that substantially degrade visual character, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Use lighting fixtures that are adequately shielded to a point below the light bulb and reflector and that prevent unnecessary glare onto adjacent properties.
- b) Restrict the operation of outdoor lighting for construction and operation activities to the hours of 7:00 a.m. to 10:00 p.m. or as otherwise required by applicable local rules or ordinances.
- c) Use high pressure sodium and/or cut-off fixtures instead of typical mercury-vapor fixtures for outdoor lighting.
- d) Use unidirectional lighting to avoid light trespass onto adjacent properties.
- e) Design exterior lighting to confine illumination to the project site, and/or to areas which do not include light-sensitive uses.
- f) Provide structural and/or vegetative screening from light-sensitive uses.
- g) Shield and direct all new street and pedestrian lighting away from light-sensitive off-site uses.
- h) Use non-reflective glass or glass treated with a non-reflective coating for all exterior windows and glass used on building surfaces.
- i) Architectural lighting shall be directed onto the building surfaces and have low reflectivity to minimize glare and limit light onto adjacent properties.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated, because PRC Section 21099, enacted by Senate Bill 743, provides that "aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

an infill site within a transit priority area shall not be considered significant impacts on the environment.” As described above, the Project qualifies for this provision, and no mitigation is required.

2020-2045 RTP/SCS: PMM AES-3 is substantially similar to MM-AES-4(b) and is not incorporated into the Project for the reasons discussed above for MM-AES-4(b).

Agriculture and Forestry

Conversion of Farmland to Non-Ag Use, Conversion of Forest Land

2016-2040 RTP/SCS Measure:

MM-AF-1(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects from the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses that are within the jurisdiction and responsibility of the Natural Resources Conservation Service, the California Resources Agency, other public agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the Farmland Protection Act and implementing regulations, and the goals and policies established within the applicable adopted county and city general plans to protect agricultural resources consistent with the Farmland Mapping and Monitoring Program of the California Resources Agency. Such measures may include the following, or other comparable measures identified by the Lead Agency taking into account project and site-specific considerations as applicable and feasible:

- For projects that require approval or funding by the USDOT, comply with Section 4(f) U.S. Department of Transportation Act of 1966 (USDOT Act).
- Project relocation or corridor realignment to avoid Prime Farmland, Unique Farmland, or Farmland of Local or Statewide Importance.
- Maintain and expand agricultural land protections such as urban growth boundaries.

Support the acquisition or voluntary dedication of agriculture conservation easements and other programs that preserve agricultural lands, including the creation of farmland mitigation banks. Local governments would be responsible for encouraging the development of agriculture conservation easements or farmland mitigation banks, purchasing conservation agreements or farmland for mitigation, and ensuring that the terms of the conservation easement agreements are upheld. The California Department of Fish and Wildlife provides a definition for conservation or mitigation banks on their website (please see <https://www.wildlife.ca.gov/Conservation/Planning/Banking>)

“A conservation or mitigation bank is privately, or publicly owned land managed for its natural resource values. In exchange for permanently protecting, managing, and monitoring the land, the bank sponsor is allowed to sell or transfer habitat credits to permittees who need to satisfy legal requirements and compensate for the environmental impacts of developmental projects.

A privately owned conservation or mitigation bank is a free-market enterprise that:

- Offers landowners economic incentives to protect natural resources;
- Saves permittees time and money by providing them with the certainty of pre-approved compensation lands;
- Consolidates small, fragmented wetland mitigation projects into large contiguous sites that have much higher wildlife habitat values;
- Provides for long-term protection and management of habitat.

A publicly owned conservation or mitigation bank:

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- Offers the sponsoring public agency advance mitigation for large projects or multiple years of operations and maintenance.”

In 2013, the University of California published an article entitled “Reforms could boost conservation banking by landowners” that speaks specifically to the use of agricultural lands for in conjunction with conservation banking programs.

- Provide for mitigation fees to support a mitigation bank that invests in farmer education, agricultural infrastructure, water supply, marketing, etc., that enhance the commercial viability of retained agricultural lands.
- Include underpasses and overpasses at reasonable intervals to maintain property access.
- Use berms, buffer zones, setbacks, and fencing to reduce conflicts between new development and farming uses and protect the functions of farmland.
- Ensure individual projects are consistent with federal, state, and local policies that preserve agricultural lands and support the economic viability of agricultural activities, as well as policies that provide compensation for property owners if preservation is not feasible.
- Contact the California Department of Conservation and each county’s Agricultural Commissioner’s office to identify the location of prime farmlands and lands that support crops considered valuable to the local or regional economy and evaluate potential impacts to such lands using the land evaluation and site assessment (LESA) analysis method (CEQA Guidelines §21095), as appropriate. Use conservation easements or the payment of in-lieu fees to offset impacts.

2020-2045 RTP/SCS Measures:

PMM AG-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the *State CEQA Guidelines*, a Lead Agency for a project can and should consider mitigation measures to address potential adverse effects on agricultural resources, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Require project sponsors to mitigate for loss of farmland by providing permanent protection of in-kind farmland in the form of easements, fees, or elimination of development rights/potential.
- b) Project relocation or corridor realignment to avoid Prime Farmland, Unique Farmland, or Farmland of Local or Statewide Importance.
- c) Maintain and expand agricultural land protections such as urban growth boundaries.
- d) Provide for mitigation fees to support a mitigation bank that invests in farmer education, agricultural infrastructure, water supply, marketing, etc. that enhance the commercial viability of retained agricultural lands.
- e) Minimize severance and fragmentation of agricultural land by constructing underpasses and overpasses at reasonable intervals to provide property access.
- f) Use berms, buffer zones, setbacks, and fencing to reduce conflicts between new development and farming uses and protect the functions of farmland.

PMM AG-4: Project level mitigation measures can and should be considered by Lead Agencies as applicable and feasible. Measures to reduce substantial adverse effects, through the conversion of Farmland, to the maximum extent practicable, as determined appropriate by each Lead Agency, may include the following, or other comparable measures:

- a) Design proposed projects to minimize, to the greatest extent feasible, the loss of the highest valued agricultural land.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- b) Redesign project features to minimize fragmenting or isolating Farmland. Where a project involves acquiring land or easements, ensure that the remaining non-project area is of a size sufficient to allow economically viable farming operations. The project proponents shall be responsible for acquiring easements, making lot line adjustments, and merging affected land parcels into units suitable for continued commercial agricultural management.
- c) Reconnect utilities or infrastructure that serve agricultural uses if these are disturbed by project construction. If a project temporarily or permanently cuts off roadway access or removes utility lines, irrigation features, or other infrastructure, the project proponents shall be responsible for restoring access as necessary to ensure that economically viable farming operations are not interrupted.

PMM AG-5: Project level mitigation measures can and should be considered by Lead Agencies as applicable and feasible. Measures to reduce substantial adverse effects, through the conversion of Farmland, to the maximum extent practicable, as determined appropriate by each Lead Agency, may include the following, or other comparable measures:

- a) Manage project operations to minimize the introduction of invasive species or weeds that may affect agricultural production on adjacent agricultural land. Where a project has the potential to introduce sensitive species or habitats or have other spill-over effects on nearby agricultural lands, the project proponents shall be responsible for acquiring easements on nearby agricultural land and/or financially compensating for indirect effects on nearby agricultural land. Easements (e.g., flowage easements) shall be required for temporary or intermittent interruption in farming activities (e.g., because of seasonal flooding or groundwater seepage). Acquisition or compensation

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated because no farmland or agricultural activity exists on or in the vicinity of the Project Site, and no impacts related to this issue would occur.

2020-2045 RTP/SCS: PMM AG-1 is substantially similar to MM-AF-1(b) and is not incorporated into the Project for the reasons discussed above for MM-AF-1(b). MM AG-4 and MM AG-5 are not incorporated, because no farmland, other agricultural uses, or forest land are located on or near the Project Site, and no impacts related to this issue would occur.

Agriculture and Forestry

Zoning for Ag Use, Williamson Act Contract

2016-2040 RTP/SCS Measure:

MM-AF-2(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects from conflict with existing zoning for agricultural use or a Williamson Act contract that are within the jurisdiction and responsibility of the California Department of Conservation, other public agencies, and Lead Agencies. Where the Lead Agency has identified that a project has potential for significant effects, the Lead Agency can and should consider mitigation measures to mitigate the significant effects of agriculture and forestry resources to ensure compliance with the goals and policies established within the applicable adopted county and city general plans to protect agricultural resources consistent with the California Land Conservation Act of 1965, the Farmland Security Zone Act, and county and city zoning codes, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency, taking into account project and site-specific considerations as applicable and feasible:

- Project relocation or corridor realignment to avoid lands in Williamson Act contracts.
- Establish conservation easements consistent with the recommendations of the Department of Conservation, or 20-year Farmland Security Zone contracts (Government Code Section 51296 et seq.), 10-year Williamson Act contracts (Government Code Section 51200 et seq.) or use of other conservation tools available from the California Department of Conservation Division of Land Resource Protection.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project
<ul style="list-style-type: none"> Prior to final approval of each project, encourage enrollments of agricultural lands for counties that have Williamson Act programs, where applicable. <p><i>2020-2045 RTP/SCS Measure:</i> PMM AG-2: Project level mitigation measures can and should be considered by Lead Agencies as applicable and feasible. Measures to reduce substantial adverse effects on Williamson Act contracts to the maximum extent practicable, as determined appropriate by each Lead Agency, may include the following, or other comparable measures:</p> <ol style="list-style-type: none"> Project relocation or corridor realignment to avoid lands in Williamson Act contracts. Establish conservation easements consistent with the recommendations of the Department of Conservation, or 20-year Farmland Security Zone contracts (Government Code Section 51296 et seq.), 10-year Williamson Act contracts (Government Code Section 51200 et seq.), or use of other conservation tools available from the California Department of Conservation Division of Land Resource Protection. <p>Applicability to the Project: <u>2016-2040 RTP/SCS:</u> This mitigation measure is not incorporated because the Project Site is not zoned for agricultural production, there is no farmland at the Project Site, and there are no Williamson Act Contracts in effect for the Project Site, and no impacts related to this issue would occur.</p> <p><u>2020-2045 RTP/SCS:</u> PMM AG-2 is substantially similar to MM-AF-2(b) and is not incorporated into the Project for the reasons discussed above for MM-AF-2(b).</p>
<p>Agriculture and Forestry <u>Conflict with existing zoning or rezoning of forest land or timberland, Conversion/loss of forest land</u></p> <p><i>2016-2040 RTP/SCS Measure:</i> Refer to MM-AF-1(b), above.</p> <p><i>2020-2045 RTP/SCS Measure:</i> PMM AG-3: Project level mitigation measures can and should be considered by Lead Agencies as applicable and feasible. Measures to reduce substantial adverse effects, through the conversion of Farmland to maximum extent practicable, as determined appropriate by each Lead Agency, may include the following, or other comparable measures:</p> <ol style="list-style-type: none"> Minimize construction related impacts to agricultural and forestry resources by locating materials and stationary equipment in such a way as to prevent conflict with agriculture and forestry resources. <p>Applicability to the Project: <u>2016-2040 RTP/SCS:</u> This mitigation measure is not incorporated because the Project Site is not zoned as forest land or timberland, and no impacts related to this issue would occur.</p> <p><u>2020-2045 RTP/SCS:</u> This mitigation measure is not incorporated, because the Project Site is not zoned as forest land or timberland, and no impacts related to this issue would occur.</p>
<p>Air Quality <u>Potential to Violate AQ Standard, Result in cumulatively considerable increase of criteria pollutant</u></p> <p><i>2016-2040 RTP/SCS Measure:</i> MM-AIR-2(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures that are within the jurisdiction and authority of the CARB, air quality management districts, and other regulatory agencies. Where the Lead Agency has identified that a project has the potential to violate an air quality standard or contribute substantially to an existing air quality violation, the Lead Agency can and should consider the measures that have been</p>

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

identified by CARB and air district(s) and other agencies as set forth below, or other comparable measures, to facilitate consistency with plans for attainment of the NAAQS and CAAQS, as applicable and feasible.

CARB, South Coast AQMD, Antelope Valley AQMD, Imperial County APCD, Mojave Desert AQMD, Ventura County APCD, and Caltrans have identified project-level feasible measures to reduce construction emissions:

- Minimize land disturbance.
- Use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas.
- Suspend grading and earth moving when wind gusts exceed 25 miles per hour unless the soil is wet enough to prevent dust plumes.
- Cover trucks when hauling dirt.
- Stabilize the surface of dirt piles if not removed immediately.
- Limit vehicular paths on unpaved surfaces and stabilize any temporary roads.
- Minimize unnecessary vehicular and machinery activities.
- Revegetate disturbed land, including vehicular paths created during construction to avoid future off-road vehicular activities.
- On Caltrans projects, Caltrans Standard Specifications 10-Dust Control, 17-Watering, and 18-Dust Palliative shall be incorporated into project specifications.
- Require contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project. Prepare a plan for approval by the applicable air district demonstrating achievement of the applicable percent reduction for a CARB-approved fleet.
- Ensure that all construction equipment is properly tuned and maintained.
- Provide an operational water truck on-site at all times. Use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas. Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway.
- Project sponsors should ensure to the extent possible that construction activities utilize grid-based electricity and/or onsite renewable electricity generation rather than diesel and/or gasoline powered generators.
- Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through- traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.
- As appropriate, require that portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, obtain CARB Portable Equipment Registration with the state or a local district permit. Arrange appropriate consultations with the CARB or the District to determine registration and permitting requirements prior to equipment operation at the site.
- Implement EPA's National Clean Diesel Program.
- Diesel- or gasoline-powered equipment shall be replaced by lowest emitting feasible for each piece of equipment from among these options: electric equipment whenever feasible, gasoline-powered equipment if electric infeasible.
- On-site electricity shall be used in all construction areas that are demonstrated to be served by electricity.
- If cranes are required for construction, they shall be rated at 200 hp or greater equipped with Tier 4 or equivalent engines.
- Use alternative diesel fuels, such as Clean Fuels Technology (water emulsified diesel fuel) or O2 diesel ethanol-diesel fuel (O2 Diesel) in existing engines
- Convert part of the construction truck fleet to natural gas.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- Include “clean construction equipment fleet”, defined as a fleet mix cleaner than the state average, in all construction contracts
- Fuel all off-road and portable diesel powered equipment with ARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road)
- Use electric fleet or alternative fueled vehicles where feasible including methanol, propane, and compressed natural gas
- Use diesel construction equipment meeting ARB’s Tier 4 certified engines or cleaner offroad heavy-duty diesel engines and comply with State off-road regulation
- Use on-road, heavy-duty trucks that meet the ARB’s 2007 or cleaner certification standard for on-road diesel engines, and comply with the State on-road regulation
- Use idle reduction technology, defined as a device that is installed on the vehicle that automatically reduces main engine idling and/or is designed to provide services, e.g., heat, air conditioning, and/or electricity to the vehicle or equipment that would otherwise require the operation of the main drive engine while the vehicle or equipment is temporarily parked or is stationary
- Minimize idling time either by shutting off equipment when not in use or limit idling time to 3 minutes Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 3 minute idling limit. The construction contractor shall maintain a written idling policy and distribute it to all employees and subcontractors. The on-site construction manager shall enforce this limit.
- Prohibit diesel idling within 1,000 feet of sensitive receptors.
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- The engine size of construction equipment shall be the minimum practical size.
- Catalytic converters shall be installed on gasoline-powered equipment.
- Signs shall be posted in designated queuing areas and job sites to remind drivers and operators of the idling limit.
- Construction worker trips shall be minimized by providing options for carpooling and by providing for lunch onsite.
- Use new or rebuilt equipment.
- Maintain all construction equipment in proper working order, according to manufacturer’s specifications. The equipment must be check by an ASE-certified mechanic and determined to be running in proper condition before it is operated.
- Use low rolling resistance tires on long haul class 8 tractor-trailers.
- Suspend all construction activities that generate air pollutant emissions during air alerts.
- Install a CARB-verified, Level 3 emission control device, e.g., diesel particulate filters, on all diesel engines.

2020-2045 RTP/SCS Measure:

PMM AQ-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the *State CEQA Guidelines*, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to violating air quality standards. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Minimize land disturbance.
- b) Suspend grading and earth moving when wind gusts exceed 25 miles per hour unless the soil is wet enough to prevent dust plumes.
- c) Cover trucks when hauling dirt.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- d) Stabilize the surface of dirt piles if not removed immediately.
- e) Limit vehicular paths on unpaved surfaces and stabilize any temporary roads.
- f) Minimize unnecessary vehicular and machinery activities.
- g) Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway.
- h) Revegetate disturbed land, including vehicular paths created during construction to avoid future off-road vehicular activities.
- i) On Caltrans projects, Caltrans Standard Specifications 10-Dust Control, 17-Watering, and 18-Dust Palliative shall be incorporated into project specifications.
- j) Require contractors to assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that could be used an aggregate of 40 or more hours for the construction project. Prepare a plan for approval by the applicable air district demonstrating achievement of the applicable percent reduction for a CARB-approved fleet.
- k) Ensure that all construction equipment is properly tuned and maintained.
- l) Minimize idling time to 5 minutes—saves fuel and reduces emissions.
- m) Provide an operational water truck on-site at all times. Use watering trucks to minimize dust; watering should be sufficient to confine dust plumes to the project work areas. Sweep paved streets at least once per day where there is evidence of dirt that has been carried on to the roadway.
- n) Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.
- o) Develop a traffic plan to minimize community impacts as a result of traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites. Project sponsors should consider developing a goal for the minimization of community impacts.
- p) As appropriate require that portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, obtain CARB Portable Equipment Registration with the state or a local district permit. Arrange appropriate consultations with the CARB or the District to determine registration and permitting requirements prior to equipment operation at the site.
- q) Require projects to use Tier 4 Final equipment or better for all engines above 50 horsepower (hp). In the event that construction equipment cannot meet to Tier 4 Final engine certification, the Project representative or contractor must demonstrate through future study with written findings supported by substantial evidence that is approved by SCAG before using other technologies/strategies. Alternative applicable strategies may include, but would not be limited to, construction equipment with Tier 4 Interim or reduction in the number and/or horsepower rating of construction equipment and/or limiting the number of construction equipment operating at the same time. All equipment must be tuned and maintained in compliance with the manufacturer's recommended maintenance schedule and specifications. All maintenance records for each equipment and their contractor(s) should make available for

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

inspection and remain on-site for a period of at least two years from completion of construction, unless the individual project can demonstrate that Tier 4 engines would not be required to mitigate emissions below significance thresholds. Project sponsors should also consider including ZE/ZNE technologies where appropriate and feasible.

- r) Projects located within the South Coast Air Basin should consider applying for South Coast AQMD “SOON” funds which provides funds to applicable fleets for the purchase of commercially available low-emission heavy-duty engines to achieve near-term reduction of NOx emissions from in-use off-road diesel vehicles.
- s) Projects located within AB 617 communities should review the applicable Community Emissions Reduction Plan (CERP) for additional mitigation that can be applied to individual projects.
- t) Where applicable, projects should provide information about air quality related programs to schools, including the Environmental Justice Community Partnerships (EJCP), Clean Air Ranger Education (CARE), and Why Air Quality Matters programs.
- u) Projects should work with local cities and counties to install adequate signage that prohibits truck idling in certain locations (e.g., near schools and sensitive receptors).
- v) As applicable for airport projects, the following measures should be considered:
 - a. Considering operational improvements to reduce taxi time and auxiliary power unit usage, where feasible. Additionally, consider single engine taxing, if feasible as allowed per Federal Aviation Administration guidelines.
 - b. Set goals to achieve a reduction in emissions from aircraft operations over the lifetime of the proposed project.
 - c. Require the use of ground service equipment (GSE) that can operate on battery-power. If electric equipment cannot be obtained, require the use of alternative fuel, the cleanest gasoline equipment, or Tier 4, at a minimum.
- w) As applicable for port projects, the following measures should be considered:
 - a. Develop specific timelines for transitioning to zero emission cargo handling equipment (CHE).
 - b. Develop interim performance standards with a minimum amount of CHE replacement each year to ensure adequate progress.
 - c. Use short side electric power for ships, which may include tugboats and other ocean-going vessels or develop incentives to gradually ramp up the usage of shore power.
 - d. Install the appropriate infrastructure to provide shore power to operate the ships. Electrical hookups should be appropriately sized.
 - e. Maximize participation in the Port of Los Angeles’ Vessel Speed Reduction Program or the Port of Long Beach’s Green Flag Initiation Program in order to reduce the speed of vessel transiting within 40 nautical miles of Point Fermin.
 - f. Encourage the participation in the Green Ship Incentives.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- g. Offer incentives to encourage the use of on-dock rail.
- x) As applicable for rail projects, the following measures should be considered:
 - a. Provide the highest incentives for electric locomotives and then locomotives that meet Tier 5 emission standards with a floor on the incentives for locomotives that meet Tier 4 emission standards.
- y) Projects that will introduce sensitive receptors within 500 feet of freeways and other sources should consider installing high efficiency of enhanced filtration units, such as Minimum Efficiency Reporting Value (MERV) 13 or better. Installation of enhanced filtration units can be verified during occupancy inspection prior to the issuance of an occupancy permit.
- z) Develop an ongoing monitoring, inspection, and maintenance program for the MERV filters.
 - a. Disclose potential health impacts to prospective sensitive receptors from living in close proximity to freeways or other sources of air pollution and the reduced effectiveness of air filtration systems when windows are open or residents are outside.
 - b. Identify the responsible implementing and enforcement agency to ensure that enhanced filtration units are installed on-site before a permit of occupancy is issued.
 - c. Disclose the potential increase in energy costs for running the HVAC system to prospective residents.
 - d. Provide information to residents on where MERV filters can be purchased.
 - e. Provide recommended schedule (e.g., every year or every six months) for replacing the enhanced filtration units.
 - f. Identify the responsible entity such as future residents themselves, Homeowner's Association, or property managers for ensuring enhanced filtration units are replaced on time.
 - g. Identify, provide, and disclose ongoing cost-sharing strategies, if any, for replacing the enhanced filtration units.
 - h. Set criteria for assessing progress in installing and replacing the enhanced filtration units; and
 - i. Develop a process for evaluating the effectiveness of the enhanced filtration units.
- aa) Consult the SCAG Environmental Justice Toolbox for potential measures to address impacts to low-income and/or minority communities.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated, because the City has determined that the existing regulatory measures listed below would apply to the Project and are equal to or more effective than MM-AIR-2(b). Specifically, the applicable regulatory requirements identified by CARB and the South Coast Air Quality Management District, and other agencies to facilitate consistency with plans for attainment of the NAAQS and CAAQS, as applicable and feasible, are set forth below.

- The Project shall comply with all applicable standards of the Southern California Air Quality Management District, including the following provisions of District Rule 403:

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- Trucks having no current hauling activity shall not idle but be turned off.
- The Project shall comply with South Coast Air Quality Management District Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities, which specify work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials (ACM).
- In accordance with Sections 2485 in Title 13 of the California Code of Regulations, the idling of all diesel fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.
- In accordance with Section 93115 in Title 17 of the California Code of Regulations, operation of any stationary, diesel-fueled, compression-ignition engines shall meet specified fuel and fuel additive requirements and emission standards.
- The Project shall comply with South Coast Air Quality Management District Rule 1113 limiting the volatile organic compound content of architectural coatings.
- The Project shall install odor-reducing equipment in accordance with South Coast Air Quality Management District Rule 1138.
- New on-site facility nitrogen oxide emissions shall be minimized through the use of emission control measures (e.g., use of best available control technology for new combustion sources such as boilers and water heaters) as required by South Coast Air Quality Management District Regulation XIII, New Source Review.

As described in Section 5.III, Air Quality, of this SCEA, through compliance with these regulatory measures, the Project would not violate any air quality standards or result in any cumulatively considerable increase of a criteria pollutant.

2020-2045 RTP/SCS: PMM AQ-1 is substantially similar to MM-AIR-2(b) and is not incorporated into the Project for the reasons discussed above for MM-AIR-2(b).

Air Quality

Expose Sensitive Receptors to Pollutants

2016-2040 RTP/SCS Measure:

MM-AIR-4(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures that are within the jurisdiction and authority of the air quality management district(s) where proposed 2016 RTP/SCS transportation projects would be located. Where the Lead Agency has identified that a project has the potential to expose sensitive receptors to substantial pollutant concentrations and harm public health outcomes substantially, the Lead Agency can and should consider the measures that have been identified by CARB and air district(s), or other comparable measures, to reduce cancer risk pursuant to the Air Toxics “Hot Spots” Act of 1987 (AB2588), as applicable and feasible. Such measures include those adopted by CARB designed to reduce substantial pollutant concentrations, specifically diesel, from mobile sources and equipment. CARB’s strategy includes the following elements:

- Set technology forcing new engine standards.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- Reduce emissions from the in-use fleet.
- Require clean fuels and reduce petroleum dependency.
- Work with US EPA to reduce emissions from federal and state sources.
- Pursue long-term advanced technology measures

Proposed new transportation-related SIP measures include:

On-Road Sources

- Improvements and Enhancements to California's Smog Check Program
- Expanded Passenger Vehicle Retirement
- Modifications to Reformulated Gasoline Program
- Cleaner In-Use Heavy-Duty Trucks
- Ship Auxiliary Engine Cold Ironing and Other Clean Technology Cleaner Ship Main Engines and Fuel
- Port Truck Modernization
- Accelerated Introduction of Cleaner Line-Haul Locomotives
- Clean Up Existing Commercial Harbor Craft
- Limited idling of diesel-powered trucks
- Consolidated truck trips and improve traffic flow
- Late model engines, Low emission diesel products, engine retrofit technology
- Alternative fuels for on-road vehicles

Off-Road Sources

- Cleaner Construction and Other Equipment
- Cleaner In-Use Off-Road Equipment
- Agricultural Equipment Fleet Modernization
- New Emission Standards for Recreational Boats
- Off-Road Recreational Vehicle Expanded Emission Standards

2020-2045 RTP/SCS Measure:

Refer to PMM AQ-1, above.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated because, as described in Section 5.III, Air Quality of this SCEA, the Project impacts related to exposure of sensitive receptors to substantial pollutant concentrations would be less than significant, and no mitigation measures are required.

2020-2045 RTP/SCS: This mitigation measure is not incorporated because, as described in Section 5.III, Air Quality of this SCEA, the Project impacts related to exposure of sensitive receptors to substantial pollutant concentrations would be less than significant, and no mitigation measures are required.

Biological Resources

Adverse Effect on Candidate, Sensitive, or Special Status Species, Adverse Effect on Riparian Habitat or Other Sensitive Natural Community, Adverse Effect on Wetlands, Interfere with the Movement of Species, Conflict with Local Policies or Ordinances Protecting Bio Resources, Conflict with Habitat Conservation Plan, Natural Community Conservation Plan, or Other Conservation Plan

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

2016-2040 RTP/SCS Measure:

MM-BIO-1(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects on threatened and endangered species and other special status species that are in the jurisdiction and responsibility of U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), California Department of Fish and Wildlife (CDFW), other public agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with Sections 7, 9, and 10(a) of the federal Endangered Species Act; the California Endangered Species Act; the Native Plant Protection Act; the State Fish and Game Code; and the Desert Native Plant Act; and related applicable implementing regulations, as applicable and feasible. Additional compliance should adhere to applicable implementing regulations from the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and/or the California Department of Fish and Wildlife. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Require project design to avoid occupied habitat, potentially suitable habitat, and designated critical habitat, wherever practicable and feasible.
- Where avoidance is determined to be infeasible, provide conservation measures to fulfill the requirements of the applicable authorization for incidental take pursuant to Section 7 or 10(a) of the federal Endangered Species Act or Section 2081 of the California Endangered Species Act to support issuance of an Incidental take permit. A wide variety of conservation strategies have been successfully used in the SCAG region to protect the survival and recovery in the wild of federally and state-listed endangered species including the bald eagle:
 - Avoidance strategies
 - Contribution of in-lieu fees
 - Use of mitigation bank credits
 - Funding of research and recovery efforts
 - Habitat restoration
 - Conservation easements
 - Permanent dedication of habitat
 - Other comparable measures
- Design projects to avoid desert native plants, salvage and relocate desert native plants, and/or pay in lieu fees to support off-site long-term conservation strategies.
- Develop and implement a Worker Awareness Program (environmental education) to inform project workers of their responsibilities in regard to avoiding and minimizing impacts on sensitive biological resources.
- Appoint an Environmental Inspector to monitor implementation of mitigation measures.
- Schedule construction activities to avoid sensitive times for biological resources (e.g., steelhead spawning periods during the winter and spring, nesting bird season) and to avoid the rainy season when erosion and sediment transport is increased.
- Conduct pre-construction monitoring to delineate occupied sensitive species' habitat to facilitate avoidance.

Where projects are determined to be within suitable habitat of listed or sensitive species that have specific field survey protocols or guidelines outlined by the USFWS, CDFW, or other local agency, conduct preconstruction surveys that follow applicable protocols and guidelines and are conducted by qualified and/or certified personnel.

The following mitigation measure addresses special status species, only:

2020-2045 RTP/SCS Measure:

PMM BIO-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the *State CEQA Guidelines*, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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threatened and endangered species, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Require project design to avoid occupied habitat, potentially suitable habitat, and designated critical habitat, wherever practicable and feasible.
- b) Where avoidance is determined to be infeasible, provide conservation measures to fulfill the requirements of the applicable authorization for incidental take pursuant to Section 7 or 10(a) of the federal ESA, Section 2081 of the California ESA to support issuance of an incidental take permit, and/or as identified in local or regional plans. Conservation strategies to protect the survival and recovery of federally and state-listed endangered and local special status species may include:
 - i. Impact minimization strategies
 - ii. Contribution of in-lieu fees for in-kind conservation and mitigation efforts
 - iii. Use of in-kind mitigation bank credits
 - iv. Funding of research and recovery efforts
 - v. Habitat restoration
 - vi. Establishment of conservation easements
 - vii. Permanent dedication of in-kind habitat
- c) Design projects to avoid desert native plants protected under the California Desert Native Plants Act, salvage and relocate desert native plants, and/or pay in lieu fees to support off-site long-term conservation strategies.
- d) Temporary access roads and staging areas will not be located within areas containing sensitive plants, wildlife species or native habitat wherever feasible, so as to avoid or minimize impacts to these species.
- e) Develop and implement a Worker Environmental Awareness Program (environmental education) to inform project workers of their responsibilities to avoid and minimize impacts on sensitive biological resources.
- f) Retain a qualified botanist to document the presence or absence of special status plants before project implementation.
- g) Appoint a qualified biologist to monitor construction activities that may occur in or adjacent to occupied sensitive species' habitat to facilitate avoidance of resources not permitted for impact.
- h) Appoint a qualified biologist to monitor implementation of mitigation measures.
- i) Schedule construction activities to avoid sensitive times for biological resources (e.g. steelhead spawning periods during the winter and spring, nesting bird season) and to avoid the rainy season when erosion and sediment transport is increased.
- j) Develop an invasive species control plan associated with project construction.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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- k) If construction occurs during breeding seasons in or adjacent to suitable habitat, include appropriate sound attenuation measures required for sensitive avian species and other best management practices appropriate for potential local sensitive wildlife.
- l) Conduct pre-construction surveys to delineate occupied sensitive species' habitat to facilitate avoidance.
- m) Where projects are determined to be within suitable habitat and may impact listed or sensitive species that have specific field survey protocols or guidelines outlined by the USFWS, CDFW, or other local agency, conduct preconstruction surveys that follow applicable protocols and guidelines and are conducted by qualified and/or certified personnel.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated for the following reasons:

- The Project Site does not contain any critical habitat or support any species identified or designated as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- The Project Site is located in an urbanized area of the City, and is developed with residential and commercial uses, as well as surface parking. Thus, none of the mitigation measures that pertain to compliance with Sections 7, 9, and 10(a) of the Federal Endangered Species Act; the California Endangered Species Act; the Native Plant Protection Act; the State Fish and Game Code; and the Desert Native Plant Act; and related applicable implementing regulations, are applicable to the Project.
- Therefore, Project impacts related to adverse effects, either directly or through habitat modifications, to any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulation, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, would be less than significant, and no mitigation is required.

Additionally, the City has determined that the existing regulatory requirements listed below would apply to the Project and are equal to or more effective than MM-BIO-1 (b). Specifically, the Project Applicant would be required to comply with the Migratory Bird Treaty Act (MBTA) (Title 33, United States Code, Section 703 et seq., see also Title 50, Code of Federal Regulation, Part 10) and Section 3503 of the California Department of Fish and Wildlife Code, which regulates vegetation removal during the nesting season (February 15th to August 15th) to ensure that significant impacts to migratory birds associated with tree removal would not occur. Compliance with these existing regulations would ensure impacts related to nesting birds would be less than significant.

2020-2045 RTP/SCS: This mitigation measure is similar to MM-BIO-1 (b), and for the reasons explained above, is not incorporated because the Project would not result in any impacts related to special status species.

Biological Resources

Adverse Effect on Riparian Habitat or Other Sensitive Natural Community, Adverse Effect on Wetlands, Interfere with the Movement of Species, Conflict with Local Policies or Ordinances Protecting Bio Resources, Conflict with Habitat Conservation Plan, Natural Community Conservation Plan, or Other Conservation Plan

2016-2040 RTP/SCS Measure:

MM-BIO-2(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant impacts on state-designated sensitive habitats, including riparian habitats, that are in the jurisdiction and responsibility of U.S. Fish and Wildlife Service, the National Marine Fisheries Service,

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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the California Department of Fish and Wildlife; and other public agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with Section 1600 of the State Fish and Game Code, USFS Land Management Plan for the four national forests in the six-county area: Angeles, Cleveland, Los Padres, and San Bernardino, implementing regulations for the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the California Department of Fish and Wildlife; and other related federal, state, and local regulations, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Consult with the USFWS and NMFS where such state-designated sensitive or riparian habitats provide potential or occupied habitat for federally listed rare, threatened, and endangered species afforded protection pursuant to the federal Endangered Species Act.
- Consult with the USFS where such state-designated sensitive or riparian habitats provide potential or occupied habitat for federally listed rare, threatened, and endangered species afforded protection pursuant to the federal Endangered Species Act and any additional species afforded protection by an adopted Forest Land Management Plan or Resource Management Plan for the four national forests in the six-county area: Angeles, Cleveland, Los Padres, and San Bernardino.
- Consult with the CDFW where such state-designated sensitive or riparian habitats provide potential or occupied habitat for state-listed rare, threatened, and endangered species afforded protection pursuant to the California Endangered Species Act, or Fully-Protected Species afforded protection pursuant to the State Fish and Game Code.
- Consult with the CDFW pursuant to the provisions of Section 1600 of the State Fish and Game Code as they relate to lakes and streambeds.
- Consult with the USFWS, USFS, CDFW, and counties and cities in the SCAG region, where state-designated sensitive or riparian habitats are occupied by birds afforded protection pursuant to the Migratory Bird Treaty Act during the breeding season.
- Consult with the CDFW for state-designated sensitive or riparian habitats where fur-bearing mammals, afforded protection pursuant to the provisions of the State Fish and Game Code for fur-bearing mammals, are actively using the areas in conjunction with breeding activities.
- Utilize applicable and CDFW approved plant community classification resources during delineation of sensitive communities and invasive plants including, but not limited to, the *Manual of California Vegetation*, the California Invasive Plant Inventory Database, and the Orange County California Native Plant Society (OCCNPS) Emergent Invasive Plant Management Program, where appropriate.
- Encourage project design to avoid sensitive natural communities and riparian habitats, wherever practicable and feasible.
- Where avoidance is determined to be infeasible, develop sufficient conservation measures through coordination with local agencies and the regulatory agency (i.e., USFWS or CDFW) to protect sensitive natural communities and riparian habitats.
- Install fencing and/or mark sensitive habitat to be avoided during construction activities.
- Salvage and stockpile topsoil (the surface material from 6 to 12 inches deep) and perennial plants for use in restoring native vegetation to all areas of temporary disturbance within the project area.
- Revegetate with appropriate native vegetation following the completion of construction activities.
- Complete habitat enhancement (e.g., through removal of non-native invasive wetland species and replacement with more ecologically valuable native species).

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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- Use Best Management Practices (BMPs) at construction sites to minimize erosion and sediment transport from the area. BMPs include encouraging growth of vegetation in disturbed areas, using straw bales or other silt-catching devices, and using settling basins to minimize soil transport.

2020-2045 RTP/SCS Measure:

PMM BIO-2: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to riparian habitats and other sensitive natural communities, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Consult with the USFWS and NMFS where such state-designated sensitive or riparian habitats provide potential or occupied habitat for federally listed rare, threatened, and endangered species afforded protection pursuant to the federal ESA.
- b) Consult with the USFS where such state-designated sensitive or riparian habitats provide potential or occupied habitat for federally listed rare, threatened, and endangered species afforded protection pursuant to the federal ESA and any additional species afforded protection by an adopted Forest Land Management Plan or Resource Management Plan for the four national forests in the six-county area: Angeles, Cleveland, Los Padres, and San Bernardino.
- c) Consult with the CDFW where such state-designated sensitive or riparian habitats provide potential or occupied habitat for state-listed rare, threatened, and endangered species afforded protection pursuant to the California ESA, or Fully Protected Species afforded protection pursuant to the State Fish and Game Code.
- d) Consult with the CDFW pursuant to the provisions of Section 1600 of the State Fish and Game Code as they relate to Lakes and Streambeds.
- e) Consult with the USFWS, USFS, CDFW, and counties and cities in the SCAG region, where state designated sensitive or riparian habitats are occupied by birds afforded protection pursuant to the MBTA during the breeding season.
- f) Consult with the CDFW for state-designated sensitive or riparian habitats where furbearing mammals, afforded protection pursuant to the provisions of the State Fish and Game Code for fur-bearing mammals, are actively using the areas in conjunction with breeding activities.
- g) Require project design to avoid sensitive natural communities and riparian habitats, wherever practicable and feasible.
- h) Where avoidance is determined to be infeasible, develop sufficient conservation measures through coordination with local agencies and the regulatory agency (i.e., USFWS or CDFW) to protect sensitive natural communities and riparian habitats and develop appropriate compensatory mitigation, where required.
- i) Appoint a qualified wetland biologist to monitor construction activities that may occur in or adjacent to sensitive communities.
- j) Appoint a qualified wetland biologist to monitor implementation of mitigation measures.
- k) Schedule construction activities to avoid sensitive times for biological resources and to avoid the rainy season when erosion and sediment transport is increased.
- l) When construction activities require stream crossings, schedule work during dry conditions and use rubber-wheeled vehicles, when feasible. Have a qualified wetland scientist determine if potential project impacts require a Notification of Lake or Streambed Alteration to CDFW during the planning phase of projects.
- m) Consult with local agencies, jurisdictions, and landowners where such state-designated sensitive or riparian habitats are afforded protection pursuant an adopted regional conservation plan.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- n) Install fencing and/or mark sensitive habitat to be avoided during construction activities.
- o) Salvage and stockpile topsoil (the surface material from 6 to 12 inches deep) and perennial native plants, when recommended by the qualified wetland biologist, for use in restoring native vegetation to areas of temporary disturbance within the project area. Salvage of soils containing invasive species, seeds and/or rhizomes will be avoided as identified by the qualified wetland biologist.
- p) Revegetate with appropriate native vegetation following the completion of construction activities, as identified by the qualified wetland biologist.
- q) Complete habitat enhancement (e.g., through removal of non-native invasive wetland species and replacement with more ecologically valuable native species).
- r) Use Best Management Practices (BMPs) at construction sites to minimize erosion and sediment transport from the area. BMPs include encouraging growth of native vegetation in disturbed areas, using straw bales or other silt-catching devices, and using settling basins to minimize soil transport.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated, because due to its location within an urbanized area of the City and its current development with residential and commercial uses, the Project Site does not contain any wetlands, riparian habitats, sensitive natural community or critical habitat or support any species identified or designated as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, and no impacts related to this issue would occur. Therefore, no mitigation measures are required.

2020-2045 RTP/SCS: PMM BIO-2 is substantially similar to MM-BIO-2(b) and is not incorporated into the Project for the reasons discussed above for MM-BIO-2(b).

Biological Resources

Adverse Effect on Wetlands, Interfere with the Movement of Species, Conflict with Local Policies or Ordinances Protecting Bio Resources, Conflict with Habitat Conservation Plan, Natural Community Conservation Plan, or Other Conservation Plan

2016-2040 RTP/SCS Measure:

MM-BIO-3(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant impacts on protected wetlands that are in the jurisdiction and responsibility of the U.S. Army Corps of Engineers, public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with Section 404 of the Clean Water Act and regulations of the U.S. Army Corps of Engineers (USACOE), and other applicable federal, state and local regulations, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Require project design to avoid federally protected wetlands consistent with the provisions of Section 404 of the Clean Water Act, wherever practicable and feasible.
- Where the Lead Agency has identified that a project, or other regionally significant project, has the potential to impact other wetlands or waters not protected under Section 404 of the Clean Water Act, seek comparable coverage for these wetlands and waters in consultation with the USACOE and applicable Regional Water Quality Control Boards (RWQCB). Where avoidance is determined to be infeasible, develop sufficient conservation measures to fulfill the requirements of the applicable authorization for impacts to federally protected wetlands to support issuance of a permit under Section 404 of the Clean Water Act as administered by the USACOE. The use of an authorized Nationwide Permit or issuance of an individual permit requires the project applicant to demonstrate compliance with the USACOE's Final Compensatory Mitigation Rule. The USACOE reviews projects to ensure environmental impacts to aquatic resources are avoided or

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

minimized as much as possible. Consistent with the administration’s performance standard of “no net loss of wetlands” a USACOE permit may require a project proponent to restore, establish, enhance or preserve other aquatic resources in order to replace those affected by the Project. This compensatory mitigation process seeks to replace the loss of existing aquatic resource functions and area. Project proponents required to complete mitigation are encouraged to use a watershed approach and watershed planning information. The new rule establishes performance standards, sets timeframes for decision making, and to the extent possible, establishes equivalent requirements and standards for the three sources of compensatory mitigation:

- Permittee-responsible mitigation
- Contribution of in-lieu fees
- Use of mitigation bank credits
- Require review of construction drawings by a certified wetland delineator as part of each project-specific environmental analysis to determine whether wetlands will be affected and, if necessary, perform a formal wetland delineation.

2020-2045 RTP/SCS Measure:

PMM BIO-3: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to wetlands, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency.

- a. Require project design to avoid federally protected aquatic resources consistent with the provisions of Sections 404 and 401 of the CWA, wherever practicable and feasible.
- b. Where the lead agency has identified that a project, or other regionally significant project, has the potential to impact other wetlands or waters, such as those considered Waters Of the State of California under the State Wetland Definition and Procedures for Dischargers of Dredged or Fill Material to Waters of the State, not protected under Section 404 or 401 of the CWA, seek comparable coverage for these wetlands and waters in consultation with the SWRCB, applicable RWQCB, and CDFW.
- c. Where avoidance is determined to be infeasible, develop sufficient conservation measures to fulfill the requirements of the applicable authorization for impacts to federal and state protected aquatic resource to support issuance of a permit under Section 404 of the CWA as administered by the USACE. The use of an authorized Nationwide Permit or issuance of an individual permit requires the project applicant to demonstrate compliance with the USACE’s Final Compensatory Mitigation Rule. The USACE reviews projects to ensure environmental impacts to aquatic resources are avoided or minimized as much as possible. Consistent with the administration’s performance standard of “no net loss of wetlands” a USACE permit may require a project proponent to restore, establish, enhance or preserve other aquatic resources in order to replace those affected by the proposed project. This compensatory mitigation process seeks to replace the loss of existing aquatic resource functions and area. Project proponents required to complete mitigation are encouraged to use a watershed approach and watershed planning information. The new rule establishes performance standards, sets timeframes for decision making, and to the extent possible, establishes equivalent requirements and standards for the three sources of compensatory mitigation:

- Permittee-responsible mitigation
- Contribution of in-kind in-lieu fees
- Use of in-kind mitigation bank credits
- Where avoidance is determined to be infeasible and

- d) Where avoidance is determined to be infeasible and proposed projects’ impacts exceed an existing Nationwide Permit (NWP) and/or California SWRCB-certified NWP, or applicable County Special Area Management Plan

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

(SAMP), the lead agency should provide USACE and SWRCB (where applicable) an alternative analysis consistent with the Least Environmentally Damaging Practicable Alternatives in this order of priorities:

- Avoidance
- Impact Minimization
- On-site alternatives
- Off-site alternatives

e) Require review of construction drawings by a certified wetland delineator as part of each project-specific environmental analysis to determine whether aquatic resources will be affected and, if necessary, perform formal wetland delineation.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated, because the Project Site is not located on protected wetlands that are in the jurisdiction and responsibility of the U.S. Army Corps of Engineers, public agencies and/or Lead Agencies. Moreover, the Project Site is an infill site in an urban setting in a region that is fully developed and would not affect species movement or policies or regulations protecting biological resources. No impacts related to this issue would occur, and no mitigation measures are required.

2020-2045 RTP/SCS: PMM BIO-3 is substantially similar to MM-BIO-3(b) and is not incorporated into the Project for the reasons discussed above for MM-BIO-3(b).

Biological Resources

Interfere with the Movement of Species, Conflict with Local Policies or Ordinances Protecting Bio Resources, Conflict with Habitat Conservation Plan, Natural Community Conservation Plan, or Other Conservation Plan

2016-2040 RTP/SCS Measure:

MM-BIO-4(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant impacts on migratory fish or wildlife species or within established native resident and/or migratory wildlife corridors, and native wildlife nursery sites that are in the jurisdiction and responsibility of U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife, U.S. Forest Service, public agencies and/or Lead Agencies, as applicable and feasible. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with regulations of the USFWS, USFS, CDFW, and related regulations, goals and policies of counties and cities, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Consult with the USFWS, USFS, CDFW, and counties and cities in the SCAG region, where impacts to birds afforded protection pursuant to the Migratory Bird Treaty Act during the breeding season may occur.
- Consult with the USFS where impacts to migratory wildlife corridors may occur in an area afforded protection by an adopted Forest Land Management Plan or Resource Management Plan for the four national forests in the six-County area: Angeles, Cleveland, Los Padres, and San Bernardino.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- Consult with counties, cities, and other local organizations when impacts may occur to open space areas that have been designated as important for wildlife movement.
- Prohibit construction activities within 500 feet of occupied breeding areas for wildlife afforded protection pursuant to Title 14 § 460 of the California Code of Regulations protecting fur-bearing mammals, during the breeding season.
- Prohibit clearing of vegetation and construction within the peak avian breeding season (February 1st through September 1st), where feasible.
- Conduct weekly surveys to identify active raptor and other migratory nongame bird nests by a qualified biologist with experience in conducting breeding bird surveys within three days prior to the work in the area from February 1 through August 31.
- Prohibit construction activities with 300 feet (500 feet for raptors) of occupied nests of birds afforded protection pursuant to the Migratory Bird Treaty Act, during the breeding season. Delineate the non-disturbance buffer by temporary fencing and keep the buffer in place until construction is complete or the nest is no longer active. No construction shall occur within the fenced nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be impacted by the project. Reductions or expansions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.
- Ensure that suitable nesting sites for migratory nongame native bird species protected under the Migratory Bird Treaty Act and/or trees with unoccupied raptor nests should only be removed prior to February 1 or following the nesting season.
- Conduct site-specific analyses of opportunities to preserve or improve habitat linkages with areas on- and off-site. Analyze habitat linkages/wildlife movement corridors on a broader and cumulative impact analysis scale to avoid adverse impacts from linear projects that have potential for impacts on a broader scale or critical narrow choke points that could reduce function of recognized movement corridors on a larger scale. Require review of construction drawings and habitat connectivity mapping provided by the CDFW or CNDDDB by a qualified biologist to determine the risk of habitat fragmentation.
- Pursue mitigation banking to preserve habitat linkages and corridors (opportunities to purchase, maintain, and/or restore offsite habitat).
- Demonstrate that Projects would not adversely affect movement of any native resident or migratory fish or wildlife species, wildlife movement corridors, or wildlife nursery sites through the incorporation of avoidance strategies into project design, wherever practicable and feasible.
- Evaluate the potential for overpasses, underpasses, and culverts in cases where a roadway or other transportation project may interrupt the flow of species through their habitat. Provide wildlife crossings in accordance with proven standards, such as FHWA's Critter Crossings or Ventura County Mitigation Guidelines and in consultation with wildlife corridor authorities with sufficient knowledge of both regional and local wildlife corridors, and at locations useful and appropriate for the species of concern.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- Install wildlife fencing where appropriate to minimize the probability of wildlife injury due to direct interaction between wildlife and roads or construction.
- Establish native vegetation and facilitate the enhancement and maintenance of biological diversity within existing habitat pockets in urban environments that provide connectivity to large-scale habitat areas.
- Where avoidance is determined to be infeasible, design sufficient conservation measures through coordination with local agencies and the regulatory agency (i.e., USFWS or CDFW) and in accordance with the respective counties and cities general plans to establish plans to mitigate for the loss of fish and wildlife movement corridors and/or wildlife nursery sites. The consideration of conservation measures may include the following measures, in addition to the measures outlined in **MM-BIO-1(b)**, where applicable:
 - Wildlife movement buffer zones
 - Corridor realignment
 - Appropriately spaced breaks in center barriers
 - Stream rerouting
 - Culverts
 - Creation of artificial movement corridors such as freeway under- or overpasses
 - Other comparable measures
- Where the Lead Agency has identified that an RTP/SCS project, or other regionally significant project, has the potential to impact other open space or nursery site areas, seek comparable coverage for these areas in consultation with the USFWS, CDFW, NMFS, or other local jurisdictions.
- Project sponsors should emphasize that urban habitats and the plant and wildlife species they support are indeed valuable, despite the fact they are located in urbanized (previously disturbed) areas. Established habitat connectivity and wildlife corridors in these urban ecosystems will likely be impacted with further urbanization, as proposed in the Project. Appropriate mitigation measures should be proposed, developed, and implemented in these sensitive urban microhabitats to support or enhance the rich diversity of urban plant and wildlife species.
- Establish native vegetation within habitat pockets or the “wildling of urbanized habitats” that facilitate the enhancement and maintenance of biological diversity in these areas. These habitat pockets, as the hopscotch across an urban environment, provide connectivity to large-scale habitat areas.

2020-2045 RTP/SCS Measure:

PMM BIO-4: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to wildlife movement, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a. Consult with the USFS where impacts to migratory wildlife corridors may occur in an area afforded protection by an adopted Forest Land Management Plan or Resource Management Plan for the four national forests in the six-County area: Angeles, Cleveland, Los Padres, and San Bernardino.
- b. Consult with counties, cities, and other local organizations when impacts may occur to open space areas that have been designated as important for wildlife movement related to local ordinances or conservation plans.
- c. Prohibit construction activities within 500 feet of occupied breeding areas for wildlife afforded protection pursuant to Title 14 § 460 of the California Code of Regulations protecting fur-bearing mammals, during the breeding season.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- d. Conduct a survey to identify active raptor and other migratory nongame bird nests by a qualified biologist at least two weeks before the start of construction at project sites from February 1 through August 31.
- e. Prohibit construction activities with 300 feet of occupied nest of birds afforded protection pursuant to the Migratory Bird Treaty Act, during the breeding season.
- f. Ensure that suitable nesting sites for migratory nongame native bird species protected under the Migratory Bird Treaty Act and/or trees with unoccupied raptor nests should only be removed prior to February 1, or following the nesting season.
- g. When feasible and practicable, proposed projects will be designed to minimize impacts to wildlife movement and habitat connectivity and preserve existing and functional wildlife corridors.
- h. Conduct site-specific analyses of opportunities to preserve or improve habitat linkages with areas on- and off-site.
- i. Long linear projects with the possibility of impacting wildlife movement should analyze habitat linkages/wildlife movement corridors on a broad scale to avoid critical narrow choke points that could reduce function of recognized movement corridor.
- j. Require review of construction drawings and habitat connectivity mapping by a qualified biologist to determine the risk of habitat fragmentation.
- k. Pursue mitigation banking to preserve habitat linkages and corridors (opportunities to purchase, maintain, and/or restore offsite habitat).
- l. When practicable and feasible design projects to promote wildlife corridor redundancy by including multiple connections between habitat patches.
- m. Evaluate the potential for installation of overpasses, underpasses, and culverts to create wildlife crossings in cases where a roadway or other transportation project may interrupt the flow of species through their habitat. Retrofitting of existing infrastructure in project areas should also be considered for wildlife crossings for purposes of mitigation.
- n. Install wildlife fencing where appropriate to minimize the probability of wildlife injury due to direct interaction between wildlife and roads or construction.
- o. Where avoidance is determined to be infeasible, design sufficient conservation measures through coordination with local agencies and the regulatory agency (i.e., USFWS or CDFW) and in accordance with the respective counties and cities general plans to establish plans to mitigate for the loss of fish and wildlife movement corridors and/or wildlife nursery sites. The consideration of conservation measures may include the following measures, in addition to the measures outlined in MM-BIO-1(b), where applicable:
 - Wildlife movement buffer zones
 - Corridor realignment
 - Appropriately spaced breaks in center barriers
 - Stream rerouting
 - Culverts
 - Creation of artificial movement corridors such as freeway under- or overpasses
 - Other comparable measures

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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- p) Where the lead agency has identified that a RTP/SCS project, or other regionally significant project, has the potential to impact other open space or nursery site areas, seek comparable coverage for these areas in consultation with the USFWS, CDFW, NMFS, or other local jurisdictions.
- q) Incorporate applicable and appropriate guidance (e.g. FHWA-HEP-16- 059), as well as best management practices, to benefit pollinators with a focus on native plants.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated, because the City has determined that the existing regulatory compliance requirements listed below would apply to the Project and are equal to or more effective than MM-BIO-4(b). The applicable regulatory requirements include the MBTA (Title 33, United States Code, Section 703 et seq., see also Title 50, Code of Federal Regulation, Part 10) and Section 3503 of the California Department of Fish and Wildlife Code, which regulates vegetation removal during the nesting season (February 15 to August 15) to ensure that significant impacts to migratory birds would not occur. Compliance with these existing regulations would ensure that any potential impacts would be less than significant.

Additionally, the Project does not include removal of any City-designated protected trees. One non-protected street tree is anticipated to be removed, which would require the provision of replacement street trees pursuant to the current policies of the City’s Urban Forestry Division, and subject to the approval of the Board of Public Works. Therefore, with compliance with existing regulatory requirements, no tree-related impacts would occur, and no mitigation measures are required.

2020-2045 RTP/SCS: PMM BIO-4 is substantially similar to MM-BIO-4(b) and is not incorporated into the Project for the reasons discussed above for MM-BIO-4(b).

Biological Resources

Conflict with Local Policies or Ordinances Protecting Bio Resources, Conflict with Habitat Conservation Plan, Natural Community Conservation Plan, or Other Conservation Plan

2016-2040 RTP/SCS Measure:

MM-BIO-5(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant impacts related to conflicts with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, that are in the jurisdiction and responsibility of local jurisdictions and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to comply with county, city and local policies or ordinances, protecting biological resources, such as tree preservation policies or ordinances, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Consult with the appropriate local agency responsible for the administration of the policy or ordinance protecting biological resources.
- Prioritize retention of trees on-site consistent with local regulations. Provide adequate protection during the construction period for any trees that are to remain standing, as recommended by a certified arborist.
- If specific project area trees are designated as “Protected Trees,” “Landmark Trees,” or “Heritage Trees,” obtain approval for encroachment or removals through the appropriate entity, and develop appropriate mitigation measures at that time, to ensure that the trees are replaced. Mitigation trees shall be locally collected native species.
- Before the start of any clearing, excavation, construction or other work on the site, securely fence off every protected tree deemed to be potentially endangered by said site work. Keep such fences in place for duration of all such work. Clearly mark all trees to be removed. Establish a scheme for the removal and disposal of logs, brush, earth and other debris that will avoid injury to any protected tree.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- Where proposed development or other site work could encroach upon the protected perimeter of any protected tree, incorporate special measures to allow the roots to breathe and obtain water and nutrients. Minimize any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter. Require that no change in existing ground level occur from the base of any protected tree at any time. Require that no burning or use of equipment with an open flame occur near or within the protected perimeter of any protected tree.
- Require that no storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees occur from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. Require that no heavy construction equipment or construction materials be operated or stored within a distance from the base of any protected trees. Require that wires, ropes, or other devices not be attached to any protected tree, except as needed for support of the tree. Require that no sign, other than a tag showing the botanical classification, be attached to any protected tree.
- Thoroughly spray the leaves of protected trees with water periodically during construction to prevent buildup of dust and other pollution that would inhibit leaf transpiration.
- If any damage to a protected tree should occur during or as a result of work on the site, the appropriate local agency will be immediately notified of such damage. If, such tree cannot be preserved in a healthy state, require replacement of any tree removed with another tree or trees on the same site deemed adequate by the local agency to compensate for the loss of the tree that is removed.
- Remove all debris created as a result of any tree removal work from the property within two weeks of debris creation, and such debris shall be properly disposed of in accordance with all applicable laws, ordinances, and regulations.
- Design projects to avoid conflicts with local policies and ordinances protecting biological resources.
- Where avoidance is determined to be infeasible, sufficient conservation measures to fulfill the requirements of the applicable policy or ordinance shall be developed, such as to support issuance of a tree removal permit. The consideration of conservation measures may include:
 - Avoidance strategies
 - Contribution of in-lieu fees
 - Planting of replacement trees at a minimum ratio of 2:1
 - Re-landscaping areas with native vegetation post-construction
 - Other comparable measures

2020-2045 RTP/SCS Measure:

PMM BIO-5: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce conflicts with local policies and ordinances protecting biological resources, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Consult with the appropriate local agency responsible for the administration of the policy or ordinance protecting biological resources.
- b) Prioritize retention of trees on-site consistent with local regulations. Provide adequate protection during the construction period for any trees that are to remain standing, as recommended by an International Society of Arboriculture (ISA) certified arborist.
- c) If specific project area trees are designated as “Protected Trees,” “Landmark Trees,” or “Heritage Trees,” obtain approval for encroachment or removals through the appropriate entity, and develop appropriate mitigation measures at that time, to ensure that the trees are replaced. Mitigation trees shall be locally collected native species, as directed by a qualified biologist.
- d) Appoint an ISA certified arborist to monitor construction activities that may occur in areas with trees are designated as “Protected Trees,” “Landmark Trees,” or “Heritage Trees,” to facilitate avoidance of resources not permitted for impact. Before the start of any clearing, excavation, construction or other work on the site, securely fence off every

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

protected tree deemed to be potentially endangered by said site work. Keep such fences in place for duration of all such work. Clearly mark all trees to be removed.

- e) Establish a scheme for the removal and disposal of logs, brush, earth and other debris that will avoid injury to any protected tree. Where proposed development or other site work could encroach upon the protected perimeter of any protected tree, incorporate special measures to allow the roots to breathe and obtain water and nutrients. Minimize any excavation, cutting, filing, or compaction of the existing ground surface within the protected perimeter. Require that no change in existing ground level occur from the base of any protected tree at any time. Require that no burning or use of equipment with an open flame occur near or within the protected perimeter of any protected tree.
- f) Require that no storage or dumping of oil, gas, chemicals, or other substances that may be harmful to trees occur from the base of any protected trees, or any other location on the site from which such substances might enter the protected perimeter. Require that no heavy construction equipment or construction materials be operated or stored within a distance from the base of any protected trees. Require that wires, ropes, or other devices not be attached to any protected tree, except as needed for support of the tree. Require that no sign, other than a tag showing the botanical classification, be attached to any protected tree.
- g) Thoroughly spray the leaves of protected trees with water periodically during construction to prevent buildup of dust and other pollution that would inhibit leaf transpiration, as directed by the certified arborist.
- h) If any damage to a protected tree should occur during or as a result of work on the site, the appropriate local agency will be immediately notified of such damage. If, such tree cannot be preserved in a healthy state, as determined by the certified arborist, require replacement of any tree removed with another tree or trees on the same site deemed adequate by the local agency to compensate for the loss of the tree that is removed. Remove all debris created as a result of any tree removal work from the property within two weeks of debris creation, and such debris shall be properly disposed of in accordance with all applicable laws, ordinances, and regulations. Design projects to avoid conflicts with local policies and ordinances protecting biological resources
- i) Where avoidance is determined to be infeasible, sufficient conservation measures to fulfill the requirements of the applicable policy or ordinance shall be developed, such as to support issuance of a tree removal permit. The consideration of conservation measures may include:
 - Avoidance strategies
 - Contribution of in-lieu fees
 - Planting of replacement trees
 - Re-landscaping areas with native vegetation post-construction
 - Other comparable measures developed in consultation with local agency and certified arborist.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated, because the City has determined that compliance by the Project with existing City regulatory requirements are equal to or more effective than MM-BIO-5(b). The Project will comply with the City tree preservation ordinance; however, the Project does not include removal of any City-designated protected trees. Due to the anticipated removal of at least one existing street tree, the Project Applicant would be required to plant replacement street trees at a two-to-one ratio in accordance with the requirements and current policies of the City's Urban Forestry Division.

Specifically, prior to the removal of trees located within the public right-of-way, the Project Applicant would be required to obtain approval from the Board of Public Works for the removal and replacement of said trees. Street trees would be required to be removed and replaced as required by the Urban Forestry Division and the Board of Public Works. The landscape plans

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project
<p>for the Project shall identify all trees that would be removed. Compliance with the City’s street tree removal requirements would ensure no significant impacts related to biological resources, in particular trees, would occur.</p> <p><u>2020-2045 RTP/SCS:</u> PMM BIO-5 is substantially similar to MM-BIO-5(b) and is not incorporated into the Project for the reasons discussed above for MM-BIO-5(b).</p>
<p>Biological Resources <u>Conflict with Habitat Conservation Plan, Natural Community Conservation Plan, or Other Conservation Plan</u></p> <p><i>2016-2040 RTP/SCS Measure:</i> MM-BIO-6(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant impacts on HCP and NCCPs that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with Section 7 or 10(a) of the federal Endangered Species Act or Section 2081 of the California Endangered Species Act; and implementing regulations, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> • Consult with the appropriate federal, state, and/or local agency responsible for the administration of HCPs, NCCPs or other conservation programs. • Wherever practicable and feasible, the project shall be designed to avoid through project design lands preserved under the conditions of an HCP, NCCP, or other conservation program. • Where avoidance is determined to be infeasible, sufficient conservation measures to fulfill the requirements of the HCP and/or NCCP or other conservation program, which would include but not be limited to applicable authorization for incidental take pursuant to Section 7 or 10(a) of the federal Endangered Species Act or Section 2081 of the California Endangered Species Act, shall be developed to support issuance of an Incidental take permit or any other permissions required for development within the HCP/NCCP boundaries. The consideration of additional conservation measures would include the measures outlined in MM-BIO-1(b), where applicable. <p><i>2020-2045 RTP/SCS Measure:</i> PMM BIO-6: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects on HCPs and NCCPs, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <ol style="list-style-type: none"> a) Consult with the appropriate federal, state, and/or local agency responsible for the administration of HCPs or NCCPs. b) Wherever practicable and feasible, the project shall be designed to avoid lands preserved under the conditions of an HCP or NCCP. c) Where avoidance is determined to be infeasible, sufficient conservation measures to fulfill the requirements of the HCP and/or NCCP, which would include but not be limited to applicable authorization for incidental take pursuant to Section 7 or 10(a) of the federal Endangered Species Act or Section 2081 of the California ESA, shall be developed to support issuance of an incidental take permit or any other permissions required for development within the HCP/NCCP boundaries. The consideration of additional conservation measures would include the measures outlined in SMM-BIO-2, where applicable. <p>Applicability to the Project: <u>2016-2040 RTP/SCS:</u> This mitigation measure is not incorporated, because the City has no adopted Habitat Conservation Plans or Natural Community Conservation Plans that would apply to the Project Site. As such, no impacts related to this issue would occur.</p>

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project
<p><u>2020-2045 RTP/SCS:</u> PMM BIO-6 is substantially similar to MM-BIO-6(b) and is not incorporated into the Project for the reasons discussed above for MM-BIO-6(b).</p>
<p>Cultural Resources <u>Potential to Destroy Unique Paleo Resources or Unique Geological Features</u></p> <p><i>2016-2040 RTP/SCS Measure:</i></p> <p>MM-CUL-1(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects on unique paleontological resources or sites and unique geologic features that are within the jurisdiction and responsibility of National Park Service, Office of Historic Preservation, and Native American Heritage Commission, other public agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures consistent with Section 15064.5 of the State CEQA Guidelines capable of avoiding or reducing significant impacts on unique paleontological resources or sites or unique geologic features. Ensure compliance with the National Historic Preservation Act, Section 5097.5 of the Public Resources Code (PRC), state programs pursuant to Sections 5024 and 5024.5 of the PRC, adopted county and city general plans, and other federal, state and local regulations, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> • Obtain review by a qualified geologist or paleontologist to determine if the project has the potential to require excavation or blasting of parent material with a moderate to high potential to contain unique paleontological or resources, or to require the substantial alteration of a unique geologic feature. • Avoid exposure or displacement of parent material with a moderate to high potential to yield unique paleontological resources. • Where avoidance of parent material with a moderate to high potential to yield unique paleontological resources is not feasible: <ul style="list-style-type: none"> ○ All on-site construction personnel receive Worker Education and Awareness Program (WEAP) training to understand the regulatory framework that provides for protection of paleontological resources and become familiar with diagnostic characteristics of the materials with the potential to be encountered. ○ Prepare a Paleontological Resource Management Plan (PRMP) to guide the salvage, documentation and repository of representative samples of unique paleontological resources encountered during construction. If unique paleontological resources are encountered during excavation or blasting, use a qualified paleontologist to oversee the implementation of the PRMP. ○ Monitor blasting and earth-moving activities in parent material, with a moderate to high potential to yield unique paleontological resources using a qualified paleontologist or archeologists cross-trained in paleontology to determine if unique paleontological resources are encountered during such activities, consistent with the specified or comparable protocols. ○ Identify where excavation and earthmoving activity is proposed in a geologic unit having a moderate or high potential for containing fossils and specify the need for a paleontological or archeological (cross-trained in paleontology) to be present during earth-moving activities or blasting in these areas. • Avoid routes and project designs that would permanently alter unique features with archaeological and/or paleontological significance. • Salvage and document adversely affected resources sufficient to support ongoing scientific research and education. <p><i>2020-2045 RTP/SCS Measure:</i></p> <p>Since preparation of the Program EIR for the 2016-2040 RTP/SCS, this topic has been removed from “Cultural Resources” and moved to “Geology and Soils.” Refer to PMM-GEO-2, below.</p> <p>Applicability to the Project:</p>

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

2016-2040 RTP/SCS: A paleontological resources technical report was prepared for the Project (included in Appendix D-2 of this SCEA) in accordance with the regulations and technical standards prescribed in MM-CUL-1(b). The report was also prepared by staff that meet the qualification standards of a qualified paleontologist. The Project Site has not been identified as a site containing either unique paleontological resources or unique geological features. Nevertheless, due to the Project's proposed subterranean excavation, the possibility exists for inadvertent discovery of previously unidentified paleontological resources. Accordingly, the Project would implement Project-specific Mitigation Measures MM-GEO-1 through MM-GEO-4, provided below. These measures incorporate relevant portions of MM-CUL-1(b) from the 2016-2040 RTP/SCS and PMM GEO-1 from the 2020-2045 RTP/SCS and also include recommendations based on the Project-specific analysis provided in Section 5.VII, Geology and Soils, of this SCEA. Implementation of these measures would ensure that impacts with respect to paleontological resources are less than significant.

MM-GEO-1 A Project Paleontologist shall be retained. A Project Paleontologist is defined as one who meets the Secretary of Vertebrate Paleontology (SVP) standards, has experience working with asphaltic fossil deposits, and is approved by the Natural History Museum of Los Angeles County (LACM). The Project Paleontologist will prepare a Paleontological Resources Monitoring and Mitigation Plan (PRMMP). This plan will address specifics of monitoring and mitigation and will comply with the recommendations of the SVP's *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources*. This plan will be subject to the approval of the LACM and submitted to them for review before ground disturbance begins.

MM-GEO-2 The Project Paleontologist shall develop a Worker's Environmental Awareness Program (WEAP) to train the construction crew on the legal requirements for preserving fossil resources as well as procedures to follow in the event of a fossil discovery. This training program shall be given to the crew before ground-disturbing work commences and will include handouts to be given to new workers as needed.

MM-GEO-3 All ground disturbances at the Project Site that occur in previously undisturbed older alluvial sediments that have high paleontological potential shall require monitoring. Monitoring shall be conducted by a Paleontological Monitor, who meets the standards defined in the SVP's *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources*. Should asphaltic sediments be encountered during excavations, the monitor must also have prior experience or training working in asphaltic sediments and meet the approval of the LACM. Monitoring shall be conducted in accordance with the PRMMP and under the supervision of the Project Paleontologist. The Project Paleontologist may periodically inspect construction activities to adjust the level of monitoring in response to subsurface conditions. Full-time monitoring can be reduced to part-time inspections or ceased entirely if determined adequate by the Project Paleontologist and the LACM. Paleontological monitoring shall include inspection of exposed sedimentary units during active excavations within sensitive geologic sediments. The monitor shall have authority to temporarily divert activity away from exposed fossils to evaluate the significance of the find and, should the fossils be determined significant, professionally and efficiently recover the fossil specimens and collect associated data. Paleontological monitors shall record pertinent geologic data and collect appropriate sediment samples from any fossil localities. When monitoring work is completed, the Project Paleontologist shall prepare a report of the findings of the monitoring plan after construction is completed.

MM-GEO-4 In the event of a fossil discovery, whether by the paleontological monitor or a member of the construction crew, all work shall cease in a 50-foot radius of the find while the Project Paleontologist assesses the

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project
<p>significance of the fossil and document its discovery. Should the fossil be determined significant, it shall be salvaged following the procedures and guidelines of the SVP and in consultation with the LACM. Recovered fossils shall be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility. The most likely repository is the LACM, and a repository agreement shall be identified and a curatorial arrangement shall be signed prior to collection of the fossils.</p> <p><u>2020-2045 RTP/SCS:</u> Since preparation of the EIR for the 2016-2040 RTP/SCS, this topic has been removed from “Cultural Resources” and moved to “Geology and Soils.” Refer to PMM GEO-2, below.</p>
<p>Cultural Resources <u>Substantial Adverse Change in Significance of a Historical Resource, Substantial Adverse Change in the Significance of an Archaeological Resource</u></p> <p><i>2016-2040 RTP/SCS Measure:</i> MM-CUL-2(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects of on historical resources within the jurisdiction and responsibility of the Office of Historical Preservation, Native American Heritage Commission, other public agencies, and/or Local Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures consistent with Section 15064.5 of the State CEQA Guidelines capable of avoiding or reducing significant impacts on historical resources, to ensure compliance with the National Historic Preservation Act, Section 5097.5 of the Public Resources Code (PRC), state programs pursuant to Sections 5024 and 5024.5 of the PRC, adopted county and city general plans and other federal, state and local regulations, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> • Pursuant to CEQA Guidelines Section 15064.5, conduct a record search at the appropriate Information Center to determine whether the project area has been previously surveyed and whether historic resources were identified. • Obtain a qualified architectural historian to conduct historic architectural surveys as recommended by the Information Center. In the event the records indicate that no previous survey has been conducted, the Information Center will make a recommendation on whether a survey is warranted based on the sensitivity of the project area for historical resources within 1,000 feet of the project. • Comply with Section 106 of the National Historic Preservation Act including, but not limited to, projects for which federal funding or approval is required for the individual project. This law requires federal agencies to evaluate the impact of their actions on resources included in or eligible for listing in the National Register. Federal agencies must coordinate with the State Historic Preservation Officer in evaluating impacts and developing mitigation. These mitigation measures may include, but are not limited to the following: <ul style="list-style-type: none"> ○ Employ design measures to avoid historical resources and undertake adaptive reuse where appropriate and feasible. If resources are to be preserved, as feasible, carry out the maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction in a manner consistent with the Secretary of the Interior’s Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. If resources would be impacted, impacts should be minimized to the extent feasible. ○ Where feasible, noise buffers/walls and/or visual buffers/landscaping should be constructed to preserve the contextual setting of significant built resources.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- Secure a qualified environmental agency and/or architectural historian, or other such qualified person to document any significant historical resource(s), by way of historic narrative, photographs, and architectural drawings, as mitigation for the effects of demolition of a resource.
- Consult with the Native American Heritage Commission to determine whether known sacred sites are in the project area and identify the Native American(s) to contact to obtain information about the project site.
- Prior to construction activities, obtain a qualified archaeologist to conduct a record search at the appropriate Information Center of the California Archaeological Inventory to determine whether the project area has been previously surveyed and whether resources were identified.
- Prior to construction activities, obtain a qualified archaeologist or architectural historian (depending on applicability) to conduct archaeological and/or historic architectural surveys as recommended by the Information Center. In the event the records indicate that no previous survey has been conducted, the Information Center will make a recommendation on whether a survey is warranted based on the sensitivity of the project area for archaeological resources.
- If a record search indicates that the project is located in an area rich with cultural materials, retain a qualified archaeologist to monitor any subsurface operations, including but not limited to grading, excavation, trenching, or removal of existing features of the subject property.
- Conduct construction activities and excavation to avoid cultural resources (if identified). If avoidance is not feasible, further work may be needed to determine the importance of a resource. Retain a qualified archaeologist familiar with the local archaeology, and/or as appropriate, an architectural historian who should make recommendations regarding the work necessary to determine importance. If the cultural resource is determined to be important under state or federal guidelines, impacts on the cultural resource will need to be mitigated.
- Stop construction activities and excavation in the area where cultural resources are found until a qualified archaeologist can determine the importance of these resources.

2020-2045 RTP/SCS Measure:

PMM CULT-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to historical resources, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Pursuant to CEQA Guidelines Section 15064.5, conduct a record search during the project planning phase at the appropriate Information Center to determine whether the project area has been previously surveyed and whether historical resources were identified.
- b) During the project planning phase, retain a qualified architectural historian, defined as an individual who meets the Secretary of the Interior's (SOI) Professional Qualification Standards (PQS) in Architectural History, to conduct historic architectural surveys if a built environment resource greater than 45 years in age may be affected by the project or if recommended by the Information Center.
- c) Comply with Section 106 of the National Historic Preservation Act (NHPA) including, but not limited to, projects for which federal funding or approval is required for the individual project. This law requires federal agencies to evaluate the impact of their actions on resources included in or eligible for listing in the National Register. Federal agencies must coordinate with the State Historic Preservation Officer in evaluating impacts and developing mitigation. These mitigation measures may include, but are not limited to the following:
 - Employ design measures to avoid historical resources and undertake adaptive reuse where appropriate and feasible. If resources are to be preserved, as feasible, carry out the maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction in a manner consistent with the Secretary of the Interior's Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. If resources would be impacted, impacts should be minimized to the extent feasible.
 - Where feasible, noise buffers/walls and/or visual buffers/landscaping should be constructed to preserve the contextual setting of significant built resources.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- d) If a project requires the relocation, rehabilitation, or alteration of an eligible historical resource, the Secretary of the Interior's Standards for the Treatment of Historic Properties should be used to the maximum extent possible to ensure the historical significance of the resource is not impaired. The application of the standards should be overseen by an architectural historian or historic architect meeting the SOI PQS. Prior to any construction activities that may affect the historical resource, a report, meeting industry standards, should identify and specify the treatment of character-defining features and construction activities and be provided to the Lead Agency for review and approval.
- e) If a project would result in the demolition or significant alteration of a historical resource eligible for or listed in the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), or local register, recordation should take the form of Historic American Buildings Survey (HABS), Historic American Engineering Record (HAER), or Historic American Landscape Survey (HALS) documentation, and should be performed by an architectural historian or historian who meets the SOI PQS. Recordation should meet the SOI Standards and Guidelines for Architectural and Engineering, which defines the products acceptable for inclusion in the HABS/HAER/HALS collection at the Library of Congress. The specific scope and details of documentation should be developed at the project level in coordination with the Lead Agency.
- f) During the project planning phase, obtain a qualified archaeologist, defined as one who meets the SOI PQS for archaeology, to conduct a record search at the appropriate Information Center of the California Historical Resources Information System (CHRIS) to determine whether the project area has been previously surveyed and whether resources were identified.
- g) Contact the NAHC to request a Sacred Lands File search and a list of relevant Native American contacts who may have additional information.
- h) During the project planning phase, obtain a qualified archaeologist or architectural historian (depending on applicability) to conduct archaeological and/or historic architectural surveys as recommended by the qualified professional, the Lead Agency, or the Information Center. In the event the qualified professional or Information Center will make a recommendation on whether a survey is warranted based on the sensitivity of the project area for archaeological resources. Survey shall be conducted where the records indicate that no previous survey has been conducted, or if survey has not been conducted within the past 10 years. If tribal resources are identified during tribal outreach, consultation, or the record search, a Native American representative traditionally affiliated with the project area, as identified by the NAHC, shall be given the opportunity to provide a representative or monitor to assist with archaeological surveys.
- i) If potentially significant archaeological resources are identified through survey, and impacts to these resources cannot be avoided, a Phase II Testing and Evaluation investigation should be performed by a qualified archaeologist prior to any construction-related ground-disturbing activities to determine significance. If resources determined significant or unique through Phase II testing, and avoidance is not possible, appropriate resource-specific mitigation measures should be established by the lead agency, in consultation with consulting tribes, where appropriate, and undertaken by qualified personnel. These might include a Phase III data recovery program implemented by a qualified archaeologist and performed in accordance with the OHP's Archaeological Resource Management Reports (ARMR): Recommended Contents and Format and Guidelines for Archaeological Research Designs. Additional options can include 1) interpretative signage, or 2) educational outreach that helps inform the public of the past activities that occurred in this area. Should the project require extended Phase I testing, Phase II evaluation, or Phase III data recovery, a Native American representative traditionally affiliated with the project area, as indicated by the NAHC, shall be given the opportunity to provide a representative or monitor to assist with the archaeological assessments. The long-term disposition of archaeological materials collected from a significant resource should be determined in consultation with the affiliated tribe(s), where relevant; this could include curation with a recognized scientific or educational repository, transfer to the tribe, or respectful reinternment in an area designated by the tribe.
- j) In cases where the project area is developed and no natural ground surface is exposed, sensitivity for subsurface resources should be assessed based on review of literature, geology, site development history, and consultation with tribal parties. If this archaeological desktop assessment indicates that the project is located in an area sensitive

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

for archaeological resources, as determined by the Lead Agency in consultation with a qualified archaeologist, the project should retain an archaeological monitor and, in the case of sensitivity for tribal resources, a tribal monitor, to observe ground disturbing operations, including but not limited to grading, excavation, trenching, or removal of existing features of the subject property. The archaeological monitor should be supervised by an archaeologist meeting the SOI PQS

- k) Conduct construction activities and excavation to avoid cultural resources (if identified). If avoidance is not feasible, further work may be needed to determine the importance of a resource. Retain a qualified archaeologist, and/or as appropriate, a qualified architectural historian who should make recommendations regarding the work necessary to assess significance. If the cultural resource is determined to be significant under state or federal guidelines, impacts to the cultural resource will need to be mitigated.
- l) Stop construction activities and excavation in the area where cultural resources are found until a qualified archaeologist can determine whether these resources are significant, and tribal consultation can be conducted, in the case of tribal resources. If the archaeologist determines that the discovery is significant, its long-term disposition should be determined in consultation with the affiliated tribe(s); this could include curation with a recognized scientific or educational repository, transfer to the tribe, or respectful reinterment in an area designated by the tribe.

Applicability to the Project:

2016-2020 RTP/SCS: With respect to historic resources, as described in Section 5.V, Cultural Resources, of this SCEA, no direct or indirect impacts to historic resources would occur as a result of construction or operation of the Project. In addition, the Project would include Project Design Features PDF-CUL-1 and PDF-CUL-2, which would ensure appropriate treatment of the Tom Bergin's building during construction of the Project.

An archaeological resources technical report has been prepared for the Project (provided in Appendix C-2 of this SCEA) in accordance with the regulations and technical standards provided in MM-CUL-2(b) and PMM-CULT-1. The report was also prepared by staff that meet the qualification standards of a qualified archaeologist. The report also satisfies the records search requirements contained in the SCAG MMRP mitigation measures. Regarding archaeological resources, as described in Section 5.V, Cultural Resources, of this SCEA, no known archaeological resources have been identified at the Project Site. Notwithstanding, to avoid potential impacts due to the inadvertent discovery of archaeological resources during the Project's grading and excavation period, and based upon Project-specific analysis provided in Section 5.V, Cultural Resources, the Project would implement relevant portions of of PMM-CULT-1 from the 2020-2045 RTP/SCS (provided below as MM-CUL-1).

MM-CUL-1 If archaeological resources are discovered during excavation, grading, or construction activities, work shall cease in the area of the find until a qualified archaeologist has evaluated the find in accordance with the State regulations and guidelines, including those set forth in CEQA Guidelines Section 15064.5(f). A qualified archaeologist is defined as one who meets the Secretary of the Interior Professional Qualification Standards in Archaeology. Personnel associated with the Project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project Site. The found desposits shall be treated in accordance with State regulations and guidelines, including those set forth in CEQA Guidelines Section 15126.4 and California PRC Section 21083.2. If the discovery proves significant under CEQA (Section 15064.5; PRC Section 21083.2), additional work such as testing or data recovery may be warranted. Should any Native American artifacts be encountered, additional consultation would NAHC-listed tribal groups should be conducted immediately.

2020-2045 RTP/SCS: This measure is similar to MM-CUL-2(b), and for the reasons provided above, the Project would implement MM-CUL-1, provided above.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

Cultural Resources

Disturb Human Remains

2016-2040 RTP/SCS Measure:

MM-CUL-4(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects to human remains that are within the jurisdiction and responsibility of the Native American Heritage Commission, other public agencies, and/or Local Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency should consider mitigation measures capable of avoiding or reducing significant impacts on human remains, to ensure compliance with the California Health and Safety Code, Section 7060 and Section 18950-18961 and Native American Heritage Commission, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- In the event of discovery or recognition of any human remains during construction or excavation activities associated with the project, in any location other than a dedicated cemetery, cease further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of the county in which the remains are discovered has been informed and has determined that no investigation of the cause of death is required.
- If any discovered remains are of Native American origin:
 - Contact the County Coroner to contact the Native American Heritage Commission to ascertain the proper descendants from the deceased individual. The coroner should make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods. This may include obtaining a qualified archaeologist or team of archaeologists to properly excavate the human remains.
 - If the Native American Heritage Commission is unable to identify a descendant, or the descendant failed to make a recommendation within 24 hours after being notified by the commission, obtain a Native American monitor, and an archaeologist, if recommended by the Native American monitor, and rebury the Native American human remains and any associated grave goods, with appropriate dignity, on the property and in a location that is not subject to further subsurface disturbance where the following conditions occur:
 - The Native American Heritage Commission is unable to identify a descendent;
 - The descendant identified fails to make a recommendation; or

The landowner or their authorized representative rejects the recommendation of the descendant, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

2020-2045 RTP/SCS Measure:

PMM CULT-2: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to human remains, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) In the event of discovery or recognition of any human remains during construction or excavation activities associated with the project, in any location other than a dedicated cemetery, cease further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of the county in which the remains are discovered has been informed and has determined that no investigation of the cause of death is required.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- b) If any discovered remains are of Native American origin, as determined by the county Coroner, an experienced osteologist, or another qualified professional:
 - Contact the County Coroner to contact the NAHC to designate a Native American Most Likely Descendant (MLD). The MLD should make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods. This may include obtaining a qualified archaeologist or team of archaeologists to properly excavate the human remains. In some cases, it is necessary for the Lead Agency, qualified archaeologist, or developer to also reach out to the NAHC to coordinate and ensure notification in the event the Coroner is not available.
 - If the NAHC is unable to identify a MLD, or the MLD fails to make a recommendation within 48 hours after being notified by the commission, or the landowner or his representative rejects the recommendation of the MLD and the mediation by the NAHC fails to provide measures acceptable to the landowner, obtain a culturally affiliated Native American monitor, and an archaeologist, if recommended by the Native American monitor, and rebury the Native American human remains and any associated grave goods, with appropriate dignity, on the property and in a location that is not subject to further subsurface disturbance.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated, because the City has determined that existing regulatory requirements regarding discovery of human remains would apply to the Project and are equal to or more effective than the MM-CUL-4(b).

Specifically, in accordance with the State's Health and Safety Code Section 7050.5, in the event of discovery or recognition of any human remains at the Project Site, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Los Angeles County Coroner has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Through compliance with this regulation, potential Project impacts to human remains would be less than significant.

2020-2045 RTP/SCS: PMM CUL-2 is substantially similar to MM-CUL-4(b) and is not incorporated into the Project for the reasons discussed above for MM-CUL-4(b).

Energy

Increase Residential Energy Use, Increase Building Energy Use

2016-2040 RTP/SCS Measure:

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

MM-EN-2(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects of increased residential energy consumption that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with CALGreen, local building codes, and other applicable laws and regulations governing residential building standards, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Integrate green building measures consistent with CALGreen (California Building Code Title 24) into project design including:
 - Use energy efficient materials in building design, construction, rehabilitation, and retrofit.
 - Install energy-efficient lighting, heating, and cooling systems (cogeneration); water heaters; appliances; equipment; and control systems.
 - Reduce lighting, heating, and cooling needs by taking advantage of light colored roofs, trees for shade, and sunlight.
 - Incorporate passive environmental control systems that account for the characteristics of the natural environment.
 - Use high-efficiency lighting and cooking devices.
 - Incorporate passive solar design.
 - Use high-reflectivity building materials and multiple glazing.
 - Prohibit gas-powered landscape maintenance equipment.
 - Install electric vehicle charging stations.
 - Reduce wood burning stoves or fireplaces.

Provide bike lanes accessibility and parking at residential developments.

2020-2045 RTP/SCS Measure:

None.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated, because the City has determined the Project substantially conforms to this mitigation measure through the Project's compliance with existing City and state regulatory requirements. Specifically, the Project would be constructed to meet or exceed energy standards outlined in the City's Green Building Code, which incorporates the requirements of CALGreen.

2020-2045 RTP/SCS: The 2020-2045 RTP/SCS Program EIR did not identify any significant impacts related to energy, and no mitigation measures were required.

Geology and Soils

Adverse Effects due to Earthquake or Other Seismic Activity, Unstable Geologic Unit or Soil, Expansive Soil

2016-2040 RTP/SCS Measure:

MM-GEO-1(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects on the potential for projects to result in the exposure of people and infrastructure to the effects of earthquakes, seismic related ground-failure, liquefaction, and

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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seismically induced landslides, that are in the jurisdiction and responsibility of public agencies, regulatory agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with County and City Public Works and Building and Safety Department Standards, the Uniform Building Code (UBC) and the California Building Code (CBC), and other applicable laws and regulations governing building standards, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Consistent with Section 4.7.2 of the Alquist-Priolo Earthquake Fault Zoning Act, conduct a geologic investigation to demonstrate that proposed buildings would not be constructed across active faults. An evaluation and written report of a specific site can and should be prepared by a licensed geologist. If an active fault is found and unfit for human occupancy over the fault, place a setback of 50 feet from the fault.
- Use site-specific fault identification investigations conducted by licensed geotechnical professionals in accordance with the requirements of the Alquist-Priolo Act, as well as any applicable Caltrans regulations that exceed or reasonably replace the requirements of the Act to either determine that the anticipated risk to people and property is at or below acceptable levels or site-specific measures have been incorporated into the project design, consistent with the CBC and UBC.
- Ensure that projects located within or across Alquist-Priolo Zones comply with design requirements provided in Special Publication 117, published by the California Geological Survey, as well as relevant local, regional, state, and federal design criteria for construction in seismic areas.
- Consistent with the CBC and local regulatory agencies with oversight of development associated with the Plan, ensure that projects are designed in accordance with county and city code requirements for seismic ground shaking. With respect to design, consider seismicity of the site, soil response at the site, and dynamic characteristics of the structure, in compliance with the appropriate California Building Code and State of California design standards for construction in or near fault zones, as well as all standard design, grading, and construction practices in order to avoid or reduce geologic hazards.
- Consistent with the CBC and local regulatory agencies with oversight of development associated with the Plan, ensure that site-specific geotechnical investigations conducted by a qualified geotechnical expert be required prior to preparation of project designs. These investigations shall identify areas of potential expansive soils and recommend remedial geotechnical measures to eliminate any problems. Recommended corrective measures, such as structural reinforcement and replacing soil with engineered fill, shall be implemented in project designs. Geotechnical investigations identify areas of potential failure and recommend remedial geotechnical measures to eliminate any problems.
- Adhere to design standards described in the CBC and all standard geotechnical investigation, design, grading, and construction practices to avoid or reduce impacts from earthquakes, ground shaking, ground failure, and landslides.
- Consistent with the CBC and local regulatory agencies with oversight of development associated with the Plan, design projects to avoid geologic units or soils that are unstable, expansive soils and soils prone to lateral spreading, subsidence, liquefaction, or collapse wherever feasible.

2020-2045 RTP/SCS Measure:

None.

Applicability to the Project:

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Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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2016-2040 RTP/SCS: This mitigation measure is not incorporated because the City has determined that the existing regulatory requirements listed below regarding soils and geology would apply to the Project and are equal to or more effective than the MM-GEO-1(b).

Specifically, the Project would be required to comply with the existing building regulations associated with the City’s Building Code, which incorporates the Uniform Building Code and the California Building Code. Pursuant to existing City regulations, a final design-level geotechnical report would be reviewed and approved by the City’s Department of Building and Safety to confirm compliance with all applicable seismic and geotechnical requirements. Furthermore, construction of the Project would not exacerbate existing physical conditions pertaining to seismic hazards.

2020-2045 RTP/SCS: The 2020-2045 RTP/SCS EIR did not identify any significant impacts related to Alquist-Priolo Earthquake Fault Zone or other known seismic hazards, and no mitigation measures were required.

Geology and Soils

Soil Erosion or Loss of Topsoil

2016-2040 RTP/SCS Measure:

MM-GEO-2(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects on the potential for projects to result in substantial soil erosion or the loss of topsoil, that are in the jurisdiction and responsibility of public agencies, regulatory agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with County and City Public Works and Building and Safety Department Standards, the Uniform Building Code (UBC) and the California Building Code (CBC), and other applicable laws and regulations governing building standards, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Consistent with the CBC and local regulatory agencies with oversight of development associated with the Plan, ensure that site-specific geotechnical investigations conducted by a qualified geotechnical expert are conducted to ascertain soil types prior to preparation of project designs. These investigations can and should identify areas of potential failure and recommend remedial geotechnical measures to eliminate any problems.
- Consistent with the requirements of the State Water Resources Control Board (SWRCB) for projects over one acre in size, obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the SWRCB and conduct the following:
 - File a Notice of Intent (NOI) with the SWRCB.
 - Prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Regional Water Quality Control Board (RWQCB). At a minimum, the SWPPP should include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; best management practices (BMPs); and an inspection and monitoring program.
 - Submit to the RWQCB a copy of the SWPPP and evidence of submittal of the NOI to the SWRCB. Implementation of the SWPPP should start with the commencement of construction and continue through the completion of the project.
 - After construction is completed, the project sponsor can and should submit a notice of termination to the SWRCB.
- Consistent with the requirements of the SWRCB and local regulatory agencies with oversight of development associated with the Plan, ensure that project designs provide adequate slope drainage and appropriate landscaping to minimize the

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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occurrence of slope instability and erosion. Design features should include measures to reduce erosion caused by storm water. Road cuts should be designed to maximize the potential for revegetation.

- Consistent with the CBC and local regulatory agencies with oversight of development associated with the Plan, ensure that, prior to preparing project designs, new and abandoned wells are identified within construction areas to ensure the stability of nearby soils.

2020-2045 RTP/SCS Measure:

PMM-GEO-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the *State CEQA Guidelines*, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to historical resources, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Consistent with the CBC and local regulatory agencies with oversight of development associated with the Plan, ensure that site-specific geotechnical investigations conducted by a qualified geotechnical expert are conducted to ascertain soil types prior to preparation of project designs. These investigations can and should identify areas of potential failure and recommend remedial geotechnical measures to eliminate any problems.
- b) Consistent with the requirements of the State Water Resources Control Board (SWRCB) for projects over one acre in size, obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the SWRCB and prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the Regional Water Quality Control Board (RWQCB). At a minimum, the SWPPP should include a description of construction materials, practices, and equipment storage and maintenance; a list of pollutants likely to contact stormwater; site-specific erosion and sedimentation control practices; a list of provisions to eliminate or reduce discharge of materials to stormwater; best management practices (BMPs); and an inspection and monitoring program.
- c) Consistent with the requirements of the SWRCB and local regulatory agencies with oversight of development associated with the Plan, ensure that project designs provide adequate slope drainage and appropriate landscaping to minimize the occurrence of slope instability and erosion. Design features should include measures to reduce erosion caused by storm water. Road cuts should be designed to maximize the potential for revegetation.
- d) Consistent with the CBC and local regulatory agencies with oversight of development associated with the Plan, ensure that, prior to preparing project designs, new and abandoned wells are identified within construction areas to ensure the stability of nearby soils.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated because the City has determined that the existing regulatory requirements listed below that require compliance with existing water quality standards as governed by the Los Angeles Regional Water Quality Control Board (LARWQCB) would apply to the Project and are equal to or more effective than the MM-GEO-2(b). Specifically, the Project would be required to comply with the following regulatory requirements:

- 1) The NPDES General Construction Permit, including the preparation of a SWPPP and implementation of best management practices (BMPs), required to minimize soil erosion and sedimentation from entering the storm drains during the construction period. In addition, the Project would be subject to the City’s Stormwater and Urban Runoff Pollution Control regulations (Ordinance No. 172,176 and No. 173,494) to ensure pollutant loads from the Project Site would be minimized for downstream receiving waters. Compliance with the NPDES and implementation of the SWPPP and BMPs, as well as the City’s discharge requirements would ensure that construction stormwater runoff would not violate water quality and/or discharge requirements.
- 2) LID Ordinance: Also, during operation the Project would be required to comply with the City’s Low Impact Development (LID) Ordinance. The LID Ordinance applies to all development and redevelopment in the City that requires a building permit. LID Plans are required to include a site design approach and BMPs that address runoff

Table 4-1

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and pollution at the source. Further, to comply with LID Ordinance the Project would be required to capture and treat the first 3/4-inch of rainfall in accordance with established stormwater treatment priorities. Compliance with the LID Ordinance would reduce the amount of surface water runoff leaving the Project Site as compared to the current conditions. Compliance with the LID Plan and Standard Urban Stormwater Mitigation Plan (SUSMP), including the implementation of BMPs, would ensure that operation of the Project would not cause soil erosion or the loss of topsoil.

2020-2045 RTP/SCS: PMM GEO-1 is substantially similar to MM-GEO-2(b) and is not incorporated into the Project for the reasons discussed above for MM-GEO-2(b).

Geology and Soils

Potential to Destroy Unique Paleo Resources or Unique Geological Features

2016-2040 RTP/SCS Measure:

Since preparation of the EIR for the 2016-2040 RTP/SCS, this topic has been removed from “Cultural Resources” and moved to “Geology and Soils.” Refer to MM-CUL-1(b), above.

2020-2045 RTP/SCS Measure:

PMM GEO-2: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to paleontological resources. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Ensure compliance with the Paleontological Resources Preservation Act, the Federal Land Policy and Management Act, the Antiquities Act, Section 5097.5 of the Public Resources Code (PRC), adopted county and city general plans, and other federal, state and local regulations, as applicable and feasible, by adhering to and incorporating the performance standards and practices from the 2010 Society for Vertebrate Paleontology (SVP) standard procedures for the assessment and mitigation of adverse impacts to paleontological resources.
- b) Obtain review by a qualified paleontologist (e.g. who meets the SVP standards for a Principal Investigator or Project Paleontologist or the Bureau of Land Management (BLM) standards for a Principal Investigator), to determine if the project has the potential to require ground disturbance of parent material with potential to contain unique paleontological or resources, or to require the substantial alteration of a unique geologic feature. The assessment should include museum records searches, a review of geologic mapping and the scientific literature, geotechnical studies (if available), and potentially a pedestrian survey, if units with paleontological potential are present at the surface.
- c) Avoid exposure or displacement of parent material with potential to yield unique paleontological resources.
- d) Where avoidance of parent material with the potential to yield unique paleontological resources is not feasible:
 - 1. All on-site construction personnel receive Worker Education and Awareness Program (WEAP) training prior to the commencement of excavation work to understand the regulatory framework that provides for protection of paleontological resources and become familiar with diagnostic characteristics of the materials with the potential to be encountered.
 - 2. A qualified paleontologist prepares a Paleontological Resource Management Plan (PRMP) to guide the salvage, documentation and repository of unique paleontological resources encountered during construction. The PRMP should adhere to and incorporate the performance standards and practices from the 2010 SVP Standard procedures for the assessment and mitigation of adverse impacts to paleontological resources. If unique paleontological resources are encountered during construction, use a qualified paleontologist to oversee the implementation of the PRMP.

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Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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- 3. Monitor ground disturbing activities in parent material, with a moderate to high potential to yield unique paleontological resources using a qualified paleontological monitor meeting the standards of the SVP or the BLM to determine if unique paleontological resources are encountered during such activities, consistent with the specified or comparable protocols.
- 4. Identify where ground disturbance is proposed in a geologic unit having the potential for containing fossils and specify the need for a paleontological monitor to be present during ground disturbance in these areas.
- e) Avoid routes and project designs that would permanently alter unique geological features.
- f) Salvage and document adversely affected resources sufficient to support ongoing scientific research and education.
- g) Significant recovered fossils should be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility.
- h) Following the conclusion of the paleontological monitoring, the qualified paleontologist should prepare a report stating that the paleontological monitoring requirement has been fulfilled and summarize the results of any paleontological finds. The report should be submitted to the lead CEQA and the repository curating the collected artifacts, and should document the methods and results of all work completed under the PRMP, including treatment of paleontological materials, results of specimen processing, analysis, and research, and final curation arrangements.

Applicability to the Project:

A paleontological resources technical report was prepared for the Project (included in Appendix D-2 of this SCEA) in accordance with the regulations and technical standards prescribed in PMM-GEO-2. The report was also prepared by staff that meet the qualification standards provided in PMM-GEO-2. As described in Section 5.VII, Geology and Soils, of this SCEA, no known paleontological resources have been identified at the Project Site. Notwithstanding, to avoid potential impacts due to the inadvertent discovery of paleontological resources during the Project's grading and excavation period, the Project would implement Project-specific Mitigation Measures MM-GEO-1 through MM-GEO-4. These measures incorporate relevant provisions of PMM-GEO-2 and also include recommendations based on the Project-specific analysis provided in Section 5.VII, Geology and Soils, of this SCEA. Implementation of these measures would ensure that impacts with respect to paleontological resources are less than significant.

Greenhouse Gases

Cumulative Impacts

2016-2040 RTP/SCS Measure:

Lead Agency can and should consider mitigation measures to mitigate the significant effects of greenhouse gas impacts to ensure compliance with all applicable laws, regulations, governing CAPs, general plans, adopted policies and plans of local agencies, and standards set forth by responsible public agencies for the purpose of reducing emissions of greenhouse gases, as applicable and feasible. Consistent with Section 15126.4(c) of the State CEQA Guidelines, compliance can be achieved through adopting greenhouse gas mitigation measures that have been used for projects in the SCAG region as set forth below, or through comparable measures identified by Lead Agency:

- Measures in an adopted plan or mitigation program for the reduction of emissions that are required as part of the Lead Agency's decision.
- Reduction in emissions resulting from a project through implementation of project features, project design, or other measures, such as those described in Appendix F of the State CEQA Guidelines.
- Off-site measures to mitigate a project's emissions.
- Measures that consider incorporation of Best Available Control Technology (BACT) during design, construction and operation of projects to minimize GHG emissions, including but not limited to:
 - Use energy and fuel efficient vehicles and equipment. Project proponents are encouraged to meet and exceed all EPA/NHTSA/CARB standards relating to fuel efficiency and emission reduction;
 - Use alternative (non-petroleum based) fuels;

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- Deployment of zero- and/or near zero emission technologies as defined by CARB;
 - Use lighting systems that are energy efficient, such as LED technology;
 - Use the minimum feasible amount of GHG-emitting construction materials that is feasible;
 - Use cement blended with the maximum feasible amount of fly ash or other materials that reduce GHG emissions from cement production;
 - Incorporate design measures to reduce GHG emissions from solid waste management through encouraging solid waste reduction, recycling, and reuse;
 - Incorporate passive solar and other design measures to reduce energy consumption and increase production and use of renewable energy;
 - Incorporate design measures like WaterSense fixtures and water capture to reduce water consumption;
 - Use lighter-colored pavement where feasible;
 - Recycle construction debris to maximum extent feasible;
 - Protect and plant shade trees in or near construction projects where feasible; and
 - Solicit bids that include concepts listed above.
- Measures that encourage transit use, carpooling, bike-share and car-share programs, active transportation, and parking strategies, including, but not limited to, transit-active transportation coordinated strategies, increased bicycle carrying capacity on transit and rail vehicles.
 - Incorporating bicycle and pedestrian facilities into project designs, maintaining these facilities, and providing amenities incentivizing their use; providing adequate bicycle parking and planning for and building local bicycle projects that connect with the regional network.
 - Improving transit access to rail and bus routes by incentives for construction of transit facilities within developments, and/or providing dedicated shuttle service to transit stations.
 - Adopting employer trip reduction measures to reduce employee trips such as vanpool and carpool programs, providing end-of-trip facilities, and telecommuting programs.
 - Designate a percentage of parking spaces for ride-sharing vehicles or high-occupancy vehicles, and provide adequate passenger loading and unloading for those vehicles.
 - Land use siting and design measures that reduce GHG emissions, including:
 - Developing on infill and brownfields sites;
 - Building high density and mixed use developments near transit;
 - Retaining on-site mature trees and vegetation, and planting new canopy trees;
 - Measures that increase vehicle efficiency, encourage use of zero and low emissions vehicles, or reduce the carbon content of fuels, including constructing or encouraging construction of electric vehicle charging stations or neighborhood electric vehicle networks, or charging for electric bicycles; and
 - Measures to reduce GHG emissions from solid waste management through encouraging solid waste recycling and reuse.

2020-2045 RTP/SCS Measure:

PMM GHG-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to greenhouse gas emissions, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

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Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- a) Integrate green building measures consistent with CALGreen (California Building Code Title 24), local building codes and other applicable laws, into project design including:
 - i. Use energy efficient materials in building design, construction, rehabilitation, and retrofit.
 - ii. Install energy-efficient lighting, heating, and cooling systems (cogeneration); water heaters; appliances; equipment; and control systems.
 - iii. Reduce lighting, heating, and cooling needs by taking advantage of light-colored roofs, trees for shade, and sunlight.
 - iv. Incorporate passive environmental control systems that account for the characteristics of the natural environment.
 - v. Use high-efficiency lighting and cooking devices.
 - vi. Incorporate passive solar design.
 - vii. Use high-reflectivity building materials and multiple glazing.
 - viii. Prohibit gas-powered landscape maintenance equipment.
 - ix. Install electric vehicle charging stations.
 - x. Reduce wood burning stoves or fireplaces.
 - xi. Provide bike lanes accessibility and parking at residential developments.
- b) Reduce emissions resulting from projects through implementation of project features, project design, or other measures, such as those described in Appendix F of the State CEQA Guidelines.
- c) Include off-site measures to mitigate a project's emissions.
- d) Measures that consider incorporation of Best Available Control Technology (BACT) during design, construction and operation of projects to minimize GHG emissions, including but not limited to:
 - i. Use energy and fuel-efficient vehicles and equipment;
 - ii. Deployment of zero- and/or near zero emission technologies;
 - iii. Use lighting systems that are energy efficient, such as LED technology;
 - iv. Use the minimum feasible amount of GHG-emitting construction materials;
 - v. Use cement blended with the maximum feasible amount of flash or other materials that reduce GHG emissions from cement production;
 - vi. Incorporate design measures to reduce GHG emissions from solid waste management through encouraging solid waste recycling and reuse;
 - vii. Incorporate design measures to reduce energy consumption and increase use of renewable energy;
 - viii. Incorporate design measures to reduce water consumption;
 - ix. Use lighter-colored pavement where feasible;
 - x. Recycle construction debris to maximum extent feasible;
 - xi. Plant shade trees in or near construction projects where feasible; and
 - xii. Solicit bids that include concepts listed above.
- e) Measures that encourage transit use, carpooling, bike-share and car-share programs, active transportation, and parking strategies, including, but not limited to the following:
 - i. Promote transit-active transportation coordinated strategies;
 - ii. Increase bicycle carrying capacity on transit and rail vehicles;
 - iii. Improve or increase access to transit;
 - iv. Increase access to common goods and services, such as groceries, schools, and day care;
 - v. Incorporate affordable housing into the project;
 - vi. Incorporate the neighborhood electric vehicle network;
 - vii. Orient the project toward transit, bicycle and pedestrian facilities;
 - viii. Improve pedestrian or bicycle networks, or transit service;
 - ix. Provide traffic calming measures;
 - x. Provide bicycle parking;

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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<ul style="list-style-type: none"> xi. Limit or eliminate park supply; xii. Unbundle parking costs; xiii. Provide parking cash-out programs; xiv. Implement or provide access to commute reduction program; <p>f) Incorporate bicycle and pedestrian facilities into project designs, maintaining these facilities, and providing amenities incentivizing their use; and planning for and building local bicycle projects that connect with the regional network;</p> <p>g) Improving transit access to rail and bus routes by incentives for construction of transit facilities within developments, and/or providing dedicated shuttle service to transit stations; and</p> <p>h) Adopting employer trip reduction measures to reduce employee trips such as vanpool and carpool programs, providing end-of-trip facilities, and telecommuting programs including but not limited to measures that:</p> <ul style="list-style-type: none"> i. Provide car-sharing, bike sharing, and ride-sharing programs; ii. Provide transit passes; iii. Shift single occupancy vehicle trips to carpooling or vanpooling, for example providing ride-matching services; iv. Provide incentives or subsidies that increase that use of modes other than single-occupancy vehicle; v. Provide on-site amenities at places of work, such as priority parking for carpools and vanpools, secure bike parking, and showers and locker rooms; vi. Provide employee transportation coordinators at employment sites; vii. Provide a guaranteed ride home service to users of non-auto modes. <ul style="list-style-type: none"> i) Designate a percentage of parking spaces for ride-sharing vehicles or high-occupancy vehicles, and provide adequate passenger loading and unloading for those vehicles; j) Land use siting and design measures that reduce GHG emissions, including: <ul style="list-style-type: none"> i. Developing on infill and brownfields sites; ii. Building compact and mixed-use developments near transit; iii. Retaining on-site mature trees and vegetation, and planting new canopy trees; iv. Measures that increase vehicle efficiency, encourage use of zero and low emissions vehicles, or reduce the carbon content of fuels, including constructing or encouraging construction of electric vehicle charging stations or neighborhood electric vehicle networks, or charging for electric bicycles; and v. Measures to reduce GHG emissions from solid waste management through encouraging solid waste recycling and reuse. vi. Consult the SCAG Environmental Justice Toolbox for potential measures to address impacts to low-income and/or minority communities. The measures provided above are also intended to be applied in low income and minority communities as applicable and feasible. 	
<p>Applicability to the Project:</p> <p><u>2016-2040 RTP/SCS:</u> This mitigation measure is not incorporated because the City has determined that the Project's compliance with existing regulatory requirements, including but not limited to the City's Green Building Code, are applicable, and are equal to or more effective than MM-GHG-3(b) in avoiding or reducing the potential to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases that are within the jurisdiction and authority of California Air Resources Board, local air districts, and/or Lead Agencies.</p> <p>Finally, pursuant to California Public Resources Code Sections 21155.2 and 21159.28, a SCEA prepared for a TPP that is consistent with the applicable RTP/SCS and its applicable mitigation measures does not need to prepare or discuss project specific or cumulative GHG emission impacts associated with car or light-duty truck trips.</p> <p><u>2020-2045 RTP/SCS:</u> PMM GHG-1 is substantially similar to MM-GHG-3(b) and is not incorporated into the Project for the reasons discussed above for MM-GHG-3(b).</p>	
<p>Hazards and Hazardous Materials</p>	

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

Significant Hazard due to Routine Transport, Use, or Disposal of Hazardous Materials, Reasonably Foreseeable Upset and Accident Conditions, Hazardous Emissions or Materials Near School

2016-2040 RTP/SCS Measure:

MM-HAZ-1(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects related to the routine transport, use or disposal of hazardous materials that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the provisions of the Hazardous Waste Control Act, the Unified Hazardous Waste and Hazardous Materials Management Regulatory Program, the Hazardous Waste Source Reduction and Management Review Act of 1989, the California Vehicle Code, and other applicable laws and regulations, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Where the construction or operation of projects involves the transport of hazardous material, provide a written plan of proposed routes of travel demonstrating use of roadways designated for the transport of such materials.
- Where the construction or operation of projects involves the transport of hazardous materials, avoid transport of such materials within one-quarter mile of schools, when school is in session, wherever feasible.
- Where it is not feasible to avoid transport of hazardous materials, within one-quarter mile of schools on local streets, provide notification of the anticipated schedule of transport of such materials.
- Specify the need for interim storage and disposal of hazardous materials to be undertaken consistent with applicable federal, state, and local statutes and regulations in the plans and specifications of the transportation improvement project.
- Submit a Hazardous Materials Business/Operations Plan for review and approval by the appropriate local agency. Once approved, keep the plan on file with the Lead Agency (or other appropriate government agency) and update, as applicable. The purpose of the Hazardous Materials Business/Operations Plan is to ensure that employees are adequately trained to handle the materials and provides information to the local fire protection agency should emergency response be required. The Hazardous Materials Business/Operations Plan should include the following:
 - The types of hazardous materials or chemicals stored and/or used on-site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids.
 - The location of such hazardous materials.
 - An emergency response plan including employee training information.
 - A plan that describes the manner in which these materials are handled, transported and disposed.
- Specify the appropriate procedures for interim storage and disposal of hazardous materials, anticipated to be required in support of operations and maintenance activities, in conformance with applicable federal, state, and local statutes and regulations, in the Operations Manual for projects.
- Follow manufacturer's recommendations on use, storage, and disposal of chemical products used in construction.
- Avoid overtopping construction equipment fuel gas tanks.
- During routine maintenance of construction equipment, properly contain and remove grease and oils.
- Properly dispose of discarded containers of fuels and other chemicals.

2020-2045 RTP/SCS Measure:

PMM HAZ-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to the routine transport, use, or disposal of hazardous materials, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Where the construction or operation of projects involves the transport of hazardous material, provide a written plan of proposed routes of travel demonstrating use of roadways designated for the transport of such materials.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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- b) Specify Project requirements for interim storage and disposal of hazardous materials during construction and operation. Storage and disposal strategies must be consistent with applicable federal, state, and local statutes and regulations. Specify the appropriate procedures for interim storage and disposal of hazardous materials, anticipated to be required in support of operations and maintenance activities, in conformance with applicable federal, state, and local statutes and regulations, in the business plan for projects as applicable and appropriate.
- c) Submit a Hazardous Materials Business/Operations Plan for review and approval by the appropriate local agency. Once approved, keep the plan on file with the Lead Agency (or other appropriate government agency) and update, as applicable. The purpose of the Hazardous Materials Business/Operations Plan is to ensure that employees are adequately trained to handle the materials and provides information to the local fire protection agency should emergency response be required. The Hazardous Materials Business/Operations Plan should include the following:
 - The types of hazardous materials or chemicals stored and/or used on-site, such as petroleum fuel products, lubricants, solvents, and cleaning fluids.
 - The location of such hazardous materials.
 - An emergency response plan including employee training information.
 - A plan that describes the way these materials are handled, transported and disposed.
- d) Follow manufacturer's recommendations on use, storage, and disposal of chemical products used in construction.
- e) Avoid overtopping construction equipment fuel gas tanks.
- f) Properly contain and remove grease and oils during routine maintenance of construction equipment.
- g) Properly dispose of discarded containers of fuels and other chemicals.
- h) Prior to shipment remove the most volatile elements, including flammable natural gas liquids, as feasible.
- i) Identify and implement more stringent tank car safety standards.
- j) Improve rail transportation route analysis, and modification of routes based on that analysis.
- k) Use the best available inspection equipment and protocols and implement positive train control.
- l) Reduce train car speeds to 40 miles per hour when passing through urbanized areas of any size.
- m) Limit storage of crude oil tank cars in urbanized areas of any size and provide appropriate security in storage yards for all shipments.
- n) Notify in advance county and city emergency operations offices of all crude oil shipments, including a contact number that can provide real-time information in the event of an oil train derailment or accident.
- o) Report quarterly hazardous commodity flow information, including classification and characterization of materials being transported, to all first response agencies (49 Code Fed. Regs. 15.5) along the mainline rail routes used by trains carrying crude oil identified.
- p) Fund training and outfitting emergency response crews that includes the cost of backfilling personnel while in training.
- q) Undertake annual emergency responses scenario/field based training including Emergency Operations Center Training activations with local emergency response agencies.

Applicability to the Project:

2016-2040 RTP/SCS: The types of hazardous materials that would be used by the Project would be those typically associated with residential and commercial land uses. The use of these materials would comply with all applicable federal, state, and local regulations. Therefore, the Project would not require the routine transport, use, or disposal of hazardous materials that would create a significant hazard to the public or the environment. This mitigation measure is therefore not incorporated because the City has determined that Project impacts with respect to the transport, use, or disposal of hazardous materials would be less than significant and no mitigation measures are required.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

2020-2045 RTP/SCS: PMM HAZ-1 is substantially similar to MM-HAZ1(b) and is not incorporated into the Project for the reasons discussed above for MM-HAZ-1(b).

Hazards and Hazardous Materials

Accidental release of hazardous materials

2016-2040 RTP/SCS Measure:
Refer to MM-HAZ-1(b), above.

2020-2045 RTP/SCS Measure:

PMM HAZ-2: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce hazards related to the reasonably foreseeable upsets and accidents involving the release of hazardous materials, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

Require implementation of safety standards regarding transport of hazardous materials, including but not limited to the following:

- a) Removal of the most volatile elements, including flammable natural gas liquids, prior to shipment;
- b) More stringent tank car safety standards;
- c) Improved rail transportation route analysis, and modification of routes based on that analysis;
- d) Utilization of the best available inspection equipment and protocols, and implementation of positive train control;
- e) Reduced train car speeds to 40 miles per hour when passing through urbanized areas of any size;
- f) Limitations on storage of hazardous materials tank cars in urbanized areas of any size and provide appropriate security in storage yards for all shipments;
- g) Advance notification to county and city emergency operations offices of all crude oil and hazardous materials shipments, including a contact number that can provide real-time information in the event of an oil train derailment or accident;
- h) Quarterly hazardous commodity flow information, including classification and characterization of materials being transported, to all first response agencies (49 Code Fed. Regs. 15.5) along the mainline rail routes used by trains carrying hazardous materials.

Applicability to the Project:

2016-2040 RTP/SCS: Refer to the applicability of MM-HAZ-1(b), above.

2020-2045 RTP/SCS: The types of hazardous materials that would be used by the Project would be those typically associated with residential and commercial land uses. The use of these materials would comply with all applicable federal, state, and local regulations. Therefore, the Project would not require the routine transport, use, or disposal of hazardous materials that would create a significant hazard to the public or the environment. This mitigation measure is therefore not incorporated because the City has determined that Project impacts with respect to an accidental release of hazardous materials would be less than significant and no mitigation measures are required.

Hazards and Hazardous Materials

Emit hazards emissions/materials near a school

2016-2040 RTP/SCS Measure:
Refer to MM-HAZ-1(b), above.

2020-2045 RTP/SCS Measure:

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project
<p>PMM HAZ-3: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to the release of hazardous materials within one-quarter mile of schools, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <ol style="list-style-type: none"> a) Where the construction and operation of projects involves the transport of hazardous materials, avoid transport of such materials within one-quarter mile of schools, when school is in session, wherever feasible. b) Where it is not feasible to avoid transport of hazardous materials, within one-quarter mile of schools on local streets, provide notifications of the anticipated schedule of transport of such materials. <p>Applicability to the Project: <u>2016-2040 RTP/SCS:</u> Refer to the applicability of MM-HAZ-1(b), above.</p> <p><u>2020-2045 RTP/SCS:</u> As discussed above, the Project would use, at most, minor amounts of paints, cleaning supplies, and small amounts of petroleum products consistent with other mixed-use residential and commercial properties, and in accordance with all applicable federal, state, and local regulations. This mitigation measure is therefore not incorporated because the City has determined that Project impacts with respect to the use of hazardous materials near a school would be less than significant and no mitigation measures are required.</p> <p>Hazards and Hazardous Materials <u>Located on a Hazardous Materials Site Section 65962.5</u></p> <p><i>2016-2040 RTP/SCS Measure:</i> MM-HAZ-4(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects related to a project placed on a hazardous materials site, that are in the jurisdiction and responsibility of regulatory agencies, other public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the provisions of the Government Code Section 65962.5, Occupational Safety and Health Code of 197; the Response Conservation, and Recovery Act; the Comprehensive Environmental Response, Compensation, and Liability Act; the Hazardous Materials Release and Clean-up Act, and the Uniform Building Code, and County and City building standards, and all applicable federal, state, and local laws and regulations governing hazardous waste sites, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> • Complete a Phase I Environmental Site Assessment, including a review and consideration of data from all known databases of contaminated sites, during the process of planning, environmental clearance, and construction for projects. • Where warranted due to the known presence of contaminated materials, submit to the appropriate agency responsible for hazardous materials/wastes oversight a Phase II Environmental Site Assessment report if warranted by a Phase I report for the project site. The reports should make recommendations for remedial action, if appropriate, and be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer. • Implement the recommendations provided in the Phase II Environmental Site Assessment report, where such a report was determined to be necessary for the construction or operation of the project, for remedial action. • Submit a copy of all applicable documentation required by local, state, and federal environmental regulatory agencies, including but not limited to permit applications, Phase I and II Environmental Site Assessments, human health and ecological risk assessments, remedial action plans, risk management plans, soil management plans, and groundwater management plans. • Conduct soil sampling and chemical analyses of samples, consistent with the protocols established by the U.S. EPA to determine the extent of potential contamination beneath all underground storage tanks (USTs), elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition or construction activities would potentially affect a particular development or building.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- Consult with the appropriate local, state, and federal environmental regulatory agencies to ensure sufficient minimization of risk to human health and environmental resources, both during and after construction, posed by soil contamination, groundwater contamination, or other surface hazards including, but not limited to, underground storage tanks, fuel distribution lines, waste pits and sumps.
- Obtain and submit written evidence of approval for any remedial action if required by a local, state, or federal environmental regulatory agency.
- Cease work if soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums, or other hazardous materials or wastes are encountered), in the vicinity of the suspect material. Secure the area as necessary and take all appropriate measures to protect human health and the environment, including but not limited to notification of regulatory agencies and identification of the nature and extent of contamination. Stop work in the areas affected until the measures have been implemented consistent with the guidance of the appropriate regulatory oversight authority.
- Use best management practices (BMPs) regarding potential soil and groundwater hazards.
- Soil generated by construction activities should be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Complete sampling and handling and transport procedures for reuse or disposal, in accordance with applicable local, state and federal laws and policies.
- Groundwater pumped from the subsurface should be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and policies. Utilize engineering controls, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.
- Prior to issuance of any demolition, grading, or building permit, submit for review and approval by the Lead Agency (or other appropriate government agency) written verification that the appropriate federal, state and/or local oversight authorities, including but not limited to the Regional Water Quality Control Board (RWQCB), have granted all required clearances and confirmed that the all applicable standards, regulations, and conditions have been met for previous contamination at the site.
- Develop, train, and implement appropriate worker awareness and protective measures to assure that worker and public exposure is minimized to an acceptable level and to prevent any further environmental contamination as a result of construction.
- If asbestos-containing materials (ACM) are found to be present in building materials to be removed, submit specifications signed by a certified asbestos consultant for the removal, encapsulation, or enclosure of the identified ACM in accordance with all applicable laws and regulations, including but not necessarily limited to: California Code of Regulations, Title 8; Business and Professions Code; Division 3; California Health and Safety Code Section 25915-25919.7; and other local regulations.
- Where projects include the demolitions or modification of buildings constructed prior to 1968, complete an assessment for the potential presence or lack thereof of ACM, lead-based paint, and any other building materials or stored materials classified as hazardous waste by state or federal law.
- Where the remediation of lead-based paint has been determined to be required, provide specifications to the appropriate agency, signed by a certified Lead Supervisor, Project Monitor, or Project Designer for the stabilization and/or removal of the identified lead paint in accordance with all applicable laws and regulations, including but not necessarily limited to: California Occupational Safety and Health Administration's (Cal OSHA's) Construction Lead Standard, Title 8 California Code of Regulations (CCR) Section 1532.1 and Department of Health Services (DHS) Regulation 17 CCR Sections 35001–36100, as may be amended. If other materials classified as hazardous waste by state or federal law are present, the project sponsor should submit written confirmation to the appropriate local agency that all state and federal laws and regulations should be followed when profiling, handling, treating, transporting, and/or disposing of such materials.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- Where a project site is determined to contain materials classified as hazardous waste by state or federal law are present, submit written confirmation to appropriate agency that all state and federal laws and regulations should be followed when profiling, handling, treating, transporting, and/or disposing of such materials.

2020-2045 RTP/SCS Measure:

PMM HAZ-4: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to projects that are located on a site which is included on the Cortese List, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) For any listed sites or sites that have the potential for residual hazardous materials as a result of historic land uses, complete a Phase I Environmental Site Assessment, including a review and consideration of data from all known databases of contaminated sites, during the process of planning, environmental clearance, and construction for projects.
- b) Where warranted due to the known presence of contaminated materials, submit to the appropriate agency responsible for hazardous materials/wastes oversight a Phase II Environmental Site Assessment report if warranted by a Phase I report for the project site. The reports should make recommendations for remedial action, if appropriate, and be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer.
- c) Implement the recommendations provided in the Phase II Environmental Site Assessment report, where such a report was determined to be necessary for the construction or operation of the project, for remedial action.
- d) Submit a copy of all applicable documentation required by local, state, and federal environmental regulatory agencies, including but not limited to: permit applications, Phase I and II Environmental Site Assessments, human health and ecological risk assessments, remedial action plans, risk management plans, soil management plans, and groundwater management plans.
- e) Conduct soil sampling and chemical analyses of samples, consistent with the protocols established by the U.S. EPA to determine the extent of potential contamination beneath all underground storage tanks (USTs), elevator shafts, clarifiers, and subsurface hydraulic lifts when on-site demolition or construction activities would potentially affect a particular development or building.
- f) Consult with the appropriate local, state, and federal environmental regulatory agencies to ensure sufficient minimization of risk to human health and environmental resources, both during and after construction, posed by soil contamination, groundwater contamination, or other surface hazards including, but not limited to, underground storage tanks, fuel distribution lines, waste pits and sumps.
- g) Obtain and submit written evidence of approval for any remedial action if required by a local, state, or federal environmental regulatory agency.
- h) Cease work if soil, groundwater, or other environmental medium with suspected contamination is encountered unexpectedly during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums, or other hazardous materials or wastes are encountered), in the vicinity of the suspect material. Secure the area as necessary and take all appropriate measures to protect human health and the environment, including but not limited to, notification of regulatory agencies and identification of the nature and extent of contamination. Stop work in the areas affected until the measures have been implemented consistent with the guidance of the appropriate regulatory oversight authority.
- i) Soil generated by construction activities should be stockpiled on-site in a secure and safe manner. All contaminated soils determined to be hazardous or non-hazardous waste must be adequately profiled (sampled) prior to acceptable reuse or disposal at an appropriate off-site facility. Complete sampling and handling and transport procedures for reuse or disposal, in accordance with applicable local, state and federal laws and policies.
- j) Groundwater pumped from the subsurface should be contained on-site in a secure and safe manner, prior to treatment and disposal, to ensure environmental and health issues are resolved pursuant to applicable laws and

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

policies. Utilize engineering controls, which include impermeable barriers to prohibit groundwater and vapor intrusion into the building.

- k) As needed and appropriate, prior to issuance of any demolition, grading, or building permit, submit for review and approval by the Lead Agency (or other appropriate government agency) written verification that the appropriate federal, state and/or local oversight authorities, including but not limited to the Regional Water Quality Control Board (RWQCB), have granted all required clearances and confirmed that the all applicable standards, regulations, and conditions have been met for previous contamination at the site.
- l) Develop, train, and implement appropriate worker awareness and protective measures to assure that worker and public exposure is minimized to an acceptable level and to prevent any further environmental contamination as a result of construction.
- m) If asbestos-containing materials (ACM) are found to be present in building materials to be removed, submit specifications signed by a certified asbestos consultant for the removal, encapsulation, or enclosure of the identified ACM in accordance with all applicable laws and regulations, including but not necessarily limited to: California Code of Regulations, Title 8; Business and Professions Code; Division 3; California Health and Safety Code Section 25915- 25919.7; and other local regulations.
- n) Where projects include the demolitions or modification of buildings constructed prior to 1978, complete an assessment for the potential presence or lack thereof of ACM, lead based paint, and any other building materials or stored materials classified as hazardous waste by state or federal law.
- o) Where the remediation of lead-based paint has been determined to be required, provide specifications to the appropriate agency, signed by a certified Lead Supervisor, Project Monitor, or Project Designer for the stabilization and/or removal of the identified lead paint in accordance with all applicable laws and regulations, including but not necessarily limited to: California Occupational Safety and Health Administration's (Cal OSHA's) Construction Lead Standard, Title 8 California Code of Regulations (CCR) Section 1532.1 and Department of Health Services (DHS) Regulation 17 CCR Sections 35001–36100, as may be amended. If other materials classified as hazardous waste by state or federal law are present, the project sponsor should submit written confirmation to the appropriate local agency that all state and federal laws and regulations should be followed when profiling, handling, treating, transporting, and/or disposing of such materials.

Applicability to the Project:

2016-2040 RTP/SCS: The Project Site is not included on any list compiled pursuant to Government Code Section 65962.5,² and therefore, the construction and operation of the Project would not create a significant hazard to the public or the environment as a result of being on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

As the existing buildings were constructed in 1950, it is likely that they contain asbestos and lead-based paint (LBP). Removal of asbestos in a building is not unusual and can be readily accomplished. In accordance with existing City, State, and federal rules and regulations, including the federal EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) regulation (40 Code of Federal Regulations 61 Subpart M), the federal regulations under the Occupational Safety and Health Act (29 Code of Federal Regulations Section 1926.1101) California Occupational Safety and Health Administration (CAL-OSHA) regulations (California Code of Regulations, title 8, Sections 341.15, 1529), and SCAQMD Rule 1403, all materials, which are identified as ACM, would be removed by a trained and licensed asbestos abatement contractor. Generally, asbestos removal is a low risk operation. When following asbestos-related regulations, the possibility of exposure to airborne asbestos fibers from asbestos removal projects is limited. The removal and disposal of ACMs from the Project Site in accordance with existing regulations would ensure that the Project would not create a significant hazard to the public or the environment through accident or upset conditions, and the Project's impact would be less than significant.

² Phase I Environmental Site Assessment, Gaston & Associates, April 22, 2019, pages 6-8 (included in Appendix E of this SCEA).

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

In order to ensure minimal exposure to sensitive receptors and workers, LBP found in the buildings would be removed and disposed of as recommended by a qualified Department of Health Services lead consultant and in accordance with applicable federal, State, and City regulations, including the federal regulations under the Occupational Safety and Health Act (29 Code of Federal Regulations Section 1926 *et seq.*), CAL-OSHA regulations (California Code of Regulations, title 8, Sections 1532.1 and 35001 *et seq.*). The removal and disposal of LBP from the Project Site in accordance with existing regulations would ensure that the Project would not create a significant hazard to the public or the environment through accident or upset conditions, and the Project's impact would be less than significant.

The Project Site is also located within a methane zone. Thus, prior to the issuance of a building permit, the Project Site would be required to be independently analyzed by a qualified engineer, as defined in City Ordinance No. 175,790 and Section 91.7102 of the LAMC. The engineer would investigate and design a methane mitigation system in compliance with the LADBS Methane Mitigation Standards for the appropriate Project Site Design level which would prevent or retard potential methane gas seepage into the building. The engineer's design recommendation would be subject to LADBS, and Los Angeles Fire Department (LAFD) review and approval. During subsurface excavation activities, including borings, trenching and grading, OSHA worker safety measures would be implemented as required to preclude any exposure of workers to unsafe levels of soil gases, including, but not limited to, methane. Compliance with applicable laws and regulations during construction of the Project would reduce potential impacts associated with methane to less than significant.

This mitigation measure is therefore not incorporated because the City has determined that the Project Site is not included on any list compiled pursuant to Government Code Section 65962.5, and no impacts related to this issue would occur.

2020-2045 RTP/SCS: PMM HAZ-1 is substantially similar to MM-HAZ-4(b) and is not incorporated into the Project for the reasons discussed above for MM-HAZ-4(b).

Hazards and Hazardous Materials

Interfere with an emergency/evacuation plan

2016-2040 RTP/SCS Measure:

Refer to MM-TRA-5(b), below.

2020-2045 RTP/SCS Measure:

PMM HAZ-5: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects which may impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Continue to coordinate locally and regionally based on ongoing review and integration of projected transportation and circulation conditions.
- b) Develop new methods of conveying projected and real time information to citizens using emerging electronic communication tools including social media and cellular networks;
- c) Continue to evaluate lifeline routes for movement of emergency supplies and evacuation.

Applicability to the Project:

2016-2040 RTP/SCS: See discussion of the applicability of this mitigation measure under MM-TRA-5(b) below.

2020-2045 RTP/SCS: According to the Safety Element of the General Plan, the Project Site is not located along an evacuation route. This mitigation measure is not incorporated because the City has determined that existing regulatory

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project
<p>requirements would apply to the Project and are equal to or more effective than the MM-TRA-5(b). Specifically, the Project would be subject to the City’s existing regulations that require the Project to comply with the Fire Code and LAMC emergency access requirements. In addition, during construction, the Project would include a Construction Traffic Management Plan (PDF TR-1), which would be reviewed and approved by the City prior to construction, and which would ensure the Project does not interfere with emergency response to the Project Site.</p>
<p>Hazards and Hazardous Materials</p> <p><u>Wildland Fire Risk</u></p> <p><i>2016-2040 RTP/SCS Measure:</i></p> <p>MM-HAZ-8(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects from the potential exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands; that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with local general plans, specific plans, and regulations provided by County and City fire departments, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> • Adhere to fire code requirements, including ignition-resistant construction with exterior walls of noncombustible or ignition resistant material from the surface of the ground to the roof system. Other fire-resistant measures would be applied to eaves, vents, windows, and doors to avoid any gaps that would allow intrusion by flame or embers. • Adhere to the Multi-Jurisdictional Hazards Mitigation Plan, as well as local general plans, including policies and programs aimed at reducing the risk of wildland fires through land use compatibility, training, sustainable development, brush management, and public outreach. • Encourage the use of fire-resistant vegetation native to Southern California and/or to the local microclimate (e.g., vegetation that has high moisture content, low growth habits, ignition-resistant foliage, or evergreen growth), eliminate brush and chaparral, and discourage the use of fire-promoting species especially non-native, invasive species (e.g., pampas grass, fennel, mustard, or the giant reed) in the immediate vicinity of development in areas with high fire threat. • Encourage natural revegetation or seeding with local, native species after a fire and discourage reseeding of non-native, invasive species to promote healthy, natural ecosystem regrowth. Native vegetation is more likely to have deep root systems that prevent slope failure and erosion of burned areas than shallow-rooted non-natives. • Submit a fire safety plan (including phasing) to the Lead Agency and local fire agency for their review and approval. The fire safety plan shall include all of the fire safety features incorporated into the project and the schedule for implementation of the features. The local fire protection agency may require changes to the plan or may reject the plan if it does not adequately address fire hazards associated with the project as a whole or the individual phase. • Utilize Fire-wise Land Management by encouraging the use of fire-resistant vegetation and the elimination of brush and chaparral in the immediate vicinity of development in areas with high fire threat. • Promote Fire Management Planning that would help reduce fire threats in the region as part of the Compass Blueprint process and other ongoing regional planning efforts. • Encourage the use of fire-resistant materials when constructing projects in areas with high fire threat. <p><i>2020-2045 RTP/SCS Measure:</i></p> <p>Refer to PMM WF-2, below.</p> <p>Applicability to the Project:</p>

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

2016-2040 RTP/SCS: This mitigation measure is not incorporated, because the Project Site is located in an urbanized area and there are no wildlands in the vicinity. Furthermore, the Project is subject to existing regulatory requirements to reduce fire-related hazards, such as adherence to the Fire Code. Thus, no impacts related to these issues would occur.

2020-2045 RTP/SCS: As described below under PMM WF-2, this mitigation measure is not incorporated, because the Project Site is not subject to a wildland fire risk.

Hydrology and Water Quality

Violate Water Quality Standards or Waste Discharge Requirements, Alteration of Site Drainage Pattern, Runoff Exceeding Stormwater Drainage System Capacity, Otherwise Degrade Water Quality

2016-2040 RTP/SCS Measure:

MM-HYD-1(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the potential impacts on water quality on related waste discharge requirements that are within the jurisdiction and authority of the Regional Water Quality Control Boards and other regulatory agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with all applicable laws, regulations, and health and safety standards set forth by regulatory agencies responsible for regulating and enforcing water quality and waste discharge requirements in a manner that conforms to applicable water quality standards and/or waste discharge requirements, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Complete, and have approved, a Stormwater Pollution Prevention Plan (SWPPP) prior to initiation of construction.
- Implement Best Management Practices to reduce the peak stormwater runoff from the project site to the maximum extent practicable.
- Comply with the Caltrans storm water discharge permit as applicable; and identify and implement Best Management Practices to manage site erosion, wash water runoff, and spill control.
- Complete, and have approved, a Standard Urban Stormwater Management Plan, prior to occupancy of residential or commercial structures.
- Ensure adequate capacity of the surrounding stormwater system to support stormwater runoff from new or rehabilitated structures or buildings.
- Prior to construction within an area subject to Section 404 of the Clean Water Act, obtain all required permit approvals and certifications for construction within the vicinity of a watercourse:
 - U.S. Army Corps of Engineers (Corps): Section 404. Permit approval from the Corps should be obtained for the placement of dredge or fill material in Waters of the U.S., if any, within the interior of the project site, pursuant to Section 404 of the federal Clean Water Act.
 - Regional Water Quality Control Board (RWQCB): Section 401 Water Quality Certification. Certification that the project will not violate state water quality standards is required before the Corps can issue a 404 permit, above.
 - California Department of Fish and Wildlife (CDFW): Section 1602 Lake and Streambed Alteration Agreement. Work that will alter the bed or bank of a stream requires authorization from CDFW.
- Where feasible, restore or expand riparian areas such that there is no net loss of impervious surface as a result of the project.
- Install structural water quality control features, such as drainage channels, detention basins, oil and grease traps, filter systems, and vegetated buffers to prevent pollution of adjacent water resources by polluted runoff where required by applicable urban storm water runoff discharge permits, on new facilities.
- Provide structural storm water runoff treatment consistent with the applicable urban storm water runoff permit. Where Caltrans is the operator, the statewide permit applies.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- Provide operational best management practices for street cleaning, litter control, and catch basin cleaning are implemented to prevent water quality degradation in compliance with applicable storm water runoff discharge permits; and ensure treatment controls are in place as early as possible, such as during the acquisition process for rights-of-way, not just later during the facilities design and construction phase.
- Comply with applicable municipal separate storm sewer system discharge permits as well as Caltrans' storm water discharge permit including long-term sediment control and drainage of roadway runoff.
- Incorporate as appropriate treatment and control features such as detention basins, infiltration strips, and porous paving, other features to control surface runoff and facilitate groundwater recharge into the design of new transportation projects early on in the process to ensure that adequate acreage and elevation contours are provided during the right-of-way acquisition process.
- Design projects to maintain volume of runoff, where any downstream receiving water body has not been designed and maintained to accommodate the increase in flow velocity, rate, and volume without impacting the water's beneficial uses. Pre-project flow velocities, rates, and volumes must not be exceeded. This applies not only to increases in storm water runoff from the project site, but also to hydrologic changes induced by flood plain encroachment. Projects should not cause or contribute to conditions that degrade the physical integrity or ecological function of any downstream receiving waters.
- Provide culverts and facilities that do not increase the flow velocity, rate, or volume and/or acquiring sufficient storm drain easements that accommodate an appropriately vegetated earthen drainage channel.
- Upgrade stormwater drainage facilities to accommodate any increased runoff volumes. These upgrades may include the construction of detention basins or structures that will delay peak flows and reduce flow velocities, including expansion and restoration of wetlands and riparian buffer areas. System designs shall be completed to eliminate increases in peak flow rates from current levels.
- Encourage Low Impact Development (LID) and incorporation of natural spaces that reduce, treat, infiltrate and manage stormwater runoff flows in all new developments, where practical and feasible.
- If a Project has the potential to create a major new stormwater discharge to a water body with an established Total Maximum Daily Load (TMDL), a quantitative analysis of the anticipated pollutant loads in the stormwater discharges to the receiving waters should be carried out.

2020-2045 RTP/SCS Measure:

PMM HYD-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects from violation of any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Complete, and have approved, a Stormwater Pollution Prevention Plan (SWPPP) prior to initiation of construction.
- b) Implement Best Management Practices to reduce the peak stormwater runoff from the project site to the maximum extent practicable.
- c) Comply with the Caltrans storm water discharge permit as applicable; and identify and implement Best Management Practices to manage site erosion, wash water runoff, and spill control.
- d) Complete, and have approved, a Standard Urban Stormwater Management Plan, prior to occupancy of residential or commercial structures.
- e) Ensure adequate capacity of the surrounding stormwater system to support stormwater runoff from new or rehabilitated structures or buildings.
- f) Prior to construction within an area subject to Section 404 of the Clean Water Act, obtain all required permit approvals and certifications for construction within the vicinity of a watercourse:
- g) Where feasible, restore or expand riparian areas such that there is no net loss of impervious surface as a result of the project.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- h) Install structural water quality control features, such as drainage channels, detention basins, oil and grease traps, filter systems, and vegetated buffers to prevent pollution of adjacent water resources by polluted runoff where required by applicable urban storm water runoff discharge permits, on new facilities.
- i) Provide operational best management practices for street cleaning, litter control, and catch basin cleaning are implemented to prevent water quality degradation in compliance with applicable storm water runoff discharge permits; and ensure treatment controls are in place as early as possible, such as during the acquisition process for rights-of-way, not just later during the facilities design and construction phase.
- j) Comply with applicable municipal separate storm sewer system discharge permits as well as Caltrans' storm water discharge permit including long-term sediment control and drainage of roadway runoff.
- k) Incorporate as appropriate treatment and control features such as detention basins, infiltration strips, and porous paving, other features to control surface runoff and facilitate groundwater recharge into the design of new transportation projects early on in the process to ensure that adequate acreage and elevation contours are provided during the right-of-way acquisition process.
- l) Upgrade stormwater drainage facilities to accommodate any increased runoff volumes. These upgrades may include the construction of detention basins or structures that will delay peak flows and reduce flow velocities, including expansion and restoration of wetlands and riparian buffer areas. System designs shall be completed to eliminate increases in peak flow rates from current levels.
- m) Encourage Low Impact Development (LID) and incorporation of natural spaces that reduce, treat, infiltrate and manage stormwater runoff flows in all new developments, where practical and feasible.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated because the City has determined that the existing regulatory requirements listed below as governed by the LARWQCB and the City regarding water quality would apply to the Project and are equal to or more effective than the MM-HYD-1(b). Specifically, the Project would be required to comply with the following regulatory requirements;

- 1) The NPDES General Construction Permit including the preparation of a SWPPP and implementation of BMPs, required to minimize soil erosion and sedimentation from entering the storm drains during the construction period. In addition, the Project would be subject to the City's Stormwater and Urban Runoff Pollution Control regulations (Ordinance No. 172,176 and No. 173,494) to ensure pollutant loads from the Project Site would be minimized for downstream receiving waters. Compliance with the NPDES and implementation of the SWPPP and BMPs, as well as the City's discharge requirements would ensure that construction stormwater runoff would not violate water quality and/or discharge requirements.
- 2) During operation, the Project would be required to comply with the City's LID Ordinance. The LID Ordinance applies to all development and redevelopment in the City that requires a building permit. LID Plans are required to include a site design approach and BMPs that address runoff and pollution at the source. Further, to comply with LID Ordinance the Project would be required to capture and treat the first 3/4-inch of rainfall in accordance with established stormwater treatment priorities. Compliance with the LID Ordinance would reduce the amount of surface water runoff leaving the Project Site as compared to the current conditions. Compliance with the LID Plan and SUSMP, including the implementation of BMPs, would ensure that operation of the Project would not violate water quality standard and discharge requirements or otherwise substantially degrade water quality.

2020-2045 RTP/SCS: PMM HYD-1 is substantially similar to MM-HYD-1(b) and is not incorporated into the Project for the reasons discussed above for MM-HYD-1(b).

Hydrology and Water Quality

Deplete Groundwater Supply or Interfere with Groundwater Recharge

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

2016-2040 RTP/SCS Measures:

MM-HYD-2(b): Consistent with the provisions of the Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the potential impacts to groundwater resources that are within the jurisdiction and authority of the State Water Resources Control Board, Regional Water Quality Control Boards, Water Districts, and other groundwater management agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with applicable laws, regulations, and health and safety standards set forth by federal, state, regional, and local authorities that regulate groundwater management, consistent with the provisions of the Groundwater Management Act and implementing regulations, including recharge in a manner that conforms to federal, state, regional, and local standards for sustainable management of groundwater basins, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- For projects requiring continual dewatering facilities, implement monitoring systems and long-term administrative procedures to ensure proper water management that prevents degrading of surface water and minimizes, to the greatest extent possible, adverse impacts on groundwater for the life of the project, Construction designs shall comply with appropriate building codes and standard practices including the Uniform Building Code.
- Maximize, where practical and feasible, permeable surface area in existing urbanized areas to protect water quality, reduce flooding, allow for groundwater recharge, and preserve wildlife habitat. Minimize to the greatest extent possible, new impervious surfaces, including the use of in-lieu fees and off-site mitigation.
- Avoid designs that require continual dewatering where feasible.
- Avoid construction and siting on groundwater recharge areas, to prevent conversion of those areas to impervious surface.
- Reduce hardscape to the extent feasible to facilitate groundwater recharge as appropriate.

PMM HYD-2: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects from violation of any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Avoid designs that require continual dewatering where feasible.
For projects requiring continual dewatering facilities, implement monitoring systems and long-term administrative procedures to ensure proper water management that prevents degrading of surface water and minimizes adverse impacts on groundwater for the life of the project, Construction designs shall comply with appropriate building codes and standard practices including the Uniform Building Code.
- b) Maximize, where practical and feasible, permeable surface area in existing urbanized areas to protect water quality, reduce flooding, allow for groundwater recharge, and preserve wildlife habitat. Minimize new impervious surfaces, including the use of in-lieu fees and off-site mitigation.
- c) Avoid construction and siting on groundwater recharge areas, to prevent conversion of those areas to impervious surface.
- d) Reduce hardscape to the extent feasible to facilitate groundwater recharge as appropriate.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated because the Project Site area is not a source of groundwater recharge, and following the redevelopment of the nearly 100 percent impervious Project Site with a new mixed-use building with associated hardscape, groundwater recharge would remain negligible. Based on the depth to groundwater, temporary dewatering may be required during construction. However, the amount of discharge and potential groundwater

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

infiltration to occur would be minimal given the small area and depth to excavation, and would also be conducted in accordance with all NPDES regulatory requirements pertaining to discharge. Therefore, impacts related to this issue would be less than significant and no mitigation measures are required.

2020-2045 RTP/SCS: PMM HYD-2 is substantially similar to MM-HYD-2(b) and is not incorporated into the Project for the reasons discussed above for MM-HYD-2(b).

Hydrology and Water Quality

Structures within a 100-Year Floodplain Hazard Area, Risk due to Levee or Dam Failure, Risks due to Seiche, Tsunami, or Mudflow

2016-2040 RTP/SCS Measure:

MM-HYD-8(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the potential impacts of locating structures that would impede or redirect flood flows in a 100-year flood hazard area that are within the jurisdiction and authority of the Flood Control District, County Public Works Departments, local agencies, regulatory agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with all federal, state, and local floodplain regulations, consistent with the provisions of the National Flood Insurance Program, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Comply with Executive Order 11988 on Floodplain Management, which requires avoidance of incompatible floodplain development, restoration and preservation of the natural and beneficial floodplain values, and maintenance of consistency with the standards and criteria of the National Flood Insurance Program.
- Ensure that all roadbeds for new highway and rail facilities be elevated at least one foot above the 100-year base flood elevation. Since alluvial fan flooding is not often identified on FEMA flood maps, the risk of alluvial fan flooding should be evaluated, and projects should be sited to avoid alluvial fan flooding. Delineation of floodplains and alluvial fan boundaries should attempt to account for future hydrologic changes caused by global climate change.

2020-2045 RTP/SCS Measure:

PMM HYD-4: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures capable of avoiding or reducing the potential impacts of locating structures that would impede or redirect flood flows, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Ensure that all roadbeds for new highway and rail facilities be elevated at least one foot above the 100-year base flood elevation. Since alluvial fan flooding is not often identified on FEMA flood maps, the risk of alluvial fan flooding should be evaluated and projects should be sited to avoid alluvial fan flooding. Delineation of floodplains and alluvial fan boundaries should attempt to account for future hydrologic changes caused by global climate change.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated, because the Project Site is not, according to the Federal Emergency Management Agency (FEMA) flood insurance rate map, located within a designated flood zone or 100-year flood plain (FEMA Flood Insurance Rate Map number 06037C1611G). Also, the Project Site is not located within an area potentially affected by seiche, tsunami, or mudflow, nor is it identified in the Safety Element of the General Plan as being located in any area potentially susceptible to floods associated with a levee or dam. Therefore, no impacts would occur.

2020-2045 RTP/SCS: PMM HYD-4 is substantially similar to MM-HYD-8(b) and is not incorporated into the Project for the reasons discussed above for MM-HYD-8(b).

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project
<p>Land Use and Planning <u>Conflict with Applicable Land Use Plan, Policy, or Regulation</u></p> <p><i>2016-2040 RTP/SCS Measure:</i> MM-LU-1(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects regarding the potential to conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project that are within the jurisdiction and responsibility of local jurisdictions and Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the goals and policies established within the applicable adopted county and city general plans within the SCAG region to avoid conflicts with zoning and ordinance codes, general plans, land use plan, policy, or regulation of an agency with jurisdiction over the project, as applicable and feasible. Such measures may include the following, and/or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> • Where an inconsistency with the adopted general plan is identified at the Project location, determine if the environmental, social, economic, and engineering benefits of the project warrant a variance from adopted zoning or an amendment to the general plan. <p><i>2020-2045 RTP/SCS Measure:</i> PMM LU-2: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects that physically divide a community, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <ol style="list-style-type: none"> a) When an inconsistency with the adopted general plan policy or land use regulation (adopted for the purpose of avoiding or mitigating an impact) is identified modify the transportation or land use project to eliminate the conflict; or, determine if the environmental, social, economic, and engineering benefits of the project warrant an amendment to the general plan or land use regulation. <p>Applicability to the Project: <u>2016-2040 RTP/SCS:</u> Mitigation Measure MM-LU-1(b) is not incorporated because the Project is consistent with the existing General Plan land use designation and zoning for the Project Site, as well as other applicable regional and local plans, policies, and regulations. Impacts would be less than significant and no mitigation measures are required. <u>2020-2045 RTP/SCS:</u> PMM LU-2 is substantially similar to MM-LU-1(b) and is not incorporated into the Project for the reasons discussed above for MM-LU-1(b).</p>
<p>Land Use and Planning <u>Physically Divide a Community</u></p> <p><i>2016-2040 RTP/SCS Measure:</i> MM-LU-2(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects related to the physical division of an established community in a project area within the jurisdiction and responsibility of local jurisdictions and Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the goals and policies established within the applicable adopted county and city general plans within the SCAG region to avoid the creation of barriers that physically divide such communities, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> • Consider alignments within or adjacent to existing public rights-of-way.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- Consider designs to include sections above- or below-grade to maintain viable vehicular, cycling, and pedestrian connections between portions of communities where existing connections are disrupted by the transportation project.
- Wherever feasible incorporate direct crossings, overcrossings, or undercrossings at regular intervals for multiple modes of travel (e.g., pedestrians, bicyclists, vehicles).
- Consider realigning roadway or interchange improvements to avoid the affected area of residential communities or cohesive neighborhoods.
- Where it has been determined that it is infeasible to avoid creating a barrier in an established community, consider other measures to reduce impacts, including but not limited to:
 - Alignment shifts to minimize the area affected.
 - Reduction of the proposed right-of-way take to minimize the overall area of impact.
 - Provisions for bicycle, pedestrian, and vehicle access across improved roadways.
- Design new transportation facilities that consider access to existing community facilities. Identify and consider during the design phase of the project, community amenities and facilities in the design of the project.
- Design roadway improvements that minimize barriers to pedestrians and bicyclists. Determine during the design phase, pedestrian and bicycle routes that permit connections to nearby community facilities.

2020-2045 RTP/SCS Measure:

PMM LU-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects that physically divide a community, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Facilitate good design for land use projects that build upon and improve existing circulation patterns
- b) Encourage implementing agencies to orient transportation projects to minimize impacts on existing communities by:
 - Selecting alignments within or adjacent to existing public rights of way.
 - Design sections above or below-grade to maintain viable vehicular, cycling, and pedestrian connections between portions of communities where existing connections are disrupted by the transportation project.
 - Wherever feasible incorporate direct crossings, overcrossings, or under crossings at regular intervals for multiple modes of travel (e.g., pedestrians, bicyclists, vehicles).
- c) Where it has been determined that it is infeasible to avoid creating a barrier in an established community, consider other measures to reduce impacts, including but not limited to:
 - Alignment shifts to minimize the area affected.
 - Reduction of the proposed right-of-way take to minimize the overall area of impact.
 - Provisions for bicycle, pedestrian, and vehicle access across improved roadways.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated because the Project does not include the development of new roadway or transportation facilities and would not physically divide a community. No impacts related to this issue would occur.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project
<p><u>2020-2045 RTP/SCS:</u> PMM LU-1 is substantially similar to MM-LU-2(b) and is not incorporated into the Project for the reasons discussed above for MM-LU-2(b).</p>
<p>Mineral Resources <u>Loss of Availability of a Known Mineral Resource</u></p> <p><i>2016-2040 RTP/SCS Measure:</i> MM-MIN-1(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects on the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan that are within the jurisdiction and responsibility of the California Department of Conservation, and/or Lead Agencies.</p> <p>Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with SMARA, California Department of Conservation regulations, local general plans, specific plans, and other laws and regulation governing mineral or aggregate resources, as applicable and feasible. Such measures may include the following, other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> • Provide for the efficient use of known aggregate and mineral resources or locally important mineral resource recovery sites, by ensuring that the consumptive use of aggregate resources is minimized and that access to recoverable sources of aggregate is not precluded, as a result of construction, operation and maintenance of projects. • Where avoidance is infeasible, minimize impacts to the efficient and effective use of recoverable sources of aggregate through measures that have been identified in county and city general plans, or other comparable measures: <ul style="list-style-type: none"> ○ Recycle and reuse building materials resulting from demolition, particularly aggregate resources, to the maximum extent practicable. ○ Identify and use building materials, particularly aggregate materials, resulting from demolition at other construction sites in the SCAG region, or within a reasonable hauling distance of the project site. ○ Design transportation network improvements in a manner (such as buffer zones or the use of screening) that does not preclude adjacent or nearby extraction of known mineral and aggregate resources following completion of the improvement and during long-term operations. ○ Avoid or reduce impacts on known aggregate and mineral resources and mineral resource recovery sites through the evaluation and selection of Project Sites and design features (e.g., buffers) that minimize impacts on land suitable for aggregate and mineral resource extraction by maintaining portions of MRZ-2 areas in open space or other general plan land use categories and zoning that allow for mining of mineral resources. <p><i>2020-2045 RTP/SCS Measure:</i> PMM MIN-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce the use of mineral resources that could be of value to the region, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <ol style="list-style-type: none"> a) Provide for the efficient use of known aggregate and mineral resources or locally important mineral resource recovery sites, by ensuring that the consumptive use of aggregate resources is minimized and that access to recoverable sources of aggregate is not precluded, as a result of construction, operation and maintenance of projects. b) Where avoidance is infeasible, minimize impacts to the efficient and effective use of recoverable sources of aggregate through measures that have been identified in county and city general plans, or other comparable measures such as:

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- 1) Recycle and reuse building materials resulting from demolition, particularly aggregate resources, to the maximum extent practicable.
- 2) Identify and use building materials, particularly aggregate materials, resulting from demolition at other construction sites in the SCAG region, or within a reasonable hauling distance of the project site.
- 3) Design transportation network improvements in a manner (such as buffer zones or the use of screening) that does not preclude adjacent or nearby extraction of known mineral and aggregate resources following completion of the improvement and during long-term operations.
- 4) Avoid or reduce impacts on known aggregate and mineral resources and mineral resource recovery sites through the evaluation and selection of project sites and design features (e.g., buffers) that minimize impacts on land suitable for aggregate and mineral resource extraction by maintaining portions of MRZ-2 areas in open space or other general plan land use categories and zoning that allow for mining of mineral resources.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated because the Project Site is not located within the Los Angeles Downtown Oil Field, a Mineral Resource Zone 2 (MRZ-2) Area, an Oil Drilling/Surface Mining Supplemental Use District, or an Oil Field/Drilling Area. As stated in the Phase I Environmental Site Assessment prepared for the Project Site, oil or gas wells or pipelines were not identified on the Project Site during site reconnaissance, nor are any listed on file with the California Department of Oil, Gas, and Geothermal Resources.³ None of the suggested measures are applicable as there are no known aggregate and mineral sources or locally important mineral resource recovery sites on or adjacent to the Project Site. No impacts related to these issues would occur.

2020-2045 RTP/SCS: PMM MIN-1 is substantially similar to MM-MIN-1(b) and is not incorporated into the Project for the reasons discussed above for MM-MIN-1(b).

Noise

Exposure of Persons to Noise in Excess of Local Standards, Excessive Groundborne Vibration or Noise Levels, Substantial Permanent Increase in Noise Level, Substantial Temporary Increase in Noise Levels

2016-2040 RTP/SCS Measure:

MM-NOISE-1(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects of noise impacts that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure consistency with the Federal Noise Control Act, California Government Code Section 65302, the Governor's Office of Planning and Research Noise Element Guidelines, and the noise ordinances and general plan noise elements for the counties or cities where projects are undertaken, Federal Highway Administration and Caltrans guidance documents and other health and safety standards set forth by federal, state, and local authorities that regulate noise levels, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- Install temporary noise barriers during construction.
- Include permanent noise barriers and sound-attenuating features as part of the project design.
- Schedule construction activities consistent with the allowable hours pursuant to applicable general plan noise element or noise ordinance. Where construction activities are authorized outside the limits established by the noise element of the general plan or noise ordinance, notify affected sensitive noise receptors and all parties who will experience noise

³ Phase I Environmental Site Assessment, Gaston & Associates, April 22, 2019, pages 6-8 (included in Appendix E of this SCEA).

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

levels in excess of the allowable limits for the specified land use, of the level of exceedance and duration of exceedance; and provide a list of protective measures that can be undertaken by the individual, including temporary relocation or use of hearing protective devices.

- Limit speed and/or hours of operation of rail and transit systems during the selected periods of time to reduce duration and frequency of conflict with adopted limits on noise levels.
- Post procedures and phone numbers at the construction site for notifying the Lead Agency staff, local Police Department, and construction contractor (during regular construction hours and off-hours), along with permitted construction days and hours, complaint procedures, and who to notify in the event of a problem.
- Notify neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of anticipated times when noise levels are expected to exceed limits established in the noise element of the general plan or noise ordinance.
- Hold a preconstruction meeting with the job inspectors and the general contractor/on-site project manager to confirm that noise measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed.
- Designate an on-site construction complaint and enforcement manager for the project.
- Ensure that construction equipment are properly maintained per manufacturers' specifications and fitted with the best available noise suppression devices (e.g., mufflers, silencers, wraps). All intake and exhaust ports on power equipment shall be muffled or shielded.
- Ensure that impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction are hydraulically or electrically powered to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust can and should be used. External jackets on the tools themselves can and should be used, if such jackets are commercially available and this could achieve a reduction of 5 dBA. Quieter procedures can and should be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.
- Ensure that construction equipment does not idle for an extended time in the vicinity of noise-sensitive receptors.
- Locate fixed/stationary equipment (such as generators, compressors, rock crushers, and cement mixers) as far as possible from noise-sensitive receptors.
- Locate new roadway lanes, roadways, rail lines, transit-related passenger station and related facilities, park-and-ride lots, and other new noise-generating facilities away from sensitive receptors to the maximum extent feasible.
- Where feasible, eliminate noise-sensitive receptors by acquiring freeway and rail rights-of-way.
- Use noise barriers to protect sensitive receptors from excessive noise levels during construction.
- Construct sound-reducing barriers between noise sources and noise-sensitive receptors to minimize exposure to excessive noise during operation of transportation improvement projects, including but not limited to earth-berms or sound walls.
- Where feasible, design projects so that they are depressed below the grade of the existing noise-sensitive receptor, creating an effective barrier between the roadway and sensitive receptors.
- Where feasible, improve the acoustical insulation of dwelling units where setbacks and sound barriers do not provide sufficient noise reduction.
- Monitor the effectiveness of noise reduction measures by taking noise measurements and installing adaptive mitigation measures to achieve the standards for ambient noise levels established by the noise element of the general plan or noise ordinance.

2020-2045 RTP/SCS Measure:

PMM NOISE-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects that physically divide a community, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- a) Install temporary noise barriers during construction.
- b) Include permanent noise barriers and sound-attenuating features as part of the project design. Barriers could be in the form of outdoor barriers, sound walls, buildings, or earth berms to attenuate noise at adjacent sensitive uses.
- c) Schedule construction activities consistent with the allowable hours pursuant to applicable general plan noise element or noise ordinance
- d) Post procedures and phone numbers at the construction site for notifying the Lead Agency staff, local Police Department, and construction contractor (during regular construction hours and off hours), along with permitted construction days and hours, complaint procedures, and who to notify in the event of a problem.
- e) Notify neighbors and occupants within 300 feet of the project construction area at least 30 days in advance of anticipated times when noise levels are expected to exceed limits established in the noise element of the general plan or noise ordinance.
- f) Designate an on-site construction complaint and enforcement manager for the project.
- g) Ensure that construction equipment is properly maintained per manufacturers' specifications and fitted with the best available noise suppression devices (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds silencers, wraps). All intake and exhaust ports on power equipment shall be muffled or shielded.
- h) Use hydraulically or electrically powered tools (e.g., jack hammers, pavement breakers, and rock drills) for project construction to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust should be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves should be used, if such jackets are commercially available, and this could achieve a further reduction of 5 dBA. Quieter procedures should be used, such as drills rather than impact equipment, whenever such procedures are available and consistent with construction procedures.
- i) Where feasible, design projects so that they are depressed below the grade of the existing noise-sensitive receptor, creating an effective barrier between the roadway and sensitive receptors.
- j) Where feasible, improve the acoustical insulation of dwelling units where setbacks and sound barriers do not provide sufficient noise reduction.
- k) Using rubberized asphalt or "quiet pavement" to reduce road noise for new roadway segments, roadways in which widening or other modifications require re-pavement, or normal reconstruction of roadways where re-pavement is planned
- l) Projects that require pile driving or other construction noise above 90 dBA in proximity to sensitive receptors, should reduce potential pier drilling, pile driving and/or other extreme noise generating construction impacts greater than 90 dBA; a set of site-specific noise attenuation measures should be completed under the supervision of a qualified acoustical consultant.
- m) Use land use planning measures, such as zoning, restrictions on development, site design, and buffers to ensure that future development is compatible with adjacent transportation facilities and land uses;
- n) Monitor the effectiveness of noise reduction measures by taking noise measurements and installing adaptive mitigation measures to achieve the standards for ambient noise levels established by the noise element of the general plan or noise ordinance.
- o) Use equipment and trucks with the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible) for project construction.
- p) Stationary noise sources can and should be located as far from adjacent sensitive receptors as possible and they should be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the Lead Agency (or other appropriate government agency) to provide equivalent noise reduction.
- q) Use of portable barriers in the vicinity of sensitive receptors during construction.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project	
<ul style="list-style-type: none"> r) Implement noise control at the receivers by temporarily improving the noise reduction capability of adjacent buildings (for instance by the use of sound blankets), and implement if such measures are feasible and would noticeably reduce noise impacts. s) Monitor the effectiveness of noise attenuation measures by taking noise measurements. t) Maximize the distance between noise-sensitive land uses and new roadway lanes, roadways, rail lines, transit centers, park-and-ride lots, and other new noise-generating facilities. u) Construct sound reducing barriers between noise sources and noise-sensitive land uses. v) Stationary noise sources can and should be located as far from adjacent sensitive receptors as possible and they should be muffled and enclosed within temporary sheds, incorporate insulation barriers, or use other measures as determined by the Lead Agency (or other appropriate government agency) to provide equivalent noise reduction. w) Use techniques such as grade separation, buffer zones, landscaped berms, dense plantings, sound walls, reduced-noise paving materials, and traffic calming measures. x) Locate transit-related passenger stations, central maintenance facilities, decentralized maintenance facilities, and electric substations away from sensitive receptors to the maximum extent feasible. 	<p>Consult the SCAG Environmental Justice Toolbox for potential measures to address impacts to low-income and/or minority communities.</p> <p>Applicability to the Project: <u>2016-2020 RTP/SCS:</u> As described in Section 5.XIII, Noise, of this SCEA, while the Project does not have the potential to result in significant noise impacts pertaining to off-site construction activities or on- or off-site operational activities, there is the potential for significant noise impacts in connection with the Project's on-site construction activities. Therefore, the Project would implement relevant portions of Mitigation Measure PMM-NOISE-1 from the 2020-2045 RTP/SCS. In addition, based on Project-specific analysis of the proposed on-site construction activities as well as the specific locations of off-site noise-sensitive receptors, the Project would also include the following supplemental measures:</p> <p>MM-NOI-1 Require implementation of relevant portions of PMM NOISE-1 from the 2020-2045 RTP/SCS, which include the following:</p> <ul style="list-style-type: none"> • Install temporary noise barriers during construction. These shall be at least 17 feet in height with a surface density of four pounds per square foot or more with no gaps between barrier panels and between the barrier and the ground. • Require use of construction equipment with mufflers or other noise control devices that will limit each piece of equipment to 70 dBA L_{eq} at 50 feet of distance. <p>MM-NOI-2 Limit no more than three pieces of heavy-duty equipment operating at up to 70 dBA L_{eq} within 15 feet of the eastern property line.</p> <p><u>2020-2045 RTP/SCS:</u> PMM NOISE-1 is substantially similar to MM-NOISE-1(b), and for the same reasons described above, the Project would implement relevant portions of PMM NOISE-1 due to potentially significant construction-related noise impacts. In addition, based on Project-specific analysis of the proposed on-site construction activities as well as the specific locations of off-site noise-sensitive receptors, the Project would also implement supplemental Mitigation Measures NOI-1 and NOI-2, provided above.</p>
<p>Noise <u>Exposure of Persons to Excessive Groundborne Vibration or Noise Levels</u></p> <p><i>2016-2040 RTP/SCS Measure:</i></p>	

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

MM-NOISE-2(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects of vibration impacts that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the Federal Transportation Authority and Caltrans guidance documents, county or city transportation commission, noise and vibration ordinances and general plan noise elements for the counties and cities where projects are undertaken and other health and safety regulations set forth by federal state, and local authorities that regulate vibration levels, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- For projects that require pile driving or other construction techniques that result in excessive vibration, such as blasting, determine the potential vibration impacts to the structural integrity of the adjacent buildings within 50 feet of pile driving locations.
- For projects that require pile driving or other construction techniques that result in excessive vibration, such as blasting, determine the threshold levels of vibration and cracking that could damage adjacent historic or other structure, and design means and construction methods to not exceed the thresholds.
- For projects where pile driving would be necessary for construction due to geological conditions, utilize quiet pile driving techniques such as predrilling the piles to the maximum feasible depth, where feasible. Predrilling pile holes will reduce the number of blows required to completely seat the pile and will concentrate the pile driving activity closer to the ground where pile driving noise can be shielded more effectively by a noise barrier/curtain.
- For projects where pile driving would be necessary for construction due to geological conditions, utilize quiet pile driving techniques such as the use of more than one pile driver to shorten the total pile driving duration.

2020-2045 RTP/SCS Measure:

PMM NOISE-2: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to violating air quality standards, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) For projects that require pile driving or other construction techniques that result in excessive vibration, such as blasting, determine the potential vibration impacts to the structural integrity of the adjacent buildings within 50 feet of pile driving locations.
- b) For projects that require pile driving or other construction techniques that result in excessive vibration, such as blasting, determine the threshold levels of vibration and cracking that could damage adjacent historic or other structure, and design means and construction methods to not exceed the thresholds.
- c) For projects where pile driving would be necessary for construction due to geological conditions, utilize quiet pile driving techniques such as predrilling the piles to the maximum feasible depth, where feasible. Predrilling pile holes will reduce the number of blows required to completely seat the pile and will concentrate the pile driving activity closer to the ground where pile driving noise can be shielded more effectively by a noise barrier/curtain.
- d) Restrict construction activities to permitted hours in accordance with local jurisdiction regulation.
- e) Properly maintain construction equipment and outfit construction equipment with the best available noise suppression devices (e.g., mufflers, silences, wraps).
- f) Prohibit idling of construction equipment for extended periods of time in the vicinity of sensitive receptors.

Applicability to the Project:

2016-2040 RTP/SCS: As described in Section 5.XIII, Noise, of this SCEA, while the Project does not have the potential to result in significant vibration impacts during Project operation, there is the potential for significant vibration impacts in connection with the Project's construction activities. Therefore, the Project would implement relevant provisions of Mitigation Measure PMM-NOISE-2 from the 2020-2045 RTP/SCS. In addition, based on Project-specific analysis of the proposed on-

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project	
<p>site construction activities as well as the specific locations of off-site vibration-sensitive receptors, the Project would also include the following supplemental measure:</p>	
MM-NOI-3	<p>Require implementation of relevant provisions of PMM NOISE-2 from the 2020-2045 RTP/SCS. Specifically, the Project contractor shall avoid the use of heavy-duty diesel-fueled construction equipment within 12 feet of the eastern property line adjacent to garages for residences on Orange Grove Avenue.</p>
<p><u>2020-2045 RTP/SCS:</u> PMM NOISE-2 is substantially similar to MM-NOISE-2(b), and for the same reasons described above, the Project would implement relevant portions of PMM NOISE-2 due to potentially significant construction-related vibration impacts. In addition, based on Project-specific analysis of the proposed construction activities as well as the specific locations of off-site vibration-sensitive receptors, the Project would also implement supplemental Mitigation Measure NOI-3, provided above.</p>	
<p>Population and Housing</p> <p><u>Displacement of Housing, Requiring Replacement Housing Elsewhere</u></p>	
<p><i>2016-2040 RTP/SCS Measure:</i></p> <p>MM-PHE-2(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects related to displacement that are within the jurisdiction and responsibility of Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to minimize the displacement of existing housing and people and to ensure compliance with local jurisdiction’s housing elements of their general plans, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> • Evaluate alternate route alignments and transportation facilities that minimize the displacement of homes and businesses. Use an iterative design and impact analysis where impacts to homes or businesses are involved to minimize the potential of impacts on housing and displacement of people. • Prioritize the use existing ROWs, wherever feasible. • Develop a construction schedule that minimizes potential neighborhood deterioration from protracted waiting periods between right-of-way acquisition and construction. 	
<p><i>2020-2045 RTP/SCS Measure:</i></p> <p>PMM POP-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce the displacement of existing housing, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <ol style="list-style-type: none"> a) Evaluate alternate route alignments and transportation facilities that minimize the displacement of homes and businesses. Use an iterative design and impact analysis where impacts to homes or businesses are involved to minimize the potential of impacts on housing and displacement of people. b) Prioritize the use existing ROWs, wherever feasible. c) Develop a construction schedule that minimizes potential neighborhood deterioration from protracted waiting periods between right-of-way acquisition and construction. d) Review capacities of available urban infrastructure and augment capacities as needed to accommodate demand in locations where growth is desirable to the local lead Agency and encouraged by the SCS (primarily TPAs, where applicable). 	

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- e) When General Plans and other local land use regulations are amended or updated, use the most recent growth projections and RHNA allocation plan.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated, because the Project would result in a net increase of 169 residential units at the Project Site, including 28 Extremely Low Income affordable housing units. Therefore, the Project would not necessitate the construction of replacement housing elsewhere and no mitigation measures are required.

2020-2045 RTP/SCS: PMM POP-1 is substantially similar to MM-PHE-2(b) and is not incorporated into the Project for the reasons discussed above for MM-PHE-2(b).

Public Services

Adverse Impacts Associated with New or Physically Altered Governmental Facilities for Public Protective Fire and Emergency Services

2016-2040 RTP/SCS Measure:

MM-PS-1(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects from the need for new or physically altered governmental facilities in order to maintain acceptable response times for fire protection and emergency response services that are within the jurisdiction and responsibility of fire departments, law enforcement agencies, and local jurisdictions. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures consistent with the Community Facilities Act of 1982, the goals and policies established within the applicable adopted county and city general plans and the performance objectives established in the adopted county and city general plans, to provide sufficient structures and buildings to accommodate fire and emergency response, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency, taking into account project and site-specific considerations as applicable and feasible:

- Where the project has the potential to generate the need for expanded emergency response services which exceed the capacity of existing facilities, provide for the construction of new facilities directly as an element of the project or through dedicated fair share contributions toward infrastructure improvements.

During project-level review of government facilities projects, require implementation of Mitigation Measures **MM-AES-1(b), MM-AES-3(b), MM-AES-4(b), MM-AF-1(b), MM-AF-2(b), MM-BIO-1(b), MM-BIO-2(b), MM-BIO-3(b), MM-CUL-1(b), MM-CUL-2(b), MM-CUL-3(b), MM-CUL-4(b), MM-GEO-1(b), MM-GEO-1(b), MM-HYD-1(b), MM-USS-3(b), MM-USS-4(b), and MM-USS-6(b)** to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities, through the imposition of conditions required to be followed to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of new or expanded public service facilities.

2020-2045 RTP/SCS Measure:

PMM PSP-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects of constructing new emergency response facilities, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- Coordinate with emergency response agencies to ensure that there are adequate governmental facilities to maintain acceptable service ratios, response times or other performance objectives for emergency response services and that any required additional construction of buildings is incorporated in to the project description.
- Where current levels of services at the project site are found to be inadequate, provide fair share contributions towards infrastructure improvements, as appropriate and applicable, to mitigate identified CEQA impacts.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- Project sponsors can and should develop traffic control plans for individual projects. Traffic control plans should include information on lane closures and the anticipated flow of traffic during the construction period. The basic objective of each traffic control plan (TCP) is to permit the contractor to work within the public right of way efficiently and effectively while maintaining a safe, uniform flow of traffic. The construction work and the public traveling through the work zone in vehicles, bicycles or as pedestrians must be given equal consideration when developing a traffic control plan.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated because as discussed in Section 5.XV, Public Services, of this SCEA, existing facilities are capable of providing acceptable fire protection and emergency response services for the Project. Additionally, the Project would be subject to the existing regulations in the City's Fire Code and LAMC related to emergency access. Thus, fire protection response from existing facilities is therefore considered adequate, the Project would not require the need for new or physically altered governmental facilities, and no mitigation measures (including any mitigation measures pertaining to potential air quality, noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, or other impacts associated with the construction of such facilities) would be required.

2020-2045 RTP/SCS: PMM PSP-1 primarily differs from MM-PS-1(b) in that PMM PSP-1 does not specify that mitigation measures associated with aesthetics, air quality, noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, and other impacts should also be considered during project-level review of government facilities projects. Otherwise, MM-PS-1(b) and PMM PSP-1 are substantially similar. PMM PSP-1 is not incorporated into the Project for the reasons discussed above for MM-PS-1(b).

Public Services Facilities

Adverse Impacts Associated with New or Physically Altered Governmental Facilities for Public Protective Security Services

2016-2040 RTP/SCS Measure:

MM-PS-2(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects from the need for new or physically altered governmental facilities in order to maintain acceptable service ratios for police protection services that are within the jurisdiction and responsibility of law enforcement agencies and local jurisdictions. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures consistent with the Community Facilities Act of 1982, the goals and policies established within the applicable adopted county and city general plans and the standards established in the safety elements of county and city general plans to maintain police response performance objectives, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency, taking in to account project and site-specific considerations as applicable and feasible, including:

- Coordinate with public security agencies to ensure that there are adequate governmental facilities to maintain acceptable service ratios, response times, or other performance objectives for public protective security services and that any required additional construction of buildings is incorporated into the project description.
- Where current levels of services at the project site are found to be inadequate, provide fair share contributions towards infrastructure improvements and/or personnel.

During project-level review of government facilities projects, require implementation of Mitigation Measures **MM-AES-1(b), MM-AES-3(b), MM-AES-4(b), MM-AF-1(b), MM-AF-2(b), MM-BIO-1(b), MM-BIO-2(b), MM-BIO-3(b), MM-CUL-1(b), MM-CUL-2(b), MM-CUL-3(b), MM-CUL-4(b), MM-GEO-1(b), MM-GEO-1(b), MM-HYD-1(b), MM-USS-3(b), MM-USS-4(b), and MM-USS-6(b)** to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities, through the imposition of conditions required to be followed to avoid or reduce impacts associated with air quality,

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of new or expanded public service facilities.

2020-2045 RTP/SCS Measure:
Refer to MM PSP-1, above.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated because as discussed in Section 5.XV, Public Services, of this SCEA, the City has determined that existing facilities are capable of providing acceptable police protection services. Further, the Project would incorporate crime prevention features into the design of the building and public spaces, such as lighting of entryways and public areas, and controlled access to the residential building, which are included as Project Design Features PDF PS-1 and PDF PS-2. The Project’s direct minimal population increase and associated demand for police services, along with the provision of on-site security features, would not require the provision of new or physically altered police stations in order to maintain acceptable service ratios or other performance objectives for police protection. Thus, Project impacts related to police protection services would be less than significant. Therefore, the Project would not result in the need for new or physically altered facilities for public protective security services, and no mitigation measures (including any mitigation measures pertaining to potential air quality, noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, or other impacts associated with the construction of such facilities) are required.

2020-2045 RTP/SCS: PMM PSP-1 primarily differs from MM-PS-2(b) in that MM PSP-1 does not specify that mitigation measures associated with aesthetics, air quality, noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, and other impacts should be considered during project-level review of government facilities projects. Otherwise, PMM-PS-2(b) and MM PSP-1 are substantially similar. PMM PSP-1 is not incorporated into the Project for the reasons discussed above for MM-PS-2(b).

Public Services

Adverse Impacts Associated with New or Physically Altered Governmental Facilities for School Services

2016-2040 RTP/SCS Measure:

MM-PS-3(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects from the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives that are within the jurisdiction and responsibility of school districts and local jurisdictions. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures consistent with Community Facilities Act of 1982, the California Education Code, and the goals and policies established within the applicable adopted county and city general plans to ensure that the appropriate school district fees are paid in accordance with state law, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency, taking in to account project and site-specific considerations as applicable and feasible:

- Where construction or expansion of school facilities is required to meet public school service ratios, require school district fees, as applicable.
During project-level review of government facilities projects, require implementation of Mitigation Measures **MM-AES-1(b)**, **MM-AES-3(b)**, **MM-AES-4(b)**, **MM-AF-1(b)**, **MM-AF-2(b)**, **MM-BIO-1(b)**, **MM-BIO-2(b)**, **MM-BIO-3(b)**, **MM-CUL-1(b)**, **MM-CUL-2(b)**, **MM-CUL-3(b)**, **MM-CUL-4(b)**, **MM-GEO-1(b)**, **MM-GEO-1(b)**, **MM-HYD-1(b)**, **MM-USS-3(b)**, **MM-USS-4(b)**, and **MM-USS-6(b)** to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities, through the imposition of conditions required to be followed to avoid or reduce impacts

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project
<p>associated with air quality, noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of new or expanded public service facilities.</p> <p><i>2020-2045 RTP/SCS Measure</i> PMM PSS-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects of constructing new or physically altered school facilities, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> a) Where construction or expansion of school facilities is required to meet public school service ratios, require school district fees, as applicable. <p>Applicability to the Project: <u>2016-2040 RTP/SCS:</u> This mitigation measure is not incorporated because the City has determined that existing regulatory requirements requiring the payment of school fees would apply to the Project and are equal to or more effective than MM-PS-3(b). Specifically, as required by SB 50, the Applicant shall pay required school fees to the Los Angeles Unified School District, which shall fully mitigate the potential impact of additional student enrollment at schools serving the Project area. Therefore, the Project would not result in the need for new or physically altered school facilities, and no mitigation measures (including any mitigation measures pertaining to potential air quality, noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, or other impacts associated with the construction of such facilities) are required. <u>2020-2045 RTP/SCS:</u> PMM PSS-1 primarily differs from MM-PS-3(b) in that MM PSS-1 does not specify that mitigation measures associated with aesthetics, air quality, noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, and other impacts should be considered during project-level review of government facilities projects. Otherwise, MM-PS-3(b) and PMM PSS-1 are substantially similar. PMM PSS-1 is not incorporated into the Project for the reasons discussed above for MM-PS-3(b).</p>
<p>Public Services <u>Adverse Impacts Associated with New or Physically Altered Governmental Facilities for Library Services</u></p> <p><i>2016-2040 RTP/SCS Measure:</i> None. This issue was not addressed specifically in the 2016-2040 RTP/SCS EIR.</p> <p><i>2020-2045 RTP/SCS Measure:</i> PMM PSL-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects of construction of new or altered library facilities, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> a) Where construction or expansion of library facilities is required to meet public library service ratios, require library fees, as appropriate and applicable, to mitigate identified CEQA impacts. <p>Applicability to the Project: <u>2016-2040 RTP/SCS:</u> No impacts or mitigation measures were identified in the 2016-2040 RTP/SCS EIR. <u>2020-2045 RTP/SCS:</u> This mitigation measure is not incorporated, because as discussed in Section 5.XV, Public Services, of this SCEA, the Project would not result in any significant impacts related to library services. Therefore, the Project would not result in the need for new or physically altered library facilities, and no mitigation measures are required.</p>
<p>Recreation <u>Increased Use or Physical Deterioration of Recreational Facilities</u></p>

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

2016-2040 RTP/SCS Measure:

MM-REC-1(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects on the integrity of recreation facilities, particularly neighborhood parks in the vicinity of HQTAs and other applicable development projects, that are within the jurisdiction and responsibility of other public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures capable of avoiding or reducing significant impacts on the use of existing neighborhood and regional parks or other recreational facilities to ensure compliance with county and city general plans and the Quimby Act, as applicable and feasible. Such measures may include the following, or other comparable measures identified by the Lead Agency:

- Prior to the issuance of permits, where projects require the construction or expansion of recreational facilities or the payment of equivalent Quimby fees, consider increasing the accessibility to natural areas and lands for outdoor recreation from the Project area, in coordination with local and regional open space planning and/or responsible management agencies.
- Prior to the issuance of permits, where projects require the construction or expansion of recreational facilities or the payment of equivalent Quimby fees, encourage patterns of urban development and land use which reduce costs on infrastructure and make better use of existing facilities, using strategies such as:
 - Increasing the accessibility to natural areas for outdoor recreation.
 - Promoting infill development and redevelopment to revitalize existing communities.
 - Utilizing “green” development techniques.
 - Promoting water-efficient land use and development.
 - Encouraging multiple uses.
 - Including trail systems and trail segments in General Plan recreation standards.
- Prior to the issuance of permits, where construction and operation of projects would require the acquisition or development of protected open space or recreation lands, demonstrate that existing neighborhood parks can be expanded, or new neighborhood parks developed such that there is no net decrease in acres of neighborhood park area available per capita in the HQTA.

Where construction or expansion of recreational facilities is included in the project or required to meet public park service ratios, require implementation of Mitigation Measures **MM-AES-1(b), MM-AES-3(b), MM-AES-4(b), MM-AF-1(b), MM-AF-2(b), MM-BIO-1(b), MM-BIO-2(b), MM-BIO-3(b), MM-CUL-1(b), MM-CUL-2(b), MM-CUL-3(b), MM-CUL-4(b), MM-GEO-1(b), MM-GEO-1(b), MM-HYD-1(b), MM-USS-3(b), MM-USS-4(b), and MM-USS-6(b)** to avoid or reduce significant environmental impacts associated with the construction or expansion of such facilities, through the imposition of conditions required to be followed to avoid or reduce impacts associated with air quality, noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, and others that apply to specific construction or expansion of new or expanded public service facilities.

2020-2045 RTP/SCS Measure:

PMM REC-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects on the use of existing neighborhood and regional parks or other recreational facilities, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Prior to the issuance of permits, where projects require the construction or expansion of recreational facilities or the payment of equivalent Quimby fees, consider increasing the accessibility to natural areas and lands for outdoor recreation from the proposed project area, in coordination with local and regional open space planning and/or responsible management agencies.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- b) Prior to the issuance of permits, where projects require the construction or expansion of recreational facilities or the payment of equivalent Quimby fees, encourage patterns of urban development and land use which reduce costs on infrastructure and make better use of existing facilities, using strategies such as:
- i. Increasing the accessibility to natural areas for outdoor recreation
 - ii. Utilizing “green” development techniques
 - iii. Promoting water-efficient land use and development
 - iv. Encouraging multiple uses, such as the joint use of schools
 - v. Including trail systems and trail segments in General Plan recreation standards.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated, because the City has determined that the existing regulatory requirement to pay applicable park fees in accordance with LAMC Section 12.33, which would fully mitigate potential impacts to park and recreational facilities, is equal to or more effective than MM-REC-1(b). Therefore, the Project would not result in the need for new or physically altered recreational facilities, and no mitigation measures (including any mitigation measures pertaining to potential air quality, noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, or other impacts associated with the construction of such facilities) are required.

2020-2045 RTP/SCS: PMM REC-1 primarily differs from MM-REC-1(b) in that PMM REC-1 does not specify that mitigation measures associated with aesthetics, air quality, noise, traffic, biological resources, greenhouse gas emissions, hydrology and water quality, and other impacts should be considered during project-level review of government facilities projects. Otherwise, MM-REC-1(b) and PMM REC-1 are substantially similar. PMM REC-1 is not incorporated into the Project for the reasons discussed above for MM-REC-1(b).

Transportation/Traffic

Conflict with Measures of Effectiveness For Performance of the Circulation System

2016-2040 RTP/SCS Measure:

MM-TRA-1(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the potential for conflicts with the established measures of effectiveness for the performance of the circulation system that are within the jurisdiction and responsibility of Lead Agencies. This measure need only be considered where it is found by the Lead Agency to be appropriate and consistent with local transportation priorities. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the adopted Congestion Management Plan, and other adopted local plans and policies, as applicable and feasible. Compliance can be achieved through adopting transportation mitigation measures as set forth below, or through other comparable measures identified by the Lead Agency:

- Institute teleconferencing telecommute and/or flexible work hour programs to reduce unnecessary employee transportation.
- Create a ride-sharing program by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles, and providing a web site or message board for coordinating rides.
- Provide a vanpool for employees.
- Fund capital improvement projects to accommodate future traffic demand in the area.
- Provide a Transportation Demand Management (TDM) plan containing strategies to reduce on-site parking demand and single occupancy vehicle travel. The TDM shall include strategies to increase bicycle, pedestrian, transit, and carpools/vanpool use, including:
 - Inclusion of additional bicycle parking, shower, and locker facilities that exceed the requirement
 - Construction of bike lanes per the prevailing Bicycle Master Plan (or another similar document)
 - Signage and striping onsite to encourage bike safety

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project
<ul style="list-style-type: none"> ○ Installation of pedestrian safety elements (such as cross walk striping, curb ramps, countdown signals, bulb outs, etc.) to encourage convenient crossing at arterials ○ Installation of amenities such as lighting, street trees, trash and any applicable streetscape plan. ○ Direct transit sales or subsidized transit passes ○ Guaranteed ride home program ○ Pre-tax commuter benefits (checks) ○ On-site car-sharing program (such as City Car Share, Zip Car, etc.) ○ On-site carpooling program ○ Distribution of information concerning alternative transportation options ○ Parking spaces sold/leased separately ○ Parking management strategies; including attendant/valet parking and shared parking spaces. ● Promote ride sharing programs e.g., by designating a certain percentage of parking spaces for high-occupancy vehicles, providing larger parking spaces to accommodate vans used for ride-sharing, and designating adequate passenger loading and unloading and waiting areas. ● Encourage bicycling to transit facilities by providing additional bicycle parking, locker facilities, and bike lane access to transit facilities when feasible. ● Encourage the use of public transit systems by enhancing safety and cleanliness on vehicles and in and around stations, providing shuttle service to public transit, offering public transit incentives and providing public education and publicity about public transportation services. ● Encourage bicycling and walking by incorporating bicycle lanes into street systems in regional transportation plans, new subdivisions, and large developments, creating bicycle lanes and walking paths directed to the location of schools and other logical points of destination and provide adequate bicycle parking, and encouraging commercial projects to include facilities on-site to encourage employees to bicycle or walk to work. ● Build or fund a major transit stop within or near transit development upon consultation with applicable CTCs. ● Work with the school districts to improve pedestrian and bike access to schools and to restore or expand school bus service using lower-emitting vehicles. ● Provide information on alternative transportation options for consumers, residents, tenants and employees to reduce transportation-related emissions. ● Educate consumers, residents, tenants and the public about options for reducing motor vehicle-related greenhouse gas emissions. Include information on trip reduction; trip linking; vehicle performance and efficiency (e.g., keeping tires inflated); and low or zero-emission vehicles. ● Purchase, or create incentives for purchasing, low or zero-emission vehicles. ● Create local “light vehicle” networks, such as neighborhood electric vehicle systems. ● Enforce and follow limits idling time for commercial vehicles, including delivery and construction vehicles. ● Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles. ● Reduce VMT-related emissions by encouraging the use of public transit through adoption of new development standards that would require improvements to the transit system and infrastructure, increase safety and accessibility, and provide other incentives. ● Project Selection: <ul style="list-style-type: none"> ○ Give priority to transportation projects that would contribute to a reduction in vehicle miles traveled per capita, while maintaining economic vitality and sustainability. ○ Separate sidewalks whenever possible, on both sides of all new street improvement projects, except where there are severe topographic or natural resource constraints. ○ Public Involvement: ○ Carry out a comprehensive public involvement and input process that provides information about transportation issues, projects, and processes to community members and other stakeholders, especially to those traditionally underserved by transportation services.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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<ul style="list-style-type: none"> ○ Transit and Multimodal Impact Fees: ○ Assess transit and multimodal impact fees for new developments to fund public transportation infrastructure, bicycle infrastructure, pedestrian infrastructure and other multimodal accommodations. ○ Implement traffic and roadway management strategies to improve mobility and efficiency and reduce associated emissions. ● System Monitoring: <ul style="list-style-type: none"> ○ Monitor traffic and congestion to determine when and where new transportation facilities are needed in order to increase access and efficiency. ● Arterial Traffic Management: <ul style="list-style-type: none"> ○ Modify arterial roadways to allow more efficient bus operation, including bus lanes and signal priority/preemption where necessary. ● Signal Synchronization: <ul style="list-style-type: none"> ○ Expand signal timing programs where emissions reduction benefits can be demonstrated, including maintenance of the synchronization system, and will coordinate with adjoining jurisdictions as needed to optimize transit operation while maintaining a free flow of traffic. ● HOV Lanes: <ul style="list-style-type: none"> ○ Encourage the construction of high-occupancy vehicle (HOV) lanes or similar mechanisms whenever necessary to relieve congestion and reduce emissions. ● Delivery Schedules: <ul style="list-style-type: none"> ○ Establish ordinances or land use permit conditions limiting the hours when deliveries can be made to off-peak hours in high traffic areas. ○ Implement and supporting trip reduction programs. ○ Support bicycle use as a mode of transportation by enhancing infrastructure to accommodate bicycles and riders and providing incentives. ● Establish standards for new development and redevelopment projects to support bicycle use, including amending the Development Code to include standards for safe pedestrian and bicyclist accommodations, and require new development and redevelopment projects to include bicycle facilities. ● Bicycle and Pedestrian Trails: <ul style="list-style-type: none"> ○ Establish a network of multi-use trails to facilitate safe and direct off-street bicycle and pedestrian travel and will provide bike racks along these trails at secure, lighted locations. ● Bicycle Safety Program: <ul style="list-style-type: none"> ○ Develop and implement a bicycle safety educational program to teach drivers and riders the laws, riding protocols, routes, safety tips, and emergency maneuvers. ● Bicycle and Pedestrian Project Funding: Pursue and provide enhanced funding for bicycle and pedestrian facilities and access projects. ● Bicycle Parking: <ul style="list-style-type: none"> ○ Adopt bicycle parking standards that ensure bicycle parking sufficient to accommodate 5 to 10 percent of projected use at all public and commercial facilities, and at a rate of at least one per residential unit in multiple-family developments (suggestion: check language with League of American Bicyclists). ● Adopt a comprehensive parking policy to discourage private vehicle use and encourage the use of alternative transportation by incorporating the following: <ul style="list-style-type: none"> ○ Reduce the available parking spaces for private vehicles while increasing parking spaces for shared vehicles, bicycles, and other alternative modes of transportation; ○ Eliminate or reduce minimum parking requirements for new buildings; ○ “Unbundle” parking (require that parking is paid for separately and is not included in the base rent for residential and commercial space); ○ Use parking pricing to discourage private vehicle use, especially at peak times; 	

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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<ul style="list-style-type: none"> ○ Create parking benefit districts, which invest meter revenues in pedestrian infrastructure and other public amenities; ○ Establish performance pricing of street parking, so that it is expensive enough to promote frequent turnover and keep 15 percent of spaces empty at all times; ○ Encourage shared parking programs in mixed-use and transit-oriented development areas. ● Establish policies and programs to reduce onsite parking demand and promote ride-sharing and public transit at large events, including: <ul style="list-style-type: none"> ○ Promote the use of peripheral parking by increasing on-site parking rates and offering reduced rates for peripheral parking; ○ Encourage special event center operators to advertise and offer discounted transit passes with event tickets; ○ Encourage special event center operators to advertise and offer discount parking incentives to carpooling patrons, with four or more persons per vehicle for on-site parking ○ Promote the use of bicycles by providing space for the operation of valet bicycle parking service. ● Parking “Cash-out” Program: <ul style="list-style-type: none"> ○ Require new office developments with more than 50 employees to offer a Parking “Cash-out” Program to discourage private vehicle use. ● Pedestrian and Bicycle Promotion: <ul style="list-style-type: none"> ○ Work with local community groups and downtown business associations to organize and publicize walking tours and bicycle events, and to encourage pedestrian and bicycle modes of transportation. ● Fleet Replacement: <ul style="list-style-type: none"> ○ Establish a replacement policy and schedule to replace fleet vehicles and equipment with the most fuel efficient vehicles practical, including gasoline hybrid and alternative fuel or electric models. <p><i>2020-2045 RTP/SCS Measure:</i> None.</p> <p>Applicability to the Project: <i>2016-2040 RTP/SCS:</i> This mitigation measure is not incorporated because as discussed in Section 5.XVII, Transportation, of this SCEA, the Project does not result in any significant impacts with respect to the effectiveness for the performance of the circulation system. In addition, the Project already substantially conforms to this mitigation measure, due to the Project’s mixed-use nature and transit adjacency which serve to avoid or further reduce the potential for conflicts with the established measures of effectiveness for the performance of the circulation system that are within the jurisdiction and responsibility of the City.</p> <p><i>2020-2045 RTP/SCS:</i> No significant impacts or mitigation measures related to conflict with measures of effectiveness for performance of the circulation system were identified in the 2020-2045 RTP/SCS EIR.</p> <p>Transportation/Traffic <u>Conflict/inconsistent with CEQA Guidelines Section 15064.3(b) (VMT)</u></p> <p><i>2016-2040 RTP/SCS Measure:</i> None. At the time the 2016-2040 RTP/SCS EIR was prepared, this issue was not in the Appendix G Checklist and as such, was not analyzed in the EIR.</p> <p><i>2020-2045 RTP/SCS Measure:</i> PMM TRA-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects related to</p>

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

transportation-related impacts, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- Transportation demand management (TDM) strategies should be incorporated into individual land use and transportation projects and plans, as part of the planning process. Local agencies should incorporate strategies identified in the Federal Highway Administration’s publication: Integrating Demand Management into the Transportation Planning Process: A Desk Reference (August 2012) into the planning process (FHWA 2012). For example, the following strategies may be included to encourage use of transit and non-motorized modes of transportation and reduce vehicle miles traveled on the region’s roadways:
 - include TDM mitigation requirements for new developments;
 - incorporate supporting infrastructure for non-motorized modes, such as, bike lanes, secure bike parking, sidewalks, and crosswalks;
 - provide incentives to use alternative modes and reduce driving, such as, universal transit passes, road and parking pricing;
 - implement parking management programs, such as parking cash-out, priority parking for carpools and vanpools;
 - develop TDM-specific performance measures to evaluate project-specific and system-wide performance;
 - incorporate TDM performance measures in the decision-making process for identifying transportation investments;
 - implement data collection programs for TDM to determine the effectiveness of certain strategies and to measure success over time; and
 - set aside funding for TDM initiatives.
 - The increase in per capita VMT on facilities experiencing LOS F represents a significant impact compared to existing conditions. To assess whether implementation of these specific mitigation strategies would result in measurable traffic congestion reductions, implementing actions may need to be further refined within the overall parameters of the proposed Plan and matched to local conditions in any subsequent project-level environmental analysis.

Applicability to the Project:

2016-2040 RTP/SCS: At the time the 2016-2040 RTP/SCS EIR was prepared, this issue was not in the Appendix G Checklist and as such, was not analyzed in the EIR.

2020-2045 RTP/SCS: This mitigation measure is not incorporated, because as discussed in Section 5.XVII, Transportation, of this SCEA, the Project would not result in any significant VMT impacts.

Transportation/Traffic

Conflict with Applicable Congestion Management Program

2016-2040 RTP/SCS Measure:

MM-TRA-2(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding conflict with an applicable congestion management program that are within the

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Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

jurisdictions of the lead agencies, including, but not limited to, VMT, VHD and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. This measure need only be considered where it is found by the Lead Agency to be appropriate and consistent with local transportation priorities. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with the adopted Congestion Management Plan, and other adopted local plans and policies, as applicable and feasible. Compliance can be achieved through adopting transportation mitigation measures such as those set forth below, or through other relevant and feasible comparable measures identified by the Lead Agency. Not all measures and/or options within each measure may apply to all jurisdictions:

- Encourage a comprehensive parking policy that prioritizes system management, increase rideshare, and telecommute opportunities, including investment in non-motorized transportation and discouragement against private vehicle use, and encouragement to maximize the use of alternative transportation:
 - Advocate for a regional, market-based system to price or charge for auto trips during peak hours.
 - Ensure that new developments incorporate both local and regional transit measures into the project design that promote the use of alternative modes of transportation.
 - Coordinate controlled intersections so that traffic passes more efficiently through congested areas. Where traffic signals or streetlights are installed, require the use of Light Emitting Diode (LED) technology or similar technology.
 - Encourage the use of car-sharing programs. Accommodations for such programs include providing parking spaces for the car-share vehicles at convenient locations accessible by public transportation.
 - Reduce VHDs, especially daily heavy-duty truck vehicle hours of delay, through goods movement capacity enhancements, system management, increasing rideshare and work-at-home opportunities to reduce demand on the transportation system, investments in non-motorized transportation, maximizing the benefits of the land use-transportation connection and key transportation investments targeted to reduce heavy-duty truck delay.
- Determine traffic management strategies to reduce, to the maximum extent feasible, traffic congestion and the effects of parking demand by construction workers during construction of this project and other nearby projects that could be simultaneously under construction. Develop a construction management plan that include the following items and requirements, if determined feasible and applicable by the Lead Agency:
 - A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes.
 - Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.
 - Location of construction staging areas for materials, equipment, and vehicles at an approved location.
 - A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an onsite complaint manager. The manager shall determine the cause of the complaints and shall take prompt action to correct the problem. The Lead Agency shall be informed who the Manager is prior to the issuance of the first permit.
 - Provision for accommodation of pedestrian flow.
 - As necessary, provision for parking management and spaces for all construction workers to ensure that construction workers do not park in on street spaces.
 - Any damage to the street caused by heavy equipment, or as a result of this construction, shall be repaired, at the project sponsor's expense., within one week of the occurrence of the damage (or excessive wear), unless further damage/excessive wear may continue; in such case, r Repair shall occur prior to issuance of a final inspection of the building permit. All damage that is a threat to public health or safety shall be repaired immediately. The street shall be restored to its condition prior to the new construction as established by the Lead Agency (or other appropriate government agency) and/or photo documentation, at the sponsor's expense, before the issuance of a Certificate of Occupancy.

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Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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- Any heavy equipment brought to the construction site shall be transported by truck, where feasible.
- No materials or equipment shall be stored on the traveled roadway at any time.
- Prior to construction, a portable toilet facility and a debris box shall be installed on the site, and properly maintained through project completion.
- All equipment shall be equipped with mufflers.
- Prior to the end of each work-day during construction, the contractor or contractors shall pick up and properly dispose of all litter resulting from or related to the project, whether located on the property, within the public rights-of-way, or properties of adjacent or nearby neighbors.
- Promote “least polluting” ways to connect people and goods to their destinations.
- Create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling and walking, by incorporating the following, if determined feasible and applicable by the Lead Agency:
 - Ensure transportation centers are multi-modal to allow transportation modes to intersect.
 - Provide adequate and affordable public transportation choices, including expanded bus routes and service, as well as other transit choices such as shuttles, light rail, and rail.
 - To the extent feasible, extend service and hours of operation to underserved arterials and population centers or destinations such as colleges.
 - Focus transit resources on high-volume corridors and high-boarding destinations such as colleges, employment centers and regional destinations.
 - Coordinate schedules and routes across service lines with neighboring transit authorities.
 - Support programs to provide “station cars” for short trips to and from transit nodes (e.g., neighborhood electric vehicles).
 - Study the feasibility of providing free transit to areas with residential densities of 15 dwelling units per acre or more, including options such as removing service from less dense, underutilized areas to do so.
 - Employ transit-preferential measures, such as signal priority and bypass lanes. Where compatible with adjacent land use designations, right-of-way acquisition or parking removal may occur to accommodate transit-preferential measures or improve access to transit. The use of access management shall be considered where needed to reduce conflicts between transit vehicles and other vehicles.
 - Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.
 - Use park-and-ride facilities to access transit stations only at ends of regional transit ways or where adequate feeder bus service is not feasible.
- Upgrade and maintain transit system infrastructure to enhance public use, if determined feasible and applicable by the Lead Agency, including:
 - Ensure transit stops and bus lanes are safe, convenient, clean and efficient.
 - Ensure transit stops have clearly marked street-level designation and are accessible.
 - Ensure transit stops are safe, sheltered, benches are clean, and lighting is adequate.
 - Place transit stations along transit corridors within mixed-use or transit-oriented development areas at intervals of three to four blocks, or no less than one-half mile.
- Enhance customer service and system ease-of-use, if determined feasible and applicable by the Lead Agency, including:
 - Develop a Regional Pass system to reduce the number of different passes and tickets required of system users.
 - Implement “Smart Bus” technology, using GPS and electronic displays at transit stops to provide customers with “real-time” arrival and departure time information (and to allow the system operator to respond more quickly and effectively to disruptions in service).
 - Investigate the feasibility of an on-line trip-planning program.
- Prioritize transportation funding to support a shift from private passenger vehicles to transit and other modes of transportation, if determined feasible and applicable by the Lead Agency, including:

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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- Give funding preference to improvements in public transit over other new infrastructure for private automobile traffic.
- Before funding transportation improvements that increase roadway capacity and VMT, evaluate the feasibility and effectiveness of funding projects that support alternative modes of transportation and reduce VMT, including transit, and bicycle and pedestrian access.
- Promote ride sharing programs, if determined feasible and applicable by the Lead Agency, including:
 - Designate a certain percentage of parking spaces for ride-sharing vehicles.
 - Designate adequate passenger loading, unloading, and waiting areas for ride-sharing vehicles.
 - Provide a web site or message board for coordinating shared rides.
 - Encourage private, for-profit community car-sharing, including parking spaces for car share vehicles at convenient locations accessible by public transit.
 - Hire or designate a rideshare coordinator to develop and implement ridesharing programs.
- Support voluntary, employer-based trip reduction programs, if determined feasible and applicable by the Lead Agency, including:
 - Provide assistance to regional and local ridesharing organizations.
 - Advocate for legislation to maintain and expand incentives for employer ridesharing programs.
 - Require the development of Transportation Management Associations for large employers and commercial/ industrial complexes.
 - Provide public recognition of effective programs through awards, top ten lists, and other mechanisms.
- Implement a “guaranteed ride home” program for those who commute by public transit, ride-sharing, or other modes of transportation, and encourage employers to subscribe to or support the program.
- Encourage and utilize shuttles to serve neighborhoods, employment centers and major destinations.
- Create a free or low-cost local area shuttle system that includes a fixed route to popular tourist destinations or shopping and business centers.
- Work with existing shuttle service providers to coordinate their services.
- Facilitate employment opportunities that minimize the need for private vehicle trips, including:
 - Amend zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations.
 - Encourage telecommuting options with new and existing employers, through project review and incentives, as appropriate.
- Enforce state idling laws for commercial vehicles, including delivery and construction vehicles.
- Organize events and workshops to promote GHG-reducing activities.
- Implement a Parking Management Program to discourage private vehicle use, including:
 - Encouraging carpools and vanpools with preferential parking and a reduced parking fee.
 - Institute a parking cash-out program.
 - Renegotiate employee contracts, where possible, to eliminate parking subsidies.
 - Install on-street parking meters with fee structures designed to discourage private vehicle use.
 - Establish a parking fee for all single-occupant vehicles.
- Work with school districts to improve pedestrian and bicycle to schools and restore school bus service
- Encourage the use of bicycles to transit facilities by providing bicycle parking lockers facilities and bike land access to transit facilities.
- Monitor traffic congestion to determine where and when new transportation facilities are needed to increase access and efficiency.
- Develop and implement a bicycle and pedestrian safety educational program to teach drivers and riders the laws, riding protocols, safety tips, and emergency maneuvers.
- Synchronize traffic signals to reduce congestion and air quality.
- Work with community groups and business associations to organize and publicize walking tours and bicycle events.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

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<ul style="list-style-type: none"> Support legislative efforts to increase funding for local street repair. <p><i>2020-2045 RTP/SCS Measure</i> None.</p> <p>Applicability to the Project:</p> <p><u>2016-2040 RTP/SCS:</u> This mitigation measure is not incorporated because it is not applicable to the Project, as this issue was removed from the Appendix G Checklist in 2018. In addition, the City no longer participates in the former Los Angeles County Congestion Management Program.</p> <p><u>2020-2045 RTP/SCS:</u> This issue was removed from the Appendix G Checklist in 2018 and as such, this issue was not analyzed in the 2020-2045 RTP/SCS EIR.</p>
<p>Transportation/Traffic <u>Inadequate Emergency Access</u> Hazards and Hazardous Materials <u>Impair or Interfere with Emergency Response or Evacuation Plan</u></p> <p><i>2016-2040 RTP/SCS Measure:</i></p> <p>MM-TRA-5(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing impacts to emergency access that are in the jurisdiction and responsibility of fire departments, local enforcement agencies, and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider improving emergency access and ensuring compliance with the provisions of the county and city general plan, Emergency Evacuation Plan, and other regional and local plans establishing access during emergencies, as applicable and feasible. Compliance can be achieved through adopting transportation mitigation measures as set forth below, or through other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> Prior to construction, project implementation agencies can and should ensure that all necessary local and state road and railroad encroachment permits are obtained. The project implementation agency can and should also comply with all applicable conditions of approval. As deemed necessary by the governing jurisdiction, the road encroachment permits may require the contractor to prepare a traffic control plan in accordance with professional engineering standards prior to construction. Traffic control plans can and should include the following requirements: <ul style="list-style-type: none"> Identification of all roadway locations where special construction techniques (e.g., directional drilling or night construction) would be used to minimize impacts to traffic flow. Development of circulation and detour plans to minimize impacts to local street circulation. This may include the use of signing and flagging to guide vehicles through and/or around the construction zone. Scheduling of truck trips outside of peak morning and evening commute hours. Limiting of lane closures during peak hours to the extent possible. Usage of haul routes minimizing truck traffic on local roadways to the extent possible. Inclusion of detours for bicycles and pedestrians in all areas potentially affected by project construction. Installation of traffic control devices as specified in the California Department of Transportation Manual of Traffic Controls for Construction and Maintenance Work Zones. Development and implementation of access plans for highly sensitive land uses such as police and fire stations, transit stations, hospitals, and schools. The access plans would be developed with the facility owner or administrator. To minimize disruption of emergency vehicle access, affected jurisdictions can and should be asked to identify detours for emergency vehicles, which will then be posted by the contractor. Notify in advance

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the facility owner or operator of the timing, location, and duration of construction activities and the locations of detours and lane closures.

- Storage of construction materials only in designated areas.
- Coordination with local transit agencies for temporary relocation of routes or bus stops in work zones, as necessary. Ensure the rapid repair of transportation infrastructure in the event of an emergency through cooperation among public agencies and by identifying critical infrastructure needs necessary for: a) emergency responders to enter the region, b) evacuation of affected facilities, and c) restoration of utilities.
- Enhance emergency preparedness awareness among public agencies and with the public at large.
- Provision for collaboration in planning, communication, and information sharing before, during, or after a regional emergency through the following:
 - Incorporate strategies and actions pertaining to response and prevention of security incidents and events as part of the on-going regional planning activities.
 - Provide a regional repository of GIS data for use by local agencies in emergency planning, and response, in a standardized format.
 - Enter into mutual aid agreements with other local jurisdictions, in coordination with the California OES, in the event that an event disrupts the jurisdiction's ability to function.

2020-2045 RTP/SCS Measure:

PMM TRA-2: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects which may substantially impair implementation of an adopted emergency response plan or emergency evacuation plan, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Prior to construction, project implementation agencies can and should ensure that all necessary local and state road and railroad encroachment permits are obtained. The project implementation agency can and should also comply with all applicable conditions of approval. As deemed necessary by the governing jurisdiction, the road encroachment permits may require the contractor to prepare a traffic control plan in accordance with professional engineering standards prior to construction. Traffic control plans can and should include the following requirements:
 - Identification of all roadway locations where special construction techniques (e.g., directional drilling or night construction) would be used to minimize impacts to traffic flow.
 - Development of circulation and detour plans to minimize impacts to local street circulation. This may include the use of signing and flagging to guide vehicles through and/or around the construction zone.
 - Scheduling of truck trips outside of peak morning and evening commute hours.
 - Limiting of lane closures during peak hours to the extent possible.
 - Usage of haul routes minimizing truck traffic on local roadways to the extent possible.
 - Inclusion of detours for bicycles and pedestrians in all areas potentially affected by project construction.
 - Installation of traffic control devices as specified in the California Department of Transportation Manual of Traffic Controls for Construction and Maintenance Work Zones.
 - Development and implementation of access plans for highly sensitive land uses such as police and fire stations, transit stations, hospitals, and schools. The access plans would be developed with the facility owner or administrator. To minimize disruption of emergency vehicle access, affected jurisdictions can and should be

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	<p>asked to identify detours for emergency vehicles, which will then be posted by the contractor. Notify in advance the facility owner or operator of the timing, location, and duration of construction activities and the locations of detours and lane closures.</p> <ul style="list-style-type: none"> -- Storage of construction materials only in designated areas. -- Coordination with local transit agencies for temporary relocation of routes or bus stops in work zones, as necessary. -- Ensure the rapid repair of transportation infrastructure in the event of an emergency through cooperation among public agencies and by identifying critical infrastructure needs necessary for: a) emergency responders to enter the region, b) evacuation of affected facilities, and c) restoration of utilities. -- Enhance emergency preparedness awareness among public agencies and with the public at large.
Applicability to the Project:	
<p><u>2016-2040 RTP/SCS:</u> This mitigation measure is not incorporated because the City has determined that existing regulatory requirements would apply to the Project and are equal to or more effective than the MM-TRA-5(b). Specifically, the Project would be subject to the City's existing regulations that require the Project to comply with the Fire Code and LAMC emergency access requirements. In addition, during construction the Project would include a Construction Traffic Management Plan (provided as Project Design Feature PDF TR-1), which would ensure that adequate emergency access exists during construction.</p>	
<p><u>2020-2045 RTP/SCS:</u> PMM TRA-2 is substantially similar to MM-TRA-5(b) and is not incorporated into the Project for the reasons discussed above for MM-TRA-5(b).</p>	
Tribal Cultural Resources	
<i>2016-2040 RTP/SCS Measure:</i>	
None. At the time of preparation of the 2016-2040 EIR, this issue was not included in the Appendix G Checklist and as such, this issue was not analyzed.	
<i>2020-2045 RTP/SCS Measure:</i>	
<p>PMM TCR-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects on tribal cultural resources, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> a) Avoidance and preservation of the resources in place, including, but not limited to, planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria; b) Treating the resource with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following: protecting the cultural character and integrity of the resource; protecting the traditional use of the resource; and protecting the confidentiality of the resource c) Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places; and protecting the resource. 	
Applicability to the Project:	

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Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project
<p><u>2016-2040 RTP/SCS:</u> At the time of preparation of the 2016-2040 EIR, this issue was not included in the Appendix G Checklist and as such, this issue was not analyzed.</p> <p><u>2020-2045 RTP/SCS:</u> The Project Site has not been identified as a location containing identified tribal cultural resources. Notwithstanding, due to the potential to encounter previously unidentified tribal cultural resources during the Project’s excavation and grading phase, the Project would comply with the City’s standard condition of approval regarding the inadvertent discovery of tribal cultural resources, and which has been determined to be equal or more effective than Mitigation Measure PMM TCR-1 from the 2020-2045 RTP/SCS.</p>
<p>Utilities and Service Systems <u>Require New Water or Wastewater Treatment Facilities</u></p> <p><i>2016-2040 RTP/SCS Measure:</i> None. No significant impacts or mitigation measures related to water and wastewater treatment were identified in the 2016-2040 RTP/SCS EIR</p> <p><i>2020-2045 RTP/SCS Measure:</i> PMM USWW-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce substantial adverse effects on utilities and service systems, particularly for construction of wastewater facilities, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <p>a) During the design and CEQA review of individual future projects, implementing agencies and projects sponsors shall determine whether sufficient wastewater capacity exists for the proposed projects. There CEQA determinations must ensure that the proposed development can be served by its existing or planned treatment capacity. If adequate capacity does not exist, project sponsors shall coordinate with the relevant service provider to ensure that adequate public services and utilities could accommodate the increased demand, and if not, infrastructure improvements for the appropriate public service or utility shall be identified in each project’s CEQA documentation. The relevant public service provider or utility shall be responsible for undertaking project-level review as necessary to provide CEQA clearance for new facilities.</p> <p>Applicability to the Project: <u>2016-2040 RTP/SCS:</u> No significant impacts or mitigation measures related to water and wastewater treatment were identified in the 2016-2040 RTP/SCS EIR.</p> <p><u>2020-2045 RTP/SCS:</u> This mitigation measure is not incorporated, because as discussed in Section 5.XIX, Utilities and Service Systems, of this SCEA, the Project would not require the need for new or upgraded water or wastewater treatment facilities, and therefore no potential impacts would occur.</p>
<p>Utilities and Service Systems <u>Require Storm Drain Facilities</u></p> <p><i>2016-2040 RTP/SCS Measure:</i> MM-USS-3(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects on utilities and service systems, particularly for construction of storm water drainage facilities including new transportation and land use projects that are within the responsibility of local jurisdictions including the Riverside, San Bernardino, Los Angeles, Ventura, and Orange Counties Flood Control District, and County of Imperial. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures, as applicable and feasible. These mitigation measures are within the responsibility of the Lead Agencies and Regional Water Quality Control Boards of</p>

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project
<p>(Regions 4, 6, 8, and 9) pursuant to the provisions of the National Flood Insurance Act, stormwater permitting requirements for stormwater discharges for new constructions, the flood control act, and Urban Waste Management Plan.</p> <p>Such mitigation measures, or other comparable measures, capable of avoiding or reducing significant impacts on the use of existing storm water drainage facilities and can and should be adopted where Lead Agencies identify significant impacts on new storm water drainage facilities.</p> <p><i>2020-2045 RTP/SCS Measure:</i> Refer to MM HYD-1, above.</p> <p>Applicability to the Project: <u>2016-2020 RTP/SCS:</u> This mitigation measure is not incorporated because as discussed in Section 5.X, Hydrology and Water Quality, of this SCEA, the Project would not require the need for new or upgraded storm drain facilities, and therefore no potential impacts would occur.</p> <p><u>2020-2045 RTP/SCS:</u> This mitigation measure is not incorporated because as discussed in Section 5.X, Hydrology and Water Quality, of this SCEA, the Project would not require the need for new or upgraded storm drain facilities, and therefore no potential impacts would occur.</p>
<p>Utilities and Service Systems <u>Require New or Expanded Entitlements for Water Supply</u></p> <p><i>2016-2040 RTP/SCS Measure:</i> MM-USS-4(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects on water supplies from existing entitlements requiring new or expanded services in the vicinity of HQTAs that are in the jurisdiction and responsibility of public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance with EO B-29-15, provisions of the Porter – Cologne Water Quality Control Act, California Domestic Water Supply Permit requirements, and applicable County, City or other Local provisions. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> • Reduce exterior consumptive uses of water in public areas, and should promote reductions in private homes and businesses, by shifting to drought-tolerant native landscape plantings (xeriscaping), using weather-based irrigation systems, educating other public agencies about water use, and installing related water pricing incentives. • Promote the availability of drought-resistant landscaping options and provide information on where these can be purchased. Use of reclaimed water especially in median landscaping and hillside landscaping can and should be implemented where feasible. • Implement water conservation best practices such as low-flow toilets, water-efficient clothes washers, water system audits, and leak detection and repair. • Ensure that projects requiring continual dewatering facilities implement monitoring systems and long-term administrative procedures to ensure proper water management that prevents degrading of surface water and minimizes, to the greatest extent possible, adverse impacts on groundwater for the life of the project. Comply with appropriate building codes and standard practices including the Uniform Building Code. • Maximize, where practical and feasible, permeable surface area in existing urbanized areas to protect water quality, reduce flooding, allow for groundwater recharge, and preserve wildlife habitat. Minimized new impervious surfaces to the greatest extent possible, including the use of in-lieu fees and off-site mitigation. • Avoid designs that require continual dewatering where feasible. Where feasible, do not site transportation facilities in groundwater recharge areas, to prevent conversion of those areas to impervious surface.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

2020-2045 RTP/SCS Measure:

PMM USWS-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to ensure sufficient water supplies, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- a) Reduce exterior consumptive uses of water in public areas, and should promote reductions in private homes and businesses, by shifting to drought-tolerant native landscape plantings, using weather-based irrigation systems, educating other public agencies about water use, and installing related water pricing incentives.
- b) Promote the availability of drought-resistant landscaping options and provide information on where these can be purchased. Use of reclaimed water especially in median landscaping and hillside landscaping can and should be implemented where feasible.
- c) Implement water conservation best practices such as low-flow toilets, water-efficient clothes washers, water system audits, and leak detection and repair.
- d) For projects located in an area with existing reclaimed water conveyance infrastructure and excess reclaimed water capacity, use reclaimed water for non-potable uses, especially landscape irrigation. For projects in a location planned for future reclaimed water service, projects should install dual plumbing systems in anticipation of future use. Large developments could treat wastewater onsite to tertiary standards and use it for non-potable uses onsite.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated because as discussed in Section 5.XIX, Utilities and Service Systems, of this SCEA, the Project would not require the need for new or expanded water supply facilities.

2020-2045 RTP/SCS: PMM USWS-1 is substantially similar to MM-USS-4(b) and is not incorporated into the Project for the reasons discussed above for MM-USS-4(b).

Utilities and Service Systems

Landfill with Sufficient Capacity

2016-2040 RTP/SCS Measure:

MM-USS-6(b): Consistent with the provisions of Section 15091 of the State CEQA Guidelines, SCAG has identified mitigation measures capable of avoiding or reducing the significant effects to serve landfills with sufficient permitted capacity to accommodate solid waste disposal needs, in which 75 percent of the waste stream be recycled and waste reduction goal by 50 percent that are within the responsibility of public agencies and/or Lead Agencies. Where the Lead Agency has identified that a project that has the potential for significant effects, the Lead Agency can and should consider mitigation measures to ensure compliance pursuant to the provisions of the Solid Waste Diversion Goals and Integrated Waste Management Plan, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

- Integrate green building measures consistent with CALGreen (California Building Code Title 24) into project design including, but not limited to the following:
 - Reuse and minimization of construction and demolition (C&D) debris and diversion of C&D waste from landfills to recycling facilities.
 - Inclusion of a waste management plan that promotes maximum C&D diversion.
 - Source reduction through (1) use of materials that are more durable and easier to repair and maintain, (2) design to generate less scrap material through dimensional planning, (3) increased recycled content, (4) use of reclaimed materials, and (5) use of structural materials in a dual role as finish material (e.g., stained concrete flooring, unfinished ceilings, etc.).
 - Reuse of existing structure and shell in renovation projects.
 - Design for deconstruction without compromising safety.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- Design for flexibility through the use of moveable walls, raised floors, modular furniture, moveable task lighting and other reusable building components.
- Development of indoor recycling program and space.
- Discourage the siting of new landfills unless all other waste reduction and prevention actions have been fully explored. If landfill siting or expansion is necessary, site landfills with an adequate landfill-owned, undeveloped land buffer to minimize the potential adverse impacts of the landfill in neighboring communities.
- Locally generated waste should be disposed of regionally, considering distance to disposal site. Encourage disposal near where the waste originates as much as possible. Promote green technologies for long-distance transport of waste (e.g., clean engines and clean locomotives or electric rail for waste-by-rail disposal systems) and consistency with SCAQMD and 2016 RTP/SCS policies can and should be required.
- Encourage waste reduction goals and practices and look for opportunities for voluntary actions to exceed the 50 percent waste diversion target.
- Encourage the development of local markets for waste prevention, reduction, and recycling practices by supporting recycled content and green procurement policies, as well as other waste prevention, reduction and recycling practices.
- Develop ordinances that promote waste prevention and recycling activities such as: requiring waste prevention and recycling efforts at all large events and venues; implementing recycled content procurement programs; and developing opportunities to divert food waste away from landfills and toward food banks and composting facilities.
- Develop alternative waste management strategies such as composting, recycling, and conversion technologies.
- Develop and site composting, recycling, and conversion technology facilities that have minimum environmental and health impacts.
- Require the reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- Integrate reuse and recycling into residential industrial, institutional and commercial projects.
- Provide recycling opportunities for residents, the public, and tenant businesses.
- Provide education and publicity about reducing waste and available recycling services.
- Continue to adopt programs to comply with state solid waste diversion rate mandates and, where possible, encourage further recycling to exceed these rates.
- Implement or expand city or county-wide recycling and composting programs for residents and businesses. This could include extending the types of recycling services offered (e.g., to include food and green waste recycling) and providing public education and publicity about recycling services.

2020-2045 RTP/SCS Measure:

PMM USSW-2: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to reduce the generation of solid waste, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:

Integrate green building measures with CALGreen (California Building Code Title 24) into project design, including but not limited to the following:

- a) Reuse and minimization of construction and demolition (C&D) debris and diversion of C&D waste from landfills to recycling facilities.
- b) Inclusion of a waste management plan that promotes maximum C&D diversion.

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- c) Source reduction through (1) use of materials that are more durable and easier to repair and maintain, (2) design to generate less scrap material through dimensional planning, (3) increased recycled content, (4) use of reclaimed materials, and (5) use of structural materials in a dual role as finish material (e.g., stained concrete flooring, unfinished ceilings, etc.).
- d) Reuse of existing structure and shell in renovation projects.
- e) Development of indoor recycling program and space.
- f) Discourage the siting of new landfills unless all other waste reduction and prevention actions have been fully explored. If landfill siting or expansion is necessary, site landfills with an adequate landfill-owned, undeveloped land buffer to minimize the potential adverse impacts of the landfill in neighboring communities.
- g) Discourage exporting of locally generated waste outside of the SCAG region during the construction and implementation of a project. Encourage disposal within the county where the waste originates as much as possible. Promote green technologies for long-distance transport of waste (e.g., clean engines and clean locomotives or electric rail for waste-by-rail disposal systems) and consistency with SCAQMD and Connect SoCal policies can and should be required.
- h) Encourage waste reduction goals and practices and look for opportunities for voluntary actions to exceed the 80 percent waste diversion target.
- i) Encourage the development of local markets for waste prevention, reduction, and recycling practices by supporting recycled content and green procurement policies, as well as other waste prevention, reduction and recycling practices.
- j) Develop ordinances that promote waste prevention and recycling activities such as: requiring waste prevention and recycling efforts at all large events and venues; implementing recycled content procurement programs; and developing opportunities to divert food waste away from landfills and toward food banks and composting facilities.
- k) Develop and site composting, recycling, and conversion technology facilities that have minimum environmental and health impacts.
- l) Integrate reuse and recycling into residential industrial, institutional and commercial projects.
- m) Provide education and publicity about reducing waste and available recycling services.
- n) Implement or expand city or county-wide recycling and composting programs for residents and businesses. This could include extending the types of recycling services offered (e.g., to include food and green waste recycling) and providing public education and publicity about recycling services.

Applicability to the Project:

2016-2040 RTP/SCS: This mitigation measure is not incorporated because as discussed in Section 5.XIX, Utilities and Service Systems, of this SCEA, the City has determined that existing regulatory requirements, such as the source reduction and recycling requirements of AB 939 as well as the City's Curbside Recycling Program and the Construction and Demolition Waste Recycling Ordinance (Ordinance No. 181,519), would apply to the Project and are equal to or more effective than the MM-USS-6(b).

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project
<p><u>2020-2045 RTP/SCS:</u> PMM USWS-2 is substantially similar to MM-USS-6(b) and is not incorporated into the Project for the reasons discussed above for MM-USS-6(b).</p>
<p>Wildfire <u>Wildfire Risk</u></p> <p><i>2016-2040 RTP/SCS Measure:</i> None. At the time of preparation of the 2016-2040 RTP/SCS, wildfire was not an issue included in the Appendix G Checklist.</p> <p><i>2020-2045 RTP/SCS Measure:</i> PMM WF-1: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to wildfire risk, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:</p> <ul style="list-style-type: none"> a) Launch fire prevention education for local cities and counties such that local fire agencies, homeowners, as well as commercial and industrial businesses are aware of potential sources of fire ignition and the related procedures to curb or lessen any activities that might initiate fire ignition. b) Ensure structures in high fire risk areas are built to current state and federal standards which serve to greatly increase the chances the structure will survive a wildfire and also allow for people to shelter-in-place. c) Improve road access for emergency response and evacuation so people can evacuate safely and timely when necessary. d) Improve, and educate regarding, local emergency communications and notifications with residents and businesses. e) Enforce defensible space regulations to keep overgrown and unmanaged vegetation, accumulations of trash and other flammable material away from structures. f) Provide public education about wildfire risk and fire prevention measures, and safety procedures and practices to allow for safe evacuation and/or options to shelter-in-place <p>Applicability to the Project: <u>2016-2040 RTP/SCS:</u> At the time of preparation of the 2016-2040 RTP/SCS, wildfire was not an issue included in the Appendix G Checklist.</p> <p><u>2020-2045 RTP/SCS:</u> This mitigation measure is not incorporated, because it is not applicable to the Project, as the Project Site is not located in or near a state responsibility area, nor is the Project Site located in a Very High Fire Hazard Severity Zone. Thus, no impacts related to this issue would occur.</p>
<p>Wildfire <u>Exacerbate Fire Risks</u></p> <p><i>2016-2040 RTP/SCS Measure:</i> None. At the time of preparation of the 2016-2040 RTP/SCS, wildfire was not an issue included in the Appendix G Checklist.</p> <p><i>2020-2045 RTP/SCS Measure:</i> PMM WF-2: In accordance with provisions of sections 15091(a)(2) and 15126.4(a)(1)(B) of the State CEQA Guidelines, a Lead Agency for a project can and should consider mitigation measures to wildfire risk, as applicable and feasible. Such measures may include the following or other comparable measures identified by the Lead Agency:</p>

Table 4-1

Applicability of Mitigation Measures from the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS Program EIRs

Analysis of Applicability to the Project

- a) New development or infrastructure activity within very high hazard severity zones or SRAs shall be required to:
- Submit a fire protection plan including the designation of fire watch staff;
 - Maintain water and other fire suppression equipment designated solely for firefighting on site for any construction and maintenance activities;
 - Locate construction and maintenance equipment in designated “safe areas” such that they do not discharge combustible materials; and
 - Designate trained fire watch staff during project construction to reduce risk of fire hazards.

Applicability to the Project:

2016-2040 RTP/SCS: At the time of preparation of the 2016-2040 RTP/SCS, wildfire was not an issue included in the Appendix G Checklist.

2020-2045 RTP/SCS: This mitigation measure is not incorporated, because it is not applicable to the Project, as the Project Site is not located in or near a state responsibility area, nor is the Project Site located in a Very High Fire Hazard Severity Zone. Thus, no impacts related to this issue would occur.

5 INITIAL STUDY/SUSTAINABLE COMMUNITIES ENVIRONMENTAL IMPACT ANALYSIS

I. AESTHETICS

Senate Bill (SB) 743 (Public Resources Code (PRC) §21099(d)) sets forth new guidelines for evaluating aesthetic impacts for an in-fill, transit-oriented project under CEQA, as follows: “Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area (TPA) shall not be considered significant impacts on the environment.” PRC Section 21099 defines a “transit priority area” as an area within 0.5 miles of a major transit stop that is “existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations.” PRC Section 21064.3 defines “major transit stop” as “a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.” PRC Section 21099 defines an “employment center project” as “a project located on property zoned for commercial uses with a floor area ratio (FAR) of no less than 0.75 and that is located within a transit priority area. PRC Section 21099 defines an “infill site” as a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses. This state law supersedes the aesthetic impact thresholds in the 2006 L.A. CEQA Thresholds Guide, including those established for aesthetics, obstruction of views, shading, and nighttime illumination.

The related City of Los Angeles Department of City Planning Zoning Information File (ZI) No. 2452 provides further instruction concerning the definition of transit priority projects and that “visual resources, aesthetic character, shade and shadow, light and glare, and scenic vistas or any other aesthetic impact as defined in the City’s CEQA Threshold Guide shall not be considered an impact for infill projects within TPAs pursuant to CEQA.”¹

As identified in Section 3, SCEA Findings and Consistency, the Project qualifies as an infill transit-oriented project pursuant to PRC Section 21099. Therefore, the Project is exempt from further analysis of aesthetic impacts. The analysis in this SCEA is for informational purposes only and not for determining whether the Project will result in significant impacts to the environment. Any aesthetic impact analysis in this SCEA is included to discuss what aesthetic impacts would occur from the Project if PRC Section 21099(d) was not in effect. As such, nothing in the aesthetic impact discussion in this SCEA shall trigger the need for any CEQA findings, CEQA analysis, or CEQA mitigation measures.

¹ City of Los Angeles Department of City Planning, Zoning Information File ZI No. 2452, Transit Priority Areas (TPAs)/Exemptions to Aesthetics and Parking Within TPAs Pursuant to CEQA. Available at: <http://zimas.lacity.org/documents/zoneinfo/ZI2452.pdf>. Dec. 2, 2016.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Except as provided in Public Resources Code Section 21099 would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a. Have a substantial adverse effect on a scenic vista?

No Impact. A significant impact would occur if a proposed project introduces incompatible visual elements within a field of view containing a scenic vista or substantially blocks a scenic vista. As described in the City of Los Angeles CEQA Thresholds Guide, panoramic views or vistas provide visual access to a large geographic area, for which the field of view can be wide and extend into the distance. Panoramic views are usually associated with vantage points looking out over a section of urban or natural area, which provide a geographical orientation not commonly available. Examples of panoramic views might include an urban skyline, valley, mountain range, the ocean, or other water bodies. The Project Site is located in an urbanized portion of Los Angeles and is topographically relatively flat. The Project would construct an eight-story building with a maximum height of approximately 94 feet. From the Project area, intermittent views are available of the Hollywood Hills, located to the north of the Project Site. The “Hollywood” sign, located northeast of the Project Site, is a significant visual landmark, of which views are intermittently available in the Project area, as existing buildings block views of the sign in some areas. There is the possibility that the Project would block a portion of the view of the Hollywood Hills or the Hollywood sign. However, the Project would only block a small portion of these views and both the

Hollywood Hills and the Hollywood sign would remain viewable from the Project area. Furthermore, Public Resource Code (PRC) Section 21099, enacted by Senate Bill 743, provides that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.” Therefore, the Project would result in no impact to scenic vistas.

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. A significant impact would occur only where scenic resources within a state scenic highway would be damaged or removed by a project. The Project Site is not located within a State-designated scenic highway.² Notwithstanding, the Project Site does not contain trees with scenic significance, nor does it contain rock outcroppings. The existing multi-family residential buildings have not been identified as eligible for individual designation on a historic register. While the existing restaurant building (Tom Bergin’s) is City of Los Angeles HCM No. 1182 and is also eligible for listing under state and federal criteria, it would remain on the Project Site as part of the Project and would not be altered. As discussed in Section 5.V (Cultural Resources) of this SCEA, the Project would not result in a significant adverse change in the significance of this historic resource. Furthermore, PRC Section 21099, enacted by Senate Bill 743, provides that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.” Therefore, the Project would have no impact with respect to damaging scenic resources within a State-designated scenic highway.

c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less than Significant Impact. A significant impact may occur if a project introduces incompatible visual elements on the Project Site or visual elements that would be incompatible with the character of the surrounding area. The surrounding area is improved with a variety of office, retail, restaurant, residential, and institutional (school and museum) uses, with varying heights from two stories to high-rise buildings.

Construction activities at the Project Site would be mostly visible from the surrounding uses, and are estimated to occur over approximately 37 months. Construction activity would vary on a weekly basis, depending largely on the number of workers and construction trucks needed for the activities during each time period. As described in Project Design Feature AES-1, provided below, temporary fencing would be installed around the Project Site during construction, which would partially shield views of construction activities and equipment. Though the Project’s construction activities would be visible from adjacent public and private vantage points, changes to the appearance of the Project Site would be temporary in nature. Temporary construction changes are necessary for the development of the Project

² California Department of Transportation, List of Eligible and Officially Designated State Scenic Highways, https://dot.ca.gov/-/media/dot-media/programs/design/documents/design-and-eligible-aug2019_a11y.xlsx, accessed May 31, 2020.

Site, and would not rise to the level of a change that would substantially degrade the existing visual character. Therefore, no impacts with respect to visual character would occur during construction. Furthermore, PRC Section 21099, enacted by Senate Bill 743, provides that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.” Therefore, the Project would result in no impact to visual character during construction.

The Project would develop the Project Site with a new, contemporary eight story mixed-use building on parcels that are currently underutilized. The Project proposes to set aside 28 units (approximately 13 percent of the total number of units and approximately 24 percent of the Project Site’s base density) that will be designated as affordable housing units for Extremely Low Income households. As a result of providing affordable housing, the Project Applicant requests approval for an 80 percent density bonus under Los Angeles Municipal Code (LAMC) Section 12.22.A.31 and the City’s adopted Transit Oriented Communities (TOC) Guidelines. In addition to the density bonus, the Project Applicant is also seeking permitted incentives necessary to physically accommodate the inclusion of the affordable units, which would allow for an increased FAR and also the use of transitional height provisions. With the requested density bonus and incentives, the Project would be within the allowable density permitted by the Project Site’s zoning and the LAMC.

The Project’s residential and commercial uses would be consistent with uses in the Project area. The overall height of the building, at eight stories, would be appropriate for a community commercial center along a mixed-use boulevard, and in close proximity to multiple public transportation facilities and the Miracle Mile Commercial Center. The site context includes the multi-story Shalhevet school fronting Fairfax Avenue to the south and the Peterson Automotive Museum and parking structure to the north. A curved vertical element at the corner of Fairfax Avenue and 8th Street would anchor the building. Further, the mixed-use nature of the Project as well as the enlarged sidewalks would improve walkability and street level activation.

Finally, and as formally provided in Project Design Feature AES-2, the Project has been designed to preserve the Tom Bergin’s building, and this building will be isolated from construction activities taking place in the northern portions of the Project Site, and a landscaped courtyard will physically separate the new building from the Tom Bergin’s building. The Project would also provide an outdoor deck facing Fairfax Avenue and the Tom Bergin’s building with a swimming pool, spa, and recreation room at the third level, creating more open space between the Tom Bergin’s building and the new building. The Project has been designed in such a way that it will be compatible with the massing, size, scale, and features of the Tom Bergin’s building. Specifically, the new building has been designed so that its southwest volume, at 22 feet tall, is considerably lower than the rest of the building and slightly lower than the top of the front gable of the Tom Bergin’s building, helping to soften the transition in scale between the one-and-a-half story historic building and the new eight-story building. Stepping back the massing of the new building in this way also has the effect of preserving views of the Tom Bergin’s building as it is being approached from the north.

In addition to its stepped massing, the new building also strategically incorporates glazing and other materials to further soften the transition between the Tom Bergin’s building and the adjacent new construction. The new building will incorporate a variety of materials and textures into its design; its

southern volumes, which are nearest Tom Bergin's, are extensively glazed, resulting in façades that are generally lighter, tauter, and less visually impactful than the rest of the new building. This will further ease the visual transition between the historic building and the proposed new construction. As such, the Project would not introduce visual elements incompatible with the character of the surrounding area or that would otherwise substantially degrade the existing visual character or quality of the Project Site or surrounding area, which in conjunction with the area's relatively flat topography, would not result in a significant impact. Furthermore, PRC Section 21099, enacted by Senate Bill 743, provides that "aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." Therefore, the Project would result in a less than significant impact to the visual character or quality of the site or its surroundings.

Project Design Features

PDF-AES-1 During the duration of the Project's demolition and construction activities, temporary construction fencing will remain along the periphery of the Project Site to maintain security of the Project Site. The Project Applicant will ensure through daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways that are accessible/visible to the public, and that such temporary barriers and walkways are maintained in a visually attractive manner (i.e., free of trash, graffiti, peeling postings, etc.) throughout the duration of construction.

PDF-AES-2 The Project has been designed to preserve the Tom Bergin's building, and this building will be isolated from construction activities taking place in the northern portions of the Project Site, and a landscaped courtyard will physically separate the new building from the Tom Bergin's building. The Project will also provide an outdoor deck facing Fairfax Avenue and the Tom Bergin's building with a swimming pool, spa, and recreation room at the third level, creating more open space between the Tom Bergin's building and the new building. The Project has been designed in such a way that it will be compatible with the massing, size, scale, and features of the Tom Bergin's building. Specifically, the new building has been designed so that its southwest volume, at 22 feet tall, is considerably lower than the rest of the building and slightly lower than the top of the front gable of the Tom Bergin's building, helping to soften the transition in scale between the one-and-a-half story historic building the new eight-story building. Stepping back the massing of the new building in this way also has the effect of preserving views of the Tom Bergin's building as it is being approached from the north.

In addition to the stepped massing, the new building also strategically incorporates glazing and other materials to further soften the transition between the Tom Bergin's building and the adjacent new construction. The new building will incorporate a variety of materials and textures into its design; its southern volumes, which are nearest Tom Bergin's, are extensively glazed, resulting in façades that are generally lighter, tauter, and less visually impactful than the rest of the new building. This will further ease the visual transition between the historic building and the proposed new construction.

d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than significant impact. A significant impact may occur if a project introduces new sources of light or glare on the Project Site which would be incompatible with the areas surrounding the Project Site or which pose a safety hazard, such as to motorists utilizing adjacent streets. Artificial light may be generated from individual (i.e., point) sources as well as from indirect sources of reflected light. Uses such as residences, hospitals, and hotels are considered light sensitive since they are typically occupied by persons who are subject to disturbance by bright light sources during evening hours. The Project Site is located in a well-lit urban portion of Los Angeles where there are high levels of ambient nighttime lighting including street lighting, architectural and security lighting, exterior signage, and indoor building illumination (light emanating from the interior of structures which passes through windows), all of which are common to densely populated areas. During construction, there is a potential that construction activities could occur in the evening hours and require the use of artificial lighting, such as floodlights, spotlights, and/or headlights associated with construction equipment and hauling trucks. To the extent evening construction includes artificial light sources, such use would be temporary and would cease upon completion of Project construction. Furthermore, construction-related illumination would be used for safety and security purposes only, in compliance with LAMC light intensity requirements. In addition, any glare during construction would be highly transitory and short-term, given the movement of construction equipment and materials within the construction area, and the temporary nature of construction activities. In addition, large, flat surfaces that are generally required to generate substantial glare are typically not an element of construction activities. Therefore, there would be a negligible potential for light or glare impacts associated with construction activities to occur.

During operation, the Project would include low-level exterior lights adjacent to buildings and along pathways for security and wayfinding purposes. In addition, low-level lighting to accent architectural features and landscaping elements would also be incorporated throughout the Project Site. Proposed lighting would be designed in conformance with LAMC light intensity requirements to minimize light trespass from the proposed building and overall Project Site, reduce sky-glow to increase night sky access, and improve nighttime visibility through glare reduction, and would be consistent with surrounding urban lighting conditions. Further, all exterior windows and glass used on Project building surfaces would be non-reflective or treated with an anti-reflective coating to minimize glare. Furthermore, PRC Section 21099, enacted by Senate Bill 743, provides that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.” Therefore, the Project would result in a less than significant impact with respect to light and glare.

Cumulative Impacts

As it relates to aesthetic impacts, the majority of the related projects (identified in Section 2, Project Description, of this SCEA) would not be visible from the Project Site due to both distance and intervening structures. However, like the Project, the related projects are subject to applicable development standards and environmental review. Development of the related projects is expected to occur in accordance with adopted plans and regulations, which would result in individual review of the visual character of each project, to ensure consistency with design standards and that individual projects are

compatible with existing land uses. Therefore, although development of the Project in combination with the development of the related projects would result in a general intensification of land uses in an already urbanized area of the City, the Project would not combine with any related projects to generate a significant cumulative impact with respect to scenic vistas, views, or visual character. Furthermore, PRC Section 21099, enacted by Senate Bill 743, provides that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment,” and therefore, the Project cannot be cumulatively considerable with regards to view impacts, and cumulative aesthetics impacts would not be considered significant.

As it relates to light and glare, development of the Project in combination with the related projects would result in an intensification of land uses in an already urbanized area of the City that currently maintains an elevated level of ambient light and glare. As such, the Project and related projects would contribute to ambient light levels within the surrounding area. However, as discussed above, this is a heavily urbanized area and the presence of additional nighttime illumination resulting from the Project and related projects would not represent a substantial alteration to the existing nighttime visual environment. Additionally, the potential increase in nighttime light resulting from the Project would not be bright enough to substantially affect nearby sensitive uses. Furthermore, PRC Section 21099, enacted by Senate Bill 743, provides that “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment,” and therefore, the Project cannot be cumulatively considerable with regards to light and glare impacts, and cumulative aesthetics impacts would not be considered significant.

Since the Project falls within the applicable definitions in PRC 21099, the Project would not have the potential to contribute to any cumulative aesthetic impacts. Also, any of the related projects that fall within the applicable definitions in PRC 21099 also would not have the potential to contribute to any cumulative aesthetic impacts. Therefore, cumulative impacts related to aesthetics would be less than significant.

II. AGRICULTURE AND FORESTRY RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. The Extent of Important Farmland Map Coverage maintained by the State’s Division of Land Resource Protection indicates that the Project Site is not included in the Important Farmland category.³ Therefore, the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide

³ State of California Department of Conservation, Important Farmland Finder, available at <https://maps.conservation.ca.gov/DLRP/CIFF/>.

Importance (Farmland) to non-agricultural use, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Thus, no impact would occur.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The Project Site is zoned C2-1-O (General Commercial), with a General Plan land use designation of Community Commercial. The Project Site is not zoned for agricultural use, nor is the Site under or eligible for enrollment under a Williamson Act Contract.⁴ There are no Williamson Act Contracts in the City of Los Angeles.⁵ Therefore, the Project would not conflict with existing zoning for agricultural use, or a Williamson Act Contract, and no impact would occur.

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. The Project Site is located in an urbanized area of the City, and is developed with multi-family residential units, a restaurant and tavern, and associated surface parking. The Project Site does not include any forest or timberland and is not zoned as forest land or timberland. Therefore, no impact related to this issue would occur.

d. Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The Project Site is currently zoned for commercial uses and is developed with multi-family residential units, a restaurant and tavern, and associated surface parking. The Project is not used as forest land, and therefore, the Project would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact related to this issue would occur.

e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

No Impact. The Project Site and surrounding area is developed with urban land uses. As stated above, the Project Site is developed with multi-family residential units, a restaurant and tavern, and associated surface parking. No agricultural uses or forest land are located on the Project Site or within the area. Therefore, no impact related to this issue would occur.

⁴ Ibid.

⁵ State of California Department of Conservation, Division of Land Resource Protection, The Williamson Act Status Report 2016-2017, available at https://www.conservation.ca.gov/dlrp/wa/Documents/stats_reports/2018%20WA%20Status%20Report.pdf.

Cumulative Impacts

As described above, the Project would not result in any impacts related to agricultural and forestry resources. The Project area (including the area containing the related projects) is developed with urban land uses. Regardless of the degree to which the related projects could result in impacts related to agricultural and forestry resources, the Project does not have the potential to contribute to any cumulative impacts because the Project would not result in any impacts to such resources.

III. AIR QUALITY

Where available, the significance criteria established by the South Coast Air Quality Management District (SCAQMD) may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Introduction

This section of the SCEA addresses the air emissions generated by construction and operation of the Project. The analysis also evaluates the consistency of the Project with the air quality policies set forth within the South Coast Air Quality Management District’s (SCAQMD) 2016 Air Quality Management Plan (AQMP) and the City’s General Plan. The analysis of Project-generated air emissions focuses on whether the Project would cause an exceedance of an ambient air quality standard or SCAQMD significance threshold. Calculation worksheets, assumptions, and model outputs used in the analysis are included in Appendix A to this SCEA:

A Air Quality and Greenhouse Gas Emissions Technical Modeling, DKA Planning, December 2020.

Pollutants and Effects

State and Federal Criteria Pollutants

Air quality is defined by ambient air concentrations of seven specific pollutants identified by the United States Environmental Protection Agency (USEPA) to be of concern with respect to health and welfare of the general public. These specific pollutants, known as “criteria air pollutants,” are defined as pollutants for which the federal and State governments have established ambient air quality standards, or criteria, for outdoor concentrations to protect public health. Federal criteria air pollutants include

carbon monoxide (CO), ground-level ozone (O₃), nitrogen oxides (NO_x), sulfur oxides (SO_x), particulate matter ten microns or less in diameter (PM₁₀), particulate matter 2.5 microns or less in diameter (PM_{2.5}), and lead (Pb). State-only criteria pollutants include Visibility Reducing Particles, Sulfates (SO₄²⁻), Hydrogen Sulfide (H₂S), and Vinyl Chloride.

Toxic Air Contaminants

Toxic air contaminants (TACs) refer to a diverse group of “non-criteria” air pollutants that can affect human health but have not had ambient air quality standards established for them. This is not because they are fundamentally different from the pollutants discussed above but because their effects tend to be local rather than regional. TACs are classified as carcinogenic and noncarcinogenic, where carcinogenic TACs can cause cancer and noncarcinogenic TAC can cause acute and chronic impacts to different target organ systems (e.g., eyes, respiratory, reproductive, developmental, nervous, and cardiovascular). These include Diesel Particulate Matter (DPM) and Volatile Organic Compounds (VOCs).

The Clean Air Act (CAA) requires the USEPA to designate areas as attainment, nonattainment, or maintenance (previously nonattainment and currently attainment) for each criteria pollutant based on whether the National Ambient Air Quality Standards (NAAQS) have been achieved. Title I provisions are implemented for the purpose of attaining NAAQS. The federal standards are summarized in Table 5.III-1. The USEPA has classified the Los Angeles County portion of the South Coast Air Basin (Basin) as a nonattainment area for O₃, PM_{2.5}, and Pb.

**Table 5.III-1
State and National Ambient Air Quality Standards and Attainment Status for LA County**

Pollutant	Averaging Period	California		Federal	
		Standards	Attainment Status	Standards	Attainment Status
Ozone (O ₃)	1-hour	0.09 ppm (180 µg/m ³)	Non-attainment	--	--
	8-hour	0.070 ppm (137 µg/m ³)	N/A ¹	0.070 ppm (137 µg/m ³)	Non-attainment
Respirable Particulate Matter (PM ₁₀)	24-hour	50 µg/m ³	Non-attainment	150 µg/m ³	Maintenance
	Annual Arithmetic Mean	20 µg/m ³	Non-attainment	--	--
Fine Particulate Matter (PM _{2.5})	24-hour	--	--	35 µg/m ³	Non-attainment
	Annual Arithmetic Mean	12 µg/m ³	Non-attainment	12 µg/m ³	Non-attainment
Carbon Monoxide (CO)	1-hour	20 ppm (23 mg/m ³)	Attainment	35 ppm (40 mg/m ³)	Maintenance
	8-hour	9.0 ppm (10 mg/m ³)	Attainment	9 ppm (10 mg/m ³)	Maintenance
Nitrogen Dioxide (NO ₂)	1-hour	0.18 ppm (338 µg/m ³)	Attainment	100 ppb (188 µg/m ³)	Maintenance

**Table 5.III-1
State and National Ambient Air Quality Standards and Attainment Status for LA County**

Pollutant	Averaging Period	California		Federal	
		Standards	Attainment Status	Standards	Attainment Status
	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)	Attainment	53 ppb (100 µg/m ³)	Maintenance
Sulfur Dioxide (SO ₂)	1-hour	0.25 ppm (655 µg/m ³)	Attainment	75 ppb (196 µg/m ³)	Attainment
	24-hour	0.04 ppm (105 µg/m ³)	Attainment	--	--
Lead (Pb)	30-day average	1.5 µg/m ³	Attainment	--	--
	Calendar Quarter	--	--	0.15 µg/m ³	Non-attainment
Visibility Reducing Particles	8-hour	Extinction of 0.07 per kilometer	N/A	No Federal Standards	
Sulfates	24-hour	25 µg/m ³	Attainment	No Federal Standards	
Hydrogen Sulfide (H ₂ S)	1-hour	0.03 ppm (42 µg/m ³)	Unclassified	No Federal Standards	
Vinyl Chloride	24-hour	0.01 ppm (26 µg/m ³)	N/A	No Federal Standards	

¹N/A = not available
Source: CARB, Ambient Air Quality Standards, and attainment status, 2018 (www.arb.ca.gov/desig/adm/adm.htm).

Existing Conditions

Existing Health Risk in the Surrounding Area

Based on the MATES-IV model, the calculated cancer risk in the Project area is approximately 1,070 in a million.⁶ The cancer risk in this area is predominately related to nearby sources of diesel particulate matter (e.g., Santa Monica Freeway (I-10), approximately 1.8 miles to the south). In general, the risk at the Project Site is higher than the average across the South Coast Air Basin.

The Office of Environmental Health Hazard Assessment, on behalf of the California Environmental Protection Agency (CalEPA), provides a screening tool called CalEnviroScreen that can be used to help identify California communities disproportionately burdened by multiple sources of pollution. According

⁶ SCAQMD, Multiple Air Toxics Exposure Study in the South Coast Air Basin (MATES-IV), MATES IV Interactive Carcinogenicity Map, 2015, <https://scaqmd-online.maps.arcgis.com/apps/webappviewer/index.html?id=470c30bc6daf4ef6a43f0082973ff45f>, accessed April 22, 2020.

to CalEnviroScreen, the Project Site is located in the 30-35th percentile, which means the Project Site has a lower pollution burden than other communities within California.⁷

Sensitive Receptors

Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. The California Air Resources Board (CARB) has identified the following groups who are most likely to be affected by air pollution: children less than 14 years of age, the elderly over 65 years of age, athletes, and people with cardiovascular and chronic respiratory diseases. According to the SCAQMD, sensitive receptors include residences, schools, playgrounds, childcare centers, athletic facilities, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

Sensitive receptors within 1,000 feet of the Project Site include, but are not limited to, the following representative sampling:

- Multi-family residences, 800 block of South Orange Grove Avenue (west side), with primary residences as close as ten feet east of the Project Site.
- Single-family residences, 800 block of South Fairfax Avenue (west side), as close as 90 feet west of the Project Site.
- Friedman Shalhevet High School, 910 South Fairfax Avenue, approximately 55 feet south of the limit of the Project Site's active construction area (north of the Tom Bergin restaurant).
- Vinz on Fairfax, multi-family residences, 950 South Fairfax Avenue, approximately 255 feet south of the limit of the Project Site's active construction area (north of the Tom Bergin restaurant).

As summarized in Table 5.III-2, most existing emissions are associated with mobile sources from the 293 daily vehicle trips traveling to and from the Project Site's driveway.⁸ It should be noted that this estimate only factors in the emissions from the 40 existing apartment units that are to be removed, as the Tom Bergin restaurant will continue to operate with the Project and continue to contribute to mobile emissions.

⁷ Office of Environmental Health Hazard Assessment, CalEnviroScreen 3.0 MAP, <https://oehha.maps.arcgis.com/apps/webappviewer/index.html?id=4560cfbce7c745c299b2d0cbb07044f5>, accessed April 22, 2020.

⁸ Overland Traffic Consultants, Inc., Transportation Assessment, Residential Mixed-Use Building, December 2019.

**Table 5.III-2
Existing Estimated Daily Operations Emissions**

Emissions Source	Daily Emissions (Pounds Per Day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area Sources	1	<1	3	<1	<1	<1
Energy Sources	<1	<1	<1	<1	<1	<1
Mobile Sources	1	3	8	<1	2	1
Net Regional Total	1	3	12	<1	2	1

Source: DKA Planning, 2020 based on CalEEMod 2016.3.2 model runs (included in Appendix A). Note that some sums may not add precisely due to rounding. Includes emissions from the 40 existing apartments on the Project Site.

Project Impacts

The significance criteria and analysis methodologies in the SCAQMD's CEQA Air Quality Handbook were used in evaluating impacts in the context of the CEQA significance criteria listed below. The SCAQMD localized significance thresholds (LSTs) for NO₂, CO, and PM₁₀ were initially published in June 2003 and revised in July 2008.⁹ The LSTs for PM_{2.5} were established in October 2006.¹⁰ Updated LSTs were published on the SCAQMD website on October 21, 2009.¹¹ Table 5.III-3 presents the significance criteria for both construction and operational emissions.

**Table 5.III-3
SCAQMD Emissions Thresholds**

Criteria Pollutant	Construction Emissions		Operational Emissions
	Regional	Localized /a/	
Volatile Organic Compounds (VOC)	75	--	55
Nitrogen Oxides (NO _x)	100	74	55
Carbon Monoxide (CO)	550	680	550
Sulfur Oxides (SO _x)	150	--	150
Respirable Particulates (PM ₁₀)	150	5	150
Fine Particulates (PM _{2.5})	55	3	55

/a/ Localized significance thresholds assumed a 1-acre site and 25-meter (82-foot) receptor distance. The SCAQMD has not developed LST values for VOC or SO_x.
Source: SCAQMD.

⁹ SCAQMD, Fact Sheet for Applying CalEEMod to Localized Significance Thresholds, 2008.

¹⁰ SCAQMD, Final – Methodology to Calculate Particulate Matter (PM) 2.5 and PM 2.5 Significance Thresholds, October 2006.

¹¹ SCAQMD, Final Localized Significance Threshold Methodology Appendix C – Mass Rate LST Look-Up Tables, October 21, 2009.

a. Would the Project conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. As discussed in greater detail below under subsection (b), the Project's air quality emissions would not exceed any state or federal standards. Therefore, the Project would not increase the frequency or severity of an existing violation or cause or contribute to new violations for these pollutants. As the Project would not exceed any of the state and federal standards, the Project would also not delay timely attainment of air quality standards or interim emission reductions specified in the AQMP.

With respect to the determination of consistency with AQMP growth assumptions, the projections in the current 2016 AQMP for achieving air quality goals are based on assumptions in SCAG's 2016–2040 RTP/SCS regarding population, housing, and growth trends. Determining whether or not a project exceeds the assumptions reflected in the AQMP involves the evaluation of three criteria: (1) consistency with applicable population, housing, and employment growth projections; (2) project mitigation measures; and (3) appropriate incorporation of AQMP land use planning strategies. The following discussion provides an analysis with respect to each of these three criteria.

- Is the project consistent with the population, housing, and employment growth projections upon which AQMP forecasted emission levels are based?

A project is consistent with the AQMP, in part, if it is consistent with the population, housing, and employment assumptions that were used in the development of the AQMP. In the case of the 2016 AQMP, two sources of data form the basis for the projections of air pollutant emissions: the City of Los Angeles General Plan and SCAG's RTP.¹² The General Plan serves as a comprehensive, long-term plan for future development of the City.

The 2016–2040 RTP/SCS provides socioeconomic forecast projections of regional population growth. The population, housing, and employment forecasts, which are adopted by SCAG's Regional Council, are based on local plans and policies applicable to the specific area; these are used by SCAG in all phases of implementation and review. As discussed in greater detail in Section 5.XIV, Population and Housing, based on the average 2019 household size for multi-family units in the City of Los Angeles, of 2.41 persons per household,¹³ the Project would add a residential population of approximately 407 people to the Project Site. The Project's residential population would represent approximately 0.36 percent of the forecasted growth between 2020 and 2024 (the Project's buildout year) in the City and approximately 0.06 percent of the forecasted population growth between 2020 and 2040.¹⁴ Therefore, the Project's population growth would be consistent with the projections in the AQMP.

¹² The 2016 AQMP uses SCAG's 2016-2040 RTP/SCS. As such, the 2016 RTP/SCS was used as the basis for this analysis. For comparisons to the 2020-2045 RTP/SCS growth projections, please see Section 5.XIV, Population and Housing, of this SCEA.

¹³ Based on a household rate of 2.41 persons for multi-family units based on the 2018 American Community Survey 5-Year Average Estimates. Source: Jack Tsao, Data Analyst II, Los Angeles Department of City Planning, June 12, 2020.

¹⁴ Per interpolated population growth estimates from the 2016-2040 RTP/SCS, the City's population growth between 2020 and 2024 is 115,516 (and 407 divided by 115,516 = 0.36 percent), and the City's population growth between 2020 and 2040 is 721,983 (and 407 divided by 721,983 = 0.06 percent).

Development of the Project would result in a net increase of 169 dwelling units. This increase would represent approximately 0.29 percent of forecasted growth in the City for the period between 2020 and 2024, and approximately 0.05 percent for the period between 2020 and 2040.¹⁵ Thus, the Project's estimated housing growth would be consistent with the projections in the AQMP.

Development of the Project also would result in approximately 11 employment positions on-site.¹⁶ The Project's employment would represent approximately 0.03 percent of forecasted growth in the City for the period between 2020 and 2024, and approximately 0.004 percent for the period between 2020 and 2040.¹⁷ Thus, the Project's estimated employment growth would be consistent with the projections in the AQMP.

- Does the project implement feasible air quality mitigation measures?

As discussed below under Thresholds (b), (c), and (d), the Project would not result in any significant air quality impacts and therefore would not require mitigation. In addition, the Project would comply with all applicable regulatory standards as required by SCAQMD, thereby further ensuring that no impacts would result. As such, the Project meets this AQMP consistency criterion.

- To what extent is project development consistent with the land use policies set forth in the AQMP?

With regard to land use developments such as the Project, the AQMP's air quality policies focus on the reduction of vehicle trips and vehicle miles traveled (VMT). The Project would serve to implement a number of land use policies of the City of Los Angeles, SCAQMD, and SCAG. The Project would be designed and constructed to support and promote environmental sustainability. The Project represents an infill development within an existing urbanized area that would concentrate more housing within a high quality transit area (HQTA). "Green" principles are incorporated throughout the Project to comply with the City of Los Angeles Green Building Code and the California Green Building Standards Code (CALGreen) through energy conservation, water conservation, and waste reduction features.

As noted above, the air quality plan applicable to the Project area is the 2016 AQMP, which is the SCAQMD plan for improving regional air quality in the Basin. The 2016 AQMP is the current management plan for continued progression toward clean air and compliance with State and federal requirements. It includes a comprehensive strategy aimed at controlling pollution from all sources, including stationary sources, on- and off-road mobile sources, and area sources. The 2016 AQMP also incorporates current scientific information and meteorological air quality models. It also updates the federally approved 8-hour O₃ control plan with new commitments for short-term NO_x and VOC

¹⁵ Per interpolated housing growth estimates from the 2016-2040 RTP/SCS, the City's housing growth between 2020 and 2024 is 58,760 (and 169 divided by 58,760 = 0.29 percent), and the City's employment growth between 2020 and 2040 is 367,241 (and 169 divided by 367,241 = 0.05 percent).

¹⁶ Per LADOT VMT Calculator version 1.3, Supplemental Traffic Assessment, Overland Traffic Consultants, Inc., December 14, 2020.

¹⁷ Per interpolated employment growth estimates from the 2016-2040 RTP/SCS, the City's employment growth between 2020 and 2024 is 39,668 (and 11 divided by 39,668 = 0.03 percent), and the City's employment growth between 2020 and 2040 is 247,931 (and 11 divided by 247,931 = 0.004 percent).

reductions. The 2016 AQMP includes short-term control measures related to facility modernization, energy efficiency, good management practices, market incentives, and emissions growth management.

As demonstrated in the following analyses, the Project would not result in significant regional emissions. The 2016 AQMP adapts previously conducted regional air quality analyses to account for the recent unexpected drought conditions and presents a revised approach to demonstrated attainment of the 2006 24-hour PM_{2.5} NAAQS for the Basin. Directly applicable to the Project, the 2016 AQMP proposes robust NO_x reductions from residential appliances. The Project would be required to comply with all new and existing regulatory measures set forth by the SCAQMD. Implementation of the Project would not interfere with air pollution control measures listed in the 2016 AQMP.

The Project Site is designated as “Community Commercial” by the Community Plan, a classification that allows housing and commercial uses, such as those proposed by the Project. As such, the RTP/SCS’s assumptions about growth in the City can be accommodated by housing growth on the Project Site. As a result, the Project would be consistent with the growth assumptions in the City’s General Plan. Because the AQMP accommodates growth forecasts from local General Plans, the emissions associated with this Project are accounted for and mitigated in the region’s air quality attainment plans. The air quality impacts of development on the Project Site are accommodated in the region’s emissions inventory for the 2016 RTP/SCS and 2016 AQMP. Therefore, Project impacts with respect to AQMP consistency would be less than significant.

City of Los Angeles Policies

The Project would offer convenient access to public transit and opportunities for walking and biking (including the provision of bicycle parking), thereby facilitating a reduction in VMT. In addition, the Project would be consistent with the existing land use pattern in the vicinity that concentrates urban density along major arterials and near transit options based on the following:

- The Project includes primary entrances for pedestrians and bicyclists that would be safe, easily accessible, and a short distance from transit. For pedestrians, the sidewalks on Fairfax Avenue would be widened adjacent to the Project Site.
- This location is already considered a “Walker’s Paradise”, scoring 96 of 100 points for walkability.¹⁸
- Bicyclists could take advantage of bicycle lane facilities on San Vicente Boulevard (Tier 1 bicycle lane street under the City’s Bicycle Lane Network), Fairfax Avenue (Tier 3 bicycle lane street), and Wilshire Boulevard (Tier 2 bicycle lane street).
- Transit services include Metro local bus service (i.e., Line 217 at the corner of 8th Street and Fairfax Avenue, lines 20 and 217, Rapid lines 720 and 780), LADOT DASH Fairfax shuttle service, and Antelope Valley Commuter Line 786. The Project Site will ultimately be close to

¹⁸ WalkScore website <https://www.walkscore.com/score/800-n-fairfax-ave-los-angeles-ca-90046> accessed April 22, 2020.

a future Metro Purple Line (D Line) subway station at Wilshire Boulevard and Fairfax Avenue, one block to the north.

- The Project would also promote bicycle transportation by providing 130 long-term bicycle parking spaces and 16 short-term bicycle parking spaces.

b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less Than Significant Impact.

Construction

A cumulatively considerable net increase would occur if the project’s construction impacts substantially contribute to air quality violations when considering other projects that may undertake construction activities at the same time. Individual projects that generate emissions that do not exceed SCAQMD’s significance thresholds would not contribute considerably to any potential cumulative impact. SCAQMD neither recommends quantified analyses of the emissions generated by a set of cumulative development projects nor provides thresholds of significance to be used to assess the impacts associated with these emissions.

Construction-related emissions were estimated using the SCAQMD’s CalEEMod 2016.3.2 model using assumptions from the Project’s developer, including the Project’s construction schedule of approximately 37 months. Table 5.III-4 summarizes the estimated construction schedule that was modeled for air quality impacts.

**Table 5.III-4
Estimated Construction Schedule**

Phase	Duration	Notes
Demolition	Month 1	5,700 cubic yards of material demolished and hauled in 10-cubic yard capacity trucks up to 30 miles away
Grading (includes shoring)	Months 2-5	17,000 cubic yards of soil export hauled up to 30 miles away in 10-cubic yard capacity trucks
Building Construction	Months 6-37	Construction of the building, exterior skin, and buildout
Architectural Coatings	Months 32-37	
<i>Source: DKA Planning, 2020.</i>		

The Project would be required to comply with the following regulations, as applicable:

- SCAQMD Rule 403, would reduce the amount of particulate matter entrained in ambient air as a result of anthropogenic fugitive dust sources by requiring actions to prevent, reduce or mitigate fugitive dust emissions.

- SCAQMD Rule 1113, which limits the VOC content of architectural coatings.
- SCAQMD Rule 402, which states that a person shall not discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.
- In accordance with Section 2485 in Title 13 of the California Code of Regulations, the idling of all diesel-fueled commercial vehicles (with gross vehicle weight over 10,000 pounds) during construction would be limited to five minutes at any location.
- In accordance with Section 93115 in Title 17 of the California Code of Regulations, operation of any stationary, diesel-fueled, compression-ignition engines would meet specific fuel and fuel additive requirements and emissions standards.

Regional Emissions

Construction activity has the potential to create air quality impacts through the use of heavy-duty construction equipment and through vehicle trips generated by construction workers traveling to and from the Project Site. Fugitive dust emissions would primarily result from grading activities. NO_x emissions would primarily result from the use of construction equipment and truck trips. During the building finishing phase, paving and the application of architectural coatings (e.g., paints) would potentially release VOCs (regulated by SCAQMD Rule 1113). The assessment of construction air quality impacts considers each of these potential sources. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation and, for dust, the prevailing weather conditions.

As stated above, it is mandatory for all construction projects in the Basin to comply with SCAQMD Rule 403 for fugitive dust. Rule 403 control requirements include measures to prevent the generation of visible dust plumes. Measures include, but are not limited to, applying water and/or soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system or other control measures to remove bulk material from tires and vehicle undercarriages before vehicles exit the Project Site, and maintaining effective cover over exposed areas. Compliance with Rule 403 would reduce regional PM_{2.5} and PM₁₀ emissions associated with construction activities by approximately 61 percent.

This analysis conservatively assumes a single-trip haul distance of up to 30 miles to an off-site landfill. However, closer locations may be determined feasible, which would result in lower emissions for the Project.

As shown in Table 5.III-5, construction of the Project would produce VOC, NO_x, CO, SO_x, PM₁₀ and PM_{2.5} emissions that do not exceed the SCAQMD's regional thresholds. As a result, construction of the Project would not contribute substantially to an existing violation of air quality standards for regional pollutants (e.g., ozone). This impact is considered less than significant.

**Table 5.III-5
Estimated Daily Construction Emissions**

Construction Phase Year	Daily Emissions (Pounds Per Day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
2021	3	33	22	<1	3	2
2022	3	17	21	<1	2	1
2023	2	15	20	<1	2	1
2024	12	15	22	<1	2	1
Maximum Regional Total						
	12	33	22	<1	3	2
Regional Threshold	75	100	550	150	150	55
Exceed Threshold?	No	No	No	No	No	No
Maximum Localized Total						
	11	21	15	<1	2.3	1.5
Localized Threshold	--	74	680	--	5	3
Exceed Threshold?	N/A	No	No	N/A	No	No
<i>The construction dates are used for the modeling of air quality emissions in the CalEEMod software. If construction activities commence later than what is assumed in the environmental analysis, the actual emissions would be lower than analyzed because of the increasing penetration of newer equipment with lower certified emission levels. Assumes implementation of SCAQMD Rule 403 (Fugitive Dust Emissions) Source: DKA Planning, 2020 based on CalEEMod 2016.3.2 model runs. LST analyses based on 1-acre site with 25-meter distances to receptors in Central Los Angeles source receptor area. Modeling sheets included in Appendix A.</i>						

Localized Emissions

In addition to maximum daily regional emissions, maximum localized (on-site) emissions were quantified for each construction activity. The localized construction air quality analysis was conducted using the methodology promulgated by the SCAQMD. Look-up tables provided by the SCAQMD were used to determine localized construction emissions thresholds for the Project.¹⁹ LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard and are based on the most recent background ambient air quality monitoring data for the Project area.

Maximum on-site daily construction emissions for NO_x, CO, PM₁₀, and PM_{2.5} were calculated using CalEEMod and compared to the applicable SCAQMD LSTs for the Central Los Angeles SRA based on construction site acreage that is less than or equal to one acre. Potential impacts were evaluated at the closest off-site sensitive receptor, which are the residences to the east, adjacent to the Project Site. The closest receptor distance on the SCAQMD mass rate LST look-up tables is 25 meters. Based on SCAQMD LST methodology, projects with boundaries located closer than 25 meters to the nearest receptor (such as the Project) should use the LSTs for receptors located at 25 meters.

As shown in Table 5.III-5, above, the Project would produce emissions that do not exceed the SCAQMD's recommended localized standards of significance for NO₂ and CO during the construction

¹⁹ SCAQMD, LST Methodology Appendix C-Mass Rate LST Look-up Table, revised October 2009.

phase. Similarly, construction activities would not produce PM₁₀ and PM_{2.5} emissions that exceed localized thresholds recommended by the SCAQMD.

These estimates assume the use of Best Available Control Measures (BACMs) that address fugitive dust emissions of PM₁₀ and PM_{2.5} through SCAQMD Rule 403. This would include watering portions of the site that are disturbed during grading activities and minimizing tracking of dirt onto local streets. Therefore, construction impacts on localized air quality are considered less than significant.

According to the SCAQMD, individual projects that exceed the SCAQMD’s recommended daily thresholds for project-specific impacts would cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in non-attainment. As shown in Table 5.III-5, Project construction daily emissions would not exceed any of the SCAQMD’s regional or localized thresholds. Therefore, the Project’s contribution to cumulative construction-related regional or localized emissions would not be cumulatively considerable and, thus, would be less than significant.

Operation

Operational emissions of criteria pollutants would come from area sources and mobile sources. Area sources include natural gas for space heating and water heating, gasoline-powered landscaping and maintenance equipment, consumer products such as household cleaners, and architectural coatings for routine maintenance. The CalEEMod program generates estimates of emissions from energy use based on the land use type and size. The Project would also produce long-term air quality impacts to the region primarily from motor vehicles that access the Project Site. The Project could add up to 1,035 vehicle trips to the local roadway network on a peak weekday at the start of operations in 2024.²⁰ However, when existing vehicle trips to the Project Site are considered (169 average daily trips), the Project would result in 866 net daily vehicle trips on local streets.

As shown in Table 5.III-6, the Project’s net emissions would not exceed the SCAQMD’s regional or localized significance thresholds. The Project’s operational impacts on long-term air pollution would be considered less than significant. Therefore, the operational impacts of the Project on regional and localized air quality are considered less than significant.

**Table 5.III-6
Estimated Daily Operations Emissions**

Emissions Source	Daily Emissions (Pounds Per Day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area Sources	5	<1	17	<1	<1	<1
Energy Sources	<1	1	<1	<1	<1	<1
Mobile Sources	2	7	23	<1	7	2
Regional Total	6	8	40	<1	7	2
Existing Sources	-1	-3	-12	<-1	-2	-1
Net Regional Total	5	5	28	<1	5	1
Regional Significance Threshold	55	55	550	150	150	55

²⁰ Overland Traffic Consultants, Inc., Supplemental Traffic Assessment, Residential Mixed-Use Building, December 2020.

**Table 5.III-6
Estimated Daily Operations Emissions**

Exceed Threshold?	No	No	No	No	No	No
Net Localized Total	<1	<1	2	<1	<1	<1
Localized Significance Threshold	N/A	74	680	--	2	1
Exceed Threshold?	No	No	No	No	No	No
<i>Note that some sums may not add precisely due to rounding. LST analyses based on 1-acre site with 25-meter distances to receptors in Central Los Angeles source receptor area.</i>						
<i>Source: DKA Planning, 2020 based on CalEEMod 2016.3.2 model runs (included in Appendix A).</i>						

As for cumulative operational impacts, the proposed land uses would not produce cumulatively considerable emissions of nonattainment pollutants at the regional or local level. The Project would not include major sources of combustion or fugitive dust. As a result, its localized emissions of PM₁₀ and PM_{2.5} would be minimal. Likewise, existing land uses in the area include land uses that do not produce substantial emissions of localized nonattainment pollutants. As shown in Table 5.III-6, Project operational daily emissions would not exceed any of the SCAQMD’s regional or localized thresholds. Because the Project’s air quality impacts would not exceed the SCAQMD’s operational thresholds of significance, the Project’s contribution to cumulative operation-related regional or localized emissions would not be cumulatively considerable and, thus, would be less than significant.

c. Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. There are several sensitive receptors within 1,000 feet of the Project Site that could be exposed to air pollution from construction and operation of the Project. The sensitive receptors within 1,000 feet of the Project Site include, but are not limited to, the following representative sampling:

- Multi-family residences, 800 block of South Orange Grove Avenue (west side), with primary residences as close as ten feet east of the Project Site.
- Single-family residences, 800 block of South Fairfax Avenue (west side), as close as 90 feet west of the Project Site.
- Friedman Shalhevet High School, 910 South Fairfax Avenue, approximately 55 feet south of the limit of the Project Site’s active construction area (north of the Tom Bergin restaurant).
- Vinz on Fairfax, multi-family residences, 950 South Fairfax Avenue, approximately 255 feet south of the limit of the Project Site’s active construction area (north of the Tom Bergin restaurant).

Construction

Construction of the Project could expose sensitive receptors to substantial pollutant concentrations if maximum daily emissions of regulated pollutants generated by sources located on and/or near the Project Site exceeded the applicable LST values presented in Table 5.III-2, or if construction activities generated

significant emissions of TACs that could result in carcinogenic risks or non-carcinogenic hazards exceeding the SCAQMD Air Quality Significance Thresholds of 10 excess cancers per million or non-carcinogenic Hazard Index greater than 1.0, respectively. As discussed above, the LST values were derived by the SCAQMD for the criteria pollutants NO_x, CO, PM₁₀, and PM_{2.5} to prevent the occurrence of concentrations exceeding the air quality standards at sensitive receptor locations based on proximity and construction site size.

As shown in Table 5.III-5, above, during construction of the Project, maximum daily localized unmitigated emissions of NO₂, CO, PM₁₀, and PM_{2.5} from sources on the Project Site would remain below each of the respective LST values. Unmitigated maximum daily localized emissions would not exceed any of the localized standards for receptors that are generally within 25 meters of the Project's construction activities. Therefore, based on SCAQMD guidance, localized emissions of criteria pollutants would not have the potential to expose sensitive receptors to substantial concentrations that would present a public health concern.

The primary TAC that would be generated by construction activities is diesel PM, which would be released from the exhaust stacks of construction equipment. The construction emissions modeling conservatively assumed that all equipment present on the Project Site would be operating simultaneously and continuously throughout most of the day, while in all likelihood this would rarely be the case. Average daily emissions of diesel PM would be less than one pound per day throughout the course of Project construction. Therefore, the magnitude of daily diesel PM emissions, would not be sufficient to result in substantial pollutant concentrations at off-site locations nearby.

Furthermore, according to SCAQMD methodology, health risks from carcinogenic air toxics are usually described in terms of individual cancer risk. "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of TACs over a 30-year period will contract cancer based on the use of standard risk-assessment methodology. The entire duration of construction activities associated with implementation of the Project is anticipated to be approximately 37 months, and the magnitude of daily diesel PM emissions will vary over this time period. No residual emissions and corresponding individual cancer risk are anticipated after construction. Because there is such a short-term exposure period, construction TAC emissions would result in a less than significant impact. Therefore, construction of the Project would not expose sensitive receptors to substantial diesel PM concentrations, and this impact would be less than significant.

Operation

The Project Site would be developed with land uses that are not typically associated with TAC emissions. Typical sources of acutely and chronically hazardous TACs include industrial manufacturing processes (e.g., chrome plating, electrical manufacturing, petroleum refinery). The Project would not include these types of potential industrial manufacturing process sources. It is expected that the minor quantities of hazardous TACs generated on-site (e.g., cleaning solvents, paints, landscape pesticides) for the types of proposed land uses would be below thresholds warranting further study under California Accidental Release Program.

When considering potential air quality impacts under CEQA, consideration is given to the location of sensitive receptors within close proximity of land uses that emit TACs. CARB has published and adopted the Air Quality and Land Use Handbook: A Community Health Perspective, which provides

recommendations regarding the siting of new sensitive land uses near potential sources of air toxic emissions (e.g., freeways, distribution centers, rail yards, ports, refineries, chrome plating facilities, dry cleaners, and gasoline dispensing facilities).²¹ The SCAQMD adopted similar recommendations in its Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning.²² Together, the CARB and SCAQMD guidelines recommend siting distances for both the development of sensitive land uses in proximity to TAC sources and the addition of new TAC sources in proximity to existing sensitive land uses.

The primary sources of potential air toxics associated with Project operations include diesel PM from delivery trucks (e.g., truck traffic on local streets and idling on adjacent streets) and to a lesser extent, facility operations (e.g., natural gas fired boilers). However, these activities, and the land uses associated with the Project, are not considered land uses that generate substantial TAC emissions. It should be noted that the SCAQMD recommends that health risk assessments (HRAs) be conducted for substantial individual sources of diesel PM (e.g., truck stops and warehouse distribution facilities that generate more than 100 trucks per day or more than 40 trucks with operating transport refrigeration units) and has provided guidance for analyzing mobile source diesel emissions.²³ Based on this guidance, the Project would not include these types of land uses and is not considered to be a substantial source of diesel PM warranting an HRA since daily truck trips to the Project Site would not exceed 100 trucks per day or more than 40 trucks with operating transport refrigeration units. In addition, the CARB-mandated airborne toxic control measures (ATCM) limits diesel-fueled commercial vehicles (delivery trucks) to idle for no more than five minutes at any given time, which would further limit diesel PM emissions.

As the Project would not contain substantial TAC sources and is consistent with the CARB and SCAQMD guidelines, the Project would not result in the exposure of off-site sensitive receptors to carcinogenic or toxic air contaminants that exceed the maximum incremental cancer risk of 10 in one million or an acute or chronic hazard index of 1.0, and potential TAC impacts would be less than significant.

The Project would generate long-term emissions on-site from area and energy sources that would generate negligible pollutant concentrations of CO, NO₂, PM_{2.5}, or PM₁₀ at nearby sensitive receptors. While long-term operations of the Project would generate traffic that produces off-site emissions, these would not result in exceedances of CO air quality standards at roadways in the area due to three key factors. First, CO hotspots are extremely rare and only occur in the presence of unusual atmospheric conditions and extremely cold conditions, neither of which applies to this Project area. Second, auto-related emissions of CO continue to decline because of advances in fuel combustion technology in the vehicle fleet. Finally, the Project would not contribute to the levels of congestion that would be needed to produce the amount of emissions needed to trigger a potential CO hotspot.²⁴ As a result, impacts related to localized mobile-source CO emissions are considered less than significant.

²¹ CARB, Air Quality and Land Use Handbook, a Community Health Perspective, April 2005.

²² SCAQMD, Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning, May 6, 2005.

²³ SCAQMD, Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis, 2002.

²⁴ Caltrans, Transportation Project-Level Carbon Monoxide Protocol, updated October 13, 2010.

Based on the above, impacts under Threshold (c) would be less than significant.

d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. The Project would not result in activities that create objectionable odors. The Project is a mixed-use development with housing and commercial uses that would not include any land uses typically associated with unpleasant odors and local nuisances (e.g., rendering facilities, dry cleaners). SCAQMD regulations that govern nuisances (i.e., Rule 402, Nuisances) would regulate any occasional odors associated with on-site uses, such as restaurants and residences. As a result, any odor impacts from the Project would be considered less than significant.

Cumulative Impacts

SCAQMD recommends that any construction-related emissions and operational emissions from individual development projects that exceed the project-specific mass daily emissions thresholds identified above also be considered cumulatively considerable.²⁵ Individual projects that generate emissions not in excess of SCAQMD's significance thresholds would not contribute considerably to any potential cumulative impact. SCAQMD neither recommends quantified analyses of the emissions generated by a set of cumulative development projects nor provides thresholds of significance to be used to assess the impacts associated with these emissions.

AQMP Consistency

Cumulative development is not expected to result in a significant impact in terms of conflicting with, or obstructing implementation of the 2016 AQMP. As discussed previously, growth considered to be consistent with the AQMP would not interfere with attainment because this growth is included in the projections utilized in the formulation of the AQMP. Consequently, as long as growth in the Basin is within the projections for growth identified in the 2016 RTP/SCS, implementation of the AQMP will not be obstructed by such growth. In addition, as discussed previously, the population growth resulting from the Project would be consistent with the growth projections of the AQMP. Each related project would implement feasible air quality mitigation measures to reduce the criteria air pollutants, if required due to any significant emissions impacts. In addition, each related project would be evaluated for its consistency with the land use policies set forth in the AQMP. Therefore, the Project's contribution to the cumulative impact would not be cumulatively considerable and, therefore, would be less than significant.

Construction

As discussed above, the Project's construction-related air quality emissions and cumulative impacts would be less than significant. Individual projects that generate emissions that do not exceed SCAQMD's significance thresholds would not contribute considerably to any potential cumulative impact. SCAQMD neither recommends quantified analyses of the emissions generated by a set of cumulative development

²⁵ White Paper on Regulatory Options for Addressing Cumulative Impacts from Air Pollution Emissions, SCAQMD Board Meeting, September 5, 2003, Agenda No. 29, Appendix D, p. D-3.

projects nor provides thresholds of significance to be used to assess the impacts associated with these emissions.

The Project would comply with regulatory requirements, including the SCAQMD Rule 403 requirements listed above. Based on SCAQMD guidance, individual construction projects that exceed the SCAQMD's recommended daily thresholds for project-specific impacts would cause a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in non-attainment. As shown above, construction-related daily emissions at the Project Site would not exceed any of the SCAQMD's regional or localized significance thresholds. Therefore, the Project's contribution to cumulative air quality impacts would not be cumulatively considerable and, therefore, would be less than significant.

Similar to the Project, the greatest potential for TAC emissions at each related project would generally involve diesel particulate emissions associated with heavy equipment operations during grading and excavation activities. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk. "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of TACs over a 30-year period will contract cancer, based on the use of standard risk-assessment methodology. Construction activities are temporary and short-term events, thus construction activities at each related project would not result in a long-term substantial source of TAC emissions. Additionally, the SCAQMD CEQA guidance does not require a health risk assessment for short-term construction emissions. It is therefore not meaningful to evaluate long-term cancer impacts from construction activities, which occur over relatively short durations. As such, given the short-term nature of these activities, cumulative toxic emission impacts during construction would be less than significant.

Operation

As discussed above, the Project's operational air quality emissions and cumulative impacts would be less than significant. According to the SCAQMD, if an individual project results in air emissions of criteria pollutants that exceed the SCAQMD's recommended daily thresholds for project-specific impacts, then the project would also result in a cumulatively considerable net increase of these criteria pollutants. As operational emissions would not exceed any of the SCAQMD's regional or localized significance thresholds, the emissions of non-attainment pollutants and precursors generated by Project operations would not be cumulatively considerable.

With respect to TAC emissions, neither the Project nor any of the related projects (which are largely residential, retail/commercial, and office in nature), would represent a substantial source of TAC emissions, which are typically associated with large-scale industrial, manufacturing, and transportation hub facilities. The Project and related projects would be consistent with the recommended screening level siting distances for TAC sources, as set forth in CARB's Land Use Guidelines, and the Project and related projects would not result in a cumulative impact requiring further evaluation. However, the related projects could generate minimal TAC emissions related to the use of consumer products and landscape maintenance activities, among other things. Pursuant to AB 1807, which directs CARB to identify substances as TACs and adopt airborne toxic control measures to control such substances, the SCAQMD has adopted numerous rules (primarily in Regulation XIV) that specifically address TAC emissions. These SCAQMD rules have resulted in and will continue to result in substantial Basin-wide

TAC emissions reductions. As such, cumulative TAC emissions during long-term operations would be less than significant. Therefore, the Project would not result in any substantial sources of TACs that have been identified by CARB's Land Use Guidelines, and thus, would not contribute to a cumulative impact.

IV. BIOLOGICAL RESOURCES

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Would the Project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

This analysis is based in part on the following (refer to Appendix B):

- B** Tree Letter, 800-840 S. Fairfax Avenue, Harmony Gardens, Inc., December 2, 2019.

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact. The Project Site is located in an urbanized area of the City of Los Angeles and is currently developed with multi-family residential units, a restaurant and tavern, and surface parking. The Project Site does not contain any natural open spaces, act as a wildlife corridor, nor possess any areas of significant biological resource value. No hydrological features are present on the Project Site and there are no sensitive habitats present. Due to the urbanized nature of the Project Site and surrounding area, the Project Site does not support habitat for candidate, sensitive, or special status species identified in local plans, policies, regulations, by the California Department of Fish and Wildlife (CDFW), the California Native Plant Society (CNPS), or the U.S. Fish and Wildlife Service (USFWS). Therefore, no impact related to this issue would occur.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact. The Project Site is located in an urbanized area of the City of Los Angeles, and is currently developed with multi-family residential units, a restaurant and tavern, and surface parking. There are no riparian areas, sensitive natural communities, or Significant Ecological Areas as defined by the City of Los Angeles located on or adjacent to the Project Site.²⁶ Therefore, no impact related to this issue would occur.

c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. The Project Site is located in an urbanized area of the City of Los Angeles, and is currently developed with multi-family residential units, a restaurant and tavern, and surface parking. The Site does not contain wetlands or other areas subject to the jurisdiction of the US Army Corps of Engineers, California Department of Fish and Wildlife, or State Water Resources Control Board. In addition, a review of the National Wetlands Inventory identified no wetlands or water features on the Project Site.²⁷ Thus, the Project would not have a substantial adverse effect on state or federally protected wetlands, and no impact would occur.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant Impact. The Project Site is located in an urbanized area of the City of Los Angeles, and is currently developed with multi-family residential units, a restaurant, and surface parking. The Project Site currently does not interfere substantially with the movement of any native resident or migratory birds. The Project Site is located within an urban area that is highly disturbed and does not

²⁶ NavigateLA, Water, Lakes, and Streams layer: <http://navigateLA.lacity.org/navigateLA/>, June 15, 2020.

²⁷ U.S. Fish & Wildlife Service, National Wetlands Inventory: <http://www.fws.gov/wetlands/data/mapper.HTML>

contain any major water bodies that would contain or support habitat for native resident or migratory bird species. According to the tree letter prepared for the Project Site (attached as Appendix B to this SCEA), the Project Site contains four on-site trees with an additional five trees in the public right-of-way, which may potentially provide nesting sites for migratory birds. During Project construction activities, the four on-site trees and one tree in the public right-of-way would be removed. The removal of these trees would comply with the Migratory Bird Treaty Act (MBTA), which regulates vegetation removal during the nesting season to ensure that significant impacts to migratory birds would not occur. To the extent that vegetation removal activities must occur during the nesting season (February 1 through August 31), a biological monitor would be present during removal activities to ensure that no active nests are impacted. If any active nests are detected, the area would be flagged with a buffer (ranging between 50 and 300 feet, as determined by the monitoring biologist), and the area would be avoided until the nesting cycle has been completed or the monitoring biologist has determined that the nest has failed. With compliance with this existing regulatory requirement, impacts to nesting and migratory birds would be less than significant.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (e.g., oak trees or California walnut woodlands)?

No Impact. Local ordinances protecting biological resources are limited to the City of Los Angeles' Protected Tree Ordinance, as modified by Ordinance 177,404. The amended Protected Tree Ordinance provides guidelines for the preservation of all Oak trees indigenous to California (excluding the Scrub Oak or *Quercus dumosa*) as well as the following tree species: Southern California Black Walnut (*Juglans californica* var. *californica*); Western Sycamore (*Platanus racemosa*); and California Bay (*Umbellularia californica*).²⁸ In addition, the City has recently expanded this list of protected species to include Mexican Elderberry (*Sambucus nigra* ssp. *caerulina*) and Toyon (*Heteromeles arbutifolia*) shrubs. According to the tree letter prepared for the Project Site (included as Appendix B to this SCEA), none of the trees located on the Project Site or in the public right-of-way are protected trees or shrubs under the City's Protected Tree Ordinance. The Project would remove the four existing on-site trees and one tree from the public right-of-way. As none of these trees are protected trees, no impact would occur. Furthermore, while the one tree in the public right-of-way is not considered a protected tree, its removal would be undertaken in accordance with the removal and replacement requirements and policies of the City's Urban Forestry Division, subject to approval of the Board of Public Works. Accordingly, none of the proposed tree removals would conflict with local policies or ordinances.

f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. The Project Site is located in an urbanized area of the City of Los Angeles and is currently developed with multi-family residential units, a restaurant and tavern, and surface parking. The Project Site is not located in or adjacent to an existing or proposed Significant Ecological Area.²⁹ Additionally, there is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan that applies to the Project Site. Therefore,

²⁸ City of Los Angeles, Ordinance 177404, approved March 13, 2006 and effective April 23, 2006.

²⁹ NavigateLA, Significant Ecological Area layer: <http://navigateLA.lacity.org/navigateLA/>, June 15, 2020.

the Project would not conflict with any habitat conservation plans and no impact to such plans would occur.

Cumulative Impacts

All of the related projects listed in Table 2-1 in Section 2 (Project Description) are located in highly urban areas and likely do not contain significant biological resources, such as candidate, sensitive or special status species, riparian habitat, sensitive natural communities, and are not part of a wildlife corridor or SEA or subject to a Habitat Conservation Plan, a Natural Community Conservation Plan, or other such plan. All related projects with existing trees would be required to comply with the requirements of the MBTA as well as the City's Protected Tree Ordinance and the City's requirements regarding street tree removal and replacement. Because the Project would not result in any impacts related to biological resources, the Project does not have the potential to contribute to any cumulative biological resources impacts. Therefore, cumulative impacts related to biological resources would be less than significant.

V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The information and analysis of the Project's potential impacts to cultural resources is based on the following reports (refer to Appendix C):

C-1 Historical Resources Assessment, 800-840 South Fairfax Avenue, Architectural Resources Group, May 15, 2020.

C-2 Archaeological Resources Assessment for the 800-840 South Fairfax Project, SWCA Environmental Consultants, February 3, 2021.

a. Cause a substantial adverse change in the significance of a historical resource pursuant to State CEQA Guidelines §15064.5?

Less Than Significant Impact. CEQA requires a lead agency to analyze whether historic resources may be adversely affected by a proposed project. Under CEQA, a “project that may cause a substantial adverse change in the significance of a historic resource is a project that may have a significant effect on the environment” (PRC Section 21084.1). First, the determination must be made whether the project involves cultural resources. Second, if cultural resources are present, the project must be analyzed for a potential “substantial adverse change in the significance” of the resource. CEQA Guidelines specify that a “substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (CEQA Guidelines, Section 15064.5). Material impairment occurs when a project alters in an adverse manner or demolishes “those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion” or eligibility for inclusion in the National Register of Historic Place (National Register), California Register of Historical Resources (California Register), or local register. A project-related significant adverse effect would occur if a project were to adversely affect a historical resource meeting one of the above definitions.

Regulatory Setting

National Register of Historic Places

The National Register is the nation's master inventory of known historic resources. Established under the auspices of the National Historic Preservation Act of 1966, the National Register is administered by the National Park Service (NPS) and includes buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, state, or local level. Eligibility for in the National Register is addressed in National Register Bulletin (NRB) 15: *How to Apply the National Register Criteria for Evaluation*. NRB 15 states that in order to be eligible for the National Register, a resource must both: (1) be historically significant, and (2) retain sufficient integrity to adequately convey its significance.

Significance is assessed by evaluating a resource against established eligibility criteria. A resource is considered significant if it satisfies any one of the following four National Register criteria:³⁰

- Criterion A (events): associated with events that have made a significant contribution to the broad patterns of our history;
- Criterion B (persons): associated with the lives of significant persons in our past;
- Criterion C (architecture): embodies the distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or that possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction;
- Criterion D (information potential): has yielded or may be likely to yield, information important in prehistory or history.

Once significance has been established, it must then be demonstrated that a resource retains enough of its physical and associative qualities – or *integrity* – to convey the reason(s) for its significance. Integrity is best described as a resource's "authenticity" as expressed through its physical features and extant characteristics. Generally, if a resource is recognizable as such in its present state, it is said to retain integrity, but if it has been extensively altered then it does not. Whether a resource retains sufficient integrity for listing is determined by evaluating the seven aspects of integrity defined by NPS:

- Location (the place where the historic property was constructed or the place where the historic event occurred);
- Setting (the physical environment of a historic property);
- Design (the combination of elements that create the form, plan, space, structure, and style of a property);

³⁰ Some resources may meet multiple criteria, though only one needs to be satisfied for National Register eligibility.

- Materials (the physical elements that were combined or deposited during a particular period of time and in a particular manner or configuration to form a historic property);
- Workmanship (the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory);
- Feeling (a property's expression of the aesthetic or historic sense of a particular period of time);
- Association (the direct link between an important historic event/person and a historic property).

Integrity is evaluated by weighing all seven of these aspects together and is ultimately a “yes or no” determination – that is, a resource either retains sufficient integrity, or it does not.³¹ Some aspects of integrity may be weighed more heavily than others depending on the type of resource being evaluated and the reason(s) for the resource's significance. Since integrity depends on a resource's placement within a historic context, integrity can be assessed only after it has been concluded that the resource is in fact significant.

California Register of Historical Resources

The California Register is an authoritative guide used to identify, inventory, and protect historical resources in California. Established by an act of the State Legislature in 1998, the California Register program encourages public recognition and protection of significant architectural, historical, archeological, and cultural resources; identifies these resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA.

The structure of the California Register program is similar to that of the National Register, though the former more heavily emphasizes resources that have contributed specifically to the development of California. To be eligible for the California Register, a resource must first be deemed significant under one of the following four criteria, which are modeled after the National Register criteria listed above:

- Criterion 1 (events): associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
- Criterion 2 (persons): associated with the lives of persons important to local, California, or national history;
- Criterion 3 (architecture): embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values;
- Criterion 4 (information potential): has yielded, or has the potential to yield, information important to the prehistory or history of the local area, state, or the nation.

³¹ Derived from NRB 15, Section VIII: “How to Evaluate the Integrity of a Property.”

Mirroring the National Register, the California Register also requires that resources retain sufficient integrity to be eligible for listing. A resource's integrity is assessed using the same seven aspects of integrity used for the National Register. However, since integrity thresholds associated with the California Register are generally less rigid than those associated with the National Register, it is possible that a resource may lack the integrity required for the National Register but still be eligible for listing in the California Register.

Certain properties are automatically listed in the California Register, as follows:³²

- All California properties that are listed in the National Register;
- All California properties that have formally been determined eligible for listing in the National Register (by the State Office of Historic Preservation);
- All California Historical Landmarks numbered 770 and above; and
- California Points of Historical Interest which have been reviewed by the State Office of Historic Preservation and recommended for listing by the State Historical Resources Commission.

Resources may be nominated directly to the California Register. State Historic Landmarks #770 and forward are also automatically listed in the California Register. There is no prescribed age limit for listing in the California Register, although guidelines state that sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with a resource.

City of Los Angeles Cultural Heritage Ordinance

The local designation programs for the City of Los Angeles include Historic-Cultural Monument (HCM) designation for individual resources and the adoption of Historic Preservation Overlay Zones (HPOZs) for concentrations of buildings, commonly known as historic districts.

The City of Los Angeles Cultural Heritage Ordinance (Chapter 9, Section 22.171 *et seq.* of the Los Angeles Administrative Code) defines an HCM as any site (including significant trees or other plant life located thereon), building, or structure of particular historic or cultural significance to the City of Los Angeles, meaning that it meets one or more of the following criteria:

1. It is identified with important events of national, state, or local history, or exemplifies significant contributions to the broad cultural, economic or social history of the nation, state, city, or community; or
2. It is associated with the lives of historic personages important to national, state, city, or local history; or

³² California Public Resources Code, Division 5, Chapter 1, Article 2, § 5024.1.

3. It embodies the distinctive characteristics of a style, type, period, or method of construction; or represents a notable work of a master designer, builder, or architect whose individual genius influenced his or her age.

Local historic preservation ordinances often include standards for determining whether a resource retains sufficient integrity to merit local historic designation, and this language can vary widely from municipality to municipality. Some local ordinances do not mention integrity at all. The Los Angeles Cultural Heritage Ordinance does not include language about integrity. When evaluating historic resources in municipalities where the historic preservation ordinance does not provide guidance for assessing integrity, in accordance with best professional practices it is customary to use the National Register's seven aspects of integrity to assess whether or not a resource retains sufficient integrity to convey its significance at the local level.

As with the National and California Registers, in assessing integrity at the local level, some aspects may be weighed more heavily than others depending on the type of resource being evaluated and the reason(s) for its significance. For example, if a property is significant as an excellent example of an architectural style, integrity of design, workmanship and materials may weigh more heavily than integrity of setting. In contrast, if a property is significant for its association with an important event or person, integrity of setting, feeling, and association may weigh more heavily than integrity of design.

City of Los Angeles Historic Preservation Overlay Zone Ordinance

Historic districts in Los Angeles are regulated by the HPOZ Ordinance. The City of Los Angeles established the HPOZ ordinance in 1979. The ordinance was revised in 1997, 2000, 2004, and 2017. According to §12.20.3.B.17 of the LAMC, an HPOZ is "any area of the City of Los Angeles containing buildings, structures, landscaping, natural features or lots having historic, architectural, cultural or aesthetic significance."³³ The ordinance describes the procedures for the creation of new HPOZs, the powers and duties of HPOZ boards, and the review process for development projects within HPOZs. New HPOZ designations are typically initiated by the City Council through a motion of the Councilmember of the district, though the Director of Planning, the Cultural Heritage Commission, the City Planning Commission, or the owners and renters of properties within the district may also initiate an HPOZ designation. Once the designation is initiated, a historic resource survey of the district is completed by a qualified professional and reviewed for completeness and accuracy by City staff; public workshops and hearings are conducted; the survey is certified by the Cultural Heritage Commission; and the zoning changes associated with the HPOZ are ultimately adopted by the City Planning Commission and City Council.

SurveyLA

The Project Site is located within the City of Los Angeles, which has been subject to a Citywide historic resources survey known as SurveyLA. SurveyLA, the Los Angeles Historic Resources Survey, is the City's comprehensive program to identify and document potential historic resources throughout the City

³³ City of Los Angeles, Ordinance No. 184903, amending Section 12.20.3 of the Los Angeles Municipal Code, Jun. 17, 2017.

of Los Angeles. SurveyLA is intended to provide baseline information on historic resources to inform planning decisions and support City policy goals and processes.

CEQA Thresholds

Historical resources are considered to be a part of the environment and are thereby subject to review under CEQA. Section 21084.1 of the California Public Resources Code states that for purposes of CEQA, “a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.”³⁴ This involves a two-part inquiry. First, it must be determined whether the project involves a historical resource. If it does, then the second part involves determining whether the project may result in a “substantial adverse change in the significance” of the historical resource.

To address these issues, guidelines relating to historical resources were formally codified in October, 1998 as Section 15064.5 of the CEQA Guidelines. The guidelines state that for purposes of CEQA compliance, a “historical resource” shall be defined as any one of the following:³⁵

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission for listing in, the California Register of Historical Resources.
2. A resource included in a local register of historical resources, or identified as significant in a qualified historical resource survey, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrate that it is not historically or culturally significant.
3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing in the California Register of Historical Resources.

Once it has been determined that a historical resource is present, it must then be determined whether the project may result in a “substantial adverse change” to that resource. Section 5020.1. of the California Public Resources Code (PRC) defines a substantial adverse change as the “demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired.” Furthermore, according to Title 14 of the California Code of Regulations (CCR), the significance of a historical resource is materially impaired when a project:

³⁴ California Code of Regulations, Title 14, Chapter 3, Section 15064.5.

³⁵ Ibid.

- A. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or
- B. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- C. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

Generally, a project that follows the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.³⁶

Secretary of the Interior's Standards

As stated above, projects that conform to the *Secretary of the Interior's Standards for the Treatment of Historic Properties* ("the Standards") are generally treated as projects that will not result in a substantial adverse change to historical resources. The Standards are widely used to guide federal, state, and local agencies as they carry out their historic preservation programs and responsibilities.

The Standards are:

1. A property shall be used for its historic purpose or to be placed in a new use that requires minimal change to the defining characteristics of the buildings and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property will be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

³⁶ 14 CCR 15064.5

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Environmental Setting

800-830 South Fairfax Avenue

The analysis undertaken by Architectural Resources Group (ARG) and contained in the Historical Resources Assessment (included in Appendix C-1 of this SCEA) concluded that the buildings at 800 and 830 South Fairfax Avenue are not eligible for the National Register, California Register, as a Los Angeles HCM, or as part of a historic district HPOZ. Specifically, neither 800 South Fairfax Avenue nor 830 South Fairfax Avenue are associated with events or patterns of events that have made a significant contribution to history, they are not associated with the lives of significant persons, nor are they significant for reasons related to architecture or physical design.

Integrity

Since the buildings at 800 and 830 South Fairfax are not eligible for federal, state, or local listing, an analysis of integrity was not undertaken.

840 South Fairfax Avenue

In June 2019, 840 South Fairfax Avenue (Tom Bergin's) was designated as Los Angeles HCM No. 1182. The property was designated under local Criterion 1, "exemplifies significant contributions to the broad cultural, economic or social history of the nation, state, city, or community," as the long-time location of

Tom Bergin's, a business that bears a significant association with the commercial identity of Los Angeles.³⁷ Its period of significance is 1949-2018.

The building is not currently designated at the federal (National Register) or state (California Register) levels. According to research and analysis conducted as part of the Historical Resources Assessment, ARG found that it is eligible for listing in the National Register and California Register under criterion A/1.

Integrity

For a property to be eligible for listing in the National and California Registers, or as a Los Angeles Historic-Cultural Monument, it must first meet one or more eligibility criteria and also retain sufficient integrity to convey its historic significance. As stated in *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*, "only after significance is fully established can you proceed to the issue of integrity."³⁸ In accordance with best professional practices, it is customary to apply this same methodology when evaluating resources under state and local eligibility criteria.

The building at 840 South Fairfax Avenue was deemed to have sufficient integrity when it was listed as an HCM in 2019. Following is a summary of integrity for the building, as stated in the HCM designation:

- Location: the business was originally located nearby on Wilshire Boulevard, but the building, which was purpose-built for Tom Bergin's, has remained on its original site since its construction in 1949. The building thus retains integrity of location.
- Design: while some minor alterations have been made to the building, they have not collectively resulted in substantive changes to its overall design. Its essential form, plan, massing, configuration, and vocabulary remain intact and legible. The building retains integrity of design.
- Setting: Sanborn maps and historic images indicate that when it was constructed, the building occupied a stretch of Fairfax Avenue that was sparsely developed. The surrounding area was primarily developed with low-scale residences, and Art Deco-style commercial buildings dominated the nearby Miracle Mile commercial district. Over time, development in the area has become much larger, denser, and evocative of contemporary modes of architecture. Originally a complement to the area's prevailing development patterns and aesthetic character, the building, over time, has become anomalous as the context of the immediate area has changed and evolved. To the north of the building, the Petersen Automotive Museum was recently renovated (2015) with a new façade treatment comprising stainless steel ribbons and a bold color palette, a sharp visual deviation from existing buildings in the vicinity. The construction of the Jean and Jerry Friedman Shalhevet High School campus to the immediate south of the Tom Bergin's building (2015), and the Vinz on Fairfax mixed-use development on the next parcel to the south (2017), further altered the setting of 840 South Fairfax Avenue by introducing buildings that were

³⁷ Los Angeles City Clerk, Council File: 19-0293, received Mar. 26, 2019, last changed Jun. 19, 2019.

³⁸ National Park Service, *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*, (Washington, D.C.: United States Department of the Interior, 1990, revised 1991, 1995, 1997), 45.

considerably larger and bulkier to this stretch of Fairfax Avenue, which was previously occupied by low-slung buildings. The construction of these large new developments has rendered this stretch of Fairfax Avenue much more varied and eclectic with respect to scale and visual character. That these large new developments were erected in such close proximity to the Tom Bergin's buildings has had the effect of making the Tom Bergin's building appear more diminutive, though it retains its essential setting of being a commercial building set along a commercial corridor and flanked by residential neighborhoods. The building's integrity of setting has thus been compromised.

- Materials: with the exception of some new materials that were introduced during renovation and remodel projects, almost all of the building's original materials remain intact. It thus retains integrity of materials.
- Workmanship: distinguishing characteristics that provide the building with its distinctive visual character remain intact. The building thus retains integrity of workmanship.
- Feeling: the building retains its essential character-defining features and appearance from its historic periods. It therefore retains integrity of feeling.
- Association: though it is currently closed, the building retains the distinctive look, feel, and appearance of an Irish-themed pub and restaurant. It is accompanied by signage that connotes its historical use and occupancy. The building therefore retains integrity of association.

Thresholds of Significance for Historical Resources

According to the CEQA Guidelines, a project has the potential to impact a historical resource when the project involves a "substantial adverse change" in the resource's significance. Substantial adverse change is defined as "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource will be materially impaired."³⁹

The significance of a historical resource is materially impaired when a project:

- a) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resources that convey its historical significance and that justify its inclusion in, or eligibility for, the California of Historical Resources; or
- b) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code (PRC) of its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the PRC, unless the public agency reviewing the effects of the project established by a preponderance of evidence that the resource is not historically or culturally significant; or

³⁹ Title 14 CCR, Section 15064.5

- c) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for the purposes of CEQA.

A project that has been determined to conform with the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (the Standards) shall generally be considered to be a project that will not cause a significant impact on a historical resource (Title 14 CCR, Section 15064.5(b)(3)).

Project Impacts

Direct Impacts

The analysis provided in the Historical Resources Assessment (included in Appendix C-1 of this SCEA) determined that the Project will not have a significant impact on historical resources. As previously described, the Tom Bergin's building at 840 South Fairfax Avenue is a designated Los Angeles HCM, and is also eligible for listing for the National Register and California Register under Criterion A/1. A stated goal of the Project is the preservation of the Tom Bergin's building, and the building will be isolated from development activities taking place in the northern portions of the Project Site. Specifically, no excavation activities will take place within 35.5 feet of the north elevation of the Tom Bergin's building, and as described in Section 5.XIII, Noise, of this SCEA, no potential building-damaging vibration would result from Project construction activities.

The Project includes demolition of existing conditions on the northern majority of the Project Site in order to accommodate the new mixed-used building; however, as stated above, demolition activities will be confined to areas of the Project Site that do not contain historical resources. Specifically, demolition will be limited to the two existing multi-family residential buildings at 800 South Fairfax Avenue and 830 South Fairfax Avenue – neither of which meets eligibility criteria for federal, state, or local listing – and the surface parking lot to the north of the Tom Bergin's building, which the City Council excluded from the 2019 HCM designation because it was considered to not be a character-defining feature. The designated Tom Bergin's building will remain fully intact and in situ.

None of the character-defining features associated with the designated Tom Bergin's building will be removed or altered as a result of the Project. Character-defining exterior features and finishes, and character-defining interior features, finishes, and spaces will not be modified in any way by the construction of the new adjacent mixed-use building. There are two character-defining features that are physically separated from the building envelope: the first is a freestanding pole sign near the west property line that reads "TOM BERGIN STEAKS CHOPS" on its upper face and "PUBLIC HOUSE" on its lower face, and the second is a freestanding pole sign near the west property line that is styled in the shape of a shamrock and reads "HOUSE OF IRISH COFFEE." Both signs will be retained in situ by the Project.

The Project includes development of a new approximately 189,115 square foot mixed-use residential and commercial building, including one level of below-grade parking and eight stories above grade. The

new building will be separated from Tom Bergin's by a landscaped courtyard averaging 25 feet, 6 inches in width, which will be constructed in place of the southern half of the existing parking lot (currently approximately 60 feet in width). The northern half of the existing parking lot will be occupied by the new building. The new courtyard will narrow at the rear (east end) of the Project Site, which is least visible from public view. At this end, the new building will be located nearer to the historic building but will maintain a distance of 5 feet. The new courtyard will include a combination of landscape and hardscape features; it will retain existing patterns of ingress and egress to Tom Bergin's, whose primary entrance is located on that building's north façade. The new courtyard will ensure that there is sufficient physical separation between the historic building and the new building as to where the long, low-slung north façade of Tom Bergin's and its character-defining features remain visible from the public-right-of-way.

The portions of the new building closest to Tom Bergin's on the Project site include, from west to east: the lobby to the new residential building, the elevator and stair core, and parking-related program such as a valet office, valet drop off area, and bicycle parking. This area also includes back of house areas such as the electrical room and trash receptacle area. The volume of the new building that contains the lobby reaches a maximum height of 26 feet, which is lower than the gable peak of the Fairfax Avenue-facing gable of the Tom Bergin's building. The new building steps up incrementally toward the rear of the parcel, up to 82 feet at 25 feet from the Fairfax Avenue frontage, and then 90 feet at the very rear. The small volume nearest the Tom Bergin's building, located at the rear of the Project Site, is 14 feet at its highest point and 5 feet away from the back portion of the Tom Bergin's building.

Compliance with the Secretary of the Interior's Standards

The *Secretary of the Interior's Standards for Rehabilitation* generally guide the treatment of a historic building's significant spaces, features, and materials. Because the Project will not include development activities at the Tom Bergin's building itself, Standards 1-8 do not apply to the Project. However, Standards 9 and 10 relate specifically to adjacent new construction and are thus applicable to the Project.

The Project will comply with Standards 9 and 10 as follows:

9. *New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*

The Project does not include any construction activities on the Tom Bergin's building itself, and therefore it will not destroy any historic materials that characterize the property. The historic building will retain all of its exterior and interior character-defining features, including two freestanding signs.

The new building will be differentiated from the historic resource such that it does not replicate any of the historic elements or features of the historic building, or attempt to appear as related historic construction. Rather, the new building will have a contemporary aesthetic typical of the 2020s, rather than the 1940s.

The new development, though much larger in scale than the Tom Bergin's building, is designed in such a way that it will be compatible with the massing, size, scale, and features of the historic building. Specifically, the new building has been designed so that its southwest volume, at 26 feet tall, is considerably lower than the rest of the building and a little bit lower than the top of the front gable of the Tom Bergin's building, helping to soften the transition in scale between the one-and-a-half story historic building and the new eight-story building. Stepping back the massing of the new building in this way also has the effect of preserving views of the Tom Bergin's building as it is being approached from the north.

In addition to its stepped massing, the new building also strategically incorporates glazing and other materials to further soften the transition between the Tom Bergin's building and the adjacent new construction. The new building will incorporate a variety of materials and textures into its design; its southern volumes, which are nearest Tom Bergin's, are extensively glazed, resulting in façades that are generally lighter, tauter, and less visually impactful than the rest of the new building. This will further ease the visual transition between the historic building and the proposed new construction. For these reasons, the Project meets Standard 9.

10. *New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

The Project includes new construction adjacent to the Tom Bergin's building, including a new approximately 189,115 square foot mixed-use building and a landscaped courtyard. The Project does not include any additions or modifications to the Tom Bergin's building itself, or any related new construction.

If the new building and courtyard were to be removed in the future, the Tom Bergin's building would remain unchanged. It would retain its essential form and integrity. All of its character-defining features, including detached exterior features like the two freestanding signs, would be unimpaired. Although the Project would remove the building's surface parking lot and other site features, such as perimeter walls and other landscaping, the surface parking lot is not a character-defining feature of the historic property, and walls and landscape features associated with the parking lot are not historic (most date to modifications made to the property circa 2012 when the property changed hands). For these reasons, the Project meets Standard 10.

Summary of Continued Eligibility

As described above, the Project meets the Standards as they apply to related and adjacent new construction to the Tom Bergin's building, a historical resource. Furthermore, upon completion of the Project, the building will continue to be eligible for its designation as a Los Angeles HCM. It will also continue to be eligible for listing in the National Register and California Register.

The building is locally designated, and is also eligible under state and federal programs, because of its significant associations with the commercial identity of Los Angeles by virtue of its identity as the long-term location of the Tom Bergin's restaurant. Since the Project will not impose any changes to the building itself, the building will continue to appear as it did historically and retain its ability to materially

convey its significant associations. It will retain all of its interior and exterior character-defining features, as well as character-defining site features such as the two freestanding pole signs. Furthermore, the Project will not diminish the building's current integrity. Therefore, the Tom Bergin's building will remain eligible for local, state, and federal listing upon completion of the Project, and Project impacts would therefore be less than significant. To further ensure the appropriate treatment of the designated Tom Bergin's building during construction of the Project, the Project will also include Project Design Features PDF-CUL-1 and PDF-CUL-2, provided below.

Indirect Impacts

The historic report (contained in Appendix C-1 of this SCEA) also contains an analysis of indirect impacts. As discussed therein, the Project would not have any indirect impacts on any adjacent historical resources, including the Carthay Circle HPOZ to the west and the Miracle Mile HPOZ to the east.

Project Design Features

PDF-CUL-1 Photo documentation of the Tom Bergin's building and its current site conditions will be undertaken before commencement of construction activities on the Project Site. Documentation will include the surface parking lot and all site features on the property, in addition to the building itself and its two freestanding signs. Photographic documentation will follow the guidelines of the Historic American Building Survey (HABS) Level III, although it is not required that they be submitted to the Library of Congress. Photographic documentation will be submitted to local repositories including (and not limited to) the Los Angeles Public Library and the Los Angeles Conservancy.

PDF-CUL-2 The condition of the Tom Bergin's building will be monitored during excavation and construction activities by a historic architect meeting the Secretary of the Interior's Professional Qualification Standards, to ensure it is protected from vibration and other construction-related disturbances.

Thus, Project impacts with respect to historic resources would be less than significant.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines §15064.5?

Less Than Significant with Mitigation Incorporated. Section 15064.5(a)(3)(D) of the CEQA Guidelines generally defines archaeological resources as any resource that "has yielded, or may be likely to yield, information important in prehistory or history." Archaeological resources are features, such as tools, utensils, carvings, fabric, building foundations, etc., that document evidence of past human endeavors and that may be historically or culturally important to a significant earlier community.

Regulatory Setting

State

In terms of archaeological resources, PRC Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Local

City of Los Angeles General Plan

The Conservation Element of the City of Los Angeles General Plan, adopted in September 2001, contains an objective (II-5) to protect the City's archaeological resources for historical, cultural, research and/or educational purposes. The Conservation Element establishes a policy to "continue to identify and protect significant archaeological and paleontological sites and/or resources known to exist or that are identified during land development, demolition of property modification activities" (City of Los Angeles 2001:II-5-6).

Methodology

CHRIS Records Search

On August 26, 2020, SWCA Environmental Consultants conducted a confidential search of the California Historical Resources Information System (CHRIS) records at the South Central Coastal Information Center (SCCIC) on the campus of California State University, Fullerton, to identify previously documented cultural resources within a 0.5-mile radius of the Project Site (see Appendix C-2 of this SCEA). The SCCIC maintains records of previously documented archaeological resources and technical studies; it also maintains copies of the OHP's portion of the Historic Resources Inventory.

Archival Research

Concurrent with the CHRIS records search, SWCA also reviewed property-specific historical and ethnographic context research to identify information relevant to the Project Site. Research focused on a variety of primary and secondary materials relating to the history and development of the Project Site, including historical maps, aerial and ground photographs, ethnographic reports, and other environmental data.

Sensitivity Assessment

Where a known archaeological resource is not present within a specified area, SWCA assesses the potential for the presence of an unidentified resource in the form of a buried archaeological site. That determination considers historical use of the Project vicinity broadly, and the physical setting specifically, including an assessment of whether the setting is capable of containing buried archaeological material. Lacking any testing specifically gathered to assess the presence or absence of archaeological material below the surface, the resulting sensitivity is inherently qualitative, ranging from an increasing probability of “low” to “moderate” to “high” for encountering such material.

SWCA assessed the sensitivity of the Project Site to contain prehistoric and Historic-period Native American archaeological resources, as well as Historic-period non–Native American archaeological resources. Specific factors are considered for each respective resource type. Favorable habitation by past Native Americans is indicated by proximity to natural features (e.g., perennial water source, plant or mineral resource, animal habitat) and other known Native American archaeological sites, flat topography, prominent viewsheds, and relatively dry conditions. Indicators of sensitivity for Historic-period archaeological resources not associated with Native Americans include presence of bricks, glass, building materials on the surface or in geotechnical bores, historically documented occupation, and multiple episodes of construction and demolition of historical structures. Areas with a favorable setting for Native American habitation or temporary use, recorded historical occupation, soil conditions capable of preserving buried material, and little to no disturbances are considered to have high sensitivity. Areas lacking these traits are considered to have low sensitivity. Areas with a combination of these traits are considered to have moderate sensitivity.

Project Impacts

A CHRIS records search and archival research identified 12 previously recorded resources within a 0.5-mile radius of the Project Site. None of the resources are within the Project Site. Resources identified in the 0.5-mile radius include two sites with archaeological components: P-19-000519 and P-19-001261. P-19-000519 includes Native American human remains, commonly known as the La Brea Woman, recovered in 1915 from asphalt seeps in the La Brea Tar Pits, located approximately 0.4 miles to the northeast of the Project Site. P-19-001261 is a Historic-period refuse pit identified near the prehistoric site of the La Brea Tar Pits. The nearest Native American villages and settlements identified in ethnographic literature are between 5.7 and 7.5 miles from the Project Site. Other unnamed Native American settlements have been documented 2.5 miles south of the Project Site along the former course of the Los Angeles River (now Ballona Creek) and several wetland features that once existed in the Las Cienegas area. These also likely served as important perennial water sources. The La Brea Tar Pits served as an important source of asphaltum for Native Americans dating back at least 10,000 years. Other water features including perennial springs are known to have existed across the Los Angeles Basin and along the southeast-facing toeslopes of the Santa Monica Mountains, which would have been frequented by Native Americans. The nearest such spring identified in historical maps was located approximately 0.9 miles to the north. Late nineteenth century and early twentieth century topographic maps show several small southwest-flowing streams once located approximately 0.5 miles to the north, south, and west of the Project Site. These streams appear to have been intermittent or ephemeral and only contained water for short periods of time during the wet season. The relative proximity to these

natural resources, especially the asphaltum source, suggests an increased level of sensitivity for prehistoric archaeological resources, specifically remains from a temporary open camp identified by the presence of flaked stone tools, tool-making debris, stone milling tools, shell, fire-altered rock, and sediment discoloration or carbonization.

During the eighteenth century, the Project Site remained an undeveloped open space within the eastern portion of Rancho de las Aguas—a Mexican land grant—which was possibly used as pasture for cattle and sheep grazing. By the early twentieth century, the Project Site was located on the west end of a grain field (most likely wheat or barley). Aerial photos taken in the early 1920s indicate that the field was seasonally plowed. The present-day street grid in this area was established by 1924 as part of the expanding commercial and residential developments centered on Wilshire Boulevard, but the Project Site remained a vacant lot until 1951, when the extant apartment building was constructed. Given the sparse use during the Spanish, Mexican, and early American periods, it is very unlikely that substantial material remains ever existed within the Project Site. During the 30-year period from about 1920 to 1951, when the Project Site remained a vacant lot, it is possible that individual pieces of refuse could have been discarded and become buried, which slightly increases the archaeological sensitivity, specifically food and beverage waste, and personal items.

The archaeological preservation conditions within the Project Site are poor. The development of the agricultural field in the early twentieth century and subsequent residential development in 1951 would have disturbed surface or near-surface archaeological deposits that may have once been present. Sediment profiles taken from boring samples in the Project Site indicate at least two feet of artificial fill on top of naturally deposited alluvial sediments. Artifacts or features associated Native American activities can remain preserved below surface disturbances, but given the lack of evidence suggesting concentrated activity within the Project Site, it is unlikely that any such archaeological deposits exist either intermixed with the artificial fill or within the underlying alluvial sediments. For these reasons, SWCA finds the Project Site has low sensitivity for prehistoric archaeological resources.

The artificial fill identified within geotechnical borings extends approximately two feet below the surface and appears to have been created during the construction of the extant residential property in 1951. The stratum of artificial fill represents the area in which any Historic-period archaeological resources have any potential to occur within the Project Site, the most likely type of which are individual pieces of refuse deposited between 1920 and 1950. However, the substantial nature of the disturbance from the development of the property significantly reduces the likelihood that any such archaeological resources have been preserved. For these reasons, SWCA finds the Project Site has low sensitivity for containing Historic-period (non-Native American) archaeological resources.

The Project requires the excavation of the underlying alluvial sediments and the removal of the overlying artificial fill. The potential for unidentified archaeological resources within these sediments is found to be low. Notwithstanding, given that Project construction would involve excavations deeper than previously disturbed levels, there is a possibility of encountering previously unidentified archaeological resources. Accordingly, the Project Applicant would therefore implement relevant portions of Mitigation Measure PMM CULT-1 from the 2020-2045 RTP/SCS Program EIR (provided below as MM-CUL-1). Implementation of this measure would ensure that impacts with respect to archaeological resources are less than significant in the event that any archaeological resources are discovered during grading,

excavation, or other soil-disturbing activities.

Mitigation Measure

MM-CUL-1 If archaeological resources are discovered during excavation, grading, or construction activities, work shall cease in the area of the find until a qualified archaeologist has evaluated the find in accordance with the State regulations and guidelines, including those set forth in CEQA Guidelines Section 15064.5(f). A qualified archaeologist is defined as one who meets the Secretary of the Interior Professional Qualification Standards in Archaeology. Personnel associated with the Project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project Site. The found desposits shall be treated in accordance with State regulations and guidelines, including those set forth in CEQA Guidelines Section 15126.4 and California PRC Section 21083.2. If the discovery proves significant under CEQA (Section 15064.5; PRC Section 21083.2), additional work such as testing or data recovery may be warranted. Should any Native American artifacts be encountered, additional consultation would NAHC-listed tribal groups should be conducted immediately.

c. Disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant Impact. Although the Project Site has been subject to grading and development in the past, the Project would require excavations below ground surface. A significant adverse effect could occur if grading or excavation activities associated with a project could disturb human remains. As discussed above, no human remains are known to exist at the Project Site. Although unlikely, there is a possibility that human remains could be encountered during excavation and grading activities, which is a potential significant impact. If human remains are encountered, California Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to California Public Resources Code Section 5097.98. In the event that human remains are discovered during excavation activities, the following procedure (CEQA Guidelines, Section 15064.5) shall be observed:

Stop immediately and contact the County Coroner:
1104 N. Mission Road
Los Angeles, CA 90033
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)

If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the NAHC. The NAHC will immediately notify the person it believes to be the most likely descendent of the deceased Native American. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods as provided in Public Resources Code Section 5097.98. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC.

Compliance with the regulatory standards described above would ensure appropriate treatment of any potential human remains discovered during construction grading and/or excavation activities. Therefore, the Project's impacts on human remains would be less than significant.

Cumulative Impacts

Impacts related to archaeological resources and human remains are site-specific and are assessed on a site-by-site basis. As discussed above, the Project would not result in indirect or direct impacts to any significant historical resource. Thus, the Project would not have the potential to contribute toward any significant cumulative impacts related to historic resources. Moreover, all development in the City (including the Project and the related projects) that involves ground-disturbing activities is required to implement standard City conditions of approval and/or mitigation related to the discovery of archaeological resources, as well as existing state and City regulations related to discovery of human remains. For these reasons, cumulative impacts related to archaeological resources and human remains would not be cumulatively considerable and less than significant.

VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulatory Setting

Federal

First established by the U.S. Congress in 1975, the Corporate Average Fuel Economy (CAFE) standards reduce energy consumption by increasing the fuel economy of cars and light trucks. The National Highway Traffic Safety Administration (NHTSA) and U.S. Environmental Protection Agency (USEPA) jointly administer the CAFE standards. The U.S. Congress has specified that CAFE standards must be set at the “maximum feasible level” with consideration given for: (1) technological feasibility; (2) economic practicality; (3) effect of other standards on fuel economy; and (4) need for the nation to conserve energy.⁴⁰

State

Building Energy Efficiency Standards

The Building Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR, Title 24, Part 6) were first adopted in 1976 and have been updated periodically since then as directed by statute. The Building Energy Efficiency Standards contain energy and water efficiency requirements (and indoor air quality requirements) for newly constructed buildings, additions to existing buildings, and alterations to existing buildings. Public Resources Code Sections 25402 subdivisions (a)-(b) and 25402.1 emphasize the importance of building design and construction flexibility by requiring the California Energy Commission (CEC) to establish performance standards, in the form of an “energy budget” in terms of energy consumption per square foot of floor space. For this reason, the Building Energy Efficiency Standards include both a prescriptive option, allowing builders to comply by using methods known to be efficient, and a performance option, allowing builders complete freedom in their designs

⁴⁰ United States Department of Transportation, CAFE standards, www.nhtsa.gov/fuel-economy, accessed on May 7, 2018

provided the building achieves the same overall efficiency as an equivalent building using the prescriptive option. Reference Appendices are adopted along with the Building Energy Efficiency Standards that contain data and other information that helps builders comply with the Building Energy Efficiency Standards.

The 2019 update to the Building Energy Efficiency Standards focuses on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings. The most significant efficiency improvements to the residential Building Energy Efficiency Standards include the introduction of photovoltaic into the prescriptive package, improvements for attics, walls, water heating, and lighting. The most significant efficiency improvements for the non-residential standards include alignment with the ASHRAE 90.1 2017 national standards. The 2019 Building Energy Efficiency Standards also include changes made throughout all of its sections to improve the clarity, consistency, and readability of the regulatory language. The Building Energy Efficiency Standards are enforced through the local building or individual agency permit and approval processes.⁴¹

California Green Building Standards Code

Part 11 of the Title 24 California Building Standards Code is referred to as the California Green Building Standards Code (CALGreen). The purpose of CalGreen is to “improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality.” As of January 1, 2011, compliance with CalGreen is mandatory for all new buildings constructed in the state. CalGreen establishes mandatory measures for new residential and non-residential buildings, including energy efficiency, water conservation, material conservation, planning and design and overall environmental quality. CalGreen was most recently updated in 2019 (2019 CalGreen Code). The updated 2019 CalGreen Code took effect on January 1, 2020. The Project would be required to comply with the lighting power requirements in the California Energy Code, CCR, Title 24, Part 6.

California Renewable Portfolio Standard

First established in 2002 under Senate Bill (SB) 1078, California’s Renewable Portfolio Standards (RPS) requires retail sellers of electric services to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020.⁴² The California Public Utilities Commission (CPUC) and the CEC jointly implement the RPS program. The CPUC’s responsibilities include: (1) determining annual procurement targets and enforcing compliance; (2) reviewing and approving each investor-owned utility’s renewable energy procurement plan; (3) reviewing contracts for RPS-eligible energy; and (4) establishing the standard terms and conditions used in contracts for eligible renewable energy. The CEC is responsible for the certification of electrical generation facilities as eligible renewable energy

⁴¹ CEC, 2019 Building Energy Efficiency Standards for Residential and Nonresidential Buildings, December 2018.

⁴² CPUC, California Renewables Portfolio Standard (RPS), www.cpuc.ca.gov/RPS_Homepage/, accessed May 7, 2018.

resources and adopting regulations for the enforcement of RPS procurement requirements of public-owned utilities.

Senate Bill 350

Senate Bill (SB) 350, signed October 7, 2015, is the Clean Energy and Pollution Reduction Act of 2015. The objectives of SB 350 are: (1) to increase the procurement of electricity from renewable sources from 33 percent to 50 percent by 2030, and (2) to double the energy efficiency savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation.⁴³

Assembly Bill 32

Assembly Bill (AB) 32 (Health and Safety Code Sections 38500–38599), also known as the California Global Warming Solutions Act of 2006, commits the State to achieving year 2000 GHG emission levels by 2010 and year 1990 levels by 2020. To achieve these goals, AB 32 tasked the CPUC and the CEC with providing information, analysis, and recommendations to the California Air Resources Board (CARB) regarding ways to reduce GHG emissions in the electricity and natural gas utility sectors.⁴⁴

Assembly Bill 1493/Pavley Regulations

AB 1493 (commonly referred to as CARB's Pavley regulations) was the first legislation to regulate GHG emissions from new passenger vehicles. Under this legislation, CARB adopted regulations to reduce GHG emissions from non-commercial passenger vehicles (cars and light-duty trucks) for model years 2009–2016. The Pavley regulations are expected to reduce GHG emissions from California's passenger vehicles by about 30 percent in 2016, all while improving fuel efficiency and reducing motorists' costs.⁴⁵

Low Carbon Fuel Standard

The Low Carbon Fuel Standard (LCFS), established in 2007 through Executive Order S-1-07 and administered by CARB, requires producers of petroleum-based fuels to reduce the carbon intensity of their products, starting with 0.25 percent in 2011 and culminating in a 10-percent total reduction in 2020. Petroleum importers, refiners and wholesalers can either develop their own low carbon fuel products or buy LCFS credits from other companies that develop and sell low carbon alternative fuels, such as biofuels, electricity, natural gas, and hydrogen.⁴⁶

CARB's Advanced Clean Cars Regulation

Closely associated with the Pavley regulations, the Advanced Clean Car Standards emissions-control program (ACC program) was approved by CARB in 2012. The program combines the control of smog, soot, and GHG emissions with requirements for greater numbers of zero-emission vehicles for model

⁴³ Senate Bill 350 (2015–2016 Reg, Session) Stats 2015, ch. 547.

⁴⁴ Ibid.

⁴⁵ Clean Car Standards - Pavley, Assembly Bill 1943, www.energy.ca.gov/low_carbon_fuel_standard/

⁴⁶ Low Carbon Fuel Standard: Fuels and Transportation Division Emerging Fuels and Technologies Office, www.energy.ca.gov/low_carbon_fuel_standard/

years 2017-2025. The components of the ACC program include the Low-Emission Vehicle (LEV) regulations that reduce criteria pollutants and GHG emissions from light- and medium-duty vehicles, and the Zero-Emission Vehicle (ZEV) regulation, which requires manufacturers to produce an increasing number of pure ZEVs (meaning battery electric and fuel cell electric vehicles), with provisions to also produce plug-in hybrid electric vehicles (PHEV) in the 2018 through 2025 model years.⁴⁷

Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling

The Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling (Title 13, California Code of Regulations, Division 3, Chapter 10, Section 2435) was adopted to reduce public exposure to diesel particulate matter and other air contaminants by limiting the idling of diesel-fueled commercial motor vehicles. This section applies to diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds that are or must be licensed for operation on highways. Reducing idling of diesel-fueled commercial motor vehicles reduces the amount of petroleum-based fuel used by the vehicle.

Senate Bill 375, Sustainable Communities Strategy

The Sustainable Communities and Climate Protection Act of 2008, or Senate Bill 375 (SB 375), coordinates land use planning, regional transportation plans, and funding priorities to help California meet the GHG emissions reduction mandates established in AB 32. SB 375 specifically requires each Metropolitan Planning Organization (MPO) to prepare a “sustainable communities strategy” (SCS) as a part of its Regional Transportation Plan (RTP) that will achieve GHG emission reduction targets set by CARB for the years 2020 and 2035 by reducing vehicle miles traveled (VMT) from light-duty vehicles through the development of more compact, complete, and efficient communities.⁴⁸

The Southern California Association of Governments (SCAG) is the metropolitan planning organization (MPO) for the area in which the Project Site is located. SCAG’s first-ever SCS is included in the 2012–2035 Regional Transportation Plan/Sustainable Communities Strategy (2012–2035 RTP/SCS), which was adopted by SCAG in April 2012. The goals and policies of the SCS that reduce VMT (and result in corresponding decreases in transportation-related fuel consumption) focus on transportation and land use planning that include building infill projects, locating residents closer to where they work and play, and designing communities so there is access to high quality transit service. In 2016, SCAG adopted the 2016–2040 RTP/SCS.⁴⁹ The goals and policies of the 2016-2040 RTP/SCS are the same as those in the 2012–2035 RTP/SCS. SCAG introduced its proposed 2020-2045 RTP/SCS, titled “Connect SoCal,” in 2019, which included virtually the same goals and policies as the 2016-2040 RTP/SCS/, and which was formally adopted by SCAG’s Regional Council on September 3, 2020.

⁴⁷ CARB, California’s Advanced Clean Cars Program, www.arb.ca.gov/msprog/acc/acc.htm, last reviewed by CARB January 18, 2017.

⁴⁸ Sustainable Communities, www.arb.ca.gov/cc/sb375/sb375.htm

⁴⁹ SCAG, 2016 RTP/SCS, dated April 2016.

Senate Bill 1389

SB 1389 (Public Resources Code Sections 25300–25323) requires the development of an integrated plan for electricity, natural gas, and transportation fuels. The CEC must adopt and transmit to the Governor and Legislature an Integrated Energy Policy Report every two years. The most recently completed report, the 2016 Integrated Energy Policy Report, addresses a variety of issues including the environmental performance of the electricity generation system, landscaped-scale planning, the response to the gas leak at the Aliso Canyon natural gas storage facility, transportation fuel supply reliability issues, update on the Southern California electricity reliability, methane leakage, climate adaptation activities for the energy sector, climate and sea level rise scenarios, and includes the *California Energy Demand Forecast*.⁵⁰

Regional

SCAG's 2016-2040 RTP/SCS presents a long-term transportation vision through the year 2040 for the six-county region of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties. On April 7, 2016, the SCAG Regional Council adopted the 2016-2040 RTP/SCS, the mission of which is "leadership, vision and progress which promote economic growth, personal well-being, and livable communities for all Southern Californians."⁵¹ The 2016-2040 RTP/SCS includes land use strategies that focus on urban infill growth and walkable, mixed-use communities in existing urbanized and opportunity areas. More mixed-use, walkable, and urban infill development would be expected to accommodate a higher proportion of growth in more energy-efficient housing types like townhomes, apartments, and smaller single-family homes, as well as more compact commercial building types. Furthermore, the 2016-2040 RTP/SCS includes transportation investments and land use strategies that encourage carpooling, increase transit use, active transportation opportunities, and promoting more walkable and mixed-use communities, which would potentially help to reduce VMT.

The 2016-2040 RTP/SCS also establishes High-Quality Transit Areas (HQTAs), which are described as generally walkable transit villages or corridors that are within 0.5 miles of a well-serviced transit stop or a transit corridor with 15-minute or less service frequency during peak commute hours.⁵² Local jurisdictions are encouraged to focus housing and employment growth within HQTAs to reduce VMT. The Project Site is located within an HQTA as designated by the 2016-2040 RTP/SCS.⁵³

SCAG's 2020-2045 RTP/SCS (also known as Connect SoCal) builds upon the 2016-2040 RTP/SCA and outlines more than \$638 billion in transportation system investments through 2045. It was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura. The 2020-2045 RTP/SCS includes strategies for accommodating projected population, household and employment growth in the SCAG region by 2045 as well as a transportation investment

⁵⁰ CEC, 2016 Integrated Energy Policy Report, docketed January 18, 2017.

⁵¹ SCAG, 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy, dated April 2016.

⁵² SCAG, 2016–2040 RTP/SCS, p. 8.

⁵³ SCAG, 2016–2040 RTP/SCS; Exhibit 5.1: High Quality Transit Areas in the SCAG Region for 2040 Plan, p. 77.

strategy for the region. These land use strategies are directly tied to supporting related GHG emissions reductions through increasing transportation choices with a reduced dependence on automobiles and an increase growth in walkable, mixed-use communities and HQTAs and by encouraging growth near destinations and mobility options, promoting diverse housing choices, leveraging technology innovations, supporting implementation of sustainability policies, and promoting a green region.

Local

Green LA: An Action Plan to Lead the Nation in Fighting Global Warming and ClimateLA

Green LA is the City's climate action plan. The plan, released in May 2007, sets forth a goal of reducing the City's GHG emissions to 35 percent below 1990 levels by the year 2030.⁵⁴ ClimateLA is the implementation program that provides detailed information about each action item discussed in the Green LA framework. ClimateLA includes focus areas addressing environmental issues including but not limited to energy, water, transportation, and waste.⁵⁵ The energy focus area includes action items with measures that aim to increase the use of renewable energy to 35 percent by 2020, reduce the use of coal-fired power plants, and present a comprehensive set of green building policies to guide and support private sector development.⁵⁶

City of Los Angeles Sustainable City pLAn and Green New Deal

On April 8, 2015, Los Angeles released the Sustainable City pLAn, which covers a multitude of environmental, social, and economic sustainability issues related to greenhouse gas reduction either specifically or by association. Actionable goals include increasing the green building standard for new construction, creating a benchmarking policy for building energy use, developing "blue, green, and black" waste bin infrastructure, reducing water use by 20 percent, and possibly requiring LEED Silver or better certification for new construction. In 2019, the City of Los Angeles prepared the 2019 Green New Deal, which provided an expanded vision of the pLAn, focusing on securing clean air and water and a stable climate, improving community resilience, expanding access to healthy food and open space, and promoting environmental justice for all. Through the Green New Deal, the City would reduce an additional 30 percent in GHG emissions above and beyond the 2015 pLAn and ensures that the City stays within its carbon budget between 2020 and 2050.

City of Los Angeles Green Building Code

The City's Green Building Code is based on CalGreen (discussed above), which was developed and mandated by the state to attain consistency among the various jurisdictions within the state with the specific goals to reduce a building's energy and water use, reduce waste, and reduce the carbon footprint. The following types of projects are subject to the City's Green Building Code:

- All new buildings (residential and non-residential)

⁵⁴ City of Los Angeles, Green LA: An Action Plan to Lead the Nation In Fighting Global Warming, May 2007.

⁵⁵ City of Los Angeles, Climate LA: Municipal Program Implementing the GreenLA Climate Action Plan, 2008.

⁵⁶ Ibid.

- All additions (residential and nonresidential)
- Alterations with building valuations over \$200,000 (residential and non-residential)

The 2020 City of Los Angeles Green Building Code became effective on January 1, 2020. Therefore, projects filed on or after January 1, 2020, must comply with the provisions of the 2020 City Green Building Code.

City of Los Angeles Solid Waste Programs and Ordinances

The recycling of solid waste materials also contributes to reduced energy consumption. Specifically, when products are manufactured using recycled materials, the amount of energy that would have otherwise been consumed to extract and process virgin source materials is reduced. For example, in 2015, 3.61 million tons of aluminum was produced by recycling in the United States, saving enough energy to provide electricity to 7.5 million homes.⁵⁷ In 1989, California enacted AB 939, the California Integrated Waste Management Act, which establishes a hierarchy for waste management practices such as source reduction, recycling, and environmentally safe land disposal.⁵⁸ The City includes programs and ordinances related to solid waste. They include: (1) the City of Los Angeles Solid Waste Management Policy Plan, which was adopted in 1993 and is a long-range policy plan promoting source reduction for recycling for a minimum of 50 percent of the City's waste by 2000 and 70 percent of the waste by 2020; (2) the RENEW LA Plan, which is a Resource Management Blueprint with the aim to achieve a zero waste goal through reducing, reusing, recycling, or converting the resources now going to disposal so as to achieve an overall diversion level of 90 percent or more by 2025; (3) the Waste Hauler Permit Program (Ordinance 181,519), which requires all private waste haulers collecting solid waste, including construction and demolition waste, to obtain AB 939 Compliance Permits and to transport construction and demolition waste to City certified construction and demolition processing facilities; and (4) the Exclusive Franchise System Ordinance (Ordinance No. 182,986), which, among other requirements, sets maximum annual disposal levels and specific diversion requirements for franchised waste haulers in the City to promote solid waste diversion from landfills in an effort to meet the City's zero waste goals. These solid waste reduction programs and ordinances help to reduce the number of trips to haul solid waste, therefore reducing the amount of petroleum-based fuel, and also help to reduce the energy used to process solid waste.

2017 Power Strategic Long-Term Resource Plan

The Los Angeles Department of Water and Power (LADWP) 2017 Power Strategic Long-Term Resource Plan (2017 SLTRP) document serves as a comprehensive 20-year roadmap that guides LADWP's Power System in its efforts to supply reliable electricity in an environmentally responsible and cost effective manner. LADWP has postponed their 2018 SLTRP, and instead, the next SLTRP will be developed in 2020. As of December 2020, the 2017 SLTRP is still the applicable plan and the update has not yet been prepared. The 2017 SLTRP re-examines and expands its analysis on the 2016 Final

⁵⁷ American Geosciences Institute, How Does Recycling Save Energy?, www.americangeosciences.org/critical-issues/faq/how-does-recycling-save-energy, accessed May 7, 2018.

⁵⁸ CalRecycle, History of California Solid Waste Law, 1985–1989 www.calrecycle.ca.gov/laws/legislation/calhist/1985to1989.htm, accessed May 7, 2018.

Power Integrated Resource Plan resource cases with updates in line with latest regulatory framework, and updates to case scenario assumptions that include a 65 percent RPS, advanced energy efficiency, and higher levels of local solar, energy storage, and transportation electrification.

Recent updates include an updated 2016/17 Energy Efficiency Potential Study results with a target of 15 percent energy efficiency from 2017 through 2027, revised energy storage procurement targets, and completion of a distributed energy resources study titled, "Distributed Energy Resources Implementation Study (DERIS)." The 2017 SLTRP also includes numerous updates including new renewable projects, associated transmission upgrade cost and fuel cost assumptions, along with a host of other updates. The 2017 SLTRP uses system modeling tools to analyze and determine the long-term economic, environmental, and operational impact of alternative resource portfolios by simulating the integration of new resource alternatives within the existing mix of assets and providing the analytic results to inform the selection of a recommended case that is cost effective in reducing greenhouse gas emissions and maintains superior system reliability.

Early coal replacement and energy efficiency continue to be key strategies to reduce greenhouse gas emissions. Increasing the RPS to 55 percent by 2030 and 65 percent by 2036, including increased amounts of energy efficiency, local solar and energy storage, are other key initiatives to reduce greenhouse gas emissions. The 2017 SLTRP analyzed electrification of the transportation sector as a strategy to further reduce overall greenhouse gas emissions and to significantly reduce local emissions such as VOC, NO_x, CO, and PM_{2.5} that would result from electrifying local transportation and therefore recommends expanding existing programs to promote increased workplace and residential electric vehicle charging stations to support greater electric vehicle adoption while collaborating with regulatory agencies to develop mutually beneficial policies.

The 2017 SLTRP also includes a general assessment of the revenue requirements and rate impacts that support the recommended resource plan through 2037. While this assessment will not be as detailed and extensive as the financial analysis that was completed for 2015-16 fiscal year rate action, it clearly outlines the general requirements. As a long-term planning process, the 2017 SLTRP examines a 20-year horizon in order to secure adequate supplies of electricity.

Existing Conditions

Electricity

Electricity, a consumptive utility, is a man-made resource. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. The delivery of electricity involves a number of system components, including substations and transformers that lower transmission line power (voltage) to a level appropriate for on-site distribution and use. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power grid. Conveyance of electricity through transmission lines is typically responsive to market demands.

Energy capacity, or electrical power, is generally measured in watts (W), while energy use is measured in watt-hours (Wh). For example, if a light bulb has a capacity rating of 100 W, the energy required to

keep the bulb on for 1 hour would be 100 Wh. If ten 100-W bulbs were on for 1 hour, the energy required would be 1,000 Wh or 1 kilowatt-hour (kWh). On a utility scale, a generator's capacity is typically rated in megawatts (MW), which is one million W, while energy usage is measured in megawatt-hours (MWh) or gigawatt-hours (GWh), which is one billion Wh.

LADWP provides electrical service throughout the City and many areas of the Owens Valley, serving approximately 4.0 million people within a service area of approximately 465 square miles, excluding the Owens Valley. Electrical service provided by the LADWP is divided into two planning districts: Valley and Metropolitan. The Valley Planning District includes LADWP's service area north of Mulholland Drive, and the Metropolitan Planning District includes LADWP's service area south of Mulholland Drive. The Project Site is located within LADWP's Metropolitan Planning District. LADWP generates power from a variety of energy sources, including hydropower, coal, gas, nuclear sources, and renewable resources, such as wind, solar, and geothermal sources.

Existing Electricity Consumption at the Project Site

Electricity is provided to the Project Site through a network of utility poles that are operated and maintained by the LADWP. The Project Site is developed with multi-family residential structures and a restaurant. Based on CalEEMod calculations for the existing uses listed in Appendix A to this SCEA, the existing buildings consume approximately 164,725 kWh of electricity per year.

Natural Gas

Natural gas is a combustible mixture of simple hydrocarbon compounds (primarily methane) that is used as a fuel source. Natural gas consumed in California is obtained from naturally occurring reservoirs, mainly located outside the state, and delivered through high-pressure transmission pipelines. The natural gas transportation system is a nationwide network and thus, resource availability is typically not an issue. Natural gas provides almost one-third of the state's total energy requirements and is used in electricity generation, space heating, cooking, water heating, industrial processes, and as a transportation fuel.

Natural gas is provided to the Project Site by the Southern California Gas Company (SoCalGas). SoCalGas is the principal distributor of natural gas in Southern California, serving residential, commercial, and industrial markets. SoCalGas serves approximately 21.6 million customers in more than 500 communities encompassing approximately 20,000 square miles throughout Central and Southern California, from the City of Visalia to the Mexican border.

SoCalGas receives gas supplies from several sedimentary basins in the western United States and Canada, including supply basins located in New Mexico (San Juan Basin), West Texas (Permian Basin), the Rocky Mountains, and Western Canada as well as local California supplies. The traditional, southwestern United States sources of natural gas will continue to supply most of SoCalGas' natural gas demand. The Rocky Mountain supply is available but is used as an alternative supplementary supply source, and the use of Canadian sources provides only a small share of SoCalGas supplies due to the high cost of transport.

SoCalGas supplies natural gas to the Project Site from natural gas service lines located in the Project Site vicinity.

Existing Natural Gas Consumption at the Project Site

Natural gas is provided to the Project Site through a network of underground pipelines that are operated and maintained by SoCalGas. Based on CalEEMod calculations for the existing uses listed in Appendix A to this SCEA, the existing buildings on the Project Site consume approximately 564,643 British thermal units (kBtu) per year.

Transportation Energy

According to the CEC, transportation accounts for nearly 37 percent of California's total energy consumption in 2014.⁵⁹ In 2015, California consumed 15.1 billion gallons of gasoline and 2.82 billion gallons of diesel fuel.⁶⁰ Petroleum-based fuels currently account for 90 percent of California's transportation energy sources.⁶¹ However, the state is now working on developing flexible strategies to reduce petroleum use. Over the last decade, California has implemented several policies, rules, and regulations to improve vehicle efficiency, increase the development and use of alternative fuels, reduce air pollutants and GHG emissions from the transportation sector, and reduce VMT. Accordingly, gasoline consumption in California has declined. The CEC predicts that the demand for gasoline will continue to decline over the next 10 years, and there will be an increase in the use of alternative fuels.⁶² According to CARB's EMFAC Web Database, Los Angeles County on-road transportation sources consumed 4.42 billion gallons of gasoline and 0.69 billion gallons of diesel fuel in 2015.⁶³

Existing Transportation Energy Consumption at the Project Site

The estimate of annual VMT associated with existing conditions at the Project Site is 393,470 per year.⁶⁴

Environmental Impacts

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact. The following provides a discussion of eight criteria contained in the *L.A. CEQA Thresholds Guide* to help determine whether the Project would result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources.

⁵⁹ CEC, 2016 Integrated Energy Policy Report, docketed January 18, 2017, p. 4.

⁶⁰ California Board of Equalization, Net Taxable Gasoline Gallons 10-Year Report.

⁶¹ CEC, 2016–2017 Investment Plan Update for the Alternative and Renewable Fuel and Vehicle Technology Program, March 2016.

⁶² CEC, 2015 Integrated Energy Policy Report, docketed June 29, 2016, p. 113.

⁶³ CARB, EMFAC2014 Web Database, www.arb.ca.gov/emfac/2014/

⁶⁴ For existing VMT, see Supplemental Traffic Assessment, prepared by Overland Traffic Consultants, Inc., December 2020.

- 1) *The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance, and/or removal. If appropriate, the energy intensiveness of materials may be discussed.*

Construction

Project construction activities would consume relatively minor quantities of electricity (i.e., temporary use for lighting and small power tools). Electricity used to provide temporary power for lighting electronic equipment inside temporary construction trailers and within the proposed structures would be consumed during Project construction. This electricity would be supplied to the Project Site by LADWP and would be obtained from the existing electrical lines that connect to the Project Site. Electricity consumed during Project construction would be temporary and would cease upon the completion of construction, as well as vary depending on site-specific operations and the amount of construction occurring at any given time. Overall, construction activities associated with the Project would require limited electricity generation that would not be expected to have an adverse impact on available electricity supplies.

Transportation fuels, primarily gasoline and diesel, would be provided by local or regional suppliers and vendors. Project-related vehicles would require a negligible fraction of the total state's transportation fuel consumption. A study by Caltrans found that the statewide average fuel economy for all vehicle types (automobiles, trucks, and motorcycles) is projected at 20.4 miles per gallon (mpg) and worst-case diesel trucks is 5.71 mpg in 2015.⁶⁵ In 2012, California consumed a total of 337,666 barrels of gasoline for transportation, which is equivalent to a total annual consumption of 14.1 billion gallons by the transportation sector.⁶⁶

Energy Conservation

The Project would utilize construction contractors who demonstrate compliance with applicable CARB regulations governing the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment. CARB has adopted an Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other TACs. This measure prohibits diesel-fueled commercial vehicles greater than 10,000 pounds from idling for more than five minutes at any given time. CARB has also approved the Truck and Bus regulation (CARB Rules Division 3, Chapter 1, Section 2025, subsection (h)) to reduce NOX, PM10, and PM2.5 emissions from existing diesel vehicles operating in California; this regulation will be phased in with full implementation by 2023.⁶⁷ In addition to limiting exhaust from idling trucks, CARB recently promulgated emission standards for off-road diesel construction equipment of greater than 25 horsepower. The regulation aims to reduce emissions by requiring the installation of diesel soot filters and encouraging the retirement, replacement, or repower of older, dirtier engines with newer emission-controlled models.

⁶⁵ Caltrans, 2007 California Motor Vehicle Stock, Travel and Fuel Forecast, Table 7, <http://www.energy.ca.gov/2008publications/CALTRANS-1000-2008-036/CALTRANS-1000-2008-036.PDF>.

⁶⁶ US EPA, State Energy Data System, Table F-3: http://www.eia.gov/state/seds/sep_fuel/html/pdf/fuel_mg.pdf, May 18, 2016.

⁶⁷ California Air Resources Board, Final Regulation Order, Amendments to the Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants from In-Use On-Road Diesel-Fueled Vehicles, <http://www.arb.ca.gov/msprog/onrdiesel/documents/tbfinalreg.pdf>.

Implementation began January 1, 2014 and the compliance schedule requires that best available control technology turnovers or retrofits be fully implemented by 2023 for large and medium equipment fleets and by 2028 for small fleets. Compliance with the above anti-idling and emissions regulations would result in efficient use of construction-related energy and the minimization or elimination of wasteful and unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption, as would use of haul trucks with larger capacities.

Operation

During operation of the Project, energy would be consumed for multiple purposes, including, but not limited to HVAC, refrigeration, lighting, and the use of electronics, equipment, and machinery. Energy would also be consumed during Project operations related to water usage, solid waste disposal, and vehicle trips. As shown on Table 5.VI-1, the Project’s demand for electricity would be approximately 1,504,976 kWh per year. As shown on Table 5.VI-2, the Project’s demand for natural gas would be approximately 2,538,546 kBTU per year.

**Table 5.VI-1
Project Estimated Electricity Demand**

Land Use	Size	Total (kw-h/yr) ¹
Residential	209 du	827,657
Commercial	2,653 sf	117,103
Enclosed Parking	239 spaces	560,216
Project Total		1,504,976
<i>du = dwelling unit sf =square feet kw-h = kilowatt-hour yr = year</i>		
¹ <i>Calculated via CalEEMod. Refer to Appendix A of this SCEA.</i>		

**Table 5.VI-2
Project Estimated Natural Gas Demand**

Land Use	Size	Total (kBTU/yr) ¹
Residential	209 du	1,926,340
Commercial	2,653 sf	612,206
Enclosed Parking	239 spaces	0
Project Total		2,538,546
<i>du = dwelling unit sf =square feet kBTU = 1,000 British Thermal Units yr = year</i>		
¹ <i>Calculated via CalEEMod. Refer to Appendix A of this SCEA.</i>		

Electricity

With compliance with Title 24 standards and applicable requirements of the City’s Green Building Code, buildout of the Project would result in an increase in the on-site demand for electricity totaling approximately 1,504,976 kWh per year (refer to Table 5.VI-1). In addition, LADWP is required to procure

at least 33 percent of their energy portfolio from renewable sources by 2020. The current sources procured by LADWP include wind, solar, and geothermal sources. These sources account for 29 percent of LADWP's overall energy mix in 2016, the most recent year for which data are available.⁶⁸ This represents the available off-site renewable sources of energy that would meet the Project's energy demand. Furthermore, the Project would incorporate active energy conservation strategies, such as LED lighting with day-lighting controls and dimming capabilities, and Energy Star light bulbs.

Based on LADWP's 2017 SLTRP, LADWP forecasts that its total energy sales in the 2024-2025 fiscal year (encompassing the Project's 2024 buildout year) is estimated to be approximately 23,286 GWh of electricity.⁶⁹ As such, the Project-related increase in annual electricity consumption of 1,504,976 kWh per year would represent approximately 0.006 percent of LADWP's projected sales in 2024.

Natural Gas

With compliance with Title 24 standards and applicable requirements of the City's Green Building Code, buildout of the Project is projected to generate an increase in the on-site demand for natural gas totaling approximately 2,538,546 kBTU per year, or approximately 6,955 cf per day.⁷⁰ Based on the 2018 California Gas Report, the California Energy and Electric Utilities estimates natural gas consumption within SoCalGas's planning area will be approximately 2,444 million cf per day in 2024 (the Project's buildout year). The Project would account for approximately 0.0003 percent of the forecasted 2024 consumption in SoCalGas's planning area. In addition, the Project would incorporate a variety of energy conservation measures as required under the City's Green Building Code to reduce energy usage.

Transportation Energy

During operation, Project-related traffic would result in the consumption of petroleum-based fuels related to vehicular travel to and from the Project Site. As noted above, the Project Site is located in an HQTA designated by SCAG that indicates that the Project Site is an appropriate site for increased density and employment opportunities from a "smart growth" regional planning perspective. Extensive public bus and rail transit service is provided within the Project study area. The Project Site would be served by the new Metro D Line Wilshire/Fairfax Station that is under construction at Wilshire Boulevard and Orange Grove Avenue and is also served by Metro bus lines 218 and 780 with stops on Fairfax Avenue, Metro bus lines 20 and 270 with stops on Wilshire Boulevard, Metro bus lines 28 and 728 with stops on Olympic Boulevard, and Metro bus lines 30 and 330 with stops on San Vicente Boulevard. Thus, the existing transit services in the vicinity of the Project Site would provide Project employees, residents, and guests with various public transportation opportunities in lieu of driving.

Additionally, the Project would provide bicycle storage areas for Project residents and guests in accordance with LAMC requirements. The Project would also incorporate characteristics that would reduce trips and VMT as compared to standard ITE trip generation rates. The Project characteristics listed below are consistent with the California Air Pollution Control Officers Association (CAPCOA)

⁶⁸ CEC, Utility Annual Power Content Labels for 2016, www.energy.ca.gov/pcl/labels/.

⁶⁹ 2017 Power Strategic Long-Term Resource Plan, December 2017, LADWP, Appendix A.

⁷⁰ Assuming 1 kBTU = 1 cf.

guidance document, *Quantifying Greenhouse Gas Mitigation Measures*, which provides emission reduction values for recommended mitigation measures, and would reduce vehicle trips to the Project Site and VMT to the Project Site. These Project characteristics would result in a corresponding reduction in VMT and associated transportation energy consumption and reduce the potential for inefficient, wasteful, and unnecessary use of energy. Qualifying measures applicable to the Project include the following:

- **CAPCOA Measure LUT-1 – Increase Density:** Increased density, measured in terms of persons, jobs, or dwelling units per unit area, reduces emissions associated with transportation as it reduces the distance people travel for work or services and provides a foundation for the implementation of other strategies, such as enhanced transit services. The Project would increase the Project Site’s density with 209 residences (a net increase of 169 residential units) and 2,653 square feet of commercial uses.
- **CAPCOA Measure LUT-3 – Increase Diversity of Urban and Suburban Developments (Mixed-Use):** The Project would introduce new uses on the Project Site, including new residential and commercial uses. The increases in land use diversity and mix of uses on the Project Site would reduce vehicle trips and VMT by encouraging walking and non-automotive forms of transportation (i.e., walking and biking), which would result in corresponding reductions in transportation-related emissions.
- **CAPCOA Measure LUT-4 – Increase Destination Accessibility:** The Project Site is located in a dense area, easily accessible by public transportation. Access to multiple destinations, and other commercial and retail uses in proximity to the Project Site would reduce vehicle trips and VMT compared to the statewide average and encourage walking and non-automotive forms of transportation and would result in corresponding reductions in transportation-related emissions as a result of the Project.
- **CAPCOA Measure LUT-5 – Increase Transit Accessibility:** The Project would be located near several Metro bus routes and future Metro Rail service. The Project would also provide bicycle parking spaces for resident and commercial uses to encourage utilization of alternative modes of transportation.
- **CAPCOA Measure LUT-9 – Improve Design of Development:** The Project would enhance the pedestrian environment by developing ground floor commercial uses, as well as an improved streetscape, which would enhance walkability in the Project vicinity.
- **CAPCOA Measure SDT-2 – Traffic Calming Measures:** Providing traffic calming measures encourages people to walk or bike instead of using a vehicle. Streets within a half mile of the Project Site are equipped with sidewalks, and several of the intersections include marked crosswalks and/or count-down signal timers that calm traffic.

2) *The effects of the project on local and regional energy supplies and on requirements for additional capacity.*

Construction

During construction, electricity would be used to provide temporary lighting and other general construction activities. The electricity demand at any given time would vary throughout the construction period based on the construction activities being performed and would cease upon completion of construction. When not in use, electric equipment would be powered off to avoid unnecessary energy consumption. As energy consumption during Project construction activities would be relatively negligible, the Project would not likely affect regional energy consumption in years during the construction capabilities.

Operation

As stated above, the Project-related increase in annual electricity consumption would represent approximately 0.006 percent of LADWP's projected sales in 2024-2025. Also, the Project's estimated increase in demand for natural gas would account for approximately 0.0003 percent of the forecasted 2024 consumption in SoCalGas's planning area. In summary, energy consumption during Project operations would be relatively negligible, and energy requirements would be within LADWP's and SoCalGas's service provision.

- 3) *The effects of the project on peak and base period demands for electricity and other forms of energy.*

Electricity demand during construction and operation of the Project would have a negligible effect on the overall capacity of LADWP's power grid and base load conditions. With regard to peak load conditions, LADWP's power system experienced an all-time high peak of 6,432 MW on August 31, 2017.⁷¹ LADWP also estimates a peak load based on two years of data known as base case peak demand to account for typical peak conditions. Based on LADWP estimates for 2017, the base case peak demand for the power grid is 5,854 MW.⁷² In comparison to the LADWP power grid base peak load of 5,854 MW in 2017, the Project would represent approximately 0.003 percent of the LADWP base peak load conditions. In addition, LADWP's annual growth projection in peak demand of the electrical power grid of 0.4 percent would be enough to account for future electrical demand by the Project.⁷³ Therefore, Project electricity consumption during operational activities would have a negligible effect on peak load conditions of the power grid.

- 4) *The degree to which the project complies with existing energy standards.*

Although Title 24 requirements typically apply to energy usage for buildings, construction equipment usage would also comply with Title 24 requirements where applicable. Electricity and natural gas usage during Project operations presented on Table 5.VI-1 and 5.VI-2 would comply with Title 24 standards and applicable CalGreen Code requirements and the City's Green Building Code. Therefore, Project

⁷¹ LADWP, 2017 Retail Electric Sales and Demand Forecast. p. 6.

⁷² Ibid.

⁷³ Ibid.

construction and operational activities would comply with existing energy standards with regards to electricity and natural gas usage.

With regard to transportation fuels, trucks, and equipment used during proposed construction activities, the Project would comply with CARB's anti-idling regulations as well as the In-Use Off-Road Diesel-Fueled Fleets regulation. Although these regulations are intended to reduce criteria pollutant emissions, compliance with the anti-idling and emissions regulations would also result in efficient use of construction-related energy. During Project operations, vehicles travelling to and from the Project Site are assumed to comply with the Corporate Average Fuel Economy (CAFE) fuel economy standards. Project-related vehicle trips would also comply with Pavley and Low Carbon Fuel Standards, which are designed to reduce vehicle GHG emissions but would also result in fuel savings in addition to CAFE standards. Therefore, Project construction and operational activities would comply with existing energy standards with regards to transportation fuel consumption.

5) *Effects of the Project on Energy Resources*

As discussed above, LADWP's electricity generation is derived from a mix of non-renewable and renewable sources such as coal, natural gas, solar, geothermal, wind, and hydropower. LADWP's 2017 STLRP identifies adequate resources (natural gas, coal) to support future generation capacity.

Natural gas supplied to Southern California is mainly sourced from out of state with a small portion originating in California. Sources of natural gas for the Southern California region are obtained from locations throughout the western United States as well as Canada.⁷⁴ According to the U.S. Energy Information Administration (EIA), the United States currently has over 80 years of natural gas reserves based on 2015 consumption.⁷⁵ Compliance with energy standards is expected to result in more efficient use of natural gas (lower consumption) in future years. Therefore, Project construction and operation activities would have a negligible effect on natural gas supply.

Transportation fuels (gasoline and diesel) are produced from crude oil, which is imported from various regions around the world. Based on current proven reserves, crude oil production would be sufficient to meet over 50 years of consumption.⁷⁶ The Project would also comply with CAFE fuel economy standards, which would result in more efficient use of transportation fuels (lower consumption). Project-related vehicle trips would also comply with Pavley and Low Carbon Fuel Standards, which are designed to reduce vehicle GHG emissions but would also result in fuel savings in addition to CAFE standards. Therefore, Project construction and operation activities would have a negligible effect on the transportation fuel supply.

With regard to on-site renewable energy sources, as required under the City's Green Building Code, the Project would include the provision of conduit that is appropriate for future photovoltaic and solar thermal collectors. However, due to the Project Site location, other on-site renewable energy sources would not

⁷⁴ California Gas and Electric Utilities, 2017 California Gas Report, 2017.

⁷⁵ U.S. Energy Information Administration, Frequently Asked Questions, www.eia.gov/tools/faqs/faq.php?id=58&t=8, accessed February 2019.

⁷⁶ BP Global, Oil reserves, <https://www.bp.com/en/global/corporate/energy-economics/statistical-review-of-world-energy/oil/oil-reserves.html>, accessed February 2019.

be feasible to install on-site as there are no local sources of energy from the following sources: biodiesel, biomass hydroelectric and small hydroelectric, digester gas, fuel cells, landfill gas, municipal solid waste, ocean thermal, ocean wave, and tidal current technologies, or multi-fuel facilities using renewable fuels. Furthermore, while the Project Site is located in a Methane Zone, and while methane is a renewable derived biogas, it is not available on the Project Site in commercially viable quantities or form, and its extraction and treatment for energy purposes would result in secondary impacts. Additionally, wind-powered energy is not viable on the Project Site due to the lack of sufficient wind in the Los Angeles basin.

Specifically, based on a map of California's wind resource potential, the Project Site is not identified as an area with wind resource potential.⁷⁷

- 6) *The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.*

The Project's design and proximity to job centers and retail uses would allow for more residents to live closer to work and shopping areas, reducing associated VMT. The design of the Project, which includes dedicated bicycle parking facilities and an improved streetscape with pedestrian amenities, would also encourage non-automotive forms of transportation such as walking or biking to destinations. In addition, extensive public bus and rail transit service is provided within the area of the Project Site and provide regular service intervals of 15 minutes during the peak hours.

- 7) *The degree to which the project design and/or operations incorporate energy-conservation measures, particularly those that go beyond City requirements*

The City's current Green Building Code requires compliance with the CalGreen Code and California's Building Energy Efficiency Standards (Title 24). The Project would be required to comply with the City's Green Building Code.

The City has also adopted several plans and regulations to promote the reduction, reuse, recycling, and conversion of solid waste going to disposal systems. These regulations include the City of Los Angeles Solid Waste Management Policy Plan, the RENEW LA Plan, and the Exclusive Franchise System Ordinance (Ordinance No. 182,986). These solid waste reduction programs and ordinances help to reduce the number of trips associated with hauling solid waste, thereby reducing the amount of petroleum-based fuel consumed. Furthermore, recycling efforts indirectly reduce the energy necessary to create new products made of raw material, which is an energy-intensive process. Thus, through compliance with the City's construction-related solid waste recycling programs, the Project would contribute to reduced fuel-related energy consumption.

⁷⁷ CEC, National Renewable Energy Laboratory (NREL) Wind Prospector, <https://maps.nrel.gov/wind-prospector/#/?aL=KM6jR-%255Bv%255D%3Dt%26qCw3hR%255Bv%255D%3Dt%26qCw3hR%255Bd%255D%3D1&bL=groad&cE=0&IR=0&mC=36.416862115300304%2C-120.421142578125&zL=8>, accessed May 7, 2019.

8) *Whether the Project conflicts with adopted energy conservation plans.*

The Project would comply with applicable regulatory requirements for the design of new buildings, including the provisions set forth in the CalGreen Code and California's Building Energy Efficiency Standards, which have been incorporated into the City's Green Building Code.

With regard to transportation uses, the Project design would reduce the VMT throughout the region and encourage use of alternative modes of transportation. The Project would be consistent with regional planning strategies that address energy conservation. As discussed in Section 3 (SCEA Criteria and Transit Priority Project Consistency Analysis), SCAG's RTP/SCS focuses on creating livable communities with an emphasis on sustainability and integrated planning, and identifies mobility, economy, and sustainability as the three principles most critical to the future of the region. As part of the approach, the RTP/SCS focuses on reducing fossil fuel use by decreasing VMT, reducing building energy use, and increasing use of renewable sources. The Project would be consistent with the energy efficiency policies emphasized in the RTP/SCS. The Project would place a mixed-use development with a high degree of pedestrian engagement in an area with neighborhood services, jobs, other residential uses, that is well served by existing public transportation, including Metro bus lines and the future rail line. This is evidenced by the Project Site's location within a designated HQTAs. The introduction of new housing and job opportunities within an HQTAs, as proposed by the Project, is consistent with numerous policies in the 2016-2040 RTP/SCS and the 2020-2045 RTP/SCS related to locating new housing and jobs near transit.

The 2016-2040 RTP/SCS would result in an estimated 8 percent decrease in VMT by 2020 and an 18 percent decrease in VMT by 2035, while the 2020-2045 RTP/SCS would result in an estimated 8 percent decrease by 2020 and a 19 percent decrease by 2035. By meeting and exceeding the SB 375 targets for 2020 and 2035, the 2016-2040 RTP/SCS and the 2020-2045 RTP/SCS are expected to fulfill and exceed their portion of SB 375 compliance with respect to meeting the state's GHG emission reduction goals. Thus, consistent with the 2016-2040 RTP/SCS and the 2020-2045 RTP/SCS, the Project would reduce VMT and associated petroleum-based fuel use. As such, based on the above, the Project would be consistent with adopted energy conservation plans.

Conclusion

As demonstrated in the analysis of the eight criteria discussed above, the Project would not result in any wasteful, inefficient, or unnecessary consumption of energy during construction or operation. The Project's energy requirements would not significantly affect local and regional supplies or capacity. The Project's energy usage during peak and base periods would also be consistent with electricity and natural gas future projections for the region. Electricity generation capacity and supplies of natural gas and transportation fuels would also be sufficient to meet the needs of Project-related construction and operations. During operations, the Project would comply with the City's existing energy efficiency requirements under the City's Green Building Code. In summary, the Project's energy demands would not significantly affect available energy supplies and would comply with existing energy efficiency standards. Therefore, Project impacts related to energy use would be less than significant during construction and operation.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact.

Construction

Electricity

As discussed above, construction activities at the Project Site would require minor quantities of electricity for lighting, power tools, and other support equipment. Heavy construction equipment would be powered with diesel fuel. During Project construction activities, electricity usage represents a negligible amount of the estimated annual Project operational demand, and as described below, LADWP's existing electrical infrastructure currently has enough capacity to provide service for the Project Site and its related construction and operational activities. Moreover, the Project's construction-related electricity usage would replace the electricity usage from the existing multi-family residential units at the Project Site during construction since the existing on-site residential uses, which currently generate a demand for electricity, would be removed. As existing power lines are located in the vicinity of the Project Site, temporary power poles may be installed to provide electricity during Project construction. Existing off-site infrastructure would not have to be expanded or newly developed to provide electrical service to the project during construction or demolition. Therefore, the Project would not result in an increase in demand for electricity or natural gas that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

With regard to existing electrical distribution lines, the Project Applicant would be required to coordinate electrical infrastructure removals or relocations with LADWP and comply with site-specific requirements set forth by LADWP, which would ensure that service disruptions and potential impacts associated with grading, construction, and development within LADWP easements are minimized. As such, construction of the Project would not adversely affect the electrical infrastructure serving the surrounding uses or utility system capacity.

Natural Gas

Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Since the Project Site is located in an area already served by existing natural gas infrastructure, it is anticipated that the Project would not require extensive off-site infrastructure improvements to serve the Project Site. Construction impacts associated with the installation of natural gas connections would be confined to trenching in order to place the lines below surface. In addition, prior to ground disturbance, Project contractors would notify and coordinate with SoCalGas to identify the locations and depth of all existing gas lines and avoid disruption of gas service to other properties. Therefore, construction of the Project would not result in an increase in demand for natural gas to affect available supply or distribution infrastructure capabilities and would not result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Operation

Electricity

As shown above, the Project's operational electricity usage is approximately 0.006 percent of LADWP's projected sales in 2024. In addition, during peak conditions, the Project would also represent approximately 0.003 percent of the LADWP estimated peak load. Therefore, during Project operations, LADWP's existing and planned electricity capacity and electricity supplies would be sufficient to support the Project's electricity demand.

Natural Gas

Based on the 2018 California Gas Report, the California Energy and Electric Utilities estimates natural gas consumption within SoCalGas's planning area will be approximately 2,444 million cf per day in 2024 (the Project's buildout year). The Project would account for approximately 0.0003 percent of the forecasted 2024 consumption in SoCalGas' planning area. Therefore, SoCalGas's existing and planned natural gas supplies would be sufficient to support the Project's net increase in demand for natural gas.

Conclusion

As demonstrated in the analysis above, construction and operation of the Project would not result in an increase in demand for electricity or natural gas that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Therefore, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and potential impacts would be less than significant during construction and operation.

Cumulative Impacts

Significance Threshold No. 1 (Use and Consumption of Energy)

Electricity

Buildout of the Project, related projects listed in Table 2-1 (in Section 2, Project Description), and additional forecasted growth in LADWP's service area would cumulatively increase the demand for electricity supplies and infrastructure capacity. As stated previously, LADWP forecasts that its total energy sales for the 2024-2025 fiscal year (encompassing the Project's 2024 buildout year) will be 23,286 GWh of electricity. Based on the Project's estimated electricity consumption, the Project would account for approximately 0.006 percent of LADWP's total projected sales for the Project's buildout year. Thus, although Project development would result in the use of renewable and non-renewable electricity resources during construction and operation, which could limit future availability, the use of such resources would be on a relatively small scale, would be reduced by measures making the Project more energy-efficient, and would be consistent with growth expectations for LADWP's service area. Furthermore, as with the Project, during construction and operation, other future development projects would be expected to incorporate energy conservation features, comply with applicable regulations including CalGreen and state energy standards under Title 24, and incorporate mitigation measures, as

necessary. As such, the Project's contribution to cumulative impacts related to wasteful, inefficient and unnecessary use of electricity would not be cumulatively considerable and thus, would be less than significant.

Natural Gas

Buildout of the Project, related projects, and additional forecasted growth in SoCalGas' service area would cumulatively increase the demand for natural gas supplies and infrastructure capacity. As stated previously, based on the 2018 California Gas Report, the CEC estimates natural gas consumption within SoCalGas' planning area will be approximately 2,444 million cf per day in 2024 (the Project's buildout year). The Project would account for approximately 0.0003 percent of the forecasted 2024 consumption in SoCalGas' planning area. SoCalGas' forecasts take into account projected population growth and development based on local and regional plans. Although Project development would result in the use of natural gas resources, which could limit future availability, the use of such resources would be on a relatively small scale, would be reduced by measures rendering the Project more energy-efficient, and would be consistent with regional and local growth expectations for SoCalGas' service area. Furthermore, future development projects would be expected to incorporate energy conservation features, comply with applicable regulations including CalGreen and state energy standards under Title 24, and incorporate mitigation measures, as necessary. As such, the Project's contribution to cumulative impacts related to wasteful, inefficient and unnecessary use of natural gas would not be cumulatively considerable and thus, would be less than significant.

Transportation Energy

Buildout of the Project, related projects, and additional forecasted growth would cumulatively increase the demand for transportation-related fuel in the state and region. As described above, petroleum currently accounts for 90 percent of California's transportation energy sources; however, over the last decade the state has implemented several policies, rules, and regulations to improve vehicle efficiency, increase the development and use of alternative fuels, reduce air pollutants and GHG emissions from the transportation sector, and reduce VMT, which would reduce reliance on petroleum fuels. According to the CEC, gasoline consumption has declined by 6 percent since 2008, and the CEC predicts that the demand for gasoline will continue to decline over the next 10 years and that there will be an increase in the use of alternative fuels, such as natural gas, biofuels, and electricity. As with the Project, other future development projects would be expected to reduce VMT by encouraging the use of alternative modes of transportation and other design features that promote VMT reductions.

Furthermore, as discussed previously, the Project would be consistent with the energy efficiency policies emphasized by the 2016-2040 RTP/SCS and the 2020-2045 RTP/SCS. Specifically, the Project would place a mixed-use development with a high degree of pedestrian engagement in an area with neighborhood services, jobs, and residential uses that is well served by existing public transportation, including Metro bus lines and the future rail line. The Project also would introduce new housing and job opportunities within an HQTAs, which is consistent with numerous policies in the 2016-2040 RTP/SCS and 2020-2045 RTP/SCS related to locating new jobs and housing near transit. These features would serve to reduce VMT and associated transportation fuel consumption. Since the Project is consistent with the 2016-2040 RTP/SCS and the 2020-2045 RTP/SCS, the Project's contribution to cumulative

impacts related to wasteful, inefficient and unnecessary use of transportation fuel would not be cumulatively considerable and thus, would be less than significant.

Significance Threshold No. 2 (Infrastructure Capacity Analysis)

Electricity

Electricity infrastructure is typically expanded in response to increasing demand, and system expansion and improvements by LADWP are ongoing. As described in LADWP's 2017 SLTRP, LADWP would continue to expand delivery capacity as needed to meet demand increases within its service area at the lowest cost and risk consistent with LADWP's environmental priorities and reliability standards. The 2017 SLTRP considers future energy demand, advances in renewable energy resources and technology, energy efficiency, conservation, and forecast changes in regulatory requirements. Development projects within the LADWP service area would also be anticipated to incorporate site-specific infrastructure improvements, as necessary. Each of the related projects would be reviewed by LADWP to identify necessary power facilities and service connections to meet the needs of their respective projects. Project applicants would be required to provide for the needs of their individual projects, thereby contributing to the electrical infrastructure in the area of the Project Site. As such, the Project's contribution to cumulative impacts with respect to electricity infrastructure would not be cumulatively considerable and thus, would be less than significant.

Natural Gas

Natural gas infrastructure is typically expanded in response to increasing demand, and system expansion and improvements by SoCalGas occur as needed. It is expected that SoCalGas would continue to expand delivery capacity if necessary to meet demand increases within its service area. Each of the related projects would be reviewed by SoCalGas to identify necessary facilities and service connections to meet the needs of their respective projects. Project applicants would be required to provide for the needs of their individual projects, thereby contributing to the natural gas infrastructure in the area of the Project Site. As such, the Project's contribution to cumulative impacts with respect to natural gas infrastructure would not be cumulatively considerable and thus, would be less than significant.

VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

This analysis is based on the documents, which are included in Appendix D of this SCEA:

D-1 Geotechnical Investigation, Applied Earth Sciences, Inc., January 27, 2021.

D-2 Paleontological Resources Technical Report for the 800-840 Fairfax Project, SWCA Environmental Consultants, February 3, 2021.

a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

No Impact. Fault rupture occurs when movement on a fault deep within the earth breaks through to the surface. Based on criteria established by the California Geological Survey (CGS), faults can be classified as active, potentially active, or inactive. Active faults are those having historically produced earthquakes or shown evidence of movement within the past 11,000 years (during the Holocene Epoch). Potentially active faults have demonstrated displacement within the last 1.6 million years (during the Pleistocene Epoch) while not displacing Holocene Strata. Inactive faults do not exhibit displacement more recently than 1.6 million years before the present. In addition, there are buried thrust faults, which are faults with no surface exposure. Due to their buried nature, the existence of buried thrust faults is usually not known until they produce an earthquake.

The CGS establishes regulatory zones around active faults, called Alquist-Priolo Earthquake Fault Zones (previously called Special Study Zones). These zones, which extend from 200 to 500 feet on each side of the known fault, identify areas where a potential surface fault rupture could prove hazardous for buildings used for human occupancy. Development projects located within an Alquist-Priolo Earthquake Fault Zone are required to prepare special geotechnical studies to characterize hazards from any potential surface ruptures. In addition, the City designates Fault Rupture Study Areas along the sides of active and potentially active faults to establish areas of potential hazard due to fault rupture.

The Project Site is not located within an Alquist-Priolo Earthquake Fault Zone, and no known faults exist on the Project Site.⁷⁸ Thus, the Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault on the Project Site.

Additionally, given that no active or potentially active faults with the potential for surface fault rupture are known to pass directly beneath the Project Site, the Project would not exacerbate existing fault rupture conditions. Construction of the Project would be subject to the compliance with the existing state and local regulations, including the California Building Code (CBC) and the Los Angeles Building Code (LABC) and with the recommendations contained in a final design-level geotechnical report prepared for the Project by a licensed engineer and approved by the City of Los Angeles Department of Building and Safety (LADBS), as required by LAMC Section 91.7006. The CBC and LABC, with which the Project would be required to comply, contain construction requirements to ensure that structures are built to a level such that they can withstand acceptable seismic risk. Therefore, the Project would not cause potential substantial adverse effects as a result of a known earthquake fault in or around the Project Site. Therefore, no impact with respect to fault rupture would occur.

ii. Strong seismic ground shaking?

Less Than Significant Impact. The Project Site is located in a seismically active Southern California region. Known regional active faults that could produce significant ground shaking at the Project Site include the Hollywood and Santa Monica faults, respectively. Other faults located near the Project Site are the Puente Hills and the Upper Elysian Park blind thrusts. However, these faults are considered inactive.

Given the Project Site location in a seismically active region, the Site could experience seismic groundshaking in the event of an earthquake. However, as with any new development in the State of California, building design and construction for the Project would be required to conform to the current seismic design provisions of the CBC. The CBC incorporates the latest seismic design standards for structural loads and materials as well as provisions from the National Earthquake Hazards Reduction Program to mitigate losses from an earthquake and provide for the latest in earthquake safety. Additionally, construction of the Project would be required to adhere to the seismic safety requirements contained in the LABC, as well as the applicable recommendations provided in the geotechnical investigations required by the City to minimize seismic-related hazards.

Adherence to current building codes and engineering practices would ensure that the Project would not expose people, property, or infrastructure to seismically induced ground shaking hazards that are greater than the average risk associated with locations in the Southern California region, and would minimize the potential to expose people or structures to substantial risk, loss, or injury. Based on the above, development of the Project would not exacerbate seismic conditions on the Project Site. With

⁷⁸ City of Los Angeles ZIMAS Parcel Profile Report, website: zimas.lacity.org, accessed June 22, 2020; and [Geotechnical Investigation](#), Applied Earth Sciences, Inc., January 2021, page 5.

compliance with existing building codes, Project impacts associated with seismic ground shaking would be less than significant.

iii. Seismic-related ground failure, including liquefaction?

No Impact. Liquefaction is a form of earthquake-induced ground failure that occurs primarily in relatively shallow, loose, granular, water-saturated soils. Liquefaction can occur when these types of soils lose their shear strength due to excess water pressure that builds up during repeated seismic shaking. A shallow groundwater table, the presence of loose to medium dense sand and silty sand, and a long duration and high acceleration of seismic shaking are factors that contribute to the potential for liquefaction. Liquefaction usually results in horizontal and vertical movements from lateral spreading of liquefied materials. As discussed in the Geotechnical Investigation prepared for the Project Site, the State of California Seismic Hazard Zone Map for the Los Angeles Quadrangle indicates that the Project Site is not located in an area designated as having a potential for liquefaction. Therefore, the Geotechnical Investigation concluded that liquefaction would not occur at the Project Site.⁷⁹ Construction of the Project would be subject to the LABC requirements and recommendations included in the required final design-level geotechnical report. Based on the above, development of the Project would not cause or exacerbate geologic hazards, including seismic-related liquefaction. Therefore, no impact would occur.

iv. Landslides?

No Impact. Landslide potential is generally the greatest for areas with steep and/or high slopes, low shear strength, and increased water pressure. The Project Site and adjacent properties are flat and do not contain any slopes or hillside areas. The Project Site is not located within a City of Los Angeles Hillside Grading Area or a Hillside Ordinance Area. The City of Los Angeles Safety Element indicates the Site is not within an area identified as having a potential for slope instability or landslides. Finally, there are no known landslides near the Project Site, nor is the Project Site in the path of any known or potential landslide as mapped by CGS or the City.⁸⁰ Thus, the Project would not result in any impacts related to landslides. Based on the above, development of the Project would not cause or exacerbate geologic hazards, including landslides, and no impact would occur.

b. Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. The Project Site is currently completely developed with impervious surfaces and does not contain any topsoil. During the Project's construction phase, activities such as excavation below ground surface, grading, and site preparation could leave soils at the Project Site susceptible to soil erosion. The Project Applicant would be required to comply with SCAQMD Rule 403 – Fugitive Dust to minimize wind and water-borne erosion at the Site, as well as prepare and implement a Stormwater Pollution Prevention Plan (SWPPP), in accordance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity and Land Disturbance Activities. The site-specific SWPPP would be prepared prior

⁷⁹ Geotechnical Investigation, Applied Earth Sciences, Inc., January 2021, page 7.

⁸⁰ Geotechnical Investigation, Applied Earth Sciences, Inc., January 2021, page 10.

to earthwork activities and would be implemented during Project construction. The SWPPP would include best management practices (BMPs) and erosion control measures to prevent pollution in storm water discharge. Typical BMPs that could be used during construction include good-housekeeping practices (e.g., street sweeping, proper waste disposal, vehicle and equipment maintenance, concrete washout area, materials storage, minimization of hazardous materials, proper handling and storage of hazardous materials, etc.) and erosion/sediment control measures (e.g., silt fences, fiber rolls, gravel bags, storm water inlet protection, and soil stabilization measures, etc.). The SWPPP would be subject to review and approval by the City for compliance with the City's Development Best Management Practices Handbook, Part A, Construction Activities.

Additionally, all Project construction activities would comply with the City's grading permit regulations, which require the implementation of grading and dust control measures, including a wet weather erosion control plan if construction occurs during rainy season, as well as inspections to ensure that sedimentation and erosion is minimized. Specifically, LAMC Section 91.7006.7 includes requirements regarding import and export of earth material; Section 91.7010 includes regulations pertaining to excavations; Section 91.7011 includes requirements for fill materials; Section 91.7013 includes regulations pertaining to erosion control and drainage devices; Section 91.7014 includes general construction requirements, as well as requirements regarding flood and mudflow protection; and Section 91.7016 includes regulations for areas that are subject to slides and unstable soils. Through compliance with these existing regulations, the Project would not result in any significant impacts related to soil erosion during the construction phase. Further, during the Project's operational phase, most of the Project Site would be developed with impervious surfaces, and all stormwater flows would be directed to storm drainage features and would not come into contact with bare soil surfaces. Therefore, with compliance with applicable regulatory requirements, development of the Project would not cause or exacerbate soil erosion or loss of topsoil and impacts regarding soil erosion or the loss of topsoil would be less than significant.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Less Than Significant Impact. As discussed previously, the liquefaction potential at the Project Site is considered to be remote. Subsidence occurs when a large portion of land is displaced vertically, usually due to the withdrawal of groundwater, oil, or natural gas. Soils that are particularly subject to subsidence include those with high silt or clay content. The Project Site is not located within an area of known ground subsidence. No large-scale extraction of groundwater, gas, oil, or geothermal energy is occurring or planned at the Project Site or in the general vicinity. Thus, the potential for subsidence due to withdrawal of fluids or gases to adversely impact the Site is considered low and impacts would be less than significant.⁸¹

The Project Applicant would be required by the LADBS, as part of the permitting process, to submit a final design-level geotechnical report that would address the building standards and recommendations that shall be followed in order to construct the proposed structure in accordance with CBC and LABC

⁸¹ Geotechnical Investigation, Applied Earth Sciences, Inc., January 2021, page 9.

building standards that apply to building within the types of soils found at the Project Site, including areas prone to geologic or soil instability. Through compliance with the CBC and LABC, and with recommendations included in the final geotechnical report, impacts related to geologic and soil instability would be less than significant. Based on the above, development of the Project would not cause or exacerbate geologic hazards by being located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and related impacts related to such matters would be less than significant.

d. Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. Expansive soils are typically associated with fine-grained clayey soils that have the potential to shrink and swell with repeated cycles of wetting and drying. According to the Geotechnical Investigation prepared for the Site, the geologic materials encountered at the Project Site were found to be potentially expansive.⁸² However, the Project would be designed and constructed in conformance with current CBC and LABC requirements and the recommendations of the required final design-level geotechnical report. Thus, the Project would include foundations appropriate for the type of the soil at the Project Site and therefore would not create a substantial risk to individuals and/or property. Based on the above, development of the Project would not cause or exacerbate geologic hazards, and Project impacts with respect to expansive soils would be less than significant.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The Project Site is located within a community served by existing sewage infrastructure. The Project would connect to the City's existing sewer system and would not require the use of septic tanks or alternative wastewater disposal systems. Thus, the Project would not result in any impacts related to soils that are incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. Therefore, no impacts related to this issue would occur.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant with Mitigation Incorporated. Paleontological resources are the fossilized remains of organisms that have lived in a region in the geologic past and whose remains are found in the accompanying geologic strata. This type of fossil record represents the primary source of information on ancient life forms, since the majority of species that have existed on earth from this era are extinct. Section 5097.5 of the California Public Resources Code specifies that any unauthorized removal of paleontological remains is a misdemeanor. Furthermore, California Penal Code Section 622.5 includes penalties for damage or removal of paleontological resources.

⁸² Ibid., 4.

Regulatory Setting

Federal

Paleontological Resources Preservation, Omnibus Public Lands Act, Public Law 111-011, Title IV, Subtitle D, 2009

This legislation directs the Secretaries of the U.S. Department of the Interior and U.S. Department of Agriculture to manage and protect paleontological resources on federal land using “scientific principles and expertise.” To formulate a consistent paleontological resources management framework, the Paleontological Resources Preservation Act (PRPA) incorporates most of the recommendations from the report of the Secretary of the Interior titled *Assessment of Fossil Management on Federal and Indian Lands* (U.S. Department of the Interior 2000). In passing the PRPA, Congress officially recognized the scientific importance of paleontological resources on some federal lands by declaring that fossils from these lands are federal property that must be preserved and protected. The PRPA codifies existing policies of the Bureau of Land Management (BLM), National Park Service (NPS), U.S. Forest Service (USFS), Bureau of Reclamation, and U.S. Fish and Wildlife Service (USFWS), and provides the following:

- Uniform criminal and civil penalties for illegal sale and transport, and theft and vandalism of fossils from federal lands;
- Uniform minimum requirements for paleontological resource-use permit issuance (terms, conditions, and qualifications of applicants);
- Uniform definitions for “paleontological resources” and “casual collecting;” and
- Uniform requirements for curation of federal fossils in approved repositories.

Federal Land Policy and Management Act of 1976

The Federal Land Policy and Management Act (FLPMA) of 1976 does not refer specifically to fossils. However, “significant fossils” are understood and recognized in policy as scientific resources. Permits, which authorize the collection of significant fossils for scientific purposes, are issued under the authority of FLPMA. Under FLPMA, federal agencies are charged to

- Manage public lands in a manner that protects the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, archaeological, and water resources, and, where appropriate, preserve and protect certain public lands in their natural condition (Section 102[a][8] [11]);
- Periodically inventory public lands so that the data can be used to make informed land-use decisions (Section 102[a][2]); and
- Regulate the use and development of public lands and resources through easements, licenses, and permits (Section 302[b]).

Antiquities Act of 1906

The Antiquities Act of 1906 states, in part,

[t]hat any person who shall appropriate, excavate, injure or destroy any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the Government of the United States, without the permission of the Secretary of the Department of the Government having jurisdiction over the lands on which said antiquities are situated, shall upon conviction, be fined in a sum of not more than five hundred dollars or be imprisoned for a period of not more than ninety days, or shall suffer both fine and imprisonment, in the discretion of the court.

Although there is no specific mention of natural or paleontological resources in the Act itself, or in the Act's uniform rules and regulations (Title 43 Part 3, Code of Federal Regulations [43 CFR 3]), the term "objects of antiquity" has been interpreted to include fossils by the NPS, BLM, USFS, and other federal agencies. Permits to collect fossils on lands administered by federal agencies are authorized under this Act. However, due to the large gray areas left open to interpretation due to the imprecision of the wording, agencies are hesitant to interpret this act as governing paleontological resources.

State

Public Resources Code Section 5097.5

Requirements for paleontological resource management are included in the PRC Division 5, Chapter 1.7, Section 5097.5, and Division 20, Chapter 3, Section 30244, which states:

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, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor.

These statutes prohibit the removal, without permission, of any paleontological site or feature from lands under the jurisdiction of the state or any city, county, district, authority, or public corporation, or any agency thereof. Consequently, local agencies are required to comply with PRC 5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others. PRC Section 5097.5 also establishes the removal of paleontological resources as a misdemeanor and requires reasonable mitigation of adverse impacts to paleontological resources from developments on public (state, county, city, and district) lands.

Local

City of Los Angeles General Plan

The Conservation Element of the City of Los Angeles General Plan recognizes paleontological resources in Section 3: "Archeological and Paleontological" (II-3), specifically the La Brea Tar Pits, and

identifies protection of paleontological resources as an objective (II-5). The General Plan identifies site protection as important, stating, "Pursuant to CEQA, if a land development project is within a potentially significant paleontological area, the developer is required to contact a bona fide paleontologist to arrange for assessment of the potential impact and mitigation of potential disruption of or damage to the site. If significant paleontological resources are uncovered during project execution, authorities are to be notified and the designated paleontologist may order excavations stopped, within reasonable time limits, to enable assessment, removal or protection of the resources."

The City of Los Angeles CEQA Thresholds of Significance Guide (City of Los Angeles 2006) Section D:1 specifies that the determination of significance for paleontological resources shall be made on a case- by-case basis, taking into consideration the following factors:

- Whether, or the degree to which, the project might result in the permanent loss of, or loss of access to, a paleontological resource; and
- Whether the paleontological resource is of regional or statewide significance.

Methodology

The Paleontological Resources Technical Report (included in Appendix D-2) included a review of available scientific literature, geologic maps, and a records search from the Natural History Museum of Los Angeles County (LACM), in order to: (1) determine whether any previously recorded fossil localities occur in the Project area; (2) assess the potential for disturbance of these localities during construction; and (3) evaluate the paleontological sensitivity of the Project area.

Results

Search Results

Geologic Setting

The Project Site is located in the Los Angeles Basin, a structural depression approximately 50 miles long by 20 miles wide in the northernmost Peninsular Ranges Geomorphic Province. The Los Angeles Basin developed as a result of tectonic forces and the San Andreas fault zone, with subsidence occurring 18 to 3 million years ago. While sediments dating back to the Cretaceous (66 million years ago) are preserved in the basin, continuous sedimentation began in the middle Miocene (around 13 million years ago). Since that time, sediments have been eroded into the basin from the surrounding highlands, resulting in thousands of feet of accumulation. Most of these sediments are marine, until sea level dropped in the Pleistocene and deposition of the alluvial sediments that compose the uppermost units in the Los Angeles Basin began.

The Los Angeles Basin is subdivided into four structural blocks, with the Project Site occurring in the Central Block, where sediments range from 32,000 to 35,000 feet thick. The Central Block is wedge-shaped, extending from the Santa Monica Mountains in the northwest, where it is about 10 miles wide, to the San Joaquin Hills to the southeast, where it widens to around 20 miles across.

The rapid sedimentation into the Los Angeles Basin resulted in the preservation of the organic content of much of the marine sediments, forming the most productive oil-producing district in California. Due to the proximity of several petroleum reservoirs in the subsurface of the Los Angeles Basin around the Project Site, alluvial sediments in this part of the basin are often saturated with asphalt. The Project Site is just south of the Salt Lake Oil Field, which is roughly centered along Beverly Boulevard. These oil-producing sediments are relevant to the paleontology of the area, as they are the cause of the world-famous La Brea Tar Pits, located at Hancock Park about one-third of a mile northeast of the Project Site. The asphaltic sands of the La Brea Tar Pits form when petroleum seeps upward into the overlying alluvial sediments. In places where the petroleum reached the surface, sticky pools of asphalt were left behind as the lighter petroleum products evaporated. These pools would then trap most organisms that came into contact with it, everything from pollen and plant seeds to mammoths, analogous to how fly-paper or quicksand works. This mechanism is reflected in the composition of macrofauna discovered at the Tar Pits, which are 90% carnivores. Bones could also be transported and entrapped in the asphaltic sediments through normal fluvial processes. Once entrapped, the asphalt impregnates the bones of animals, contributing to their excellent preservation.

The Tar Pits have a long record of human use, dating back to Native Americans who collected the asphalt for use in roofing. Records of bones being discovered in the La Brea Tar Pits go back to the 1800s; however, these bones were widely regarded as modern domesticated and wild animals that had fallen into the traps, and it was not until 1877 that the first extinct organism, a *Smilodon* (saber-toothed cat), was reported. The first scientific excavations at the Tar Pits began in 1907 and continue today under the direction of the Page Museum. The specimens in the Tar Pits are up to 40,000 years old (late Pleistocene), with over 500 species described thus far. Taxa preserved in the asphaltic deposits range from typical Ice Age fauna such as saber-toothed cat, mammoth, sloth, bison, and dire wolf to a diverse array of microfossils such as rodents, small reptiles and amphibians, insects, pollen and plant remains, and also include some of the oldest human remains in California. At this time, over 3 million specimens have been collected from the deposits in and around Hancock Park, with excavations continuing today.

The most recent excavations in and around Hancock Park are at Pit 91, which is an ongoing excavation begun in 1913 and continuing today, and Project 23, to the west of Hancock Park at the Los Angeles County Museum of Art (LACMA). Pit 91 was initially excavated from 1913–1915, with excavations resuming in 1969 and continuing to the present. Since the reopening of the pit, 320 species have been recovered from the site. Today, the site is actively excavated during the summer months. During the 2017 field season, 3,300 specimens were recovered, including the skulls of saber-toothed cats and dire wolves, ground sloth bones, and the first confirmed juvenile mammoth from Pit 91. Pit 91 has currently been excavated to a depth of 15 feet, with an estimated 3 to 8 feet of asphaltic deposits remaining further below ground. Another recent excavation of note is Project 23, which resulted from paleontological mitigation work for the LACMA Transformation Project. During construction activities for that project from 2006–2008, fossiliferous asphaltic deposits as well as a non-asphaltic nearly complete mammoth specimen were discovered. In all, 16 fossiliferous asphaltic deposits were crated into 23 wooden boxes, with a total of 383 cubic meters of material collected. The crated deposits are still being processed, with estimates of the number of fossils contained within ranging from 1 to 3 million.

Project Geology and Paleontology

The surficial geology of the Project area consists of older alluvium. Sediments mapped as older alluvium consist of slightly indurated and elevated gravel and sand that dates to the Pleistocene (11,700–2.58 million years ago). Pleistocene alluvial sediments have a rich fossil history in the Los Angeles Basin. The most common Pleistocene terrestrial mammal fossils include the bones of mammoth, bison, deer, and small mammals, but other taxa, including horse, lion, cheetah, wolf, camel, antelope, peccary, mastodon, capybara, and giant ground sloth, have been reported, as well as reptiles such as frogs, salamanders, and snakes. As discussed above, in the vicinity of the Project area these sediments may be impregnated with asphalt, as at the nearby La Brea Tar Pits, in which case they have the potential to preserve unusually dense concentrations of fossil resources. In addition to illuminating the striking differences between Southern California in the Pleistocene and today, this abundant fossil record has been vital in studies of extinction, ecology, and climate change.

Records Search Results

A museum records search was requested from the LACM and received on August 4, 2020. The results of this search indicate numerous fossil localities are known from older alluvium in the vicinity of the Project area, including the La Brea Tar Pits at Hancock Park, just north of the Project Site.

Paleontological Sensitivity

Due to the abundant fossil resources recorded by the LACM in older alluvial sediments, particularly asphaltic sediments, older alluvium is assigned high paleontological sensitivity. Based on the high paleontological sensitivity of the Project area, the Project Applicant would implement Project-specific Mitigation Measures MM-GEO-1 through MM-GEO-4, provided below. These measures incorporate relevant portions of Mitigation Measure PMM GEO-1 from the 2020-2045 RTP/SCS Program EIR and also include recommendations based on the Project-specific analysis provided above. Implementation of these measures would ensure that impacts with respect to paleontological resources are less than significant.

Mitigation Measures

- MM-GEO-1** A Project Paleontologist shall be retained. A Project Paleontologist is defined as one who meets the Secretary of Vertebrate Paleontology (SVP) standards, has experience working with asphaltic fossil deposits, and is approved by the Natural History Museum of Los Angeles County (LACM). The Project Paleontologist will prepare a Paleontological Resources Monitoring and Mitigation Plan (PRMMP). This plan will address specifics of monitoring and mitigation and will comply with the recommendations of the SVP's *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources*. This plan will be subject to the approval of the LACM and submitted to them for review before ground disturbance begins.
- MM-GEO-2** The Project Paleontologist shall develop a Worker's Environmental Awareness Program (WEAP) to train the construction crew on the legal requirements for preserving fossil

resources as well as procedures to follow in the event of a fossil discovery. This training program shall be given to the crew before ground-disturbing work commences and will include handouts to be given to new workers as needed.

MM-GEO-3 All ground disturbances at the Project Site that occur in previously undisturbed older alluvial sediments that have high paleontological potential shall require monitoring. Monitoring shall be conducted by a Paleontological Monitor, who meets the standards defined in the SVP's *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources*. Should asphaltic sediments be encountered during excavations, the monitor must also have prior experience or training working in asphaltic sediments and meet the approval of the LACM. Monitoring shall be conducted in accordance with the PRMMP and under the supervision of the Project Paleontologist. The Project Paleontologist may periodically inspect construction activities to adjust the level of monitoring in response to subsurface conditions. Full-time monitoring can be reduced to part-time inspections or ceased entirely if determined adequate by the Project Paleontologist and the LACM. Paleontological monitoring shall include inspection of exposed sedimentary units during active excavations within sensitive geologic sediments. The monitor shall have authority to temporarily divert activity away from exposed fossils to evaluate the significance of the find and, should the fossils be determined significant, professionally and efficiently recover the fossil specimens and collect associated data. Paleontological monitors shall record pertinent geologic data and collect appropriate sediment samples from any fossil localities. When monitoring work is completed, the Project Paleontologist shall prepare a report of the findings of the monitoring plan after construction is completed.

MM-GEO-4 In the event of a fossil discovery, whether by the paleontological monitor or a member of the construction crew, all work shall cease in a 50-foot radius of the find while the Project Paleontologist assesses the significance of the fossil and document its discovery. Should the fossil be determined significant, it shall be salvaged following the procedures and guidelines of the SVP and in consultation with the LACM. Recovered fossils shall be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility. The most likely repository is the LACM, and a repository agreement shall be identified and a curatorial arrangement shall be signed prior to collection of the fossils.

Cumulative Impacts

Geotechnical impacts related to future development in the City involve site-specific soil conditions, erosion, and ground-shaking during earthquakes. The impacts on each site are specific to that site and its users and would not be in common or contribute to (or shared with, in an additive sense) the impacts on other sites. In addition, development on each site is subject to uniform site development as well as CBC and LABC construction standards that are designed to protect public safety. Impacts with respect to paleontological resources are also assessed on a site-by-site basis. All development in the City (including the Project and related projects) that includes ground-disturbing activities is required to adhere to existing State and City regulations and/or any required mitigation measures related to the discovery

of paleontological resources. For these reasons, cumulative impacts related to geology and soils would be less than significant.

VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Introduction

This section examines the direct and indirect impacts of the Project related to greenhouse gas (GHG) emissions and global climate change by disclosing GHG emissions generation that address CEQA Guidelines checklist question VIII.a and by addressing the Project's consistency with applicable GHG emission reduction plans, policies, and regulations that address CEQA Guidelines checklist question VIII.b. The information and analysis in this section are primarily based on the following technical modeling, which is included as Appendix A:

A Air Quality and Greenhouse Gas Emissions Technical Modeling, DKA Planning, December 2020.

Existing Conditions

The Project Site is occupied by 40 multi-family residences occupying approximately 32,885 square feet of floor area. There is also a surface parking lot serving an existing sit-down restaurant and bar. Because the restaurant and bar facility will remain and continue to operate following completion of the Project, this analysis does not include those emissions in the following table. As summarized in Table 5.VIII-1, most emissions would be associated with mobile sources from the 293 daily vehicle trips traveling to and from the Project Site on an average weekday.⁸³

⁸³ Overland Traffic Consultants, Inc., Transportation Assessment, Residential Mixed-Use Building, December 2019.

**Table 5.VIII-1
Annual GHG Emissions Summary (Existing)^a
(metric tons of carbon dioxide equivalent [MTCO₂e])**

Year	MTCO ₂ ^a
Area ^b	<1
Energy ^c (electricity and natural gas)	122
Mobile	436
Solid Waste ^d	9
Water/Wastewater ^e	33
Total Emissions	601

^a CO₂e was calculated using CalEEMod model, version 2016.3.2.

^b Area source emissions are from landscape equipment and other operational equipment.

^c Energy source emissions are based on CalEEMod default electricity and natural gas usage rates.

^d Solid waste emissions are calculated based on CalEEMod default solid waste generation rates.

^e Water/Wastewater emissions are calculated based on CalEEMod default water consumption rates.

Source: DKA Planning, 2020. Modeling results included in Appendix A. Note that some sums may not add precisely due to rounding.

Methodology

Because there is no “bright line” threshold of significance for GHG emissions, the methodology for evaluating a project’s impacts related to GHG emissions focuses on the its consistency with statewide, regional, and local plans adopted for the purpose of reducing and/or mitigating GHG emissions. This evaluation is the sole basis for determining the significance of a project’s GHG-related impacts on the environment.

However, for informational purposes, the consistency analysis also discloses the amount of GHG emissions emitted through the use of recommended air quality models. This disclosure ensures the estimate of a project’s GHG emissions satisfies State CEQA Guidelines Section 15064.4(a), which calls for a good-faith effort to describe and calculate emissions. This emissions inventory also demonstrates the reduction in a project’s incremental contribution of GHG emissions that result from regulations and requirements adopted to implement plans for the reduction or mitigation of GHG emissions. As such, it provides further justification that a project is consistent with plans adopted for the purpose of reducing and/or mitigating GHG emissions by a project and over time. The significance of a project’s GHG emissions impacts is not based on the amount of GHG emissions resulting from that project.

The California Climate Action Registry (Climate Registry) General Reporting Protocol provides basic procedures and guidelines for calculating and reporting GHG emissions from a number of general and industry-specific activities.⁸⁴ The General Reporting Protocol is based on the “Greenhouse Gas Protocol: A Corporate Accounting and Reporting Standard” developed by the World Business Council for Sustainable Development and the World Resources Institute through “a multi-stakeholder effort to develop a standardized approach to the voluntary reporting of GHG emissions.”⁸⁵ Although no numerical

⁸⁴ California Climate Action Registry, General Reporting Protocol Version 3.1, January 2009.

⁸⁵ Ibid.

thresholds of significance have been developed, and no specific protocols are available for land use projects, the General Reporting Protocol provides a basic framework for calculating and reporting GHG emissions from the project. The information provided in this section is consistent with the General Reporting Protocol's reporting requirements.

The General Reporting Protocol recommends the separation of GHG emissions into three categories that reflect different aspects of ownership or control over emissions. They include the following:

- Scope 1: Direct, onsite combustion of fossil fuels (e.g., natural gas, propane, gasoline, and diesel).
- Scope 2: Indirect, offsite emissions associated with purchased electricity or purchased steam.
- Scope 3: Indirect emissions associated with other emissions sources, such as third-party vehicles and embodied energy (e.g., energy used to convey, treat, and distribute water and wastewater).⁸⁶

The General Reporting Protocol provides a range of basic calculations methods. However, the General Reporting Protocol calculations are typically designed for existing buildings or facilities. These retrospective calculation methods are not directly applicable to planning and development situations where buildings do not yet exist.

The California Air Resources Board (CARB) recommends consideration of indirect emissions to provide a more complete picture of the GHG emissions footprint of a facility. Annually reported indirect energy usage aids the conservation awareness of a facility and provides information to CARB to be considered for future strategies.⁸⁷ For example, CARB has proposed requiring the calculation of direct and indirect GHG emissions as part of the AB 32 reporting requirements. Additionally, OPR has noted that lead agencies "should make a good-faith effort, based on available information, to calculate, model, or estimate... GHG emissions from a project, including the emissions associated with vehicular traffic, energy consumption, water usage and construction activities."⁸⁸ Therefore, direct and indirect emissions have been calculated for the Project.

A fundamental difficulty in the analysis of GHG emissions is the global nature of the existing and cumulative future conditions. Changes in GHG emissions can be difficult to attribute to a particular planning program or project because the planning effort or project may cause a shift in the locale for some type of GHG emissions, rather than causing "new" GHG emissions. As a result, there is an inability to conclude whether a project's GHG emissions represent a net global increase, reduction, or no change in GHG emissions that would exist if the project were not implemented. The analysis of the Project's GHG emissions is particularly conservative in that it assumes all of the GHG emissions are new additions to the atmosphere.

⁸⁶ Embodied energy is a scientific term that refers to the quantity of energy required to manufacture and supply to the point of use a product, material, or service.

⁸⁷ CARB, Initial Statement of Reasons for Rulemaking, Proposed Regulation for Mandatory Reporting of Greenhouse Gas Emissions Pursuant to the California Global Warming Solutions Act of 2006 (AB 32), Planning and Technical Support Division Emission Inventory Branch, October 19, 2007.

⁸⁸ OPR Technical Advisory, p. 5.

The California Emissions Estimator Model® (CalEEMod) is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operations from a variety of land use projects. CalEEMod was developed in collaboration with the air districts of California, who provided data (e.g., emission factors, trip lengths, meteorology, source inventory, etc.) to account for local requirements and conditions. The model is considered by SCAQMD to be an accurate and comprehensive tool for quantifying air quality and GHG impacts from land use projects throughout California.⁸⁹

Construction

The Project's construction emissions were calculated using CalEEMod Version 2016.3.2. Details of the modeling assumptions and emission factors are provided in Appendix A of this SCEA. CalEEMod calculates emissions from off-road equipment usage and on-road vehicle travel associated with haul, delivery, and construction worker trips. GHG emissions during construction were forecasted based on the proposed construction schedule and included the mobile- source and fugitive dust emissions factors derived from CalEEMod.

The calculations of the emissions generated during Project construction activities reflect the types and quantities of construction equipment that would be used to remove existing pavement, grade, and excavate the Project Site; construct the proposed building and related improvements; and plant new landscaping within the Project Site.

In accordance with SCAQMD's guidance, GHG emissions from construction were amortized (i.e., averaged annually) over the lifetime of the Project. Because emissions from construction activities occur over a relatively short-term period of time, they contribute a relatively small portion of the overall lifetime GHG emissions for the Project. In addition, GHG emissions reduction measures for construction equipment are relatively limited. Thus, SCAQMD recommends that construction emissions be amortized over a 30-year project lifetime, so that GHG emissions reduction measures will address construction GHG emissions as part of the operational GHG reduction strategies.⁹⁰ As a result, the Project's total construction GHG emissions were divided by 30 to determine an approximate annual construction emissions estimate comparable to operational emissions.

Operation

Similar to construction, CalEEMod is used to calculate potential GHG emissions generated by new land uses on the Project Site, including area sources, electricity, natural gas, mobile sources, stationary sources (i.e., emergency generators), solid waste generation and disposal, and water usage/wastewater generation.

Area source emissions include landscaping equipment that are based on the size of the land uses (e.g., square footage or dwelling unit), the GHG emission factors for fuel combustion, and the global warming potential (GWP) values for the GHG emissions emitted.

⁸⁹ California Air Pollution Control Officers Association, California Emissions Estimator Model, CalEEMod™, www.caleemod.com, accessed May 25, 2016.

⁹⁰ SCAQMD Governing Board Agenda Item 31, December 5, 2008.

GHG emissions associated with electricity demand are based on the size of the land uses, the electrical demand factors for the land uses, the GHG emission factors for the electricity utility provider, and the GWP values for the GHG emissions emitted. As with electricity, the emissions of GHG emissions associated with natural gas combustion are based on the size of the land uses, the natural gas combustion factors for the land uses in units of million British thermal units (MMBtu), the GHG emission factors for natural gas combustion, and the GWP values for the GHG emissions emitted.

Mobile source GHG emissions are calculated based on an estimate of the Project's annual VMT, which is derived using CalEEMod based on the trip generation provided in the Transportation Study prepared for the Project. The CalEEMod-derived VMT values account for the daily and seasonal variations in trip frequency and length associated with new residential, employee, and visitor trips to and from the Project Site and other activities that generate a vehicle trip.

Stationary source GHG emissions are based on proposed stationary sources (i.e., emergency generators) that would be provided on the Project Site.

GHG emissions associated with solid waste disposal are based on the size of the Project's proposed land uses, the waste disposal rate for the land uses, the waste diversion rate, the GHG emission factors for solid waste decomposition, and the GWP values for the GHG emissions emitted.

GHG emissions related to water usage and wastewater generation are based on the size of the land uses, the water demand factors, the electrical intensity factors for water supply, treatment, and distribution, electrical intensity factors for wastewater treatment, the GHG emission factors for the electricity utility provider, and the GWP values for the GHG emissions emitted.

The analysis of Project GHG emissions at buildout uses assumptions in CARB's EMFAC2014 model and also takes into account actions and mandates expected to be in force in 2022 (e.g., Pavley I Standards, full implementation of California's 33 percent RPS by 2030 and 50 percent by 2050 and the California LCFS). In addition, because mobile source GHG emissions are directly dependent on the number of vehicle trips, a decrease in the number of project-generated trips as a result of project features (e.g., close proximity to transit) would provide a proportional reduction in mobile source GHG emissions compared to a generic project without such locational benefits. Calculation of Project GHG emissions conservatively did not include actions and mandates that are not already in place but are expected to be enforced in 2022 (e.g., Pavley II, which could further reduce GHG emissions from use of light-duty vehicles by 2.5 percent). Similarly, emissions reductions regarding Cap-and-Trade were not included in this analysis as they applied to other future reductions in non-transportation sectors. As for the Cap-and-Trade program's benefits for the transportation sector, the analysis utilizes CARB's assumptions in EMFAC2014 for any short-term reductions in GHG emissions. By not speculating on potential regulatory conditions, the analysis takes a conservative approach that likely overestimates the Project's GHG emissions at buildout, because the state is expected to implement a number of policies and programs aimed at reducing GHG emissions from the land use and transportation sectors to meet the state's long-term climate goals.

There are no GHG emissions thresholds adopted by the SCAQMD that are applicable to the Project. In 2008, SCAQMD released draft guidance regarding interim CEQA GHG significance thresholds. Within its October 2008 document, the SCAQMD proposed the use of a percent emission reduction target to determine significance for commercial/ residential projects that emit greater than 3,000 MTCO_{2e} per

year. Under this proposal, commercial/residential projects that emit fewer than 3,000 MTCO₂e per year would be assumed to have a less than significant impact on climate change. However, this proposed screening threshold was never adopted by the SCAQMD.

Consistency with Applicable Plans and Policies

A consistency analysis has been provided that describes the Project's compliance with or exceedance of performance-based standards, and consistency with applicable plans and policies adopted for the purpose of reducing GHG emissions, included in the applicable portions of CARB's *Climate Change Scoping Plan*, the 2016–2040 RTP/SCS and 2020–2045 RTP/SCS, the LA Green Plan/Climate LA Plan, and the Sustainable City pLAn and Green New Deal.

As part of the *Climate Change Scoping Plan*, a statewide emissions inventory was developed as required by AB 32 which directs CARB to develop and track GHG emissions reductions to document progress towards the state GHG target. The emissions inventory also takes into account GHG emissions reduction measures developed by CARB to achieve state targets. Consistency with the *Climate Change Scoping Plan* is evaluated by comparing the Project's GHG reduction measures to those contained in the Scoping Plan.

As noted in CEQA Guidelines Section 15064.4(b)(3), consistency with such plans and policies “must reduce or mitigate the project's incremental contribution of greenhouse gas emissions.” To demonstrate such incremental reductions, this chapter estimates reductions of project-related GHG emissions resulting from consistency with plans. Consistent with evolving scientific knowledge, approaches to GHG quantification may continue to evolve in the future.

While there are many ways to quantify the efficiency of the GHG reduction measures provided for in the plans and policies, this analysis compares the Project's GHG emissions to the emissions that would be generated by the Project without Reduction Features. This approach shows the efficacy of the Project's compliance with regulations, plans, and policies that have been adopted with the intent of reducing GHG emissions.

It considers site-specific conditions, project design features and local mandates that would reduce GHG emissions, such as reduced emissions resulting from the proposed mix of uses or close proximity to public transportation. This methodology is used to analyze consistency with applicable GHG reduction plans and policies and demonstrate the efficacy of the measures contained therein, but it is not a threshold of significance.

Thresholds of Significance

State CEQA Guidelines Appendix G

In accordance with Appendix G of the State CEQA Guidelines (Appendix G), a project would have a significant impact related to GHG emissions if the project would do the following:

- a) **Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment;**

b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHG emissions.

The Project would comply with all applicable state and local regulatory requirements, including the provisions set forth in the City's Green Building Ordinance. Also, the Project would include Transportation Demand Management (TDM) strategies to promote non-auto travel and reduce the use of single-occupant vehicle trips. Furthermore, the Project would also include sustainability features related to water conservation and waste reduction.

Project Impacts

Consistency with Applicable Plans and Policies

The discussion below describes the extent the Project complies with or exceeds the performance-based standards included in the regulations outlined in the *Climate Change Scoping Plan*, the 2016–2040 RTP/SCS and 2020-2045 RTP/SCS, the LA Green Plan/Climate LA Plan, and the Sustainable City pLAn and Green New Deal. As shown herein, the Project would be consistent with the applicable GHG reduction plans and policies.

Statewide: Climate Change Scoping Plan

The goal to reduce GHG emissions to 1990 levels by 2020 (Executive Order S-3-05) was codified by the Legislature as the 2006 Global Warming Solutions Act (AB 32). In 2008, CARB approved a *Climate Change Scoping Plan* as required by AB 32 that has been updated over time to reflect updated strategies.⁹¹ In addition, SB 32 was approved in 2016, calling for deeper GHG emissions reductions by 2030. The *2017 Climate Change Scoping Plan* addresses the 2030 horizon and has a range of GHG reduction actions that include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 implementation fee to fund the program. The following discussion demonstrates how the pertinent reduction actions relate to and reduce project-related GHG emissions.

Provided in Table 5.VIII-2 is an evaluation of the Project's consistency with applicable reduction actions/strategies by emissions source category outlined in the *2017 Climate Change Scoping Plan Update*.⁹² As discussed therein, the Project would be consistent with the GHG reduction-related actions and strategies of the *2017 Climate Change Scoping Plan Update*.

Although a number of these measures are currently established as policies and measures, some measures have not yet been formally proposed or adopted. It is expected that these measures or similar actions to reduce GHG emissions will be adopted as required to achieve statewide GHG emissions targets.

⁹¹ Climate Change Proposed Scoping Plan was approved by CARB on December 11, 2008.

⁹² An evaluation of stationary sources is not necessary as the stationary sources emissions will be created by emergency generators that would only be used in an emergency.

**Table 5.VIII-2
Consistency Analysis—2017 Scoping Plan Update**

Project Consistency Assessment

Senate Bill 350 (SB 350): The Clean Energy and Pollution Reduction Act of 2015 increases the standards of the California RPS program by requiring that the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources be increased to 50 percent by 2030.^a Required measures include:

- Increase RPS to 50 percent of retail sales by 2030.
- Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.

Reduce GHG emissions in the electricity sector through the implementation of the above measures and other actions as modeled in IRPs to meet GHG emissions reductions planning targets in the IRP process. Load-serving entities and publicly owned utilities meet GHG emissions reductions planning targets through a combination of measures as described in IRPs.

Project Consistency Assessment: *Consistent.* LADWP is required to generate electricity that would increase renewable energy resources to 33 percent by 2020 and 50 percent by 2030. As LADWP would provide electricity service to the Project Site, by 2030 the Project would use electricity consistent with the requirements of SB 350. It is assumed that LADWP will receive at least 33 percent of electricity from renewable sources by year 2020 and 50 percent by 2030 (with a straight-line interpolation for the Project buildout year of 2023).

As required under SB 350, doubling of the energy efficiency savings from final end uses of retail customers by 2030 would primarily rely on the existing suite of building energy efficiency standards under CCR Title 24, Part 6 (consistency with this regulation is discussed below) and utility-sponsored programs such as rebates for high-efficiency appliances, HVAC systems, and insulation.

The Project would comply with this this action/strategy being located within the LADWP service area and would comply with CalGreen and Title 24 energy efficiency standards.

Implement Mobile Source Strategy (Cleaner Technology and Fuels)

- At least 1.5 million zero emission and plug-in hybrid light-duty electric vehicles by 2025.
- At least 4.2 million zero emission and plug-in hybrid light-duty electric vehicles by 2030.
- Further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean Cars regulations.
- Medium- and heavy-duty GHG Phase 2.
- Innovative Clean Transit: Transition to a suite of to-be- determined innovative clean transit options. Assumed 20 percent of new urban buses purchased beginning in 2018 will be zero emission buses with the penetration of zero-emission technology ramped up to 100 percent of new sales in 2030. Also, new natural gas buses, starting in 2018, and diesel buses, starting in 2020, meet the optional heavy-duty low-NO_x standard.
- Last Mile Delivery: New regulation that would result in the use of low NO_x or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last mile delivery trucks in California. This measure assumes ZEVs comprise 2.5 percent of new Class 3–7 truck sales in local fleets starting in 2020, increasing to 10 percent in 2025 and remaining flat through 2030.

**Table 5.VIII-2
Consistency Analysis—2017 Scoping Plan Update**

Project Consistency Assessment

- Further reduce VMT through continued implementation of SB 375 and regional Sustainable Communities Strategies; forthcoming statewide implementation of SB 743; and potential additional VMT reduction strategies not specified in the Mobile Source Strategy but included in the document “Potential VMT Reduction Strategies for Discussion.”

Project Consistency Assessment: *Consistent.* The CARB approved the Advanced Clean Cars Program in 2012, which establishes an emissions control program for model year 2017 through 2025. Standards under the Advanced Clean Cars Program likely will apply to all passenger and light duty trucks used by customers, employees, and deliveries to the Project, depending on the outcome of ongoing negotiations between CARB and EPA regarding federal standards. The Program also requires auto manufacturers to produce an increasing number of zero emission vehicles in the 2018 through 2025 model years. Extension of the Advanced Clean Cars Program has not yet been adopted, but it is expected that measures will be introduced to increase GHG emissions reductions stringency on light duty autos and continue adding zero emission and plug in vehicles through 2030.

CARB is also developing the Innovative Clean Transit measure to encourage purchase of advanced technology buses such as alternative fueled or battery powered buses. This would allow fleets to phase in cleaner technology in the near future. CARB is also in the process of developing proposals for new approaches and strategies to achieve zero emission trucks under the Advanced Clean Local Trucks (Last Mile Delivery) Program.^{b,c}

GHG emissions generated by Project-related vehicular travel would benefit from this regulation, and mobile source emissions generated by the Project would be reduced with implementation of standards under the Advanced Clean Cars Program, consistent with reduction of GHG emissions under AB 32. Mobile source GHG emissions estimates conservatively do not include this additional 34-percent reduction in mobile source emissions as the CalEEMod model does not yet account for this regulation. Although the Innovative Clean Transit and Advanced Clean Local Truck Programs have not yet been established, the Project would also benefit from these measures once adopted. The Project would further support this regulation by providing at least 30 percent of the total parking spaces to be capable of supporting future electric vehicle supply equipment (EVSE) as required by LAMC Section 99.04.106.4.4.

SB 375 requires SCAG to direct the development of the SCS for the region, which is discussed further below. The Project represents an infill development within an existing urbanized area that would concentrate new residential and retail uses within a high quality transit area (HQTA). Therefore, the Project would be consistent with SCAG’s 2016–2040 RTP/SCS and 2020-2045 RTP/SCS. Furthermore, the 2016–2040 RTP/SCS would result in an estimated 18-percent decrease in per capita GHG emissions from passenger vehicles by 2035, while the 2020-2045 RTP/SCS would result in an estimated 19-percent decrease in per capita GHG emissions by 2035. Project-related transportation emissions would be reduced by approximately 23 percent over a Base Project without GHG Reduction Features scenario (see Table 5.VIII-9, below), and therefore, the Project would be consistent with SB 375 and the 2016–2040 RTP/SCS and 2020-2045 RTP/SCS.

Increase Stringency of SB 375 Sustainable Communities Strategy (2035 Targets)

Project Consistency Assessment: *Consistent.* Under SB 375, the CARB sets regional targets for GHG emission reductions from passenger vehicle use. In 2010, the CARB established targets for 2020 and 2035 for each region. As required under SB 375, the CARB is required to update regional GHG emissions targets every 8 years, which is due to be updated in 2018. As part of the 2018 updates, the CARB has proposed a passenger vehicle related GHG reduction of 19 percent for 2035 for the SCAG region, which is more stringent than the current reduction target of 13 percent for 2035. This target has been incorporated into the 2020-2045 RTP/SCS.

The Project would be consistent with SB 375 for developing an infill project within an existing urbanized area. This would concentrate new residential and commercial uses within an HQTA. Project-related transportation emissions would be

**Table 5.VIII-2
Consistency Analysis—2017 Scoping Plan Update**

Project Consistency Assessment
<p>reduced by approximately 23 percent over a Base Project without GHG Reduction Features scenario (see Table 5.VIII-9, below), and therefore, the Project would be consistent with SB 375 and the 2016–2040 RTP/SCS and 2020-2045 RTP/SCS.</p>
<p>By 2019, adjust performance measures used to select and design transportation facilities. Harmonize project performance with emissions reductions, and increase competitiveness of transit and active transportation modes (e.g. via guideline documents, funding programs, project selection).</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> The Project would not involve construction of transportation facilities. However, the Project would be located in close proximity to ample transit opportunities, including Metro’s local and Rapid bus services, as well as near the future Metro rail station at Wilshire Boulevard and Fairfax Avenue, less than one-quarter mile from the Project Site.</p>
<p>By 2019, develop pricing policies to support low- GHG transportation (e.g. low-emission vehicle zones for heavy duty, road user, parking pricing, transit discounts).</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would support this policy since the Applicant, in accordance with LAMC Sections 99.04.106.4.2 and 99.04.106.4.4, would equip 10 percent of the Project’s on-site parking spaces with electric vehicle charging stations and 30 percent of parking spaces with EVSE.</p>
<p>Implement California Sustainable Freight Action Plan:</p> <ul style="list-style-type: none"> • Improve freight system efficiency. <p>Deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize zero and near-zero emission freight vehicles and equipment powered by renewable energy by 2030.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> The Project land uses would not include freight transportation or warehousing. Therefore, the Project would not interfere or impede the implementation of the Sustainable Freight Action Plan.</p>
<p>Adopt a Low Carbon Fuel Standard with a CI reduction of 18 percent.</p> <p>Project Consistency Assessment: <i>Consistent.</i> This regulatory program applies to fuel suppliers, not directly to land use development. GHG emissions related to vehicular travel associated with the Project would benefit from this regulation because fuel used by Project-related vehicles would be required to comply with LCFS. Mobile source GHG emissions estimates were calculated using CalEEMod that includes implementation of the LCFS into mobile source emission factors.</p> <p>The current LCFS, adopted in 2007, requires a reduction of at least 10 percent in the carbon intensity (CI) of California’s transportation fuels by 2020. On September 27, 2018, CARB amended the LCFS regulation to target a 20 percent reduction in CI from a 2010 baseline by 2030.</p>
<p>Implement the Short-Lived Climate Pollutant Strategy by 2030:</p> <ul style="list-style-type: none"> • 40 percent reduction in methane and hydrofluorocarbon emissions below 2013 levels.

**Table 5.VIII-2
Consistency Analysis—2017 Scoping Plan Update**

Project Consistency Assessment
<p>50 percent reduction in black carbon emissions below 2013 levels.</p> <p>Project Consistency Assessment: <i>Consistent.</i> Senate Bill 605 (SB 605) was adopted in 2014 that directs CARB to develop a comprehensive Short-Lived Climate Pollutant (SLCP) strategy. Senate Bill 1383 was later adopted in 2016 to require CARB to set statewide 2030 emission reduction targets of 40 percent for methane and hydrofluorocarbons and 50 percent black carbon emissions below 2013 levels.^e</p> <p>The Project would comply with the CARB SLCP Reduction Strategy, which limits the use of hydrofluorocarbons for refrigeration uses.</p>
<p>By 2019, develop regulations and programs to support organic waste landfill reduction goals in the SLCP and SB 1383.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This strategy calls on regulators to reduce GHG emissions from landfills and is not applicable to a development project. Under SB 1383, the California Department of Resources Recycling and Recovery (CalRecycle) is responsible for achieving a 50 percent reduction in the level of statewide disposal of organic waste from the 2014 level by 2020 and 75-percent reduction by 2025.</p>
<p>Implement the post-2020 Cap-and-Trade Program with declining annual caps.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This applies to State regulators and is not applicable to a development project. The current Cap-and-Trade program would end on December 31, 2020. Assembly Bill 398 (AB 398) was enacted in 2017 to extend and clarify the role of the state’s Cap-and-Trade Program from January 1, 2021, through December 31, 2030. As part of AB 398, refinements were made to the Cap-and-Trade program to establish updated protocols and allocation of proceeds to reduce GHG emissions.</p>
<p>By 2018, develop Integrated Natural and Working Lands Implementation Plan to secure California’s land base as a net carbon sink:</p> <ul style="list-style-type: none"> • Protect land from conversion through conservation easements and other incentives. • Increase the long-term resilience of carbon storage in the land base and enhance sequestration capacity. • Utilize wood and agricultural products to increase the amount of carbon stored in the natural and built environments. <p>Establish scenario projections to serve as the foundation for the Implementation Plan.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This applies to State regulators and is not applicable to a development project. This regulatory program applies to Natural and Working Lands, not directly related to development of the Project. However, the Project would not interfere or impede implementation of the Integrated Natural and Working Lands Implementation Plan.</p>
<p>Establish a carbon accounting framework for natural and working lands as described in SB 859 by 2018</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This applies to State regulators and is not applicable to a development project. This regulatory program applies to Natural and Working Lands, not directly related to development</p>

**Table 5.VIII-2
Consistency Analysis—2017 Scoping Plan Update**

Project Consistency Assessment
of the Project. However, the Project would not interfere or impede implementation of the Integrated Natural and Working Lands Implementation Plan.
<p>Implement Forest Carbon Plan</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This applies to State regulators and is not applicable to a development project. This regulatory program applies to state and federal forest land, not directly related to development of the Project. However, the Project would not interfere or impede implementation of the Forest Carbon Plan.</p>
<p>Identify and expand funding and financing mechanisms to support GHG reductions across all sectors.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This applies to State regulators and is not applicable to a development project. Funding and financing mechanisms are the responsibility of the state and local agencies. The Project would not conflict with funding and financing mechanisms to support GHG reductions.</p>
<p>^a Senate Bill 350 (2015–2016 Regular Session) Stats 2015, Ch. 547.</p> <p>^b CARB, <i>Advance Clean Cars, Midterm Review</i>, www.arb.ca.gov/msprog/acc/acc-mtr.htm.</p> <p>^c CARB, <i>Advanced Clean Local Trucks (Last mile delivery and local trucks)</i>, www.arb.ca.gov/msprog/actruck/actruck.htm.</p> <p>^d CARB, <i>LCFS Rulemaking Documents</i>, www.arb.ca.gov/fuels/lcfs/rulemakingdocs.htm.</p> <p>^e CARB, <i>Reducing Short-Lived Climate Pollutants in California</i>, www.arb.ca.gov/cc/shortlived/shortlived.htm.</p> <p>^f CARB, <i>Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emissions Reductions</i>, www.calrecycle.ca.gov/climate/slcp/.</p> <p>Source: California Air Resources Board (CARB), <i>California’s 2017 Climate Change Scoping Plan</i>, November 2017.</p>

Regional: 2016–2040 RTP/SCS

The 2016–2040 RTP/SCS is expected to help California reach its GHG reduction goals, with reductions in per capita transportation emissions of 9 percent by 2020 and 16 percent by 2035.⁹³ Furthermore, although there are no per capita GHG emission reduction targets for passenger vehicles set by CARB for 2040, the 2016–2040 RTP/SCS GHG emission reduction trajectory shows that more aggressive GHG emission reductions are projected for 2040.⁹⁴ The 2016–2040 RTP/SCS would result in an estimated 8-percent decrease in per capita passenger vehicle GHG emissions by 2020, 18-percent decrease in per capita passenger vehicle GHG emissions by 2035, and 21-percent decrease in per capita passenger vehicle GHG emissions by 2040. By meeting and exceeding the SB 375 targets for 2020 and 2035, as well as achieving an approximately 21-percent decrease in per capita passenger vehicle GHG emissions by 2040 (an additional 3-percent reduction in the five years between 2035 [18 percent] and 2040 [21 percent]), the 2016–2040 RTP/SCS is expected to fulfill and exceed its portion of SB 375 compliance with respect to meeting the state’s GHG emission reduction goals.

The 2016–2040 RTP/SCS provides socioeconomic forecast projections of regional population growth. The population, housing, and employment forecasts, which are adopted by SCAG’s Regional Council, are based on local plans and policies applicable to the specific area; these are used by SCAG in all phases of implementation and review. As discussed in greater detail in Section 5.III, Air Quality, based on the average 2019 household size for multi-family units in the City of Los Angeles, of 2.41 persons per household,⁹⁵ the Project would add a residential population of approximately 407 people to the Project Site. The Project’s residential population would represent approximately 0.36 percent of the forecasted growth between 2020 and 2024 (the Project’s buildout year) in the City and approximately 0.06 percent of the forecasted population growth between 2020 and 2040.⁹⁶ Therefore, the Project’s population growth would be consistent with the projections in the 2016-2040 RTP/SCS.

Development of the Project would result in a net increase of 169 dwelling units. This increase would represent approximately 0.29 percent of forecasted growth in the City for the period between 2020 and 2024, and approximately 0.05 percent for the period between 2020 and 2040.⁹⁷ Thus, the Project’s estimated housing growth would be consistent with the projections in the 2016-2040 RTP/SCS.

Development of the Project also would result in approximately 11 employment positions on-site.⁹⁸ The Project’s employment would represent approximately 0.03 percent of forecasted growth in the City for the period between 2020 and 2024, and approximately 0.004 percent for the period between 2020 and

⁹³ CARB, Regional Greenhouse Gas Emission Reduction Targets Pursuant to SB 375, Resolution 10-31.

⁹⁴ SCAG, Final 2016–2040, RTP/SCS, April 2016, p. 153.

⁹⁵ Based on a household rate of 2.41 persons for multi-family units based on the 2018 American Community Survey 5-Year Average Estimates. Source: Jack Tsao, Data Analyst II, Los Angeles Department of City Planning, June 12, 2020.

⁹⁶ Per interpolated population growth estimates from the 2016-2040 RTP/SCS, the City’s population growth between 2020 and 2024 is 115,517 (and 407 divided by 115,517 = 0.4 percent), and the City’s population growth between 2020 and 2040 is 577,586 (and 407 divided by 577,586 = 0.07 percent).

⁹⁷ Per interpolated housing growth estimates from the 2016-2040 RTP/SCS, the City’s housing growth between 2020 and 2024 is 58,759 (and 169 divided by 58,759 = 0.3 percent), and the City’s employment growth between 2020 and 2040 is 293,793 (and 169 divided by 293,793 = 0.06 percent).

⁹⁸ Per LADOT VMT Calculator version 1.3, Supplemental Traffic Assessment, Overland Traffic Consultants, Inc., December 14, 2020.

2040.99 Thus, the Project's estimated employment growth would be consistent with the projections in the 2016-2040 RTP/SCS.

The Project would result in a VMT reduction of approximately 70 percent as compared to the Project without implementation of VMT reducing measures, as described below. Specifically, as estimated by CalEEMod, and as shown in Appendix A, the Project results in a reduction in GHG emissions from mobile sources as compared to the Project without implementation of VMT reducing measures. This would be consistent with the reduction in transportation emission per capita provided in the 2016–2040 RTP/SCS. This reduction is attributable to the Project characteristics as being an infill project near transit that supports multi-modal transportation options.

The Project would also be consistent with the following key GHG reduction strategies in SCAG's 2016–2040 RTP/SCS, which are based on changing the region's land use and travel patterns:

- Compact growth in areas accessible to transit;
- More multi-family housing;
- Jobs and housing closer to transit;
- New housing and job growth focused in HQTAs; and
- Biking and walking infrastructure to improve active transportation options and transit access.

The Project represents an infill development within the dense Wilshire corridor and Miracle Mile areas that would concentrate new residential and commercial uses within an HQTA, which is defined by the 2016–2040 RTP/SCS as generally walkable transit villages or corridors that are within 0.5 miles of a well-serviced transit stop or a transit corridor with 15-minute or less service frequency during peak commute hours. The Project Site is located near several Metro local bus routes that serve Wilshire Boulevard and Fairfax Avenue, as well as a future Metro Purple Line (D Line) subway station at Wilshire Boulevard and Fairfax Avenue, far less than one-quarter mile from the Project Site.

The Applicant would implement TDM measures to promote non-auto travel and reduce the use of single-occupant vehicle trips. In addition, the Project would also provide bicycle storage areas for Project residents, employees, and guests. The Project would provide residents, employees, and guests with convenient access to public transit and opportunities for walking and biking, which would facilitate a reduction in VMT and related vehicular GHG emissions. These and other measures would further promote a reduction in VMT and subsequent reduction in GHG emissions, which would be consistent with the goals of SCAG's 2016–2040 RTP/SCS.

At the regional level, the 2016–2040 RTP/SCS is an applicable plan adopted for the purpose of reducing GHG emissions. In order to assess the Project's potential to conflict with the 2016–2040 RTP/SCS, this section also analyzes the Project's land use assumptions for consistency with those utilized by SCAG

⁹⁹ Per interpolated employment growth estimates from the 2016-2040 RTP/SCS, the City's employment growth between 2020 and 2024 is 39,669 (and 11 divided by 39,669 = 0.03 percent), and the City's employment growth between 2020 and 2040 is 198,345 (and 11 divided by 198,345 = 0.006 percent).

in its Sustainable Communities Strategy. Generally, projects are considered consistent with the provisions and general policies of applicable City and regional land use plans and regulations, such as SCAG’s 2016-2040 RTP/SCS, if they are compatible with the general intent of the plans and would not preclude the attainment of their primary goals. As demonstrated earlier, the Project would be consistent with the 2016–2040 RTP/SCS.

As illustrated in Table 5.VIII-3, the Project is the type of land use development that is encouraged by the 2016-2040 RTP/SCS to reduce VMT and expand multi-modal transportation options in order for the region to achieve the GHG reductions from the land use and transportation sectors required by SB 375, which, in turn, advances the state’s long-term climate policies.¹⁰⁰ By furthering implementation of SB 375, the Project supports regional land use and transportation GHG reductions consistent with state regulatory requirements.

Therefore, the Project would be consistent with the 2016–2040 RTP/SCS and the GHG reduction-related actions and strategies contained therein.

**Table 5.VIII-3
Consistency with the 2016-2040 RTP/SCS**

Project Consistency Assessment
Land Use Strategies
<p>Strategy: Reflect the changing population and demands, including combating gentrification and displacement, by increasing housing supply at a variety of affordability levels.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project includes residences that would add to the supply and diversity of housing in metropolitan Los Angeles County. The Project would also include 28 units that would be set aside for rental to households qualifying as affordable at the Extremely Low Income level, which would address the diversity of housing in Los Angeles at a variety of affordability levels.</p>
<p>Strategy: Focus new growth around transit.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development that would be consistent with the 2016 RTP/SCS focus on growth near transit facilities. The Project would be located in the dense Wilshire corridor in an area served by Metro’s local and Rapid bus services, as well as near the future Metro rail station at Wilshire Boulevard and Fairfax Avenue.</p>
<p>Strategy: Plan for growth around livable corridors, including growth on the Livable Corridors network.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development that would be consistent with the 2016 RTP/SCS focus on focusing growth along the 2,980 miles of Livable Corridors in the region. It is also served by Metro’s local and Rapid bus services, and would be located near the future Metro rail station at Wilshire Boulevard and Fairfax Avenue.</p>

¹⁰⁰ As discussed above, SB 375 legislation links regional planning for housing and transportation with the GHG reduction goals outlined in AB 32.

**Table 5.VIII-3
Consistency with the 2016-2040 RTP/SCS**

Project Consistency Assessment
<p>Strategy: Provide more options for short trips through Neighborhood Mobility Areas and Complete Communities.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would help further jobs/housing balance objectives that can improve the use of Neighborhood Electric Vehicles for short trips. The Project is also generally consistent with the Complete Communities initiative that focuses on creation of mixed-use districts in growth areas.</p>
<p>Strategy: Support local sustainability planning, including developing sustainable planning and design policies, sustainable zoning codes, and Climate Action Plans.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> While this strategy calls on local governments to adopt General Plan updates, zoning codes and Climate Action Plans to further sustainable communities, the Project would not interfere with such policymaking and would be consistent with those policy objectives.</p>
<p>Strategy: Protect natural and farm lands, including developing conservation strategies.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development that would help reduce demand for growth in urbanizing areas that threaten greenfields and open spaces.</p>
<p>Transportation Strategies</p>
<p>Strategy: Preserve our existing transportation system.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> While this strategy calls on investing in the maintenance of our existing transportation system, the Project would not interfere with such policymaking.</p>
<p>Strategy: Manage congestion through programs like the Congestion Management Program, Transportation Demand Management, and Transportation Systems Management strategies.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development that will minimize congestion impacts on the region because of its proximity to public transit, Complete Communities, and general density of population and jobs.</p>
<p>Strategy: Promote safety and security in the transportation system.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> While this strategy aims to improve the safety of the transportation system and protect users from security threats, the Project would not interfere with such policymaking.</p>
<p>Strategy: Complete our transit, passenger rail, active transportation, highways and arterials, regional express lanes, goods movement, and airport ground transportation systems.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> This strategy calls for transportation planning partners to implement major capital and operational projects that are designed to address regional growth. The Project would not interfere with this larger goal of investing in the transportation system.</p>
<p>Technological Innovation and 21st Century Transportation</p>

**Table 5.VIII-3
Consistency with the 2016-2040 RTP/SCS**

Project Consistency Assessment
<p>Strategy: Promote zero-emission vehicles.</p> <p>Project Consistency Assessment: <i>Consistent.</i> While this action/strategy is not necessarily applicable on a project-specific basis, the Project would equip 10 percent of the on-site parking spaces with electric vehicle charging stations and 30 percent of parking spaces with EVSE.</p>
<p>Strategy: Promote neighborhood electric vehicles.</p> <p>Project Consistency Assessment: <i>Consistent.</i> While this action/strategy is not necessarily applicable on a project-specific basis, the Project would equip 10 percent of the on-site parking spaces with electric vehicle charging stations and 30 percent of parking spaces with EVSE.</p>
<p>Strategy: Implement shared mobility programs.</p> <p>Project Consistency Assessment: <i>Not Applicable.</i> While this strategy is designed to integrate new technologies for last-mile and alternative transportation programs, the Project would not interfere with these emerging programs.</p>
<p>Source: Southern California Association of Governments; 2016–2040 RTP/SCS, Chapter 5: <i>The Road to Greater Mobility and Sustainable Growth</i>; April 2016.</p>

Regional: 2020-2045 RTP/SCS

The 2020-2045 RTP/SCS (or Connect SoCal plan) outlines more than \$638 billion in transportation system investments through 2045. It was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura. The 2020-2045 RTP/SCS includes strategies for accommodating projected population, household and employment growth in the SCAG region by 2045 as well as a transportation investment strategy for the region. These land use strategies are directly tied to supporting related GHG emissions reductions through increasing transportation choices with a reduced dependence on automobiles and an increase growth in walkable, mixed-use communities and HQTAs and by encouraging growth near destinations and mobility options, promoting diverse housing choices, leveraging technology innovations, supporting implementation of sustainability policies, and promoting a green region. Table 5.VIII-4 provides a comparison of the Project against the GHG-related performance measures of the 2020-2045 RTP/SCS.

The Project’s 407 residents would represent 0.05 percent of the 837,500 additional residents in the City from 2016 to 2045 as planned for in the 2020 RTP/SCS. The 11 employment positions would represent approximately 0.001 percent of forecasted growth in the City for the period between 2016 and 2045.

**Table 5.VIII-4
Consistency with the 2020-2045 RTP/SCS**

Project Consistency Assessment
<p>Objective: Increase percentage of region’s total household growth occurring within HQTAs.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would include the development of 209 apartment units, including 28 units reserved for Extremely Low Income households, that would add to the supply and diversity of housing in the Los Angeles Mid-City-Westside Communities HQTAs.</p>
<p>Objective: Increase percent of the region’s total employment growth occurring within HQTAs.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development that would create approximately 11 jobs, consistent with the 2020 RTP/SCS policies and would focus on growth in the Los Angeles Mid-City-Westside Communities HQTAs. ¹⁰¹</p>
<p>Objective: Decrease total acreage of greenfield or otherwise rural land uses converted to urban use.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development that would reduce the demand for sprawl development in greenfield or rural areas on the fringes of Southern California.</p>
<p>Objective: Decrease daily vehicle miles driven per person.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development in the midst of heavy transit infrastructure (including bus lines and Metro D Line) that would reduce daily VMT per capita.</p>
<p>Objective: Decrease average daily distance traveled for work and non-work trips (in miles)</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development that would provide housing and jobs to the Mid-City area in the midst of heavy transit infrastructure (including bus lines and Metro D Line) that would reduce travel distances per capita.</p>
<p>Objective: Increase percentage of work and non-work trips which are less than 3 miles in length.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development that would provide housing and jobs to the Mid-City area in the midst of heavy transit infrastructure (including bus lines and Metro D Line) that would increase the rate of travel less than three miles in length.</p>
<p>Objective: Increase share of short trip lengths for commute purposes.</p>

¹⁰¹ Per LADOT VMT Calculator version 1.3, Supplemental Traffic Assessment, Overland Traffic Consultants, Inc., December 14, 2020.

**Table 5.VIII-4
Consistency with the 2020-2045 RTP/SCS**

Project Consistency Assessment
<p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development that would provide housing and jobs to the Mid-City area in the midst of heavy transit infrastructure (including bus lines and Metro D Line) that would shorten commute trips.</p>
<p>Objective: Decrease average minutes of delay experienced per capita due to traffic congestion.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development in the Mid-City area that will reduce the rate of growth in auto traffic and congestion by virtue of its heavy transit (including bus lines and Metro D Line) and active transportation mode share given its location along Fairfax Avenue and in close proximity to the Miracle Mile area.</p>
<p>Objective: Decrease excess travel time resulting from the difference between a reference speed and actual speed.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development in the Mid-City area that will reduce the rate of growth in auto traffic and congestion by virtue of its heavy transit and active transportation mode share given its location along Fairfax Avenue and in close proximity to the Miracle Mile area. As such, the Project would help reduce recurrent traffic congestion delay for general vehicles.</p>
<p>Objective: Decrease excess travel time for heavy-duty trucks result from the difference between reference speed and actual speed.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development in the Mid-City area that will reduce the rate of growth in auto traffic and congestion by virtue of its heavy transit (including bus lines and Metro D Line) and active transportation mode share given its location along Fairfax Avenue and in close proximity to the Miracle Mile area. As such, the Project would help reduce recurrent traffic congestion delay for heavy-duty trucks.</p>
<p>Objective: Increase percentage of PM peak period trips completed within 45 minutes by travel mode.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development in the Mid-City area that will reduce the rate of growth in auto traffic and congestion by virtue of its heavy transit (including bus lines and Metro D Line) and active transportation mode share given its location along Fairfax Avenue and in close proximity to the Miracle Mile area. Because the Project's location will attract travel to and from the Fairfax corridor and local community, the share of PM peak period trips that are less than 45 minutes would increase when compared to an urban sprawl location.</p>
<p>Objective: Increase percentage of trips that use transit (work and all trips)</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development that would provide housing and jobs to the Mid-City area in the midst of heavy transit infrastructure (including bus lines</p>

**Table 5.VIII-4
Consistency with the 2020-2045 RTP/SCS**

Project Consistency Assessment
<p>and Metro D Line) that would help increase transit mode share. Further, Fairfax Avenue is included in the Transit Enhanced Network within the Mobility Plan 2035.</p>
<p>Objective: Decrease average travel time to work (all modes)</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development in the Mid-City area that will reduce the rate of growth in auto traffic and congestion by virtue of its heavy transit (including bus lines and Metro D Line) and active transportation mode share given its location along Fairfax Avenue and in close proximity to the Miracle Mile area. Because the Project's location will attract travel to and from the Fairfax corridor and local community, average travel time to work should be reduced when compared to an urban sprawl location.</p>
<p>Objective: Increase percentage of trips using either walking or biking (by trip type)</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development in the Mid-City area that will reduce the rate of growth in auto traffic and congestion by virtue of its heavy transit and active transportation mode share given its location along Fairfax Avenue and in close proximity to the Miracle Mile area. Further, Fairfax Avenue is located within a Pedestrian Enhanced District that will attract future infrastructure investment to incentivize walking, and is identified in the City's Mobility Plan 2035's Bicycle Enhanced Network. Because the Project's location will attract travel to and from the Fairfax corridor and local community, active transportation is expected to increase.</p>
<p>Objective: Reduce per capita GHG emissions (from 2005 levels)</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development in the Mid-City area that will reduce the rate of growth in auto traffic and congestion by virtue of its heavy transit (including bus lines and Metro D Line) and active transportation mode share given its location. As such, it is consistent with AB 32, SB 32, SB 375, and other initiatives designed to reduce per capita GHG emissions from 2005 levels.</p>
<p>Objective: Increase percentage of trips using a travel mode other than single occupancy vehicle (SOV)</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project is an infill development in the Mid-City area that will reduce the rate of growth in SOV use and congestion by virtue of its heavy transit and active transportation mode share given its location along Fairfax Avenue and in close proximity to the Miracle Mile area. Further, Fairfax Avenue is located within a Pedestrian Enhanced District that will attract future infrastructure investment to incentivize walking, and is identified in the City's Mobility Plan 2035's Bicycle Enhanced Network. Because the Project's location will attract travel to and from the Fairfax corridor and local community, active transportation is expected to increase.</p>

In addition to the Scoping Plan and RTP/SCS, there are a number of local plans, programs, and initiatives that indirectly reduce GHG emissions. The following analysis summarizes the Project’s consistency with these for informational purposes.

Local: City of Los Angeles General Plan Air Quality Element

The Project would be consistent with the City’s General Plan, specifically its 1989 Air Quality Element. While this Element did not explicitly address control of greenhouse gases, global climate change, or resiliency objectives, it did identify several goals focused on criteria pollutant emissions that would be effective in reducing carbon-based emissions that contribute to climate change. Table 5.VIII-5 summarizes the Project’s general consistency with this policy document.

**Table 5.VIII-5
Consistency with the City of Los Angeles Air Quality Element**

Project Consistency Assessment
<p>Goal:</p> <ol style="list-style-type: none"> 1. Good air quality and mobility in an environment of continued population growth and healthy economy. <p>Project Consistency Assessment: <i>Consistent.</i> The Project is a mixed-use, infill development in the dense Wilshire corridor and Miracle Mile areas that accommodates population growth while minimizing congestion impacts on the region because of its proximity to public transit, Complete Communities, and general density of population and jobs.</p>
<p>Goal:</p> <ol style="list-style-type: none"> 2. Less reliance on single-occupant vehicles with fewer commute and non-work trips. <p>Project Consistency Assessment: <i>Consistent.</i> The Project is a mixed-use, infill development in the dense Wilshire corridor and Miracle Mile areas that will reduce reliance on the auto because of its proximity to public transit, Complete Communities, and general density of population and jobs.</p>
<p>Goal:</p> <ol style="list-style-type: none"> 3. Efficient management of transportation facilities and system infrastructure using cost-effective system management and innovative demand management techniques. <p>Project Consistency Assessment: <i>Consistent.</i> The Project is a mixed-use, infill development in the dense Wilshire corridor and Miracle Mile areas that will minimize congestion impacts on the region because of its proximity to public transit, Complete Communities, and general density of population and jobs.</p>
<p>Goal:</p> <ol style="list-style-type: none"> 4. Minimal impact of existing land use patterns and future land use development on air quality by addressing the relationship between land use, transportation, and air quality. <p>Project Consistency Assessment: <i>Consistent.</i> The Project is a mixed-use, infill development in the dense Wilshire corridor and Miracle Mile areas that would be consistent with the Element’s focus on</p>

growing near transit facilities. It is also served by Metro’s local and Rapid bus services, and would be in close proximity to the future Metro rail station at Wilshire Boulevard and Orange Grove Avenue.

Goal:

- 5. Energy efficiency through land use and transportation planning, the use of renewable resources and less polluting fuels, and the implementation of conservation measures including passive methods such as site orientation and free parking.

Project Consistency Assessment: *Consistent.* The Project is a mixed-use, infill development in the dense Wilshire corridor and Miracle Mile areas that would be consistent with the Element’s focus on energy efficiency through land use and transportation planning. It is also served by Metro’s local and Rapid bus services, and would be in close proximity to the future Metro rail station at Wilshire Boulevard and Orange Grove Avenue.

Goal:

- 6. Citizen awareness of the linkages between personal behavior and air pollution, and participation in efforts to reduce air pollution.

Project Consistency Assessment: *Not Applicable.* This goal is focused on City outreach and public education about personal behavior and its connection to air pollution. Nevertheless, the Project would not interfere with this policy objective.

Source: DKA Planning, 2020.

Local: LA Green Plan/Climate LA Plan

The LA Green Plan outlines the goals and actions the City has established to reduce the generation and emission of GHG emissions from both public and private activities. Table 5.VIII-6 evaluates the Project’s consistency with applicable GHG-reducing actions from the LA Green Plan. As discussed below, the Project is consistent with the applicable goals and actions of the LA Green Plan. To facilitate implementation of the LA Green Plan, the City adopted the Los Angeles Green Building Code.

**Table 5.VIII-6
Consistency with Applicable GHG Emissions Goals and Actions of the LA Green Plan**

Project Consistency Analysis
Focus Area: Energy
<p>Action: E6: Present a comprehensive set of green building policies to guide and support private sector development.</p> <p>The City initiated an effort to establish green building requirements, paired with incentives, for medium- to large- private projects. Buildings account for a majority of electricity use. Each building site relates to a wide range of environmental issues faced by the City, so addressing each site in a comprehensive manner will provide a variety of environmental benefits.</p>

**Table 5.VIII-6
Consistency with Applicable GHG Emissions Goals and Actions of the LA Green Plan**

Project Consistency Analysis
<p>Project Consistency Assessment: <i>Consistent.</i> While this action primarily applies to the City, the Project would be designed and operated to meet the applicable requirements of the State Green Building Standards Code and the City's Green Building Code.</p>
<p>Focus Area: Water</p>
<p>Action: W1: Meet all additional demand for water resulting from growth through water conservation and recycling.</p> <p>The Mayor's Office and LADWP developed the <i>Securing LA's Water Supply</i> plan, which is an aggressive, multi-faceted approach to developing a locally sustainable water supply. The plan includes a set of key short-term and long-term strategies to secure our water future, such as:</p> <p>Short-Term Conservation Strategies:</p> <ul style="list-style-type: none"> • Enforcing prohibited uses of water (levying fines and sanctions against water abusers and increase water conservation awareness). • Expanding the list of prohibited uses of water (possible further restrictions on watering landscape and washing/rinsing vehicles without a self-closing nozzle). • Extending outreach efforts, water conservation incentives, and rebates. • Encouraging regional conservation measures (encourage all water agencies in the region to adopt water conservation ordinances which include prohibited uses and enforcement). <p>Long-Term Conservation Strategies:</p> <ul style="list-style-type: none"> • Increasing water conservation through reduction of outdoor water use and new technology. • Maximizing water recycling. • Enhancing stormwater capture • Accelerating cleanup of the groundwater basin. • Expanding groundwater storage. <p>Project Consistency Assessment: <i>Consistent.</i> While this action primarily applies to the City and LADWP, the Project could include water conserving features, such as: Energy Star-certified appliances in residential units and use of ultra-low flow toilets and hand wash faucets in public facilities.</p>
<p>Action: W2: Reduce per capita water consumption by 20%.</p> <p>Project Consistency Assessment: [See W1, above.]</p>
<p>Focus Area: Transportation</p>
<p>Action: T4: Complete the Automated Traffic Surveillance and Control System (ATSAC).</p>

**Table 5.VIII-6
Consistency with Applicable GHG Emissions Goals and Actions of the LA Green Plan**

Project Consistency Analysis
<p>This action reduces vehicle emissions that result from idling at intersections. By reducing vehicle stops, delays and travel time through improved traffic signal timing, vehicles can travel a longer distance at a consistent rate of speed, improving fuel economy.</p> <p>Project Consistency Assessment: <i>Consistent.</i> While the City has implemented this action, the Project would not interfere with the maintenance and improvement of improved signal timing in the City.</p>
<p>Action: T6: Make transit information easily available, understandable, and translated into multiple languages.</p> <p>A Los Angeles Department of Transportation (LADOT) partnership with the Personnel Department will enable DOT to determine in which additional languages transit information should be provided. Facilitating access to transit information increases the likelihood of transit use, which can reduce single occupancy vehicle trips and help alleviate traffic congestion, and most importantly, reducing associated greenhouse gas emissions.</p> <p>Project Consistency Assessment: <i>Consistent.</i> While this action primarily applies to the City, the Project would not impair the ability of the City to make transit information easily available, understandable, and translated into multiple languages.</p>
<p>Action: T8: Promote walking and biking to work, within neighborhoods, and to large events and venues.</p> <p>Promoting alternate modes of travel will reduce the carbon emissions associated with single occupancy vehicles (SOVs). As described in Action Items LU1 and LU2 below, the City is promoting high-density and mixed-use housing close to major transportation arteries. Such developments will also support the advancement of Action Item T8, by improving accessibility for those who wish to walk and bike to work.</p> <p>Project Consistency Assessment: <i>Consistent.</i> While this action primarily applies to the City, the Project would promote a pedestrian-friendly community by connecting the Project with the surrounding area through the provision of ground-level neighborhood-serving commercial uses to activate the streets. The Project Site is also located in an HQTAs as designated by the SCAG RTP/SCS and near regional and local transit services. The Project would provide residents and visitors with convenient access to public transit and opportunities for walking and biking, including the installation of bicycle parking spaces in accordance with LAMC requirements.</p>
<p>Focus Area: Land Use</p>
<p>Action: LU1: Promote high-density housing close to major transportation arteries.</p> <p>With 469 square miles, Los Angeles is a vast and sprawling city. Yet many neighborhoods are walkable, with stores and services clustered near dense residential housing. As the city continues to redevelop and grow, there is an unprecedented opportunity to rethink the urban environment.</p>

**Table 5.VIII-6
Consistency with Applicable GHG Emissions Goals and Actions of the LA Green Plan**

Project Consistency Analysis
<p>Accommodating continued growth requires taking advantage of infill opportunities and increasing density along transit corridors.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project represents a mixed-use infill development that would provide residences (both market-rate and affordable) and commercial uses within an HQTAs. The Project Site is located near regional and local public transit services. The Project would provide bicycle storage areas for Project residents, employees, and guests.</p>
<p>Action: LU2: Promote and implement transit- oriented development (TOD).</p> <p>Transit Oriented Districts (TODs) represent opportunities for creating cohesive, vibrant, walkable communities where fragmented, auto- dependent corridors now exist. TODs are a positive alternative to low-density traditional land use patterns that typically segregate housing, jobs and neighborhood services from one another. In contrast, TODs cluster these community elements in close proximity, so a greater portion of trips can be made by transit, bike, or on foot.</p> <p>Project Consistency Assessment: <i>Consistent.</i> While this action primarily applies to the City, the Project would concentrate new residential and commercial uses in close proximity to public transit opportunities (e.g., bus routes and the future Metro rail station at Wilshire Boulevard and Fairfax Avenue).</p>
<p>Focus Area: Waste</p>
<p>Action: WsT1: Reduce or recycle 70 percent of trash by 2015.</p> <p>Source reduction and recycling programs not only conserve natural resources and landfill space, but also confer climate benefits.</p> <p>Project Consistency Assessment: <i>Consistent.</i> While this action primarily applies to the City, the Project would provide adequate storage areas in accordance with the City’s Space Allocation Ordinance (Ordinance No. 171,687), which requires that developments include a recycling area or a room of specified size on the Project Site.</p>
<p><i>Source: DKA Planning, 2020.</i></p>

The Project would also comply with performance-based standards included in the Green Building Code. In order to meet reduction goals in the LA Green Plan, LADWP will continue to implement programs to emphasize water conservation and will pursue securing alternative supplies, including recycled water and storm water capture. With regard to solid waste, the City implemented the RENEW LA plan to meet solid waste reduction goals by expanding recycling to multifamily dwellings, commercial establishments, and restaurants. The Project would be indirectly affected by these actions and would further reduce water and solid waste generation, thereby meeting the goals of the LA Green Plan. In addition, LADWP is required to procure a minimum of 33 percent of its energy portfolio from renewable sources by 2020

and would continue to implement programs consistent with the LA Green Plan. Therefore, the Project would be consistent with the LA Green Plan.

Local: City of Los Angeles Sustainable City pLAN and Green New Deal

As discussed above, the Sustainable City pLAN includes both short- and long-term aspirations through the year 2035 in various topic areas, including: water, solar power, energy-efficient buildings, carbon and climate leadership, waste and landfills, housing and development, mobility and transit, and air quality, among others. The Sustainable City pLAN provides information as to what the City will do with buildings and infrastructure in their control. Specific targets related to housing and development and mobility and transit include the decrease of VMT per capita by 5 percent by 2025, and increasing trips made by walking, biking or transit by at least 35 percent by 2025. In 2019, the City of Los Angeles prepared the 2019 Green New Deal, which provided an expanded vision of the Sustainable City pLAN, focusing on securing clean air and water and a stable climate, improving community resilience, expanding access to healthy food and open space, and promoting environmental justice for all. Through the Green New Deal, the City would reduce an additional 30 percent in GHG emissions above and beyond the 2015 pLAN and ensures that the City stays within its carbon budget between 2020 and 2050.

The Project would generally comply with these aspirations as the Project is an infill development consisting residential and commercial uses on the Project Site, which is located near regional and local transit services. The Project would be well-served by transit and would implement TDM measures that would encourage transit use. Furthermore, the Project would comply with CALGreen and would comply with the City's Solid Waste Management Policy Plan, the RENEW LA Plan, and the Exclusive Franchise System Ordinance (Ordinance No. 182,986) in furtherance of the aspirations included in the Sustainable City pLAN with regard to energy-efficient buildings and waste and landfills. The Project would also provide secure short- and long-term bicycle storage areas for Project residents and guests. Therefore, the Project would be consistent with the Sustainable City pLAN and the Green New Deal.

Conclusion

In summary, the plan consistency analysis provided above demonstrates that the Project complies with the applicable plans, policies, regulations and GHG emissions reduction actions/strategies outlined in the *Climate Change Scoping Plan and Update*, the 2016–2040 RTP/SCS, the 2020-2045 RTP/SCS, the LA Green Plan/Climate LA, and the Sustainable City pLAN/Green New Deal. Consistency with the above plans, policies, regulations, and GHG emissions reduction actions/strategies would reduce the Project's incremental contribution of GHG emissions. Thus, the Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emissions of GHG emissions. Furthermore, because the Project is consistent and does not conflict with these plans, policies, and regulations, the Project's incremental increase in GHG emissions as described above would not result in a significant impact on the environment. Therefore, Project-specific impacts with regard to climate change would be less than significant.

Project Emissions

In support of the consistency analysis above that describes the Project's compliance with, or exceedance of performance-based standards included in the regulations and policies outlined in the applicable portions of the *Climate Change Scoping Plan*, the 2016–2040 RTP/SCS, the 2020-2045 RTP/SCS, the LA Green Plan/Climate LA, and the Sustainable City pLAN/Green New Deal, quantitative calculations are provided below.

The Project would generate direct and indirect GHG emissions as a result of different types of emissions sources, including the following:

- Construction: emissions associated with demolition of the existing residential uses and parking areas, shoring, excavation, grading, and construction-related equipment and vehicular activity;
- Area source: emissions associated with landscape equipment;
- Energy source (building operations): emissions associated with electricity and natural gas use for space heating and cooling, water heating, energy consumption, and lighting;
- Stationary source: emissions associated with stationary equipment (e.g., emergency generators);
- Mobile source: emissions associated with vehicles accessing the Project Site;
- Solid Waste: emissions associated with the decomposition of the waste, which generates methane based on the total amount of degradable organic carbon; and
- Water/Wastewater: emissions associated with energy used to pump, convey, deliver, and treat water.

The Project would generate an incremental contribution to and a cumulative increase in GHG emissions. A specific discussion regarding potential GHG emissions associated with the construction and operational phases of the Project is provided below.

Construction

Project construction is anticipated to be completed in 2024 with occupancy in 2024. A summary of construction details (e.g., schedule, equipment mix, and vehicular trips) and CalEEMod modeling output files are provided in Appendix A of this SCEA. The GHG emissions associated with construction of the Project were calculated for each year of construction activity. A summary of GHG emissions for each year of construction is presented in Table 5.VIII-6.

As presented in Table 5.VIII-7, construction of the Project is estimated to generate a total of 1,809 MTCO₂e. As recommended by the SCAQMD, the total GHG construction emissions were amortized over the 30-year lifetime of the Project (i.e., total construction GHG emissions were divided by 30 to determine an annual construction emissions estimate that can be added to the Project's operational

emissions) in order to determine the Project’s annual GHG emissions inventory.¹⁰² This results in annual Project construction emissions of 60 MTCO₂e. A complete listing of the construction equipment by on-site and off-site activities, duration, and emissions estimation model input assumptions used in this analysis is included within the emissions calculation worksheets that are provided in Appendix A to this SCEA.

**Table 5.VIII-7
Combined Construction-Related Emissions (MTCO₂e)**

Year	MTCO₂e^a
2021	320
2022	596
2023	584
2024	309
Total	1,809
Amortized Over 30 Years	60
<i>a CO₂e was calculated using CalEEMod and the results are provided in Section 2.0 of the Construction CalEEMod output file within Appendix A.</i> <i>Source: DKA Planning, 2020.</i>	

Operation

Area Source Emissions

Area source emissions were calculated using the CalEEMod emissions inventory model, which includes landscape maintenance equipment. As shown in Table 5.VIII-8, the Project would result in a total of approximately 4 MTCO₂e per year from area sources.

**Table 5.VIII-8
Annual GHG Emissions Summary (Buildout)^a
(metric tons of carbon dioxide equivalent [MTCO₂e])**

Year	MTCO₂^a
Area ^b	4
Energy ^c (electricity and natural gas)	976
Mobile	1,385
Solid Waste ^d	64
Water/Wastewater ^e	178
Construction	60
Total Emissions	2,667
<i>a CO₂e was calculated using CalEEMod and the results are provided in Section 2.0 of the Operation CalEEMod output file within Appendix A.</i> <i>b Area source emissions are from landscape equipment and other operational equipment only.</i> <i>c Energy source emissions are based on CalEEMod default electricity and natural gas usage rates.</i> <i>d Solid waste emissions are calculated based on CalEEMod default solid waste generation rates.</i>	

^e *Water/Wastewater emissions are calculated based on CalEEMod default water consumption rates. Source: DKA Planning, 2020.*

Electricity and Natural Gas Generation Emissions

GHG emissions are emitted as a result of activities in buildings when electricity and natural gas are used as energy sources. Combustion of any type of fuel emits CO₂ and other GHG emissions directly into the atmosphere; when this occurs in a building, it is a direct emission source associated with that building. GHG emissions are also emitted during the generation of electricity from fossil fuels. When electricity is used in a building, the electricity generation typically takes place off-site at the power plant; electricity use in a building generally causes emissions in an indirect manner.

Electricity and natural gas emissions were calculated for the Project using the CalEEMod emissions inventory model, which multiplies an estimate of the energy usage by applicable emissions factors chosen by the utility company. GHG emissions from electricity use are directly dependent on the electricity utility provider. In this case, GHG emissions intensity factors for LADWP were selected in CalEEMod. The carbon intensity ((pounds per megawatt an hour (lbs/MWh)) for electricity generation was calculated for the Project buildout year based on LADWP projections. A straight-line interpolation was performed to estimate the LADWP carbon intensity factor for the Project buildout year. LADWP's carbon intensity projections also take into account SB 350 RPS requirements for renewable energy.

This approach is conservative, given the 2018 chaptering of SB 100 (De Leon), which requires electricity providers to provide renewable energy for at least 60 percent of their delivered power by 2030 and 100 percent use of renewable energy and zero-carbon resources by 2045. SB 100 also increases existing renewable energy targets, called Renewables Portfolio Standard (RPS), to 44 percent by 2024 and 52 percent by 2027.

Energy use in buildings is divided into energy consumed by the built environment and energy consumed by uses that are independent of the construction of the building, such as in plug-in appliances. CalEEMod calculates energy use from systems covered by Title 24 (e.g., HVAC system, water heating system, and lighting system); energy use from lighting; and energy use from office equipment, appliances, plug-ins, and other sources not covered by Title 24 or lighting.

CalEEMod electricity and natural gas usage rates are based on the CEC-sponsored California Commercial End-Use Survey (CEUS) and the California Residential Appliance Saturation Survey (RASS) studies.¹⁰³ The data are specific for climate zones; therefore, Zone 11 was selected for the Project Site based on the zip code tool. Since these studies are based on older buildings, adjustments have been made to account for changes to Title 24 building codes but do not reflect 2019 Title 24 standards.

As shown in Table 5.VIII-8, Project GHG emissions from electricity and natural gas usage would result in a total of 976 MTCO₂e per year.

¹⁰³ CEC, Commercial End-Use Survey, March 2006, and California Residential Appliance Saturation Survey, October 2010.

Mobile Source Emissions

Mobile-source emissions were calculated using the SCAQMD-recommended CalEEMod emissions inventory model. CalEEMod calculates the emissions associated with on-road mobile sources associated with residents, employees, visitors, and delivery vehicles visiting the Project Site based on the number of daily trips generated and VMT.

Mobile source operational GHG emissions were calculated using CalEEMod and are based on the Project trip-generation estimates. To calculate daily trips, the number of residential units and amount of building area for the commercial retail uses were multiplied by the applicable trip-generation rates based on the Institute of Transportation Engineers (ITE)'s *Trip Generation, 10th Edition*.

The Project represents an infill development within an urbanized area that would concentrate new residential and commercial uses within an HQTAs.¹⁰⁴ The Project Site is located in the dense Wilshire corridor and Miracle Mile areas with proximity to Metro local and Rapid bus lines, as well as the future Metro rail station at Wilshire Boulevard and Fairfax Avenue. The Project would provide bicycle storage areas for Project residents and visitors. The Project would also incorporate characteristics that would reduce trips and VMT as compared to standard ITE trip generation rates. The Project characteristics listed below are consistent with the CAPCOA guidance document, *Quantifying Greenhouse Gas Mitigation Measures*, which provides emission reduction values for transportation related design techniques.¹⁰⁵ These techniques would reduce vehicle trips and VMT associated with the Project relative to the standard ITE trip generation rates, which would result in a comparable reduction in VMT and associated GHG emissions. Techniques applicable to the Project include the following (a brief description of the Project's relevance to the measure is also provided):

- **CAPCOA Measure LUT-1 – Increase Density:** Increased density, measured in terms of persons, jobs, or dwelling units per unit area, reduces emissions associated with transportation as it reduces the distance people travel for work or services and provides a foundation for the implementation of other strategies, such as enhanced transit services. The Project would increase the Project Site's density with 209 residences (a net increase of 169 residential units) and 2,653 square feet of commercial uses.
- **CAPCOA Measure LUT-3 – Increase Diversity of Urban and Suburban Developments (Mixed-Use):** The Project would introduce new uses on the Project Site, including new residential uses (including affordable housing) and commercial uses. The increases in land use diversity and mix of uses on the Project Site would reduce vehicle trips and VMT by encouraging walking

¹⁰⁴ The Project Site is also located in Transit Priority Area as defined by Public Resources Code Section 20199. Public Resources Code Section 21099 defines a "transit priority area" as an area within 0.5 miles of a major transit stop that is "existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations." Public Resources Code Section 21064.3 defines "major transit stop" as "a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." Also refer to the City's ZIMAS System regarding the location of the Project Site within a Transit Priority Area. www.zimas.lacity.org, accessed December 12, 2016.

¹⁰⁵ CAPCOA, *Quantifying Greenhouse Gas Mitigation Measures*, 2010.

and non-automotive forms of transportation (i.e., walking and biking), which would result in corresponding reductions in transportation-related emissions.

- **CAPCOA Measure LUT-4 – Increase Destination Accessibility:** The Project Site is located in the dense Wilshire corridor and Miracle Mile areas on Wilshire Boulevard, easily accessible by public transportation. Access to multiple destinations, and other commercial and retail uses in proximity to the Project Site would reduce vehicle trips and VMT compared to the statewide average and encourage walking and non-automotive forms of transportation and would result in corresponding reductions in transportation-related emissions as a result of the Project.
- **CAPCOA Measure LUT-5 – Increase Transit Accessibility:** The Project would be located near several Metro bus routes and future Metro Rail service. The Project would also provide bicycle parking spaces for resident and commercial uses to encourage utilization of alternative modes of transportation.
- **CAPCOA Measure LUT-9 – Improve Design of Development:** The Project would enhance the pedestrian environment by developing ground floor commercial uses, including an improved streetscape, which would enhance walkability in the Project vicinity. The Project would also locate a development with a high level of street access, which improves street accessibility and connectivity.
- **CAPCOA Measure SDT-2 – Traffic Calming Measures:** Providing traffic calming measures encourages people to walk or bike instead of using a vehicle. This mode shift results in a decrease in VMT. Streets within a half mile of the Project Site are equipped with sidewalks, and several of the intersections include marked crosswalks and/or count-down signal timers that calm traffic.

CalEEMod calculates VMT based on the type of land use, trip purpose, and trip type percentages for each land use subtype in the project (primary, diverted, and pass-by). As shown in Table 5.VIII-8, the Project GHG emissions from mobile sources would result in a total of 1,385 MTCO₂e per year. This estimate reflects reductions attributable to the Project's characteristics (e.g., infill project near transit that supports multi-modal transportation options), as described above.

Solid Waste Generation Emissions

Emissions related to solid waste were calculated using the CalEEMod emissions inventory model, which multiplies an estimate of the waste generated by applicable emissions factors provided in Section 2.4 of the USEPA's AP-42, Compilation of Air Pollutant Emission Factors. CalEEMod solid waste generation rates for each applicable land use were selected for this analysis. As shown in Table 5.VIII-8, the Project scenario is expected to result in a total of 64 MTCO₂e per year from solid waste that accounts for a 50-percent recycling/diversion rate.

Water Usage and Wastewater Generation Emissions

GHG emissions are related to the energy used to convey, treat, and distribute water, and treat wastewater. Thus, these emissions are generally indirect emissions from the production of electricity to power these systems. Three processes are necessary to supply potable water; these include (1) supply and conveyance of the water from the source; (2) treatment of the water to potable standards; and (3) distribution of the water to individual users. After use, energy is used as the wastewater is treated and reused as reclaimed water.

Emissions related to water usage and wastewater generation were calculated for the Project using the CalEEMod emissions inventory model, which multiplies an estimate of the water usage by the applicable energy intensity factor to determine the embodied energy necessary to supply potable water.¹⁰⁶ GHG emissions are then calculated based on the amount of electricity consumed multiplied by the GHG emissions intensity factors for the utility provider. In this case, embodied energy for Southern California supplied water and GHG emissions intensity factors for LADWP were selected in CalEEMod. Water usage rates were calculated consistent with the requirements under City Ordinance No. 184,248, 2016 California Plumbing Code, 2016 CALGreen, 2017 Los Angeles Plumbing Code, and 2017 Los Angeles Green Building Code, and reflect an approximately 20-percent reduction as compared to the base demand.

As shown in Table 5.VIII-8, Project GHG emissions from water/wastewater usage would result in a total of 178 MTCO₂e per year, which reflects a 20-percent reduction in water/wastewater emissions consistent with building code requirements as compared to the Project without sustainability features related to water conservation.

Construction and Operational Emissions

As shown in Table 5.VIII-8, when taking into consideration implementation of project design features and the full implementation of current state mandates, the GHG emissions for the Project would equal 60 MTCO₂e annually (as amortized over 30 years) during construction.

Estimated Reduction of Project Related GHG Emissions Resulting from Consistency with Plans

As noted earlier, one approach to demonstrating a project's consistency with GHG plans is to show how a project will reduce its incremental contribution through a comparison to a Base Project without GHG Reduction Features scenario and from the Project at build-out based on actions and mandates expected to be in force in 2020.

As shown in Table 5.VIII-9, the emissions for the Project and its associated Base Project without GHG Reduction Features scenario are estimated to be 2,667 and 3,192 MTCO₂e per year, respectively, which shows the Project would reduce emissions by approximately 16.4 percent.

¹⁰⁶ The intensity factor reflects the average pounds of CO₂e per megawatt generated by a utility company.

**Table 5.VIII-9
Estimated Reduction of Project-Related GHG Emissions Compared to Base
Project without GHG Reduction Features**

Scenario and Source	Base Project without GHG Reduction Features*	As Proposed Scenario	Reduction from Base Project without GHG Reduction Features	Change from Base Project without GHG Reduction Features
Area Sources	4	4	-	0%
Energy Sources	976	976	-	0%
Mobile Sources	1,801	1,385	-416	-23%
Waste Sources	128	64	-64	-50%
Water Sources	178	178	-44	0%
Construction	60	60	-	0%
Total Emissions	3,192	2,667	-524	-16.4%
<i>Daily construction emissions amortized over 30-year period pursuant to SCAQMD guidance. Annual construction emissions derived by taking total emissions over duration of activities and dividing by construction period. Source: DKA Planning, 2020.</i>				

The analysis in this section uses the 2017 Scoping Plan's statewide goals as one approach to evaluate the Project's incremental contribution to climate change. The methodology is to compare the Project's emissions as proposed to the Project's emissions as if the Project were built without GHG reduction features.

This analysis finds that the Project's advancement of design features and programs would reduce GHG emissions that would contribute to statewide GHG emissions reduction goals. Specifically, the Project's mixed-use nature and location in an existing urban setting provide opportunities to reduce transportation-related emissions. First, it would capture vehicle travel on-site that would have normally been destined for off-site locations. This produces substantial reductions in the amount of vehicle trips and VMT that no longer are made. Second, it would eliminate many vehicle trips, because travel to and from the Project Site could be captured by public transit and pedestrian travel instead. Finally, it would attract existing trips on the street network that would divert to the proposed uses.

Post-2030 Analysis

Recent studies show that the state's existing and proposed regulatory framework will put the state on a pathway to reduce its GHG emissions level to 40 percent below 1990 levels by 2030, and to 80 percent below 1990 levels by 2050 if additional appropriate reduction measures are adopted.¹⁰⁷ Even though

¹⁰⁷ Energy and Environmental Economics (E3). "Summary of the California State Agencies' PATHWAYS Project: Long-term Greenhouse Gas Reduction Scenarios" (April 2015); Greenblatt, Jeffrey, Energy Policy, "Modeling California Impacts on Greenhouse Gas Emissions" (Vol. 78, pp. 158–172). The California Air Resources Board, California Energy

these studies did not provide an exact regulatory and technological roadmap to achieve the 2030 and 2050 goals, they demonstrated that various combinations of policies could allow the statewide emissions level to remain very low through 2050, suggesting that the combination of new technologies and other regulations not analyzed in the studies could allow the state to meet the 2050 target.

Subsequent to the findings of these studies, SB 32 was passed on September 8, 2016, and would require the state board to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. As discussed above, the new plan, outlined in SB 32, involves increasing renewable energy use, imposing tighter limits on the carbon content of gasoline and diesel fuel, putting more electric cars on the road, improving energy efficiency, and curbing emissions from key industries.

As discussed above, SCAG's RTP/SCS establishes a regulatory framework for achieving GHG reductions from the land use and transportation sectors pursuant to SB 375 and the state's long-term climate policies. The RTP/SCS ensures VMT reductions and other measures that reduce regional emissions from the land use and transportation sectors. By meeting and exceeding the SB 375 targets, the 2016–2040 RTP/SCS and the 2020-2045 RTP/SCS are expected to fulfill and exceed its portion of SB 375 compliance with respect to meeting the state's GHG emission reduction goals.

The Project is the type of land use development that is encouraged by the RTP/SCS to reduce VMT and expand multi-modal transportation options in order for the region to achieve the GHG reductions from the land use and transportation sectors required by SB 375, which, in turn, advances the state's long-term climate policies. By furthering implementation of SB 375, the Project supports regional land use and transportation GHG reductions consistent with state climate targets for 2020 and beyond. In addition, the Project would be consistent with the Actions and Strategies set forth in the 2016–2040 RTP/SCS and the 2020-2045 RTP/SCS. Therefore, the Project would be consistent with the 2016–2040 RTP/SCS and the 2020-2045 RTP/SCS.

Conclusion

Given the Project's consistency with state, SCAG, and City GHG emissions reduction goals and objectives, the Project is consistent with applicable plans, policies, and regulations adopted for the purpose of reducing the emissions of GHGs. In the absence of adopted standards and established significance thresholds, and given this consistency, it is concluded that the Project's incremental contribution to greenhouse gas emissions and their effects on climate change would not be cumulatively considerable.

Commission, California Public Utilities Commission, and the California Independent System Operator engaged E3 to evaluate the feasibility and cost of a range of potential 2030 targets along the way to the state's goal of reducing GHG emissions to 80 percent below 1990 levels by 2050. With input from the agencies, E3 developed scenarios that explore the potential pace at which emission reductions can be achieved, as well as the mix of technologies and practices deployed. E3 conducted the analysis using its California PATHWAYS model. Enhanced specifically for this study, the model encompasses the entire California economy with detailed representations of the buildings, industry, transportation and electricity sectors.

Cumulative Impacts

As explained above, the analysis of a project's GHG emissions is inherently a cumulative impacts analysis, because climate change is a global problem, and the emissions from any single project alone would be negligible. Accordingly, the analysis above took into account the potential for the Project to contribute to the cumulative impact of global climate change.

The analysis shows that the Project is consistent with CARB's *Climate Change Scoping Plan*, particularly its emphasis on the identification of emission reduction opportunities that promote economic growth while achieving greater energy efficiency and accelerating the transition to a low-carbon economy. The analysis also shows that the Project would be consistent with the 2016–2040 RTP/SCS and the 2020–2045 RTP/SCS, both of which would serve to reduce regional GHG emissions from the land use and transportation sectors by 2020 and 2035. In addition, the Project would comply with the LA Green Plan/Climate LA, which emphasizes improving energy conservation and energy efficiency, increasing renewable energy generation, and changing transportation and land use patterns to reduce auto dependence. Furthermore, the Project would generally comply with the aspirations of the Sustainable City pLAN/Green New Deal, which includes specific targets related to housing and development, and mobility and transit. Given the Project's consistency with statewide, regional, and local plans adopted for the reduction of GHG emissions, it is concluded that the Project's incremental contribution to greenhouse gas emissions and their effects on climate change would not be cumulatively considerable. For these reasons, the Project's cumulative contribution to global climate change is less than significant.

IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The information and analysis below is based in part on the following document, which is included in Appendix E:

E Phase I Environmental Site Assessment, Gaston & Associates, April 22, 2019.

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact.

Construction: The types of hazardous materials that would be used during construction of the Project would be typical of those hazardous materials necessary for construction of a mixed-use development (e.g., paints, solvents, fuel for construction equipment, building materials, etc.). Although construction of the Project would require the routine transport, use, and disposal of hazardous waste, construction activities associated with Project would be required to comply with all applicable federal, state, and local regulations governing such activities.

Operation: The Project includes the development of 209 multi-family units (a net increase of 169 residential units), as well as approximately 2,653 square feet of commercial uses. The types of hazardous materials that would be found on the Project Site during the Project's operational phase would be those typically associated with residential and commercial land uses – paints, cleaning supplies, small amounts of petroleum products, etc. The use of these materials would comply with all applicable federal, state, and local regulations. Therefore, the Project would not require the routine transport, use, or disposal of hazardous materials that would create a significant hazard to the public or the environment. As such, Project impacts related to this issue would be less than significant.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact.

Phase I Environmental Site Assessment

Gaston & Associates prepared the Phase I Environmental Site Assessment (Phase I ESA, included in Appendix E of this SCEA) for the Project Site in conformance with the scope and limitations of the American Society for Testing and Materials (ASTM) Practice E1527-13. The Phase I ESA concluded that there were no issues of environmental concern observed at the Project Site.

The existing multi-family residential buildings were built in 1950. Therefore, there is the potential for asbestos-containing materials (ACM) to be in the building materials. ACMs, which are carcinogenic and can cause lung disease, are derived from naturally occurring fibrous minerals that have been mined for their useful properties in built structures, such as thermal insulation, chemical and thermal stability, and high tensile strength. When left intact and undisturbed, these materials do not pose a health risk to building occupants. There is, however, a potential for exposure when the material becomes damaged to the extent that asbestos fibers become airborne and are inhaled. The principal federal government agencies that regulate asbestos exposure at the Occupational Safety and Health Administration (OSHA) and the US EPA, both of which began regulating asbestos exposure in the early 1970s. Additional regulation and oversight is provided by the South Coast Air Quality Management District (SCAQMD).

Removal of asbestos in a building is not unusual and can be readily accomplished. In accordance with existing City, State, and federal rules and regulations, including the federal EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) regulation (40 Code of Federal Regulations 61 Subpart M), the federal regulations under the Occupational Safety and Health Act (29 Code of Federal Regulations Section 1926.1101) California Occupational Safety and Health Administration (CAL-OSHA) regulations (California Code of Regulations, title 8, Sections 341.15, 1529), and SCAQMD Rule 1403, all materials, which are identified as ACM, would be removed by a trained and licensed asbestos abatement contractor. Generally, asbestos removal is a low risk operation. When following asbestos-related regulations, the possibility of exposure to airborne asbestos fibers from asbestos removal projects is limited. The removal and disposal of ACMs from the Project Site in accordance with existing regulations would ensure that the Project would not create a significant hazard to the public or the environment through accident or upset conditions, and the Project's impact would be less than significant.

As the existing buildings were constructed in 1950, it is likely that they also contain lead-based paint (LBP). Demolition of the existing buildings could therefore release LBP present in the structures. In order to ensure minimal exposure to sensitive receptors and workers, LBP found in the buildings would be removed and disposed of as recommended by a qualified Department of Health Services lead consultant and in accordance with applicable federal, State, and City regulations, including the federal regulations under the Occupational Safety and Health Act (29 Code of Federal Regulations Section 1926 et seq.), CAL-OSHA regulations (California Code of Regulations, title 8, Sections 1532.1 and 35001 *et seq.*). The removal and disposal of LBP from the Project Site in accordance with existing regulations would ensure that the Project would not create a significant hazard to the public or the environment through accident or upset conditions, and the Project's impact would be less than significant.

Finally, according to the City of Los Angeles Zoning Information and Map Access System (ZIMAS), the Project Site is located within a methane zone. Thus, prior to the issuance of a building permit, the Project Site would be required to be independently analyzed by a qualified engineer, as defined in City Ordinance No. 175,790 and Section 91.7102 of the LAMC. The engineer would investigate and design a methane mitigation system in compliance with the LADBS Methane Mitigation Standards for the appropriate Project Site Design level which would prevent or retard potential methane gas seepage into the building. The engineer's design recommendation would be subject to LADBS, and Los Angeles Fire Department (LAFD) review and approval. During subsurface excavation activities, including borings, trenching and grading, OSHA worker safety measures would be implemented as required to preclude any exposure of workers to unsafe levels of soil gases, including, but not limited to, methane. Compliance with applicable laws and regulations during construction of the Project would reduce potential impacts associated with methane to less than significant.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. The closest school to the Project Site is the Friedman Shalhevet High School, which is located just south of the Project Site. In addition, the Carthay School of Environmental Studies Magnet is located approximately one-quarter mile from the Project Site. However, as discussed above, the Project would use minor amounts of paints, cleaning supplies, and small amounts of

petroleum products consistent with other mixed-use residential and commercial properties, and in accordance with all applicable federal, state, and local regulations. Therefore, the Project is not anticipated to emit any hazardous emissions during construction or operation and impacts would be less than significant.

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The CEQA thresholds recognize that in 2015, the California Supreme Court in *CBIA v. BAAQMD*, held that CEQA generally does not require a lead agency to consider the impacts of the existing environment on the future residents or users of a project. Specifically, the decision held that an impact from the existing environment to a project, including future users and/or residents, exacerbates existing conditions that already exist, that impact must be assessed, including how it might affect future users and/or residents of a project.

Thus, in accordance with Appendix G of the State CEQA Guidelines and the *CBIA v. BAAQMD* decision, the analysis associated with existing hazardous conditions below focuses on whether the Project would exacerbate these environmental conditions so as to increase the potential to expose people to impacts.

No Impact. California Government Code Section 65962.5 requires various state agencies, including but not limited to, the Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB), to compile lists of hazardous waste disposal facilities, unauthorized releases from underground storage tanks, contaminated drinking water wells, and solid waste facilities where there is known migration of hazardous waste and submit such information to the Secretary for Environmental Protection on at least an annual basis. The Project Site is not included on any list compiled pursuant to Government Code Section 65962.5,¹⁰⁸ and therefore, the construction and operation of the Project would not create a significant hazard to the public or the environment as a result of being on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, no impact related to this issue would occur.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact. The Project Site is not located within an airport land use plan or within two miles of a public airport. The closest airports to the Project Site are the Santa Monica Airport and Los Angeles International Airport (LAX), both of which are located over eight miles from the Project Site. Thus, implementation of the Project would not have the potential to exacerbate current environmental conditions as to result in a safety hazard for people residing or working in the area of the Project Site. Therefore, no impacts related to this issue would occur.

¹⁰⁸ Phase I Environmental Site Assessment, Gaston & Associates, April 22, 2019, pages 6-8 (included in Appendix E of this SCEA).

f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. Vehicular access to the Project Site would be provided from Fairfax Avenue and 8th Street. During construction, the Project would include a Construction Traffic Management Plan (PDF-TR-1, provided below in the “Transportation” subsection), which would be reviewed and approved by the City prior to construction, and which would ensure the Project does not interfere with emergency response to the Project Site. The Project’s driveways and internal circulation would be designed to meet all applicable City Building Code and Fire Code requirements regarding site access, including providing adequate emergency vehicle access both during construction as well as after completion of the Project. Compliance with applicable City Building Code and Fire Code requirements, including emergency vehicle access, would be confirmed as part of the Los Angeles Fire Department’s (LAFD) fire/life safety plan review and LAFD’s fire/life safety inspection for new construction projects, as set forth in Section 57.118 of the LAMC, and which are required prior to the issuance of a building permit. The Project also would not include the installation of barriers that could impede emergency vehicle access both during and post-construction. Drivers of emergency vehicles are also trained to utilize center turn lanes, or travel in opposing through lanes (on two-way streets) to pass through crowded intersections or streets. Accordingly, the respect entitled to emergency vehicles and driver training allows emergency vehicles to negotiate typical street conditions in urban areas. As such, emergency access to the Project Site and surrounding area would be maintained both during and post-construction. Therefore, Project impacts with respect to emergency response and evacuation plans would be less than significant.

g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact. The Project Site is located in a highly urbanized area of the City that is not subject to wildland fires, and is not located in a Very High Fire Hazard Severity Zone.¹⁰⁹ Therefore, the Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. Implementation of the Project would not have the potential to exacerbate existing environmental conditions so as to increase the potential to expose people or structures to significant risk of loss, injury or death involving wildland fires, and no impacts would occur as a result of the Project.

Cumulative Impacts

The geographic extent of the Project’s potential hazards and hazardous materials impacts is limited to the Project Site and the Project would not contribute to any other potential hazards and hazardous materials impact that may occur beyond the boundaries of the Project Site. All related projects consist of residential and commercial projects that would not generate or utilize significant amounts of hazardous materials, and would be subject to discretionary or ministerial review by their respective jurisdictions, which would be responsible for assessing potential hazards risks associated with those related projects, and if necessary, the applicants of those projects would be required to implement measures appropriate

¹⁰⁹ City of Los Angeles, ZIMAS Parcel Profile Report, website: <http://zimas.lacity.org>, February 14, 2020.

for the type and extent of hazardous materials present and the land use proposed to reduce the risk associated with the hazardous materials to an acceptable level. As stated previously, the Project would not result in any significant impacts related to hazards and hazardous materials. Therefore, cumulative impacts related to hazards and hazardous materials would be less than significant.

X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Result in substantial erosion or siltation on- or off-site;				
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				
iv. Impede or redirect flood flows?				
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact. During construction of the Project, particularly during the grading and excavation phases, stormwater runoff from precipitation events could cause exposed and stockpiled soils to be subject to erosion and convey sediments into municipal storm drain systems. In addition, on-site watering activities to reduce airborne dust could contribute to pollutant loading in runoff. Pollutant discharges relating to the storage, handling, use and disposal of chemicals, adhesives, coatings, lubricants, and fuel could also occur. Thus, a significant impact could occur if the Project discharges water that does not meet the quality standards of agencies that regulate surface water quality and water discharge into storm water drainage systems or does not comply with all applicable regulations as governed by the Los Angeles Regional Water Quality Control Board (LARWQCB).

The Project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit including the preparation of a Stormwater Pollution Prevention Plan (SWPPP) and implementation of best management practices (BMPs), required to minimize soil erosion and sedimentation from entering the storm drains during the construction period. In addition, the Project would be subject to the City's Stormwater and Urban Runoff Pollution Control regulations (Ordinance No. 172,176 and No. 173,494) to ensure pollutant loads from the Project Site would be minimized for downstream receiving waters. Compliance with the NPDES and implementation of the SWPPP and BMPs, as well as the City's discharge requirements, would ensure that construction stormwater runoff would not violate water quality and/or discharge requirements.

Stormwater runoff generated during operation of the Project has the potential to introduce small amounts of pollutants typically associated with mixed-use developments (e.g., household cleaners, landscaping pesticides, and vehicle petroleum products) into the stormwater system. Stormwater runoff from precipitation events could carry urban pollutants into municipal storm drains, but the Project's operations would be required to comply with the City's Low Impact Development (LID) Ordinance, which applies to all development and redevelopment projects in the City that require a building permit. LID plans are required to include a site design approach and BMPs that address runoff and pollution at the source. Further, to comply with LID Ordinance, the Project would be required to capture and treat the first 3/4-inch of rainfall in accordance with established stormwater treatment protocols. Compliance with the LID Ordinance would reduce the amount of surface water runoff leaving the Project Site during Project operations as compared with the current conditions. Compliance with the LID Plan and Standard Urban Stormwater Mitigation Plan (SUSMP), including the implementation of BMPs, would ensure that operation of the Project would not violate water quality standard and discharge requirements or otherwise substantially degrade water quality.

Compliance with these regulations would ensure construction and operational activities would not violate water quality standards, waste discharge requirements, or otherwise substantially degrade water quality, and Project impacts related to water quality would be less than significant.

b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less Than Significant Impact. The Project Site is located in an urbanized area of the City and is developed with residential and commercial buildings. During a storm event, stormwater runoff flows to the adjacent roadways where it is directed into the City's storm drain system. As such, the Project Site is not a significant source of groundwater recharge. Following redevelopment of the Project Site with a new mixed-use building and ancillary parking areas, groundwater recharge would remain negligible, similar to existing conditions. Based on the Geotechnical Engineering Investigation conducted for the Project Site (refer to Appendix D-1), the historic high groundwater level at the Project Site is 12 feet, although no groundwater was encountered in the borings drilled to a maximum depth of 31 feet.¹¹⁰ The basement grade of the proposed building would be established close to the historically high groundwater level. Therefore, in compliance with all applicable City building and excavation requirements, and as specified in a final design-level geotechnical report to be reviewed and approved by LADBS, the basement slabs would be properly waterproofed. While no dewatering is anticipated to be required either during construction or operation, should dewatering be subsequently deemed necessary, all such dewatering would be performed in compliance with City regulations as well as NPDES discharge requirements. Additionally, all water consumption associated with the Project would be supplied by LADWP and not from groundwater beneath the Project Site. Thus, impacts related to groundwater as a result of the Project would be less than significant.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site;

Less Than Significant Impact. A significant impact could occur if the Project substantially altered the drainage pattern of the Project Site or an existing stream or river, so that substantial erosion or siltation would result on-or off-site. The Project Site is located in a highly urbanized area of the City. There are no natural watercourses on the Project Site. As discussed above, the Project Site is currently developed with existing residential and commercial buildings and paved parking lots and is therefore completely impervious. Current stormwater runoff flows to the local storm drain system. Under the post-Project condition, the Project Site would be developed with additional permeable surfaces when compared to existing conditions, based on the amount of landscaping that would be provided as part of the Project. The Project Applicant would be required to prepare a SWPPP and implement BMPs to reduce runoff and preserve water quality during construction of the Project. While grading and construction activities may temporarily alter the existing drainage patterns of the Project Site, BMPs would be implemented to minimize soil erosion impacts during Project during the pendency of such activities. In addition, the Project Applicant would be required to implement a LID Plan (during operation), which would reduce the amount of surface water runoff leaving the Project Site after a storm event. Specifically, the LID Plan would require the implementation of stormwater BMPs to retain or treat the runoff from a storm event

¹¹⁰ Geotechnical Investigation, Applied Earth Sciences, Inc., August 2019, page 4.

producing 3/4-inch of rainfall in a 24-hour period. Therefore, the Project would not result in substantial erosion or siltation on- or off-site, and impacts would be less than significant.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

Less Than Significant Impact. A significant impact could occur if the Project resulted in increased surface water runoff volumes during construction, or if operation of the Project would result in flooding conditions affecting the Project Site or nearby properties. The Project Site is not within a 100-year flood hazard area as mapped by the Federal Emergency Management Agency (FEMA, Flood Insurance Rate Map number 06037C1611G) or by the City of Los Angeles.¹¹¹ Grading and construction activities on the Project Site may temporarily alter the existing drainage patterns and reduce off-site flows. However, construction and operation of the Project would not result in a significant increase in site runoff or any changes in the local drainage patterns that would result in flooding on- or off-site. The Project would be required to prepare a SWPPP and implement BMPs to reduce runoff and preserve water quality during construction of the Project. Compliance with the LID Ordinance would also reduce the amount of surface water runoff leaving the Project Site during Project operations as compared to the current conditions. Impacts would therefore be less than significant.

**iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;
or**

Less Than Significant Impact. A significant impact could occur if the Project would increase the volume of stormwater runoff to a level that exceeds the capacity of the storm drain system serving the Project Sites, or if the Project would introduce substantial new sources of polluted runoff. Runoff from the Project Site currently is and would continue to be collected on the site and directed towards existing storm drains in the vicinity of the Project Site.

Three general sources of potential short-term construction-related stormwater pollution associated with the Project are: 1) the handling, storage, and disposal of construction materials containing pollutants; 2) the maintenance and operation of construction equipment; and 3) earth moving activities which, when not controlled, may generate soil erosion and transportation, via storm runoff or mechanical equipment. Generally, routine safety precautions for handling and storing construction materials may effectively mitigate the potential pollution of stormwater by these materials. These same types of common sense, "good housekeeping" procedures, or BMPs, can be extended to non-hazardous stormwater pollutants such as sawdust and other solid wastes.

Poorly maintained vehicles and heavy equipment leaking fuel, oil, antifreeze, or other fluids on the construction site are also common sources of stormwater pollution and soil contamination. Grading activities can greatly increase erosion processes. Two general strategies are recommended to prevent construction silt from entering local storm drains. First, erosion control procedures should be implemented for those areas that must be exposed. Secondly, the area should be secured to control off-

¹¹¹ City of Los Angeles, ZIMAS Parcel Profile Report, website: <http://zimas.lacity.org>, December 15, 2020.

site migration of pollutants. During construction, the Applicant shall be required to implement all applicable and mandatory BMPs in accordance with the approved LID Plan and the SWPPP. These "good-housekeeping" practices would ensure that short-term construction-related stormwater impacts would be less than significant.

Pursuant to City policy, stormwater retention would be required as part of the LID/SUSMP implementation features (despite no increase in impervious surfaces on the Project Site). Any contaminants gathered during routine cleaning of construction equipment would be disposed of in compliance with applicable stormwater pollution prevention permits. Further, pollutants resulting from Project operation, including petroleum products associated with the Project's parking and circulation areas, would be subject to the requirements and regulations of the NPDES and applicable LID Ordinance requirements. Accordingly, the Project would be required to demonstrate compliance with LID Ordinance standards and retain or treat the first three-quarters inch of rainfall in a 24-hour period. Thus, the Project would not create or contribute surface runoff that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, Project impacts related to storm drain capacity and water quality during Project operations would be less than significant.

Activities associated with operation of the Project could also generate substances that might degrade the quality of water runoff. The deposition of certain chemicals by cars in the parking garage could have the potential to contribute metals, oil and grease, solvents, phosphates, hydrocarbons, and suspended solids to the storm drain system. However, impacts to water quality would be reduced since the Project must comply with water quality standards and wastewater discharge BMPs set forth by the City, the SWRCB, and the Project's approved LID Plan. Through compliance with existing regulations and the approved LID Plan, the Project would not create or contribute surface runoff that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, Project impacts related to storm drain capacity and water quality would be less than significant.

iv. Impede or redirect flood flows?

No Impact. The Project Site is not located near any bodies of water, rivers, or streams that are subject to flooding. Further, the Project Site is not within a 100-year flood hazard area as mapped by FEMA (Flood Insurance Rate Map number 06037C1611G) or by the City of Los Angeles.¹¹² Thus, the Project would not have the potential to impede or redirect flood flows and no impact related to this issue would occur.

d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact. A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant disturbance undersea, such as a tectonic displacement of sea floor associated with large, shallow earthquakes. Mudflows occur as a result of downslope movement of soil

¹¹² City of Los Angeles, ZIMAS Parcel Profile Report, website: <http://zimas.lacity.org>, December 15, 2020.

and/or rock under the influence of gravity. The Project Site is not located within a 100-year flood zone, as mapped by FEMA (Flood Insurance Rate Map number 06037C1611G) or by the City of Los Angeles.¹¹³ Further, the Project Site is located approximately nine miles east of the Pacific Ocean. In addition, the Safety Element of the General Plan does not map the Project Site as being located within an area potentially affected by a tsunami.¹¹⁴ Therefore, the Project would not expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow, and no impact would occur.

e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact. The Project is within the jurisdiction of the LARWQCB, and grading, excavation, and other construction activities associated with the implementation of the Project could impact water quality due to erosion resulting from exposed soils that may be transported from the Project Site in stormwater runoff. Compliance with the NPDES program would ensure that stormwater pollutants would not substantially degrade water quality. Further, the Project would be required to comply with the City's SUSMP requirements. Compliance with these regulations would ensure that no impacts would occur.

Cumulative Impacts

The Project and the related projects are located in an urbanized area where most of the surrounding properties are already developed. The existing storm drainage system serving this area has been designed to accommodate runoff from an urban built-out environment. When new construction occurs, it generally does not lead to substantial additional runoff, since new developments are required to control the amount and quality of stormwater runoff coming from their respective sites. Additionally, all new development in the City is required to comply with the City's LID Ordinance and incorporate appropriate stormwater pollution control measures into the design plans to ensure that water quality impacts are minimized. Therefore, cumulative impacts related to hydrology and water quality would be less than significant.

¹¹³ City of Los Angeles, ZIMAS Parcel Profile Report, website: <http://zimas.lacity.org>, December 15, 2020.

¹¹⁴ *Ibid.*

XI. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. Physically divide an established community?

No Impact. A significant impact may occur if a project is sufficiently large enough or otherwise configured in such a way as to create a physical barrier within an established community (a typical example would be a project which involved a continuous right-of-way such as a roadway which would divide a community and impede access between parts of the community). The Project Site is located in a highly urbanized area of the City currently developed with residential and commercial buildings. Additionally, the Project Site is entirely surrounded by existing development and roadways. Regarding the surrounding land uses, the Project would provide a mix of residential and commercial uses that would be consistent with other land uses in the surrounding area and compatible with the surrounding community. As such, the Project would be compatible with and complement existing and proposed uses in the surrounding area and would not be of a density, scale, or height to constitute a physical barrier separating an established community. Thus, no impact would occur.

b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact. A project is considered consistent with the provisions and general policies of an applicable City or regional land use plans and regulations if it is consistent with the overall intent of the plans and would not preclude the attainment of its primary goals.¹¹⁵ More specifically, according to the ruling in *Sequoyah Hills Homeowners Association v. City of Oakland*, state law does not require an exact match between a project and the applicable general plan. Rather, to be “consistent,” the project must be “compatible with the objectives, policies, general land uses, and programs specified in the applicable plan,” meaning that a project must be in “agreement or harmony” with the applicable land use plan to be consistent with that plan.

Various local and regional plans and regulatory documents guide development of the Project Site. The following discussion addresses the Project’s consistency with the requirements and policies of SCAG’s

¹¹⁵ *Sequoyah Hills Homeowners Association v. City of Oakland* (1993) 23 Cal.App.4th 704, 719.

RTP/SCS, the City's General Plan (including the Framework Element), the Wilshire Community Plan, and the LAMC, to the extent that various goals, objectives, and policies of these plans have been adopted for the purpose of avoiding or mitigating an environmental effect. The Project's consistency with certain other goals, objectives, and policies that do not directly relate to the avoidance or mitigation of environmental effects is also briefly discussed for informational purposes.

As discussed below, the Project would be substantially consistent with all of the applicable plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect associated with development of the Project Site. Therefore, Project impacts related to land use and planning would be less than significant, as expanded below.

Regional

Southern California Association of Governments

SCAG is the Metropolitan Planning Organization (MPO) for six counties: Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The SCAG region encompasses a population exceeding 18 million persons in an area of more than 38,000 square miles. As the federally-designated Metropolitan Planning Organization, SCAG is mandated to research and create plans for transportation, growth management, hazardous waste management, and air quality.

SCAG 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

On September 30, 2008, SB 375 was passed to help achieve AB 32 goals related to the reduction of greenhouse gases through regulation of cars and light trucks. SB 375 aligns three policy areas of importance to local government: (1) regional long-range transportation plans and investments; (2) regional allocation of the obligation for cities and counties to zone for housing; and (3) a process to achieve GHG emissions reductions targets for the transportation sector.¹¹⁶ It establishes a process for CARB to develop GHG emissions reductions targets for each region (as opposed to individual local governments or households). SB 375 also requires MPOs to prepare an SCS within the RTP that guides growth while taking into account the transportation, housing, environmental, and economic needs of the region. SB 375 uses CEQA streamlining as an incentive to encourage residential projects, which help achieve AB 32 goals to reduce GHG emissions.

On April 7, 2016, the Regional Council of SCAG adopted the 2016-2040 RTP/SCS. For the past three decades, SCAG has prepared RTPs with the primary goal of increasing mobility for the region's residents and visitors. Through the 2016-2040 RTP/SCS, SCAG continues to emphasize sustainability and integrated planning, whose vision encompasses three principles that collectively work as the key to the region's future: mobility, economy, and sustainability.

The 2016-2040 RTP/SCS includes a strong commitment to reduce emissions from transportation sources to comply with SB 375, improve public health, and meet the NAAQS as set forth by the Federal Clean Air Act. As such, the 2016-2040 RTP/SCS contains a regional commitment for the broad

¹¹⁶ AB 32 was signed into law in 2006 and focuses on achieving GHG emissions equivalent to statewide levels in 1990 by 2020.

deployment of zero- and near-zero-emission transportation technologies in the 2016-2040 time frame and clear steps to move toward this objective. This is especially critical for the goods movement system. The development of a world-class, zero- or near-zero-emission freight transportation system is necessary to maintain economic growth in the region, to sustain quality of life, and to meet federal air quality requirements. The 2016-2040 RTP/SCS puts forth an aggressive strategy for technology development and deployment to achieve this objective. This strategy will have many co-benefits, including energy security, cost certainty, increased public support for infrastructure, GHG emissions reduction, and economic development.

The 2016-2040 RTP/SCS includes a significant consideration of the economic impacts and opportunities provided by the transportation infrastructure plan set forth in the 2016-2040 RTP/SCS, considering not only the economic and job creation impacts of the direct investment in transportation infrastructure, but also the efficiency gains in terms of worker and business economic productivity and goods movement. The 2016-2040 RTP/SCS outlines a transportation infrastructure investment strategy that will benefit Southern California, the State, and the nation in terms of economic development, competitive advantage, and overall competitiveness in the global economy in terms of attracting and retaining employers in the Southern California region.

The 2016-2040 RTP/SCS provides a blueprint for improving quality of life for residents by providing more choices for where they will live, work, and play, and how they will move around. It is designed to promote safe, secure, and efficient transportation systems to provide improved access to opportunities, such as jobs, education, and healthcare. Its emphasis on transit and active transportation is designed to allow residents to lead a healthier, more active lifestyle. Its goal is to create jobs, ensure the region's economic competitiveness through strategic investments in the goods movement system, and improve environmental and health outcomes for its residents by 2040. More importantly, the 2016-2040 RTP/SCS is also designed to preserve what makes the region special, including stable and successful neighborhoods and array of open spaces for future generations.

The 2016-2040 RTP/SCS also includes examples of measures that could reduce impacts from planning, development, and transportation. It notes, however, that the example measures are not intended to serve as any kind of checklist to be used on a project-specific basis. Since every project and project setting is different, project-specific analysis is needed to identify applicable and feasible mitigation. These mitigation measures are particularly important where streamlining mechanisms under SB 375 are utilized.

Connect SoCal (2020-2045 RTP/SCS)

SB 375 requires MPOs such as SCAG to revise and update their RTPs and SCS' periodically. On September 3, 2020, SCAG's Regional Council formally adopted the 2020-2045 RTP/SCS (also known as Connect SoCal).

The 2020-2045 RTP/SCS is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. It charts a path toward a more mobile, sustainable, and prosperous region by making connections between transportation networks, between planning

strategies and between the people whose collaboration can improve the quality of life for Southern Californians.

The 2020-2045 RTP/SCS outlines more than \$638 billion in transportation system investments through 2045. It was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura. The 2020-2045 RTP/SCS includes strategies for accommodating projected population, household and employment growth in the SCAG region by 2045 as well as a transportation investment strategy for the region. These land use strategies are directly tied to supporting related GHG emissions reductions through increasing transportation choices with a reduced dependence on automobiles and an increase growth in walkable, mixed-use communities and HQTAs and by encouraging growth near destinations and mobility options, promoting diverse housing choices, leveraging technology innovations, supporting implementation of sustainability policies, and promoting a green region.

Project Consistency Discussion

A detailed discussion of the Project's consistency with the 2016-2040 RTP/SCS and the 2020-2045 RTP/SCS is included in Section 3 (SCEA Criteria and Transit Priority Project Consistency Analysis), as well as in Section 5.VIII (Greenhouse Gas Emissions). As discussed there, the Project would be substantially consistent with the applicable 2016-2040 RTP/SCS and 2020-2045 RTP/SCS policies and with the general use designation, density, and building intensity identified in the 2016-2040 RTP/SCS and the 2020-2045 RTP/SCS for the area in which the Project Site is located. Therefore, the Project is consistent with these plans.

Local

City of Los Angeles General Plan

The City of Los Angeles General Plan (General Plan), adopted December 1996 and re-adopted August 2001, provides general guidance on land use issues for the entire City. The General Plan consists of a Framework Element (including chapters pertaining to Land Use and Urban Form and Neighborhood Design), a Land Use Element (comprising 35 community plans prepared for distinct geographic areas of the City), and 10 citywide elements.

City of Los Angeles General Plan Framework Element

The City's General Plan Framework Element, adopted in December 1996 and readopted in August 2001, contains goals, policies, and objectives that address land use and serves as a guide for updating the community plans and the citywide elements. The Framework Element provides a base relationship between land use and transportation and provides guidance for future updates to the various elements of the General Plan but does not supersede the more detailed community and specific plans. The Land Use chapter of the Framework Element contains Long Range Land Use Diagrams that depict the

generalized distribution of centers, districts, and mixed-use boulevards throughout the City, while the community plans determine the specific land use designations of individual parcels.

The Project’s consistency with the applicable policies of the General Plan Framework Element is provided in Table 5.XI-1, below.

**Table 5.XI-1
Project Consistency with Applicable Policies of the Framework Element**

Project Consistency Assessment
Framework Element: Land Use Chapter
<p>Objective 3.1.1 Identify areas on the Long-Range Land Use Diagram and in the community plans sufficient for the development of a diversity of uses that serve the needs of existing and future residents (housing, employment, retail, entertainment, cultural / institutional, educational, health, services, recreation, and similar uses), provide job opportunities, and support visitors and tourism.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project’s combination of residential and commercial land uses advances the Framework Element goal of encouraging development that caters to residents, business, and visitors. The Project proposes the demolition of two apartment buildings and a surface parking lot, the retention of the existing Tom Bergin’s restaurant, and the construction of a mixed-use building with 209 dwelling units (169 net new units), including 28 Extremely Low Income affordable housing units and approximately 2,653 square feet of commercial uses. Consistent with this policy, the Project would accommodate a diversity of uses on the Project Site, including new multi-family residential units and new commercial space that would support the needs of the neighborhood and community.</p>
<p>Objective 3.2.2 Establish, through the Framework Long-Range Land Use Diagram, community plans, and other implementing tools, patterns and types of development that improve the integration of housing with commercial uses and the integration of public services and various densities of residential development within neighborhoods at appropriate locations.</p> <p>Objective 3.2.3 Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would provide for increased residential density in a pedestrian-oriented, mixed-use development at a Project Site that is convenient to job centers and several public transportation options nearby, thereby facilitating a reduction of vehicular trips and VMT. Within a three-block radius of the Project Site, Metro operates eight bus lines and LADOT operates one local DASH route, and one Commuter Express route. In addition, the Project Site is located approximately two blocks from the Metro Purple Line (D Line) Wilshire/Fairfax rail station that is currently under construction. The Project is also in close proximity to the Miracle Mile Regional Commercial Center, which is characterized by numerous high-rise office buildings, mid to low rise apartments, entertainment centers, museums, and regional shopping complexes.</p>
<p>Objective 3.4.1 Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City’s major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.</p>

**Table 5.XI-1
Project Consistency with Applicable Policies of the Framework Element**

Project Consistency Assessment
<p>Project Consistency Assessment: <i>Consistent.</i> The Project Site is located in a highly urbanized area of the City, along a primary transit corridor. The surrounding uses along the arterial streets such as Wilshire Boulevard, La Brea Avenue, and Fairfax Avenue are improved with medium- to high-density retail, commercial, and residential uses.</p> <p>The Project would not displace any existing single-family residential neighborhoods. The Project provides multi-family housing and ground floor commercial uses on an infill site that allows for such uses based on the existing zoning. Specifically, the Project would develop 209 multi-family units (169 net new units) and approximately 2,653 square feet of commercial land uses within an HQTAs and within a transit priority area. Finally, the Project would be located near robust transit opportunities, including multiple bus lines and the future Metro Purple Line (D Line).</p>
<p>Urban Form and Neighborhood Design Chapter</p> <p>Objective Goal 5A A livable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and Citywide scales.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would support this City goal by providing a new mixed-use residential project while retaining an existing historic commercial building that would further activate the existing Project Site and serve the existing and future residents of the surrounding community. The proposed new development would be consistent and compatible with the existing adjacent residential, institutional, and commercial uses in the vicinity of the Project Site. In addition, the housing and employment opportunities created by the Project would encourage future investment in the Wilshire Community Plan area.</p>
<p>Objective 5.2 Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would be developed on a site that is located within an HQTAs and a TPA, and that is well-served by existing and future transit infrastructure.</p>
<p>Objective 5.8 Reinforce or encourage the establishment of a strong pedestrian orientation in designated neighborhood districts, community centers, and pedestrian-oriented subareas within regional centers, so that these districts and centers can serve as a focus of activity for the surrounding community and a focus for investment in the community.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project would bring a diversity of uses on the Project Site, including new multi-family residential units and new commercial space, and retain an existing historic commercial restaurant use, in close proximity to transit opportunities as well as existing commercial and cultural uses, thereby encouraging pedestrian travel and activity along Fairfax Avenue and on surrounding streets</p>
<p><i>Source: City of Los Angeles General Plan.</i></p>

Wilshire Community Plan

The Project Site is located within the Wilshire Community Plan area of the City of Los Angeles. The Wilshire Community Plan is one of 35 Community Plans that make up the Land Use Element of the City's General Plan. Under the Community Plan, the Project Site has a General Plan land use designation of Community Commercial. The Community Plan area is often spoken of as the Mid-City section of Los Angeles. The plan area is bounded by Melrose Avenue and Rosewood Avenue to the north; 18th Street, Venice Boulevard, and Pico Boulevard to the south; Hoover Street to the east; and the cities of West Hollywood and Beverly Hills to the west.

The Community Plan is intended to promote an arrangement of land use, circulation, and services that will encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the community within the larger framework of the City; guide the development, betterment, and change of the Community to meet existing and anticipated needs and conditions; balance growth and stability; reflect economic potentials and limits; land development and other trends; and protect investment to the extent reasonable and feasible.

Project Consistency Discussion

The Project's consistency with the residential and commercial objectives and policies of the Wilshire Community Plan is provided in Table 5.XI-2. As shown therein, the Project would be substantially consistent with the applicable objectives and policies.

**Table 5.XI-2
Project Consistency with the Community Plan**

Project Consistency Assessment
<p>Residential</p> <p>Objective 1-1 Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area to the year 2010.</p> <p>Policy 1-1.3 Provide for adequate Multiple Family residential development.</p> <p>Policy 1-1.4 Provide for housing along mixed-use boulevards where appropriate.</p> <p>Objective 1-2 Reduce vehicular trips and congestion by developing new housing in close proximity to regional and community commercial centers, subway stations and existing bus route stops.</p> <p>Policy 1-2.1 Encourage higher density residential uses near major public transportation centers.</p> <p>Project Consistency Assessment: Consistent. The Project for adequate multi-family residential development with the construction of 209 residential apartments (169 net new units). Consistent with Objective 1-2 and Policy 1-2.1, the Project would increase residential density in a community commercial center, along a mixed-use boulevard, and in close proximity to numerous public transportation options and the Miracle Mile Regional Commercial Center. The Project Site is located along Fairfax Avenue, a transit corridor, and one block from Wilshire Boulevard, a major transit corridor where the Metro Purple Line (D Line) Extension project is currently under construction, and close to transit corridors on Olympic and San Vicente Boulevards. The Miracle Mile Commercial Center includes high-rise office buildings, mid- to low-rise apartments, entertainment centers, museums, and regional shopping complexes.</p> <p>The complementary mix of Project uses locates housing directly proximate to both neighborhood-serving and regional shopping options and employment centers. The proposed distribution of uses encourages residents of the Project and surrounding neighborhood to walk to the on-site restaurant and commercial space. Moreover, residents of the Project would have convenient access to walk or bike to the wide variety of retail and restaurant businesses located in the immediate neighborhood along Wilshire Boulevard, Fairfax Avenue, and Olympic Boulevard. The spatial distribution of residential and retail/restaurant uses in close proximity to these nearby commercial uses would encourage alternate modes of transport and reduce vehicle trips and congestion.</p>
<p>Objective 1-3 Preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.</p> <p>Policy 1-3.1 Promote architectural compatibility and landscaping for new Multiple Family residential development to protect the character and scale of existing residential neighborhoods.</p> <p>Project Consistency Assessment: Consistent. The Project would preserve and enhance the varied and distinct character and integrity of the surrounding neighborhood. The site context includes the multi-story Shalhevet school fronting Fairfax Avenue to the south and the Peterson Automotive Museum and parking structure to the north. The Project is designed with a curved vertical element at the corner of Fairfax Avenue and 8th Street to anchor the building. At the south end of the Project, the building would step back from Fairfax Avenue and the Tom Bergin's building at the podium level so as not to overshadow the two-story restaurant building. The building is divided into five main wings with the north and south wing providing</p>

**Table 5.XI-2
Project Consistency with the Community Plan**

Project Consistency Assessment
<p>more architectural drama relating to the adjacent site context, while the three middle wings balance the Project with a repetitive element. The Project would also incorporate an entry courtyard between the Tom Bergin’s building and the new building, and would also provide new landscaping and street trees.</p>
<p>Objective 1-4 Provide affordable housing and increased accessibility to more population segments, especially students, the handicapped, and senior citizens.</p> <p>Policy 1-4.3 Encourage multiple family residential and mixed-use development in commercial zones.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project includes 28 Extremely Low Income affordable housing units, thereby providing affordable housing and increased accessibility to more population segments in close proximity to job centers and public transportation.</p>
<p>Commercial</p>
<p>Objective 2-1 Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and services within existing commercial areas.</p> <p>Policy 2-1.1 New commercial uses should be located in existing established commercial areas or shopping centers.</p> <p>Policy 2-1.2 Protect existing and planned commercially zoned areas, especially in Regional Commercial Centers, from encroachment by stand alone residential development by adhering to the community plan land use designations.</p> <p>Policy 2-1.3 Enhance the viability of existing neighborhood stores and businesses which support the needs of local residents and are compatible with the neighborhood.</p> <p>Objective 2-2 Promote distinctive commercial districts and pedestrian-oriented areas.</p> <p>Policy 2-2.3 Encourage the incorporation of retail, restaurant, and other neighborhood serving uses in the first floor street frontage of structures, including mixed use projects located in Neighborhood Districts.</p> <p>Project Consistency Assessment: <i>Consistent.</i> The Project meets the commercial policies and objectives contained in the Community Plan by providing approximately 2,653 square feet of new commercial uses and retaining the existing 3,829 square foot Tom Bergin’s restaurant and tavern space. These commercial uses would support the needs of local residents, drawing pedestrians to the Project Site and generating additional foot traffic on the Project Site and in the immediate vicinity. The new entry courtyard and new landscaped parkways and street trees that would be planted along Fairfax Avenue and 8th Street would enliven the street, enhance the pedestrian experience, and create a pedestrian buffer from automobiles along these roadways.</p>
<p><i>Source: Wilshire Community Plan.</i></p>

City of Los Angeles Zoning Code

The City of Los Angeles Zoning Code (Chapter 1 of the LAMC) regulates development through zoning designations and development standards. The Zoning Code establishes objective zoning and

development standards but was not adopted to avoid or mitigate environmental impacts. Therefore, no consistency analysis is required for purposes of determining potential impacts under this threshold. However, a brief discussion of the Project's consistency with the Zoning Code, including the provisions of the City's Transit Oriented Communities (TOC) Affordable Housing Incentive Program (LAMC Section 12.22 A. 31) is provided below for informational purposes.

Use

The Project is located within the C2-1 zone, which allows for multi-family residential, commercial and parking uses.

Density

The permitted residential density in the C2 zone is one dwelling unit per 400 square feet of lot area. The Project Site has a total lot area of 46,087.56 square feet, which would permit the development of 115 units; however, when utilizing the TOC Guidelines, fractional numbers round up when calculating base density and overall permitted density. Accordingly, the Project Site has a base density of 116 units, and with the provision of a minimum of 11 percent of the total number of units affordable for Extremely Low Income households, the Project qualifies for a TOC Guidelines Tier 4 base incentive to increase density by 80 percent, resulting in a maximum permitted density of 209 dwelling units. The Project complies with this density limit.

Floor Area Ratio and Height

The permitted FAR in the C2-1 zone is 1.5 to 1 with no height limitation; however, the Project Site is within the distances specified in LAMC Section 12.21.1.A.10 to properties zoned RW or more restrictive (i.e., the R1 zoned properties to the west across Fairfax Avenue) so the transitional height provisions of that LAMC section would apply which would limit height as follows: (1) 24 feet within 0 to 49 feet; (2) 33 feet within 50 to 99 feet; and (3) 61 feet within 100 to 199 feet. Pursuant to a TOC Guidelines Tier 4 base incentive, the Project qualifies for an increase in FAR of 4.25 to 1 in lieu of 1.5 to 1. Pursuant to a TOC Guidelines additional incentive, the Project may utilize the transitional height standards in the TOC Guidelines, which require that within the first 25 feet of the property line abutting or across the street from the RW1 or more restrictive zone, the building height shall be stepped back at a 45 degree angle originating 25 feet above grade at the property line of the adjoining lot in the RW1 or more restrictive zone. The Project complies with these FAR and height standards.

Yard Setbacks

In the C2 zone, no front yards are required, and the side and rear yards requirements of the R4 zone (which require a five-foot side yard plus one foot for each story over two and a 15-foot rear yard plus one foot for each story over three) apply at the first level of a building containing residential units. Pursuant to LAMC Section 12.22.A.18(c)(3), no yard requirements shall apply to the residential portions of buildings located on lots in the CR, C1, C1.5, C2, C4, and C5 Zones used for combined commercial and residential uses, if such portions are used exclusively for residential uses, and abut a street, private

street or alley, and the first floor of such buildings at ground level is used for commercial uses or for access to the residential portions of such buildings.

The Project Site abuts a street or an alley for the westerly side yard (Fairfax Avenue) and the ground floor of the Project is used exclusively for commercial uses and access to the residential units. The lot line opposite the designated front yard (8th Street) is assumed to be the rear yard and abuts existing commercial uses. The lot line opposite Fairfax Avenue abutting the R3 zone is assumed to be a second side yard. Therefore, the LAMC-required yard setbacks are as follows: front and one side yard (Fairfax Avenue) – zero; second side yard (eastern property line) – 5 feet plus one additional foot for each story over two, or 11 feet; and rear (southern property line) – 15 feet plus one additional foot for each story over three, or 20 feet. The TOC Guidelines permit an additional incentive that allows the Applicant to request approval to apply the requirements of the RAS3 zone for commercially-zoned properties regardless of the type of project. The Applicant is seeking approval of this TOC Guidelines additional incentive for one side yard and the rear yard; therefore, the required side (abutting the R3 zone) and rear (abutting the C2 zone) yard setbacks would be five feet.

Conclusion

As described above, the Project would not conflict with any applicable plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect, and is consistent with the General Plan land use designation and zoning regulations applicable to the Project Site. Therefore, Project impacts would be less than significant.

Cumulative Impacts

Given the built-out conditions of the greater Los Angeles region, including the Project area, cumulative development likely would convert existing underutilized properties in the Los Angeles area to revitalized higher-density developments to respond to the need for housing, sources of employment, and associated retail land uses. The Project would implement important local and regional goals and policies for the Los Angeles area, which would assist the City in achieving short- and long-term planning goals and objectives related to reducing urban sprawl, efficiently utilizing existing infrastructure, reducing regional congestion, and improving air quality through the reduction of VMT, while helping the City meet its housing needs. This is consistent with SCAG and other regional policies for promoting more intense land uses adjacent to transit stations and job centers, providing a variety of housing options, and increasing the number of retail and commercial uses. Further, all related projects in the City would be subject to the same local development and mitigation standards as the Project. Therefore, cumulative impacts related to land use and planning would be less than significant.

XII. MINERAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. The Project Site is located in an urbanized area of the City of Los Angeles and is currently developed with multi-family residential and commercial uses. In addition, no oil extraction or drilling or mining of mineral resources currently exists at the Project Site. While the Project Site is zoned C2-1-O, with the “-O” suffix indicating its location within a designated oil drilling district, no past or present oil drilling activities have occurred on the site. As stated in the Phase I Environmental Site Assessment prepared for the Project Site, oil or gas wells or pipelines were not identified on the Project Site during site reconnaissance, nor are any listed on file with the California Department of Oil, Gas, and Geothermal Resources.¹¹⁷ Moreover, there are no known aggregate and mineral sources or locally important mineral resource recovery sites on or adjacent to the Project Site and the Project Site is not located in an identified Mineral Resource Zone in the City of Los Angeles General Plan Conservation Element.¹¹⁸ Thus, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Therefore, no impact related to mineral resources would occur.

b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. The Project Site is located in an urbanized area of the City of Los Angeles and is not located in an identified Mineral Resource Zone in the City of Los Angeles General Plan Conservation Element or any other applicable land use plan.¹¹⁹ Thus, the Project would not result in the loss of availability of a

¹¹⁷ Phase I Environmental Site Assessment, Gaston & Associates, April 22, 2019, pages 6-8 (included in Appendix E of this SCEA).

¹¹⁸ City of Los Angeles General Plan Conservation Element, Exhibit A (Mineral Resources), adopted September 2001.

¹¹⁹ Ibid.

locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, no impact related to this issue would occur.

Cumulative Impacts

As discussed above, the Project would not result in any impacts related to mineral resources. Regardless of the degree to which the related projects could result in impacts related to mineral resources, because the Project would not result in any impacts related to mineral resources, the Project would not have the potential to contribute to any cumulative impacts.

XIII. NOISE

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Would the project result in:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

This section evaluates noise impacts that would be generated by construction and operation of the Project. The analysis compares these impacts to applicable regulations and thresholds of significance. Noise measurements, calculation worksheets, and a map of noise receptors and measurement locations are included in Appendix F of this SCEA.

F Noise Technical Modeling, DKA Planning, May 2020.

a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant with Mitigation Incorporated.

Existing Conditions

Noise Sensitive Receptors

Land uses sensitive to noise may include residences, schools, libraries, churches, hospitals, nursing homes, playgrounds, and parks. Sensitive receptors within 1,000 feet of the Project Site include, but are not limited to, the following sampling:

- Multi-family residences, 800 block of South Orange Grove Avenue (west side), with primary residences as close as ten feet east of the Project Site.

- Single-family residences, 800 block of South Fairfax Avenue (west side), as close as 90 feet west of the Project Site.
- Friedman Shalhevet High School, 910 South Fairfax Avenue, approximately 55 feet south of the Project Site’s active construction area north of the Tom Bergin’s restaurant.
- Vinz on Fairfax, multi-family residences, 950 South Fairfax Avenue, about 255 feet south of the Project Site’s active construction area north of the Tom Bergin’s restaurant.

Existing Ambient Noise Levels

The Project Site is occupied by 40 multi-family residences in two buildings with surface-level carports at the rear of the site. Noise from these uses is dominated by cars that access the carports from driveways on Fairfax Avenue and 8th Street. Other noise sources are typical of residential neighborhoods (e.g., gardeners) and near commercial streets (e.g., HVAC noise, construction). These ambient noise levels are consistent with General Plan Noise Element guidelines for residential neighborhoods. Occasional noise is generated from refuse and recycling trucks that manage solid waste from the carport area at the back of the Project Site.

As public health restrictions imposed in March and April 2020 associated with the COVID-19 pandemic have affected in-field noise measurements, local ambient noise levels were modeled based on traffic volumes measured in December 2019. As illustrated in Table 5.XIII-1, noise levels are elevated along Fairfax Avenue, which carries about 1,957 north- and south-bound trips north of San Vicente Boulevard during the peak evening traffic hours.¹²⁰

**Table 5.XIII-1
Existing Noise Levels**

Sensitive Receptor Locations	Sound Levels (dBA, L_{eq})
1. 800 block of South Orange Grove Avenue residences	56.7
2. 800 block of South Fairfax Avenue residences	67.8
3. Friedman Shalhevet High School	52.5
4. Vinz on Fairfax residences	45.2
<i>Source: DKA Planning, 2020. Due to public health restrictions, ambient noise levels modeled using the SoundPLAN Essential 5.0 model using the federal TNM2.5 model. Sound levels for each receptor were estimated for the building façade facing the Project Site.</i>	

¹²⁰ Overland Traffic Consultants, Inc., Transportation Assessment, Residential Mixed-Use Building, December 2019.

Project Impacts

Construction

On-Site Construction Activities

Proposed construction would generate noise during the phased construction process that would span 37 months of demolition, grading, building construction, and application of architectural coatings. During all construction phases, noise-generating activities could occur at the Project Site between 7:00 AM and 9:00 PM Monday through Friday, in accordance with LAMC Section 41.40(a). On Saturdays, construction would be permitted to occur between 8:00 AM and 6:00 PM. The Project would require heavy equipment such as excavators, loaders, and other earthmoving vehicles during the excavation, grading, and shoring of the site for the subterranean garage structure. This equipment will generate the greatest noise impacts in general because they use large diesel-fueled internal combustion engines, as shown in Table 5.XIII-2, below.

**Table 5.XIII-2
Maximum Construction Noise Levels**

Noise Source	Noise Level (dBA, L _{max}) ¹
	Reference
Backhoe	80
Compactor	82
Crane	83
Dozer	85
Grader	85
Front End Loader	80
Paver	85
Roller	85

¹ Federal Transit Administration Noise and Vibration Manual, 2018.

While Table 5.XIII-2 summarizes maximum noise levels for each piece of equipment, actual noise levels would generally be lower, for three key reasons. First, equipment does not always operate at in a steady-state mode full load, but rather powers up and down depending on the duty cycle needed to conduct work. As such, equipment is occasionally idle during the times when no noise is generated by that equipment. Second, equipment will often operate away from off-site receptors, as mobile equipment generally does not operate continuously in one place. Third, as excavation progresses, construction equipment will increasingly operate below grade, where the excavation pit will attenuate sound and block direct line-of-sight to off-site receptors.

During other phases of construction (e.g., site preparation, paving, building construction), noise impacts are generally lesser because they are less reliant on using heavy equipment with internal combustion engines. Smaller equipment such as forklifts, generators, and various powered hand tools and

pneumatic equipment would generally be utilized. Off-site secondary noises would be generated by construction worker vehicles, vendor deliveries, and haul trucks.

Regardless of the construction activity, compliance with LAMC Section 112.05 would limit noise levels from powered construction equipment to 75 dBA or below at 50 feet, as the Project Site is within 500 feet of residential zones. This is generally met by using newer, quieter equipment with more effective mufflers to dampen noise from internal combustion engines and warming-up or staging equipment away from sensitive receptors (consistent with General Plan Noise Element Program P11). Therefore, compliance with LAMC Section 112.05 would minimize potential noise impacts from construction equipment.

However, when considering ambient noise levels, the use of multiple pieces of powered equipment simultaneously could increase noise by up to 18.7 dBA L_{eq} at the rear of residential properties along the west side of South Orange Grove Avenue, as shown in Table 5.XIII-3, below. These increases would exceed the City’s 5 dBA threshold in its L.A. CEQA Thresholds Guide. Therefore, noise impacts from on-site construction activities would be considered potentially significant before mitigation.

**Table 5.XIII-3
Construction Noise Impacts at Off-Site Sensitive Receptors (without Mitigation)**

Receptor	Maximum Construction Noise Level (dBA L_{eq})	Existing Ambient Noise Level (dBA L_{eq})	New Ambient Noise Level (dBA L_{eq})	Increase	Potentially Significant?
1. 800 block of South Orange Grove Avenue residences	75.3	56.7	75.4	18.7	Yes
2. 800 block of South Fairfax Avenue residences	69.8	67.8	71.9	4.1	No
3. Friedman Shalhevet High School	46.2	52.5	53.4	0.9	No
4. Vinz on Fairfax residences	37.9	45.2	45.9	0.7	No

Source: DKA Planning, 2020.

The Project would implement relevant portions of Mitigation Measure PMM NOISE-1 from the 2020-2045 RTP/SCS Program EIR. In addition, based on Project-specific analysis of the proposed on-site construction activities as well as the specific locations of off-site noise-sensitive receptors, Mitigation Measures MM-NOI-1 and MM-NOI-2, below, would further reduce potential impacts and would ensure that construction noise impacts do not elevate ambient noise levels at nearby sensitive receptors by more than 5 dBA L_{eq} :

Mitigation Measures

MM-NOI-1 Require implementation of relevant provisions of PMM NOISE-1 from the 2020-2045 RTP/SCS Program EIR Mitigation Monitoring and Reporting Program, which include the following:

- Install temporary noise barriers during construction. These shall be at least 17 feet in height with a surface density of four pounds per square foot or more with no gaps between barrier panels and between the barrier and the ground.
- Require use of construction equipment with mufflers or other noise control devices that will limit each piece of equipment to 70 dBA L_{eq} at 50 feet of distance.

MM-NOI-2 Limit no more than three pieces of heavy-duty equipment operating at up to 70 dBA L_{eq} within 15 feet of the eastern property line.

By reducing the noise profile of heavy-duty equipment, erecting temporary sound barriers, and managing construction activity near the eastern property line, noise from construction activities would be substantially lower at nearby receptors. As a result, increases in ambient noise levels can be mitigated below the 5 dBA L_{eq} threshold, as illustrated below in Table 5.XIII-4. As shown, implementation of Mitigation Measures MM-NOI-1 and MM-NOI-2, identified above, would limit increases to no more than 4.7 dBA L_{eq} . Therefore, with implementation of the identified mitigation, Project impacts with respect to on-site construction noise would be less than significant.

**Table 5.XIII-4
Construction Noise Impacts at Off-Site Sensitive Receptors (with Mitigation)**

Receptor	Maximum Construction Noise Level (dBA L_{eq})	Existing Ambient Noise Level (dBA L_{eq})	New Ambient Noise Level (dBA L_{eq})	Increase	Significant?
1. 800 block of South Orange Grove Avenue residences	59.6	56.7	61.4	4.7	No
2. 800 block of South Fairfax Avenue residences	56.6	67.8	68.1	0.3	No
3. Friedman Shalhevet High School	47.5	52.5	53.7	1.2	No
4. Vinz on Fairfax residences	38.8	45.2	46.1	0.9	No
<i>Source: DKA Planning 2020</i>					

Off-Site Construction Activities – Haul Trucks

With regard to off-site construction-related noise, Section 112.05 of the LAMC does not regulate noise levels from road legal trucks, such as delivery vehicles, concrete mixing trucks, pumping trucks, and haul trucks. However, the operation of these vehicles would still comply with the construction restrictions set forth by Section 41.40 of the LAMC. The Project is expected to require approximately 570 haul trips during demolition activities to export soils to off-site landfills. During the grading and excavation phase, up to 1,700 haul trips may be needed if trucks with 10 cubic-yard capacity are used. To most efficiently access to freeway en route to the selected landfill, it is likely that haul trips would use routes that avoid local roads and collectors and instead rely on major arterials like Fairfax Avenue. Trucks are expected to exit the site on Fairfax Avenue and travel south to access the I-10 freeway. All trucks returning to the Project Site would likely take the same route northbound on Fairfax Avenue.

A 3 dBA increase in roadway noise levels requires an approximate doubling of roadway traffic volume, assuming that travel speeds and fleet mix remain constant.¹²¹ During the approximately 87-day grading phase, the shoring, grading, and excavation process would average approximately two to three haul trucks per hour over an eight-hour day that would travel along Fairfax Avenue before accessing freeways to reach landfill locations. The marginal addition of up to three average haul trucks per hour to Fairfax Avenue would represent the equivalent of about six passenger vehicles (utilizing a passenger car equivalent [PCE] of 2.0), or approximately 0.3 percent of traffic volumes along Fairfax Avenue, which carries about 1,957 north- and south-bound trips north of San Vicente Boulevard during the peak evening traffic hour.¹²² As a result, the Project's haul trucks would not double traffic volumes that would be needed to increase ambient noise levels by 3 dBA, and the Project's off-site construction noise impact from haul trucks would therefore be considered less than significant.

Off-Site Construction Activities – Other Trucks

During construction of the Project, contractors and vendors would use trucks to deliver material to build and erect structures (e.g., concrete material, masonry, steel, metal, wood, plumbing supplies, electrical fixtures) would also travel to and from the Project Site. These deliveries would involve various sized vehicles ranging from small delivery trucks to cement mixer trucks and 18-wheel trucks. Construction equipment would also have to be delivered to the site (e.g., dozers, excavators) using large trucks (e.g., 18-wheel trucks), though this would likely involve one-time delivery and removal of each piece of equipment over the course of the construction period.

As with the hauling of excavated soils, these trips would incrementally add a minimal number of truck trips to Fairfax Avenue. An average of up to 38 vendor and material truck trips per day are projected during the building construction phase, resulting in an average of 76 PCE trips per day, distributed throughout an eight-hour workday. This increment of traffic from these delivery trucks would have negligible impacts on traffic volumes on Fairfax Avenue (0.5 percent increase in traffic per average hour), which carries about 1,957 north- and south-bound trips north of San Vicente Boulevard during the peak evening traffic hour, and would therefore not double traffic volumes on this major arterial. As a result, vendor truck trips would result in inaudible increases in noise along Fairfax Avenue.

Off-Site Construction Activities – Worker Commute Trips

During the course of the Project's construction phases, construction workers would travel to and from the Project site, particularly during the grading and building construction phases, the most labor-intensive phases of construction. While some workers could take advantage of shuttles that transport them from an off-site location to the job site, there could still be up to 96 workers commuting to and from the job site each day.¹²³

¹²¹ Federal Transit Administration, Transit Noise and Vibration Impact Assessment, 2016. Section B.I.4.4.

¹²² Overland Traffic Consultants, Inc., Transportation Assessment, Residential Mixed-Use Building, December 2019.

¹²³ DKA Planning, based on CalEEMod 2016.3.2 model runs.

If up to 96 trips from these workers were all added to Fairfax Avenue in the morning peak hour of traffic, for example, they would represent 4.9 percent of traffic volumes on this major arterial.¹²⁴ This incremental increase in traffic volumes would be far less than the 100 percent increase in traffic volumes needed to elevate ambient noise levels by 3 dBA and would therefore result in negligible, inaudible increases in concomitant traffic noise along Fairfax Avenue and the limited number of sensitive receptors that flank the arterial.

Off-Site Construction Activities – All Activities

When factoring in all three types of off-site construction activities (i.e., haul truck trips, delivery and other truck trips, and worker commute trips), up to 112 PCE trips could be added to Fairfax Avenue during the AM peak hour and 112 during the PM peak hour. This contribution of traffic would represent an increase of about five percent of north- and southbound traffic on Fairfax Avenue. This incremental increase in traffic volumes would be far less than the 100 percent increase in traffic volumes needed to elevate ambient noise levels by 3 dBA and would therefore result in negligible, inaudible increases in concomitant traffic noise along Fairfax Avenue.

Operation

On-Site Operational Noise

During operation, the Project would produce noise from both on- and off-site sources. As discussed below, the Project would not result in an exposure of persons to or a generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The Project would also not increase surrounding noise levels by more than 5 dBA CNEL, the minimum threshold of significance adopted by this analysis. As a result, the Project's on-site operational noise impacts would be considered less than significant.

Mechanical Equipment

HVAC equipment would be located on the building rooftop, approximately 90 feet above street level, where rooftop units (RTUs) would be set back about 20 feet from Fairfax Avenue, 8th Street, and the rear property line, and ten feet from the southern property line. While this equipment could generate a sound pressure level of up to 81.9 dBA at one foot, the elevation of this noise source and the presence of a roof edge and a 4'2" high parapet create an effective noise barrier that reduces noise levels from rooftop HVAC units by 8 dBA or more.¹²⁵ This is helpful in managing noise, as equipment often operates continuously throughout the day, evening, and night. This assumes both attenuation from both the roof edge and the proposed rooftop enclosure for the HVAC equipment.

Vaults that house pool and spa equipment and pumps, as well as utility fan rooms, and other operational equipment would be located within the subterranean parking level. All equipment would be fully enclosed

¹²⁴ Overland Traffic Consultants, Inc., Transportation Assessment, Residential Mixed-Use Building, December 2019.

¹²⁵ City of Moreno Valley, Moreno Valley WalMart Noise Impact Analysis, Table 901; February 10, 2015 and City of Pomona, Pomona Ranch Plaza WalMart Expansion Project, Table 4.4-5; August 2014.

within the structure, shielded from outside sources, and produce de minimis noise impacts for off-site sensitive receptors.

Regulatory compliance with LAMC Section 112.02 would further ensure that noise from sources such as heating, air conditioning, and ventilation systems not increase ambient noise levels at neighboring occupied properties by more than 5 dBA. Given this regulation, the ambient noise levels along Fairfax Avenue, the relatively quiet operation of modern rooftop-mounted HVAC systems, and distances and elevations to off-site receptors, it is unlikely that noise from the Project's HVAC systems would be audible at off-site locations, much less result in a 5 dBA noise level increase. Accordingly, this and other operational sources of noise would not result in significant impacts to ambient noise levels.

Auto-Related Activities

Project parking would be provided in one subterranean and two at- and above-grade parking levels. Cars would enter the parking garage from Fairfax Avenue, which faces west toward single-family homes 90 feet to the west. A second garage entrance on 8th Street faces north, about 85 feet from the Petersen Automotive Museum. All vehicles could park on the ground level, travel up a ramp to parking spaces on the second floor, or travel down a ramp to the subterranean garage. Noise levels associated with the subterranean and above-grade parking levels (e.g., tire squeal, slamming vehicle doors) would be contained within the parking structure, as the parking levels would be enclosed on all sides.

The Project is forecast to generate up to 70 net AM peak hour vehicle trips that would enter and exit the garage and 76 net PM peak hour trips. These impacts would represent about 3.9 percent of the 1,957 north- and south-bound trips on Fairfax Avenue near the Project Site during the peak evening traffic hour.¹²⁶ This would result in de minimis impacts to existing noise levels, and no audible changes in either the morning or afternoon periods.

As summarized in Table 5.XIII-5, auto-related activity at the entrance of garages would have virtually no impact on nearby sensitive receptors. When compared to existing conditions, the Project would generate up to 66 vehicles entering and exiting the parking garage in the morning peak hour and 90 vehicle trips exiting the garage in the afternoon peak hour.¹²⁷ Even if all of these vehicles were to use the Fairfax Avenue garage entrance, ambient noise levels would increase less than 1 dBA L_{eq} at the residences across Fairfax Avenue that face the garage, which is an inaudible change in ambient noise levels. Receptors further away from these would have even lesser impacts from parking garage-related noise. No garage entrances face the school to the south. While there is a proposed garage entrance on 8th Street, it faces a parking structure associated with the Petersen Automotive Museum, which is not considered a sensitive receptor.

¹²⁶ Overland Traffic Consultants, Inc., Transportation Assessment, Residential Mixed-Use Building, December 2019.

¹²⁷ Based on Overland Traffic Consultants, Inc. traffic study and Hourly Distribution of Entering and Exiting Vehicle Trips by Land Use (ITE Trip Generation Manual, 10th Edition) factors.

**Table 5.XIII-5
Parking Garage-Related Impacts at Off-Site Sensitive Receptors**

Receptor	Maximum Noise Level (dBA L _{eq})	Existing Ambient Noise Level (dBA L _{eq})	New Ambient Noise Level (dBA L _{eq})	Increase	Significant?
800 block of Fairfax Avenue residences	37.3	67.8	68.0	<1.0	No
<i>Source: DKA Planning, 2020, using FTA Noise Impact Assessment Spreadsheet.</i>					

Any noise from within the garage (e.g., parking garage floor squeaks, car doors closing, alarms, incidental human conversation) would be de minimis, as the enclosed garage would attenuate virtually all sound beyond the Project site. As such, the Project’s residential parking garage would have no noticeable effect on the surrounding noise environment.

Residential and Commercial Uses

Noise associated with the 209 residences and restaurant uses would include a variety of sources, including human conversation and activities, recreation facilities, trash collection, landscape maintenance, and commercial loading operations. These are discussed below:

- Human conversation and activities. Noise associated with everyday human activities would largely be contained internally within the Project. Noise associated with outdoor residential activities could include passive activities such as human conversation and socializing on any of the proposed outdoor spaces and uses:
 - Courtyard between Tom Bergin’s restaurant and main development. This courtyard would be used for dining and would be shielded from off-site receptors on the north, south, and east sides. Any noise from dining would be transmitted west toward Fairfax Avenue
 - Outdoor pool and spa on the southwest corner of the development on the 3rd floor. This pool and spa would be shielded from off-site receptors on the north, south, and east sides. Any noise from these recreational facilities would be transmitted west toward Fairfax Avenue.
 - Interior courtyards on the western end of the development on the 3rd floor. These courtyards would be shielded from off-site receptors on the north, south, and east sides. Any noise from the courtyards would be transmitted west toward Fairfax Avenue.
 - An approximately 400 square-foot roof terrace on the 8th floor on the southwest corner of the development. This terrace would be shielded from off-site receptors on the north, south, and east sides. Any noise from the terrace would be transmitted west toward Fairfax Avenue.

- Balconies on all four elevations for residences.

These outdoor spaces represent gathering places for outdoor activities that are both private and group oriented. These would be intermittent activities that would produce negligible impacts from human speech, based on the Lombard effect. This phenomenon recognizes that voice noise levels in face-to-face conversations generally increase proportionally to background ambient noise levels, but only up to approximately 67 dBA at a reference distance of one meter. Specifically, vocal intensity increases about 0.38 dB for every 1.0 dB increase in noise levels above 55 dB, meaning people talk slightly above ambient noise levels in order to communicate.¹²⁸ No amplified music is proposed in any of these outdoor areas.

While the noise levels from human conversation in these outdoor spaces would be marginal, the attenuation from the built environment would virtually eliminate any exposure to elevated noise levels at the nearest sensitive receptors. Noise from speech and conversation generally does not exceed approximately 65 dBA at a reference distance of one meter. These noises attenuate rapidly and would not be capable of elevating surrounding ambient noise levels by more than a nominal degree. Further, noise would be shielded in generally by the development itself toward the north, south, and east. Any noise from these spaces would create sound paths aimed westward to Fairfax Avenue, where ambient noise levels are elevated (approximately 67.8 dBA L_{eq} on Fairfax Avenue). As a result, the increase in ambient noise levels at nearby receptors would be negligible for sensitive receptors.

- Landscape maintenance. Noise from gas-powered leaf blowers, lawnmowers, and other landscape equipment can generate substantial bursts of noise during regular maintenance. For example, gas powered leaf blowers and other equipment with two-stroke engines can generate 100 dBA L_{eq} and cause nuisance or potential noise impacts for nearby receptors.¹²⁹ However, such equipment is not expected to be used substantially in exterior spaces. Any equipment used in the limited landscaped areas on Level 3's courtyards would face Fairfax Avenue, and be shielded from sensitive receptors to the north, south, and east. Much of these spaces could be maintained with hand equipment, such as rakes and brooms. Any intermittent landscape equipment would operate during the day and would represent a negligible impact and ultimately be subject to compliance with LAMC Section 112.05 governing powered equipment and hand tools, and other nuisance regulations.
- Trash collection. On-site trash and recyclable materials would be managed and picked-up on the 1st floor, where trash and recycling trucks would access these facilities from Fairfax Avenue or 8th Street. Solid waste activities would include the use of trash compactors and hydraulics associated with the refuse trucks themselves. Noise levels of approximately 71 dBA L_{eq} and 66 dBA L_{eq} could be generated by collection trucks and trash compactors, respectively, at 50 feet of distance.¹³⁰ However, these activities would occur entirely within

¹²⁸ Acoustical Society of America, Volume 134; Evidence that the Lombard effect is frequency-specific in humans, Stowe and Golob, July 2013.

¹²⁹ Erica Walker et al, Harvard School of Public Health; Characteristics of Lawn and Garden Equipment Sound; 2017

¹³⁰ RK Engineering Group, Inc. Wal-Mart/Sam's Club reference noise level, 2003.

the first-floor garage and be shielded from off-site receptors. Furthermore, the Project would comply with LAMC Section 113.01, which regulates noise from garbage collection and disposal.

- Commercial loading. On-site loading and unloading activities would be managed on the 1st floor, where trucks would access these facilities from Fairfax Avenue or 8th Street. This area is shielded by the development in all directions and would have no direct line-of-sight to off-site receptors. As a result, there would be negligible noise impacts on off-site receptors. Furthermore, the Project would comply with LAMC Section 114.03, which prohibits loading and unloading causing any impulsive sound, raucous or unnecessary noise within 200 feet of any residential building between the hours of 10 PM and 7 AM.

Based on an assessment of these on-site sources, the impact of on-site operational noise sources would be considered less than significant.

Off-Site Operational Noise

The majority of the Project's operational noise impacts would be from off-site mobile sources associated with its net new daily vehicle trips. On a typical weekday, the Project is forecast to add up to 1,035 vehicle trips to the local roadway network on a peak weekday at the start of operations in 2024.¹³¹ However, when existing vehicle trips to the Project Site are considered (169 average daily trips), the Project would result in 866 net daily trips.¹³²

These would represent up to a 3.9 percent increase in traffic volume that would be added to Fairfax Avenue. Because it takes a doubling of traffic volumes to increase ambient noise levels by 3 dBA L_{eq} , the Project's traffic would neither increase ambient noise levels 3 dBA or more into "normally unacceptable" or "clearly unacceptable" noise/land use compatibility categories, nor increase ambient noise levels 5 dBA or more. Twenty-four hour CNEL impacts would similarly be minimal, far below the LA CEQA Thresholds Guide criteria for significant operational noise impacts, which begin at 3 dBA. As such, this impact would be considered less than significant.

b. Generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact.

Construction

Building Damage Vibration Impact – On-Site Sources

As discussed earlier, construction of the Project would require large steel-tracked earthmoving equipment such as excavators. Though these vehicles may be capable of generating maximum vibration levels of 0.089 inches per second peak particle velocity (PPV) at a reference distance of 25 feet, it is important to note that these vehicles would not be capable of operating directly where the Project's

¹³¹ Overland Traffic Consultants, Inc., Supplemental Traffic Assessment, Residential Mixed-Use Building, December 2020.

¹³² Overland Traffic Consultants, Inc., Supplemental Traffic Assessment, Residential Mixed-Use Building, December 2020.

property line abuts adjacent structures. These vehicles would retain some setback to preserve maneuverability, in addition to operating at reduced power and intensity to maintain precision at these locations.

As a result, vibration levels of 0.089 inches per second PPV, representative of maximum, peak operations, would not be generated at the property lines of the Project Site. Smaller, more maneuverable and precise equipment and techniques capable of fine grading at property lines would only generate maximum vibration levels of 0.003 inches per second PPV. However, as noted in Table 5.XIII-6, the Project's estimated construction vibration impacts at the nearest off-site structures could potentially damage the garages at the rear of homes along the west side of Orange Grove Avenue that are built along the common property line. Therefore, the Project's vibration impacts as generated by on-site construction activities would be considered potentially significant prior to mitigation.

**Table 5.XIII-6
Building Damage Vibration Levels – On-Site Sources (without Mitigation)**

Building	Distance (feet)¹	Condition²	Significance Criteria (in/sec)²	Estimated Maximum Vibration Velocity (in/sec PPV)	Potentially Significant Impact?
Large Dozer-Type Equipment					
800 block of Orange Grove Avenue residences	10	III. Non-engineered timber and masonry	0.2	0.223	Yes
Tom Bergin's Restaurant	35.5	IV. Buildings extremely susceptible to vibration damage	0.12	0.063	No
Shalhevet School	75	I. Reinforced concrete, steel or timber	0.5	0.030	No
Small Dozer-Type Equipment					
800 block of Orange Grove Avenue residences	10	III. Non-engineered timber and masonry	0.2	0.008	No
Tom Bergin's Restaurant	35.5	IV. Buildings extremely susceptible to vibration damage	0.12	0.002	No
Shalhevet School	75	I. Reinforced concrete, steel or timber	0.5	0.001	No
¹ Includes ten feet setback for equipment maneuverability ² Structural condition and significance criteria based on FTA guidelines issued in the 2018 FTA Transit Noise and Vibration Impact Assessment manual. Source: DKA Planning, 2020					

The Project would implement Mitigation Measure PMM NOISE-2 from the Connect SoCal EIR. In addition, based on Project-specific analysis of the proposed on-site construction activities as well as the specific locations of off-site vibration-sensitive receptors, Mitigation Measure MM-NOI-3, below, would further reduce potential impacts and ensure that vibration-producing activities do not result in building damage impacts:

Mitigation Measure

MM-NOI-3 Require implementation of relevant provisions of PMM NOISE-2 from the 2020-2045 RTP/SCS Program EIR Mitigation Monitoring and Reporting Program. Specifically, the Project contractor shall avoid the use of heavy-duty diesel-fueled construction equipment within 12 feet of the eastern property line adjacent to garages for residences on Orange Grove Avenue.

With implementation of Mitigation Measure MM-NOI-3, construction vibration impacts would be considered less than significant, as shown in Table 5.XIII-7.

**Table 5.XIII-7
Building Damage Vibration Levels – On-Site Sources (with Mitigation)**

Building	Distance (feet)	Condition¹	Significance Criteria (in/sec)¹	Estimated Maximum Vibration Velocity (in/sec PPV)	Significant Impact?
Large Dozer-Type Equipment					
800 block of Orange Grove Avenue residences	12	III. Non-engineered timber and masonry	0.2	0.185	No
Tom Bergin’s Restaurant	35.5	IV. Buildings extremely susceptible to vibration damage	0.12	0.063	No
Shalhevet School	75	I. Reinforced concrete, steel or timber	0.5	0.030	No
Small Dozer-Type Equipment					
800 block of Orange Grove Avenue residences	12	III. Non-engineered timber and masonry	0.2	0.006	No
Tom Bergin’s Restaurant	35.5	IV. Buildings extremely susceptible to vibration damage	0.12	0.002	No
Shalhevet School	75	I. Reinforced concrete, steel or timber	0.5	0.001	No
<i>¹ Structural condition and significance criteria based on FTA guidelines issued in the 2018 FTA Transit Noise and Vibration Impact Assessment manual. Source: DKA Planning, 2020</i>					

Building Damage Vibration Impact – Off-Site Sources

As discussed earlier, construction of the Project would generate trips from large trucks including haul trucks, concrete mixing trucks, concrete pumping trucks, and vendor delivery trucks. Regarding building damage, based on FTA data, the vibration generated by a typical heavy-duty truck would be

approximately 63 VdB (0.006 PPV) at a distance of 50 feet from the truck.¹³³ According to the FTA “[i]t is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads.” Nonetheless, there are existing buildings along the Project’s anticipated haul route(s) on Fairfax Avenue that are situated away from the right-of-way and would be exposed to ground-borne vibration levels of approximately 0.006 PPV. This estimated vibration generated by construction trucks traveling along the anticipated haul route(s) would be well below the most stringent building damage criteria of 0.12 PPV for buildings extremely susceptible to vibration. The Project’s potential to damage roadside buildings and structures as the result of groundborne vibration generated by its truck trips would therefore be considered less than significant.

Operation

During Project operation, there would be no significant stationary sources of ground-borne vibration, such as heavy equipment or industrial operations. Operational ground-borne vibration in the Project Site’s vicinity would be generated by its related vehicle travel on local roadways. However as previously discussed, road vehicles rarely create vibration levels perceptible to humans unless road surfaces are poorly maintained and have potholes or bumps. As a result, the Project’s long-term vibration impacts would be less than significant.

c. For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The Project Site is not located within an airport land use plan or within two miles of a public airport or public use airport. The closest airports to the Project Site are the Los Angeles International Airport (LAX) and the Santa Monica Airport, both of which are over eight miles from the Project Site. Therefore, the Project would not exacerbate the existing airport noise conditions so as to expose people residing or working in the Project area to excessive noise levels. Therefore, the Project would not expose people residing or working in the Project area to excessive noise levels, and no impact would occur.

Cumulative Impacts

Construction Noise

On-Site Construction Noise

During the construction of the Project, there could be other development in the Fairfax corridor that could contribute to cumulative noise impacts. Noise from construction of development projects is typically localized and has the potential to affect noise-sensitive uses within 500 feet from the construction site, based on the L.A. CEQA Thresholds Guide screening criteria. As such, noise from construction activities for two projects within 1,000 feet of each other can contribute to a cumulative noise impact for receptors located between the two construction sites.

¹³³ Federal Transit Administration, “Transit Noise and Vibration Impact Assessment,” May 2006, Figure 7-3.

Of the eight related projects identified in the Project's traffic study, none of them are within 500 feet of the Project Site.¹³⁴ The closest, the Academy Museum of Motion Pictures at 6067 Wilshire Boulevard, is more than 850 feet away from the Project Site; however, that project is nearing completion, and accordingly, the construction activities that would generate the greatest noise impacts (e.g., grading, excavation, and shoring) have already been completed. Therefore, this related project's remaining construction activities would not result in cumulatively considerable on-site noise impacts with the Project.

Construction-related noise levels of this or any other related projects would be intermittent and temporary, and it is anticipated that, as with the Project, any related projects would comply with the LAMC's restrictions, including construction hours and noise from powered equipment. Noise associated with cumulative construction activities would be reduced to the degree reasonably and technically feasible through proposed mitigation measures for each individual related project and compliance with locally adopted and enforced noise ordinances. Based on this, there would not be cumulative noise impacts at any nearby sensitive uses located near the Project Site and related projects in the event of concurrent construction activities.

Off-Site Construction Noise

Haul trucks would have a potential to result in cumulative impacts to off-site noise levels if the trucks for any related projects and the Project were to utilize the same haul route. Specifically, based on the lowest existing daytime ambient noise level of 67.8 dBA (L_{eq}) measured along the anticipated haul routes (e.g., Fairfax Avenue), there would have to be a doubling of traffic volumes to increase ambient noise levels by 3 dBA L_{eq} . Since the Project would generate up to three hourly truck trips during peak construction period (site grading), it is conservatively assumed that truck traffic related to construction of the Project and other related projects would have to increase ambient noise levels by over 99 percent in order to perceptibly increase noise along Fairfax Avenue, with even more truck traffic needed to increase ambient noise by more than 5 dBA. While growth in the Fairfax area could occur by the start of construction of the Project, the type of growth needed to generate such substantial haul truck traffic is not anticipated, especially when considering the four other related projects identified as potential future development in the short-term. Therefore, cumulative noise due to construction truck traffic from the Project and other related projects do not have the potential to exceed the ambient noise levels along the haul route by 5 dBA. As such, cumulative noise impacts from off-site construction would be less than significant.

Summary of Cumulative Construction Noise Impacts

As discussed above, cumulative noise impacts from on-site construction activities would be less than significant. In addition, off-site construction activities from the Project and any concurrent construction projects do not have the potential to result in the exposure of persons to or generation of noise levels in excess of standards established by the City or result in a substantial temporary or periodic increase in ambient noise levels in the vicinity of the Project Site above levels existing without the Project and related

¹³⁴ Overland Traffic Consultants, Inc., Supplemental Traffic Assessment, Residential Mixed-Use Building, December 2020.

projects. Therefore, cumulative noise impacts from off-site construction activities would be less than significant.

Construction Vibration

On-Site Construction Vibration

During construction of the Project, vibration impacts are generally limited to buildings and structures located near the construction site (i.e., within 15 feet as related to building damage). Due to the rapid attenuation characteristics of groundborne vibration, the distance and structural profile of nearby buildings, there is no potential for a cumulative construction vibration impact with respect to building damage associated with groundborne vibration from on-site sources. All eight related projects identified in the Project's traffic study are more than 850 feet away from the Project Site.

Off-Site Construction Vibration

While haul trucks from other concurrent construction projects could generate additional vibration along haul routes, the potential to damage buildings is extremely low. The FTA finds that “[i]t is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads.” The vibration generated by a typical heavy truck would be approximately 0.00566 in/sec PPV at a distance of 50 feet. As discussed above, there are existing buildings that are near the right-of-way of the anticipated haul route(s) for the Project (e.g., Fairfax Avenue). These buildings are anticipated to be exposed to ground-borne vibration levels that are far less than the levels recommended by FTA as potential thresholds for building damage. Trucks from any related projects are expected to generate similar ground-borne vibration levels. Therefore, the vibration levels generated from off-site construction trucks associated with the Project and other related projects along the anticipated haul route(s) would be below the most stringent building damage threshold of 0.12 PPV for buildings extremely susceptible to vibration. Therefore, potential cumulative vibration impacts with respect to building damage from off-site construction would be less than significant.

Summary of Cumulative Construction Vibration Impacts

Due to the rapid attenuation characteristics of ground-borne vibration and the proximity of major development proposed in this part of the Fairfax corridor, there is no potential for a cumulative construction vibration impact with respect to building damage associated with ground-borne vibration from on-site sources. In addition, potential cumulative vibration impacts with respect to building damage from off-site construction would be less than significant. Therefore, on-site and off-site construction activities associated with the Project and related projects would not generate excessive groundborne vibration levels with respect to building damage.

Operation

The Project Site and surrounding Fairfax neighborhood have been developed with uses that have previously generated, and will continue to generate, noise from a number of operational noise sources, including mechanical equipment (e.g., HVAC systems), outdoor activity areas, and vehicle travel.

Similar to the Project, any related projects in the vicinity of the Project Site would also generate stationary-source and mobile-source noise due to ongoing day-to-day operations. Given the zoning of this part of the Fairfax and Miracle Mile corridors, any related projects would not be typically associated with excessive exterior noise levels. However, each project would produce traffic volumes that are capable of generating roadway noise impacts. The potential cumulative noise impacts associated with on-site and off-site noise sources are addressed below.

On-Site Stationary Noise Sources

As the LAMC limits noise from roof-top units and other mechanical equipment, noise levels would be less than significant at the property line for any related project. In addition, noise impacts associated with operations within the Project Site would be less than significant. Therefore, based on the proximity of new development planned that is no closer than 850 feet from the Project Site and the operational noise levels associated with the Project, cumulative stationary source noise impacts associated with operation of the Project and related projects would be less than significant.

Off-Site Mobile Noise Sources

The Project and any related projects in the area would produce traffic volumes (off-site mobile sources) that would generate roadway noise. This additional traffic volume would have to more than double volumes on arterials like Fairfax Avenue to substantially increase ambient noise levels by 5 dBA or more. As noted earlier, the Project would generate 866 net daily trips.¹³⁵ These would represent up to a 3.9 percent increase in traffic volume that would be added to Fairfax Avenue. Because it takes a doubling of traffic volumes to increase ambient noise levels by 3 dBA L_{eq} , the Project's traffic impact would not increase ambient noise levels along the Fairfax Avenue corridor. Further, the potential cumulative growth identified in the Project's traffic study show approximately 654 peak PM hour trips, a 3.0 percent increase from existing traffic volumes. As such, the Project would not contribute to substantial cumulative traffic noise impacts along Fairfax Avenue and therefore the Project's contribution would not be cumulatively considerable. Therefore, cumulative noise impacts due to off-site mobile noise sources associated with the Project would be less than significant.

As shown above, with the addition of Project traffic, future roadside ambient noise levels would not increase by 3 dBA to or within their respective "Normally Unacceptable" or "Clearly Unacceptable" noise categories, or by 5 dBA or greater overall. Additionally, the Project would not result in an exposure of persons to or a generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Summary of Cumulative Operational Noise Impacts

The Project and the eight related projects in this area would not generally be land uses with vibratory equipment during operations, as they include a museum, apartments, and restaurants. As a result,

¹³⁵ Overland Traffic Consultants, Inc., Supplemental Traffic Assessment, Residential Mixed-Use Building, December 2020.

cumulative vibration impacts are not expected to damage local buildings and the proposed Project would not substantially contribute substantially to building damage that is considered significant.

XIV. POPULATION AND HOUSING

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Would the Project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Less Than Significant Impact. A significant impact could occur if the Project would locate new development such as homes, businesses, and/or infrastructure, with the effect of substantially inducing growth in the proposed area that would otherwise not have occurred as rapidly or in as great a magnitude.

Environmental Setting

The Project Site is located within SCAG’s jurisdiction. SCAG’s mandated responsibilities include development plans and policies with respect to the region’s population growth, transportation programs, air quality, housing, and economic development. The 2020-2045 RTP/SCS, reflecting SCAG’s most current projections, includes the following proposed growth forecast for population, households, and employment for the City:¹³⁶

- Population: 4,771,300 persons in 2045;
- Households: 1,793,000 households in 2045; and
- Employment: 2,135,900 jobs in 2045.

¹³⁶ SCAG, 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, Demographics and Growth Forecast, Table 14, page 35, https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf?1606001579.

Table 5.XIV-1 lists SCAG’s forecasts for population, housing, and employment for the City, as well as the number and percent change.¹³⁷

**Table 5.XIV-1
Population, Housing, and Employment Forecasts for the City¹**

Year	Population	Housing Units	Employment ¹
2020 ³	4,049,317	1,425,759	1,887,969
2024 ²	4,164,833	1,484,519	1,927,637
2045	4,771,300	1,793,000	2,135,900

¹ Population, housing, and employment data for 2020, 2024 (anticipated buildout year of the Project), and 2045 were calculated based on a linear interpolation of the 2020 to 2045 projections in SCAG’s 2020-2045 RTP/SCS, adopted on September 3, 2020.

Project Impacts

Construction

The construction activities associated with the Project would create temporary construction-related jobs. Nevertheless, the work requirements of most construction activities are highly specialized, so that construction workers remain at a job site only as long as their specific skills are needed to complete a particular phase of the construction process. Accordingly, construction workers would not be anticipated to relocate their residence to the Project area and would not induce substantial population growth and/or require permanent housing. Therefore, the Project’s indirect population growth impacts related to construction activities would be less than significant.

Operation

The Project includes the development of 209 new residential multi-family dwelling units (169 net new units after the removal of the existing 40 units), and approximately 2,653 square feet of commercial uses.

As shown in Table 5.XIV-2, based on the average household size for multi-family units in the City of Los Angeles, of 2.41 persons per household, the Project would add a residential population of approximately 407 people to the Project Site.

¹³⁷ Employment information is provided for informational purposes only.

**Table 5.XIV-2
Estimated Population Generation**

Land Use	Quantity	Generation Rates	Total
Proposed Uses			
Multi-family Residential	209 units	2.41 person / unit	504
Existing Uses			
Multi-family Residential	40 units	2.41 person / unit	(97)
Total			407
<i>Source: Jack Tsao, Data Analyst II, Los Angeles Department of City Planning, July 31, 2020.</i>			

As shown in Table 5.XIV-3, the Project's proposed commercial uses would generate approximately 11 new employees.

**Table 5.XIV-3
Estimated Employee Generation**

Land Use	Size	Number of Employees
Proposed Uses		
Commercial	2,653 sf	11
<i>sf = square feet</i>		
<i>The employee generation factor is from the LADOT VMT Calculator, version 1.3. Overland Traffic Consultants, Inc., Supplemental Traffic Assessment, Residential Mixed-Use Building, December 2020.</i>		

Population: As shown in Table 5.XIV-4, below, compared to the anticipated population growth in the City of Los Angeles between the 2020 baseline year and the Project's anticipated buildout year of 2024, the Project's residential population would represent approximately 0.36 percent of the total forecasted City of Los Angeles population growth during that period. The Project's residential population would represent approximately 0.06 percent of the forecasted population growth between 2020 and 2045.

Housing: As shown on Table 5.XIV-4, compared to the anticipated housing growth in the City of Los Angeles between the 2020 baseline year and the Project's anticipated buildout year of 2024, the Project's housing units would represent approximately 0.29 percent of the forecasted City housing growth. The Project's net housing units would represent approximately 0.05 percent between 2020 and 2045.

Employment: As shown on Table 5.XIV-4, compared to the anticipated employment growth in the City of Los Angeles between the 2020 baseline year and the Project's anticipated buildout year of 2024, the Project's employment would represent approximately 0.03 percent of the forecasted City of Los Angeles employment growth. The Project's employment would represent approximately 0.004 percent between 2020 and 2045.

**Table 5.XIV-4
Project Growth Comparison to Growth Forecasts**

Project Population, Housing, and Employment Growth	Forecast Citywide Growth¹	Project % of Forecast Citywide Growth
As compared to SCAG Growth Forecast from 2020 to 2024 (Interpolated)		
407 residents	+115,516	0.36
169 units	+58,760	0.29
11 employees	+39,668	0.03
As compared to SCAG Growth Forecast from 2020 to 2045		
407 residents	+721,983	0.06
169 units	+367,241	0.05
11 employees	+247,931	0.004
¹ Refer to Table 5.XIV-1.		

The Project Site is already served by an existing roadway network and utility and public services infrastructure. The Project does not include the development of any new or extended roadways or other infrastructure that would be growth-inducing. As the Project’s estimated population, housing, and employment generation would represent small portions of the forecasted growth in the City of Los Angeles, and as the Project would not require the extension of roadways or other growth-inducing infrastructure, the Project would not indirectly or directly induce substantial population growth. Therefore, Project impacts related to population growth would be less than significant.

b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Less Than Significant Impact. The Project Site currently contains 40 multi-family residential units that would be removed as part of the Project. However, the Project would provide 209 multi-family residential units (169 net new units), including 28 Extremely Low Income affordable housing units. As the Project would provide a net increase of 169 residential units at the Project Site, the Project would not necessitate the construction of replacement housing elsewhere and impacts would therefore be less than significant.

Cumulative Impacts

The related projects listed in Table 2-1 in Section 2 (Project Description) include development of approximately 337 dwelling units. Coupled with the Project, this would result in approximately 506 cumulative dwelling units. It is possible that some of the sites of these related projects already include residential land uses that would be removed with implementation of the related projects, and as such, the total net number of dwelling units that would be created would be fewer than what has been estimated. It is also likely that not all of the related projects will actually be constructed, or may be constructed at lower unit counts than shown in Table 2-1, and that many of the units proposed by both the Project and the related projects would be occupied by people already residing in the City of Los Angeles.

Angeles. The housing units associated with cumulative development would generate approximately 1,219 cumulative residents.¹³⁸

As shown on Table 5.XIV-5, the cumulative residential population would represent approximately 0.17 percent of the population growth forecast between 2020 and 2045 for the City of Los Angeles, and the cumulative housing units would represent approximately 0.14 percent of the housing growth forecast between 2020 and 2045 for the City of Los Angeles. The cumulative estimated population, housing, and employment generation would therefore represent small portions of the forecasted growth in the City of Los Angeles. Thus, the Project would not directly contribute to cumulatively significant population growth and cumulative impacts would be less than significant.

**Table 5.XIV-5
Cumulative Comparison to Growth Forecasts (2020-2045)**

Cumulative Population and Housing Growth	Forecast Citywide Growth (2020-2045)¹	Cumulative % of Forecast Citywide Growth
1,219 residents	+721,983	0.17
506 units	+367,241	0.14
¹ Refer to Table 5.XIV-1.		

¹³⁸ Based on a 2.41 persons per household rate as identified above in Table 5.XIV-2.

XV. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. Fire protection?

Less Than Significant Impact. A significant impact may occur if the LAFD could not adequately serve a project, and a new or physically altered fire station would be necessary, the construction of which could cause significant environmental impacts. The Project Site is located in an urbanized area of the City that is currently served by existing LAFD services. Fire stations that would serve the Project Site are shown on Table 5.XV-1, below.

**Table 5.XV-1
Fire Stations Serving the Project Site**

No.	Address	Distance from Project Site (miles)
61	5821 West 3 rd Street	1
68	5023 West Washington Blvd.	1.6
29	4029 Wilshire Blvd.	2.7

Source: LAFD, <https://www.lafd.org/fire-stations/station-results>, accessed June 30, 2020.

Construction

Construction activities associated with the Project may temporarily increase demand for fire protection and emergency medical services. Construction activities may also cause the occasional exposure of

combustible materials, such as wood, plastics, sawdust, coverings and coatings, to heat sources from machinery and equipment sparking, exposed electrical lines, welding activities, and chemical reactions in combustible materials and coatings.

Project construction activities would comply with all applicable federal, State, and City regulations related to fire safety, including federal regulations under the Occupational Safety and Health Acts (29 Code of Federal Regulations, Part 1926 Subpart F), the California Building Code (California Code of Regulations, Title 24), the City's Fire Code (LAMC Chapter V, Article 7). To comply with California Department of Industrial Relations, Division of Occupational Safety and Health (Cal-OSHA) and Fire and Building Code requirements, construction managers and personnel would be trained in fire prevention and emergency response, and fire suppression equipment specific to construction would be maintained on-site.¹³⁹ Project demolition and construction activities would comply with all applicable codes and ordinances related to the maintenance of mechanical equipment, handling and storage of flammable materials, and cleanup of spills of flammable materials. City and State regulations and code requirements would, in part, require personnel to be trained in fire prevention and emergency response, maintenance of fire suppression equipment, and implementation of proper procedures for storage and handling of flammable materials.

Further, as described in greater detail in Section 5.XVII, Transportation, the Project would implement a Construction Traffic Management Plan (provided as Project Design Feature TR-1), which would ensure that adequate and safe access remains available within and near the Project Site and includes traffic management strategies during construction activities. Overall, construction is not considered to be a high-risk activity, and the LAFD is equipped and prepared to deal with construction-related traffic and fires should they occur. Furthermore, Section 21806 of the California Vehicle Code allows drivers of emergency vehicles to have a variety of options for avoiding traffic, such as using sirens to clear a path of travel and driving in the lanes of opposing traffic. As such, the Project would not be expected to adversely impact firefighting and emergency services to the extent that there would be a need for the addition of a new fire station or the expansion, consolidation, or relocation of an existing facility, the construction of which would cause significant environmental effects, in order to maintain acceptable fire protection services. Therefore, impacts associated with construction of the Project on fire protection services would be less than significant.

Operation

The generation of residents, employees, and visitors to the Project Site would potentially increase the demand for LAFD services at the Project Site.

Fire Flow

The Los Angeles Department of Water and Power (LADWP) provides water supply to meet the fire flow requirements of the City. Fire flows are supplied by the same water mains as the domestic water system, including the lines located in local streets and major roadways. In general, fire flow requirements are

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<https://www.dir.ca.gov/title8/1920.html>

closely related to land use, as the quantity of water necessary for fire protection varies with the type of development, life hazard, type and level of occupancy, and degree of fire hazard (based on such factors as site location, building age, or type of construction). City fire flow requirements, as established in the Fire Code (and shown in Table 5.XV-2, below), vary from 2,000 gallons per minute (gpm) in low-density residential areas, to 12,000 gpm in high-density commercial or industrial areas. Based on the requirements shown in Table 5.XV-2, the required fire flow for the Project would be 4,000 gpm from four hydrants flowing simultaneously. The Water Operations Division of LADWP would perform a detailed fire-flow study at the time of permit review (plan check) in order to ascertain whether further water system or site-specific improvements would be necessary. In addition, the LAFD would review the plans for compliance with applicable City Fire Code, California Fire Code, City of Los Angeles Building Code, and National Fire Protection Association standards, thereby ensuring that the Project would not create any undue fire hazard. Thus, fire flow to the Project Site would be adequate, and the associated impact would be less than significant.

**Table 5.XV-2
Fire Flow and Response Distance Requirements**

Type of Land Development	Fire Flow	Response Distance	
		Engine	Truck Co.
Residential		Engine	Truck Co.
Low Density Residential	2,000 gpm from three adjacent fire hydrants flowing simultaneously	1.5 miles	2 miles
High Density Residential and Neighborhood Commercial	4,000 gpm from four adjacent fire hydrants flowing simultaneously	1.5 miles	2 miles
Commercial		Engine	Truck Co.
Industrial and Commercial	6,000 to 9,000 gpm from four to six fire hydrants flowing simultaneously	1 mile	1.5 miles
High Density Industrial and Commercial (Principal Business Districts or Centers)	12,000 gpm available to any block (where local conditions indicate that consideration must be given to simultaneous fires, and additional 2,000 to 8,000 gpm will be required).	3/4 mile	1 mile
<i>Notes: gpm = gallons per minute; Co. = company Source: 2017 Los Angeles Fire Code, Table 507.3.3, website: https://codes.iccsafe.org/public/public/chapter/content/10256/, accessed December 17, 2020.</i>			

Response Distance

The nearest fire station with an engine and truck company is Station No. 61, approximately one mile from the Project Site.¹⁴⁰ Additional fire stations within two miles include Station Nos. 29 and 68. Response distance requirements from the City Fire Code are provided in Table 5.XV-2, above. If the distances provided in Table 5.XV-2 are exceeded, fire sprinklers are required. As Fire Station No. 61 is within one mile of the Project Site, the fire protection response would be considered adequate. Nevertheless, a fire sprinkler system would be included as part of the Project. Finally, the Project would

¹⁴⁰ Los Angeles Fire Department, website: <https://www.lafd.org/fire-stations/station-results>, accessed June 30, 2020.

be required to comply with applicable City Fire Code, California Fire Code, City of Los Angeles Building Code, and National Fire Protection Association standards, and would be required to include features such as an emergency and standby power system, a fire command center, established emergency procedures, emergency stairways, appropriately-sized exterior graphics, automatic fire-extinguishing system, automatic smoke detection system, emergency voice/alarm communication system, and manual alarm fire boxes, etc. Given the close proximity of Fire Station No. 61 and the sprinklers and other fire protection systems that would be incorporated into the Project, Project impacts related to response distance would be less than significant.

Emergency Access

Emergency vehicle access to the Project Site would continue to be provided from local and major roadways (i.e., Fairfax Avenue, 8th Street, and San Vicente Boulevard). During construction, the Project would include a Construction Traffic Management Plan (Project Design Feature TR-1), which would ensure adequate emergency access is maintained. All ingress/egress associated with the Project would be designed and constructed in conformance with all applicable City Building and Safety Department and LAFD standards and requirements for design and construction. Therefore, the Project would not result in impacts related to emergency access. Further, emergency access to the Project Site would be maintained at all times during both Project construction and operation. Therefore, Project impacts related to emergency access would be less than significant.

Conclusion

Overall, as described above, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection, and Project impacts would be less than significant. Furthermore, as described in Subsection 3.b., consistent with *City of Hayward v. Trustees of California State University* (2015) 242 Cal.App.4th 833, significant impacts under CEQA consist of adverse changes in any of the physical conditions within the area of a project, but not necessarily an increased demand for government services because the obligation to provide adequate fire protection and public safety services remains the responsibility of the City. Thus, the need for additional fire protection services is not an environmental impact that CEQA requires a project applicant to mitigate. Therefore, Project impacts would be less than significant.

Cumulative Impacts

Implementation of the related projects, listed on Table 2-1 in Section 2 (Project Description) of this SCEA, could result in a net increase in the number of residents, visitors, and employees in the Project area and could further increase the demand for fire protection services. Cumulative development requires the LAFD to continually evaluate the need for new or physically altered facilities in order to maintain adequate service ratios. Similar to the Project, the related projects would be subject to the Fire Code and other applicable regulations of the LAMC including, but not limited to, automatic fire sprinkler systems for high-rise buildings and/or residential projects located farther than 1.5 miles from the nearest LAFD Engine or Truck Company to compensate for additional response time, and other

recommendations made by the LAFD to ensure fire protection safety. Through the process of compliance, the ability of the LAFD to provide adequate facilities to accommodate future growth and maintain acceptable levels of service would be ensured. Furthermore, the increased demands for additional LAFD staffing, equipment, and facilities would be funded via existing mechanisms (e.g., property taxes and government funding) to which the Project and related projects would contribute. Therefore, cumulative impacts related to fire protection services would be less than significant.

b. Police protection?

Less Than Significant Impact. The Los Angeles Police Department (LAPD) provides police protection services to the Project Site. A significant impact may occur if the LAPD could not adequately serve a project, necessitating a new or physically altered station.

Construction

Construction sites can be sources of attractive nuisances and safety hazards, as well as inviting theft and vandalism. When not properly secured, construction sites can divert local law enforcement from more pressing matters that require their attention. The Project Applicant proposes to employ construction security features, such as fencing the perimeter of the construction area and deploying site security measures (provided as Project Design Feature PS-1, below), which would serve to minimize the need for LAPD services and prevent trespassing and theft during construction activities. Furthermore, Section 21806 of the California Vehicle Code allows drivers of emergency vehicles to have a variety of options for avoiding traffic, such as using sirens to clear a path of travel and driving in the lanes of opposing traffic. Therefore, during construction, Project impacts would be less than significant.

Operation

For the purpose of this analysis, a significant impact may occur if the LAPD could not adequately serve a project, necessitating a new or physically altered station, the construction of which may cause significant environmental impacts. The Project Site is currently served by the LAPD's West Bureau, which oversees LAPD operations at the Hollywood, Olympic, Pacific, West LA, Wilshire, and West Traffic stations. The Wilshire Community Police Station, located at 4861 West Venice Boulevard, serves the communities of Arlington Heights, Brookside Park, Carthay Circle, Country Club Park, Fairfax, Greater Wilshire, Hancock Pak, Larchmont Village, Little Ethiopia, Melrose, Mid-City, Mid-Wilshire, Miracle Mile (including the Project Site), Park La Brea, South Carthay, Wellington Square, Wilshire Center, Wilshire Vista, and Windsor Square.

Operation of the Project would result in an increase of site visitors, residents, and employees within the Project Site, thereby generating a potential increase in the number of service calls from the Project Site. Responses to thefts, vehicle burglaries, vehicle damage, traffic-related incidents, and crimes against persons would be anticipated to escalate (but not in a material way) as a result of the increased on-site activity and increased traffic on adjacent streets and arterials. The Project would implement principles of the City of Los Angeles Crime Prevention through Environmental Design (CPTED) Guidelines. Specifically, the Project would include adequate and strategically positioned functional and thematic lighting to enhance public safety. Visually obstructed and infrequently accessed "dead zones" would be

limited and, where possible, security controlled to limit public access. These measures are provided as Project Design Feature PS-2, below.

The building design and layout of the Project would also incorporate nighttime security lighting and secure parking facilities. Public access to the residential portions of the Project will be controlled and secured. In addition, the continuous visible and non-visible presence of residents at all times would provide a sense of security during evening and early morning hours. These preventative and proactive security measures would decrease the amount of service calls the LAPD would receive. In light of these features, it is anticipated that any increase in demands upon police services would be relatively low and would not necessitate the construction of a new police station, the construction of which may cause significant environmental impacts. Therefore, Project impacts with respect to police protection services would be less than significant.

Overall, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for police protection, and Project impacts would be less than significant. Furthermore, as described under Subsection 3.b., consistent with *City of Hayward v. Trustees of California State University* (2015) 242 Cal.App.4th 833, significant impacts under CEQA are limited to adverse changes in the physical conditions within the area of a project, while the protection of the public safety remains the first responsibility of local government where local officials have an obligation to give priority to the provision of adequate public safety services. Thus, the need for additional police protection services is not an environmental impact that CEQA requires a project proponent to mitigate. Therefore, Project impacts would be less than significant.

Project Design Features

PDF-PS-1 During construction, the Project would include security features, such as fencing the perimeter of the construction area and deploying site security, to prevent trespassing and theft during construction activities.

PDF-PS-2 The Project would implement principles of the City of Los Angeles Crime Prevention Through Environmental Design (CPTED) Guidelines, such as:

- The inclusion of adequate and strategically positioned functional and thematic lighting to enhance public safety;
- Visually obstructed and infrequently accessed “dead zones” would be limited; and
- Access controls would be used for the residential portion of the Project.

Cumulative Impacts

Implementation of the related projects, listed on Table 2-1 in Section 2 (Project Description) of this SCEA, could result in a net increase in the number of residents, visitors, and employees in the area of the Project Site and could further increase the demand for police protection services. Cumulative development requires the LAPD to continually evaluate the need for new or physically altered facilities

in order to maintain adequate service ratios. Similar to the Project, the related projects would be subject to the site plan review and approval requirements, recommendations of the LAPD related to crime prevention features, and other applicable regulations of the LAMC. Through the process of compliance, the ability of the LAPD to provide adequate facilities to accommodate future growth and maintain acceptable levels of service would be ensured. Furthermore, the increased demands for additional LAPD staffing, equipment, and facilities would be funded via existing mechanisms (e.g., property taxes and government funding) to which the Project and related projects would contribute. Therefore, cumulative impacts related to police protection services would be less than significant.

c. Schools

Less Than Significant Impact. A significant impact may occur if a project includes substantial employment or population growth, which could generate a demand for school facilities that would exceed the capacity of the Los Angeles Unified School District (LAUSD). The Project Site is currently served by the following LAUSD public schools: Carthay Elementary of Environmental Studies Magnet, located at 6351 W. Olympic Boulevard, which serves kindergarten through fifth-grade students; Emerson Community Charter School, located at 1650 Selby Avenue, which serves sixth- through eighth-grade students; and Fairfax Senior High School, located at 7850 Melrose Avenue, which serves ninth- through twelfth-grade students.

As shown in Table 5.XV-3, the Project would generate a total of approximately 70 students, including 38 elementary students, 10 middle school students, and 22 high school students. It is likely that some of the students generated by the Project would already reside in areas served by the LAUSD and would already be enrolled in LAUSD schools. However, for a conservative analysis, it is assumed that all students generated by the Project would be new to the LAUSD.

While it is possible that some schools serving the Project Site are operating above capacity, all strategies regarding how to accommodate additional students generated by the Project are under the control of the LAUSD. Among these strategies are changes in attendance boundaries, grade reconfigurations, use of portable classroom buildings, and/or additions to existing schools. Further, the number of Project-generated students that would actually attend the LAUSD schools serving the Project Site may be less than the students calculated since the analysis does not take into account options to allow Project-generated students to receive education elsewhere. These options to reduce student population at LAUSD schools include the following:

- Private schools;
- Home-schooling;
- Open enrollment that enables students anywhere within the district to apply to any regular, grade-appropriate LAUSD school with designated “open enrollment” seats;
- Magnet schools and magnet centers that are open to all students in the LAUSD. Transportation is provided to students who participate in magnet programs who live outside a two-mile radius for elementary students, five-mile radius for secondary students, or outside the magnet school attendance boundary;
- The Permits With Transportation (PWT) program, which provides transportation for students seeking a more integrated experience to schools outside their home attendance area;

- Intra-district parent employment-related transfer permits that allow students to enroll in a school that serves the attendance area in which the student’s parent is regularly employed;
- Sibling permits that enable students to enroll in a school where a sibling is already enrolled; and
- Child care permits that allow students to enroll in a school that serves the attendance area in which a younger sibling is cared for daily during after school hours by a known child care agency, private organization, or verifiable child care provider.

California Education Code Section 17620(a)(1) states that the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirements against any construction within the boundaries of the district, for the purposes of funding the construction or reconstruction of school facilities. The LAUSD School Facilities Fee Plan has been prepared to support the school district’s levy of the fees authorized by California Education Code Section 17620. Provisions of the California Education Code, principally the Leroy F. Greene School Facilities Act of 1998, set a maximum level of fees that may be imposed upon a project developer to mitigate a project’s impacts on school facilities. The maximum fees authorized under the Education Code apply to zone changes, general plan amendments, zoning permits, and subdivisions. The provisions of the Education Code provide that such funding mechanisms are the exclusive means of requiring mitigation of school facilities impacts, notwithstanding any contrary provisions in CEQA, or other State or local law. The Project Applicant will be required to pay mandatory developer fees to offset the Project’s demands upon local schools. Thus, the Project’s potential impact upon public school services would be less than significant.

**Table 5.XV-3
Estimated Project Student Generation**

Land Use	Size	School Type	Student Generation Rate¹	Total Students Generated
Residential	169 du ²	Elementary	0.2269/du	38
		Middle	0.0611/du	10
		High	0.1296/du	22
Total				70
<i>du = dwelling unit</i>				
<i>¹ Los Angeles Unified School District, School Fee Needs Analysis, March 2017.</i>				
<i>² As the Project Site currently contains 40 multi-family residential units and the Project proposes 209 units, the Project would result in a net increase of 169 units at the Project Site.</i>				

Cumulative Impacts

The related projects, listed on Table 2-1 in Section 2 (Project Description) of this SCEA, could result in an increase in the number students in the Project area. However, similar to the applicant of the Project, the applicants of those related projects would be required to pay the applicable school fees to the LAUSD to ensure that no significant impacts to school services would occur as a result of their projects. Therefore, cumulative impacts to school services would be less than significant.

d. Parks

Less Than Significant Impact. A significant impact may occur if the available City of Los Angeles Department of Recreation and Parks (LADRP) recreation and park services could not accommodate a project, necessitating new or physically altered facilities, the construction of which could cause significant environmental impacts. The Los Angeles Department of Recreation and Parks (LADRP) operates and maintains park and recreational services and facilities in the area of the Project Site.

Per the Public Recreation Plan (PRP) long-range Citywide standard (two acres per 1,000 persons for neighborhood parks and two acres per 1,000 persons for community parks), the City's standard ratio of neighborhood and community parks to population is four acres per 1,000 persons. Based on the combined neighborhood and community parkland per population ratio of four acres per 1,000 persons, the Project would generate demand for approximately 1.6 acres of new neighborhood and community parkland.¹⁴¹

In compliance with LAMC Section 12.21 G and the TOC Guidelines, the Project would include a minimum of 18,356.25 square feet of open space that is inclusive of common open space areas as well as private (balcony) open space areas. In addition to the entry courtyard that will connect Tom Bergin's, the new residential lobby, and the public sidewalk creating active space for lounging and dining, the common open space areas include a reading library room, fitness center, recreation room, media center, pool, spa, and four courtyards at the third level, and viewing terrace at the eighth level. This provided open space will provide on-site recreational opportunities for the Project's residents, thereby relieving demand placed upon off-site parks and recreation areas.

Pursuant to LAMC Section 12.33, (Parks Dedication and Fee ordinance), residential development projects are required to park fees, calculated by the City's Department of Recreation and Parks (RAP), in order to mitigate the impact the Project will have on public resources such as parks and recreational facilities.¹⁴² The RAP is responsible for calculating the required park fees owed by each residential development project, including subdivision projects, and issuing the fee calculation letters to Project applicants. The payment of this fee is deemed to provide full and complete mitigation for impacts to parks and recreational facilities. Therefore, impacts to parks and recreational facilities would be less than significant.

Cumulative Impacts

The related projects, listed on Table 2-1 in Section 2 (Project Description) of this SCEA, could result in increased demand for parks and recreational services. The applicants of residential related projects would be required to meet LAMC open space requirements and would be subject to the park fees pursuant to LAMC Section 12.33, ensuring that any potential impacts to parks and recreational facilities would be less than significant. As stated previously, the Project would not result in any significant impacts

¹⁴¹ 407 residents/1,000 x 4 = 1.6 acres.

¹⁴² City of Los Angeles Department of Recreation and Parks – Park Fees: <https://www.laparks.org/planning/park-fees>.

related to parks and recreational facilities. Therefore, cumulative impacts to park and recreational facilities would be less than significant.

e. Other public facilities

Less Than Significant Impact. A significant impact may occur if a project includes substantial employment or population growth that could exceed the capacity of public facilities (such as libraries), necessitating a new or physically altered library, the construction of which could have significant physical impacts on the environment. Within the City of Los Angeles, the Los Angeles Public Library (LAPL) provides library services at the Central Library, seven regional branch libraries, 56 community branches and two bookmobile units, consisting of a total of five individual bookmobiles. Approximately 6.5 million books and other materials comprise the LAPL collection. The LAPL branches currently serving the Project Site include the Fairfax Branch Library, located at 161 S. Gardner Street; the Memorial Branch Library, located at 4625 W. Olympic Boulevard; and the John C. Fremont Branch Library, located at 6121 Melrose Avenue.

As discussed in Section 5.XIV, Population and Housing, the Project is estimated to generate approximately 407 net new residents. which could result in incrementally increased demand for library services and resources of the LAPL System. While the new residents generated by the Project would be anticipated to make use of the various libraries serving the Project Site, not all residents would use the library or travel to the same library. In addition, the Project's residential units would be equipped to receive individual internet service, which provides information and research capabilities that studies have shown would reduce demand at physical library locations. As such, demand for library facilities would be alleviated by internet service provided throughout the residential and other uses of the Project.^{143, 144} The LAPL also provides access to a variety of web-based collections, reducing the demand for physical library locations. Library patrons also have access to podcasts, language learning programs, instructional content, and electronic editions of newspapers and magazines through smartphone applications made available to library cardholders.

Accordingly, the Project would not be anticipated to result in a substantial increase in demand for library services for which current demand exceeds the ability of the facility to adequately serve the population. Based on the above, operation of the Project would not create any new exceedance of the capacity of local libraries to adequately serve the existing residential population, that would result in the need for new or altered facilities, or substantially increase the demand for library services for which current and future demand would exceed the ability of the facility to adequately serve the population.

The Project would also generate approximately 11 employees. Employees do not typically frequent libraries during work hours, but are more likely to use libraries near their homes during non-work hours. Further, it is likely that similar to Project residents, Project employees would also have individual access to internet service, which would reduce demand at physical library locations. Therefore, potential impacts

¹⁴³ Denise A. Troll, *How and Why Libraries are Changing: What we Know and What we Need to Know*, Carnegie Mellon University, 2002.

¹⁴⁴ Carol Tenopir, "Use and Users of Electronic Library Resources: An Overview and Analysis of Recent Research Studies," 2003.

to library service and facilities resulting from Project employment generation would be less than significant.

Cumulative Impacts

Implementation of the related projects, listed on Table 2-1 in Section 2 (Project Description) of this SCEA, could increase the demand for library services in the Project area. The related residential projects would be subject to the standards to determine demand for library facilities used by the City and would likely be required to implement mitigation where applicable. In addition, the anticipated revenue to the General Fund generated by the related projects through business taxes and other revenue sources would help offset the increase in demand for library services and fund necessary library improvements. As such, the demand for library services created by these residential projects could be accommodated, and impacts would be less than significant. As stated previously, the Project would not result in any significant impacts related to library services. Therefore, cumulative impacts to library services would be less than significant.

XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?

Less Than Significant Impact. Pursuant to LAMC Section 12.21 G and the TOC Guidelines, the Project would include a minimum of 18,356.25 square feet of open space that is inclusive of common open space areas as well as private (balcony) open space areas. In addition to the entry courtyard that will connect Tom Bergin's, the new residential lobby, and the public sidewalk creating active space for lounging and dining, the common open space areas include a reading library room, fitness center, recreation room, media center, pool, spa, and four courtyards at the third level, and viewing terrace at the eighth level. This provided open space will provide on-site recreational opportunities for the Project's residents, thereby relieving demand placed upon off-site parks and recreation areas.

As discussed in Section 5.XIV, Population and Housing, the Project would generate approximately 407 net new residents. Employees generated by the Project would not typically enjoy long periods of time during the workday to visit parks and/or recreational facilities and would therefore not contribute to the future demand on recreational facilities. Additionally, the City's parkland acreage-to-population ratios are based on residential population and not employee population. Per the Public Recreation Plan (PRP) long-range Citywide standard (two acres per 1,000 persons for neighborhood parks and two acres per 1,000 persons for community parks), the City's standard ratio of neighborhood and community parks to population is four acres per 1,000 persons. Based on the combined neighborhood and community parkland per population ratio of four acres per 1,000 persons, the Project would generate demand for approximately 1.6 acres of new neighborhood and community parkland.¹⁴⁵

¹⁴⁵ 407/1,000 x 4 = 1.6 acres.

Pursuant to LAMC Section 12.33, (Parks Dedication and Fee ordinance), residential development projects are required to park fees, calculated by the City's Department of Recreation and Parks (RAP), in order to mitigate the impact the Project will have on public resources such as parks and recreational facilities.¹⁴⁶ The RAP is responsible for calculating the required park fees owed by each residential development project, including subdivision projects, and issuing the fee calculation letters to Project applicants. The payment of this fee is deemed to provide full and complete mitigation for impacts to parks and recreational facilities. Therefore, impacts to parks and recreational facilities would be less than significant.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less Than Significant Impact. Pursuant to LAMC Section 12.21 G and the TOC Guidelines, the Project would include a minimum of 18,356.25 square feet of open space that is inclusive of common open space areas as well as private (balcony) open space areas. In addition to the entry courtyard that will connect Tom Bergin's, the new residential lobby, and the public sidewalk creating active space for lounging and dining, the common open space areas include a reading library room, fitness center, recreation room, media center, pool, spa, and four courtyards at the third level, and viewing terrace at the eighth level. This provided open space will provide on-site recreational opportunities for the Project's residents, thereby relieving demand placed upon off-site parks and recreation areas.

As discussed in Section 5.XIV, Population and Housing, the Project would generate approximately 407 net new residents. Employees generated by the Project would not typically enjoy long periods of time during the workday to visit parks and/or recreational facilities and would therefore not contribute to the future demand on recreational facilities. Additionally, the City's parkland acreage-to-population ratios are based on residential population and not employee population. Per the Public Recreation Plan (PRP) long-range Citywide standard (two acres per 1,000 persons for neighborhood parks and two acres per 1,000 persons for community parks), the City's standard ratio of neighborhood and community parks to population is four acres per 1,000 persons. Based on the combined neighborhood and community parkland per population ratio of four acres per 1,000 persons, the Project would generate demand for approximately 1.6 acres of new neighborhood and community parkland.¹⁴⁷

Pursuant to LAMC Section 12.33, (Parks Dedication and Fee ordinance), residential development projects are required to park fees, calculated by the City's Department of Recreation and Parks (RAP), in order to mitigate the impact the Project will have on public resources such as parks and recreational facilities.¹⁴⁸ The RAP is responsible for calculating the required park fees owed by each residential development project, including subdivision projects, and issuing the fee calculation letters to Project applicants. The payment of this fee is deemed to provide full and complete mitigation for impacts to parks

¹⁴⁶ City of Los Angeles Department of Recreation and Parks – Park Fees: <https://www.laparks.org/planning/park-fees>.

¹⁴⁷ $407/1,000 \times 4 = 1.6$ acres.

¹⁴⁸ City of Los Angeles Department of Recreation and Parks – Park Fees: <https://www.laparks.org/planning/park-fees>.

and recreational facilities. Therefore, impacts to parks and recreational facilities would be less than significant.

In addition, the Project does not include the construction of recreational facilities outside of the Project Site boundaries, such as a park, and therefore no impact would occur with respect to this portion of the threshold.

Cumulative Impacts

Refer to the discussion of cumulative impacts related to parks and recreational facilities under response to Checklist Question XV(iv) (Public Services – Parks).

XVII. TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The analysis in this section is based on the following (refer to Appendix G):

G-1 Transportation Assessment, Overland Traffic Consultants, Inc., December 2019.

G-2 LADOT Approval Letter, February 25, 2020.

G-3 Supplemental Traffic Assessment, Overland Traffic Consultants, Inc., February 1, 2021.

G-4 LADOT Assessment Letter, February 8, 2021.

Pursuant to the State of California’s adoption of Senate Bill 743 (SB 743), the primary metric for evaluating the potential environmental impacts of proposed development projects has shifted from the previous intersection and street level of service (LOS) methodology to an evaluation of vehicle miles traveled (VMT), in order to reduce greenhouse gas emissions (GHG), create or expand sustainable multi-modal transportation networks that encourage and support use of alternate travel modes (public transit, bicycling, walking, etc.) to reduce dependence on single-occupant vehicles, and promote mixed-use developments such as the Project.

The procedures associated with the VMT evaluation methodologies are described in the Los Angeles Department of Transportation’s (LADOT) Transportation Assessment Guidelines (TAG, July 2020), including criteria for determining the need for such analyses related to the California Environmental Quality Act (CEQA), specifically, the Project’s consistency with adopted City plans and policies, as well as for non-CEQA evaluations of any potential Project-related effects on local vehicular, pedestrian,

bicycle, and public transportation access, circulation, and safety.¹⁴⁹ In general, the TAG identifies that development projects which require discretionary action (by the City) must assess whether the Project would conflict with or preclude the implementation of any City programs, plans, ordinances, or policies associated with the transportation system in the Project vicinity, result in substantial additional traffic (including VMT), or require changes to the area roadway system. CEQA currently evaluates a project's transportation impacts based on the following thresholds:

- Conflicting with Plans, Programs, Ordinances, or Policies
- Causing Substantial VMT
- Substantially Increasing Hazards Due to a Geometric Design Feature or Incompatible Use

Background

The Transportation Assessment prepared for the Project in December 2019 (included in Appendix G-1), and approved by LADOT on February 25, 2020 (approval letter included in Appendix G-2), included 2,350 square feet of commercial uses. As the Project proposes 2,653 square feet of commercial uses, a supplemental transportation assessment was prepared, and is included in Appendix G-3 of this SCEA. The supplemental transportation assessment also includes an updated VMT analysis, updates the Project buildout year to 2024, and includes an updated list of related projects. The supplemental transportation assessment was approved by LADOT on February 8, 2021 (see approval letter included in Appendix G-4).

a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact. As demonstrated below, the Project does not obstruct or conflict with city development policies and standards for the transportation system, such as the Mobility Plan 2035, Vision Zero, or other planned transportation improvements. The Project is not located on a High Injury Network street. Further, the Project is in a TPA and is consistent with the objectives of the Purple Line Transit Neighborhood Plan.

LA Mobility Plan 2035

The Project complies with the Mobility Plan 2035 street standard for Fairfax Avenue (Avenue II) and 8th Street (Collector). A 3-foot dedication by the Project is required for both streets to serve long-term mobility needs identified in the Mobility Plan 2035. The Project will dedicate as required.

Plan for Healthy LA

The Project would support Policy 5.7, Land Use Planning for Public Health and GHG Emission Reduction, by reducing single-occupant vehicle trips by its proximity to high quality and high frequency

¹⁴⁹ The non-CEQA transportation analysis is included in the Transportation Assessment, contained in Appendix G-1 of this SCEA.

transit service. The Project would be subject to both electric charging stations and pre-wiring spaces for potential future electric vehicle charging (Ordinance No. 186485). The Project would not conflict with other policies in the Plan for Healthy LA.

Specific Plans

The Project is in the Wilshire Community Plan area. The Project is not located in any Specific Plan overlay area.

LAMC Section 12.21A.16 (Bicycle Parking)

The Project complies with the ratio of short- and long-term bicycle parking pursuant to LAMC Section 12.21. A.16.

LAMC Section 12.26J (TDM Ordinance)

LAMC Section 12.26J for Transportation Demand Management and Trip Reduction Measures applies only to the construction of new non-residential floor area greater than 25,000 square feet. The Project includes approximately 2,653 square feet of commercial floor area, and therefore, the TDM Ordinance would not apply to the Project.

Vision Zero Action Plan

No Vision Zero projects are located near the Project Site. The Project would not preclude or conflict with the implementation of future Vision Zero projects in the public right-of-way.

Vision Zero Corridor Plans

The Project is not located on a priority intersection or corridor identified in the Vision Zero Action Plan. The Project would not preclude or conflict with the implementation of future Vision Zero projects in the public right-of-way.

Streetscape Plans

The Project is not located in any Streetscape Plan overlay area.

Citywide Design Guidelines

Guideline 1: Promote a safe, comfortable, and accessible pedestrian experience for all.

The Project will create a continuous and straight sidewalk clear of obstructions for pedestrian travel. The Project will provide adequate sidewalk width and right-of-way that accommodates pedestrian flow and activity. Pedestrian access will be provided at street level with direct access to the surrounding neighborhood and amenities.

Guideline 2: Carefully incorporate vehicular access such that it does not degrade the pedestrian experience.

The Project complies with the Citywide Design Guidelines incorporating vehicle access locations that do not discourage and/or inhibit the pedestrian experience. The Project vehicular access complies with driveway location standards.

Guideline 3: Design projects to actively engage with streets and public space and maintain human scale.

The building design uses attractive architectural elements that promotes neighborhood pride and reduces the perceived mass. The Project would not preclude or conflict with the implementation of future streetscape projects in the public right-of-way.

Therefore, the Project's impacts would be less than significant.

Cumulative Impacts

A cumulative impact could occur if the Project as well as other future development projects located within ½-mile of the Project Site were to cumulatively preclude the City's ability to serve transportation user needs as defined by the City's transportation policy framework. None of the related projects are proposed on the same block as the Project or closer than 850 feet to the Project Site, and therefore wouldn't have the potential to preclude the City's ability to serve transportation user needs. In addition, the eight identified related projects are all undergoing discretionary review by LADOT to ensure consistency with applicable plans. Therefore, cumulative impacts related to plan consistency would be less than significant.

b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)

Less Than Significant Impact. LADOT has identified thresholds for significant VMT impacts for each of the seven Area Planning Commission (APC) sub-areas within the City. The Project's VMT are compared against the City's threshold goals for household VMT per capita and work VMT per employee to evaluate the significance of the VMT increases. A development project will have a potential impact if the development project would generate VMT exceeding 15% below the existing average VMT for the APC area in which such project is located.

The Project is in the Central APC sub-area, which establishes a daily household VMT per capita threshold of 6.0 and a daily work VMT per employee threshold of 7.6 (15% below the existing VMT for the Central APC). In addition, the portion of, or the entirety of a project that contains small scale (less than 50,000 square feet) local serving retail/restaurant uses are assumed to have less than significant VMT impacts and a no impact determination can be made for the small scale retail/restaurant portion of the mixed-use project. Therefore, only the Project's residential daily household VMT per capita is considered for the Central APC threshold criteria.

Based on version 1.3 of LADOT's VMT calculator, the Project would result in a daily household VMT per capita of 4.4 with selected TDM strategies as part of the Project (see the Supplemental Traffic Assessment contained in Appendix G-3 of this SCEA). Therefore, the Project's VMT does not exceed the applicable threshold. Note that the daily household VMT per capita is determined by the homebased production VMT from the MXD model combined with selected TDM strategies that are part of the Project.

This VMT is then divided by the number of people living within the Project to get the VMT per capita value.

The Project includes TDM measures that reduce VMT, including utilizing parking reductions and unbundling parking under the TOC Guidelines,¹⁵⁰ and providing bicycle parking pursuant to the LAMC. The reduced parking, unbundled parking, and bike parking features are required regulatory measures applicable to the Project. Therefore, due to the Project's compliance with the City's VMT threshold, impacts would be less than significant and the Project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

Cumulative Impacts

Although the Project is not expected to result in significant VMT impacts, the TAG also requires an evaluation of the Project's potential contributions toward cumulative VMT impacts. However, while it is acknowledged that the Project could result in increased daily VMT (per the Project-specific VMT impact analysis discussed above), as identified in the TAG, development projects that do not exhibit significant VMT impacts based on per capita or per employee thresholds are considered to align with the long-term VMT and greenhouse gas reduction goals of both the City and regional SCAG transportation plans. Therefore, since the Project itself does not result in VMT impacts, it is also deemed to have a less than significant cumulative VMT impact.

c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)

Less Than Significant Impact. The Project does not involve any design features that are unusual for the area or any incompatible uses. Project access on Fairfax Avenue has been reduced from three driveways to one driveway, and the Fairfax Avenue driveway will be served by a median left-turn lane on Fairfax Avenue. These changes to the Project Site access will improve traffic conditions by reducing the number of vehicle conflict points to and from Fairfax Avenue. No deficiencies are apparent in the Project Site access plans that would be considered significant. This determination considers the following factors:

1. The proposed Fairfax Avenue dedication will increase the sidewalk width by 3 feet from 10 feet to 13 feet providing for improved visibility and safer pedestrian environment.
2. A median left-turn lane is provided on Fairfax Avenue for Project access.
3. The proposed 8th Street dedication will increase the sidewalk width by 3 feet from 8 feet to 11 feet providing for improved visibility and safer pedestrian environment.

¹⁵⁰ As detailed in the Transportation Assessment, the unbundled parking strategy for the Project assumes a minimum monthly parking cost of \$75, to be paid by the vehicle owners.

4. The Project Site is a corner lot. The proposed access on 8th Street, a collector street, is placed as far as possible from the Fairfax Avenue intersection and located approximately at the existing driveway location.

Therefore, the Project would not increase hazards due to a geometric design feature or incompatible uses, and impacts would be less than significant.

Cumulative Impacts

Pursuant to the TAG, the potential for cumulative impacts should be determined by reviewing project site access plans for related projects with access points proposed along the same block(s) as the proposed project. None of the related projects are located on the same block as the Project. Therefore, there would be no cumulative impacts related to substantially increasing hazards due to geometric design features or incompatible uses.

d. Result in inadequate emergency access

Less Than Significant Impact. This threshold reviews whether or not a project's elements would have a detrimental effect on emergency vehicle response times. Vehicular access to the Project Site would be provided from Fairfax Avenue and 8th Street. The Project's driveways and internal circulation would be designed to meet all applicable City Building Code and Fire Code requirements regarding site access, including providing adequate emergency vehicle access both during construction as well as after completion of the Project. During construction, the Project would include a Construction Traffic Management Plan (provided below as PDF-TR-1), which would ensure that adequate emergency access exists during construction. Compliance with applicable City Building Code and Fire Code requirements, including emergency vehicle access, would be confirmed as part of LAFD's fire/life safety plan review and LAFD's fire/life safety inspection for new construction projects, as set forth in Section 57.118 of the LAMC, and which are required prior to the issuance of a building permit. The Project also would not include the installation of barriers that could impede emergency vehicle access both during and post-construction. Drivers of emergency vehicles are also trained to utilize center turn lanes, or travel in opposing through lanes (on two-way streets) to pass through crowded intersections or streets. Accordingly, the respect entitled to emergency vehicles and driver training allows emergency vehicles to negotiate typical street conditions in urban areas. As such, emergency access to the Project Site and surrounding area would be maintained both during and post-construction. Therefore, the Project would not result in inadequate emergency access during construction or operation, and, as such, impacts to emergency access during construction and operation of the Project would be less than significant.

Project Design Feature

PDF-TR-1 Construction Traffic Management Plan. Prior to the start of construction, the Project Applicant shall prepare a detailed Construction Traffic Management Plan (CTMP), including street closure information, detour plans, haul routes, and staging plans, and submit it to LADOT for review and approval. The Construction Traffic Management Plan shall include a Worksite Traffic Control Plan, which will facilitate traffic and pedestrian movement, and minimize the potential conflicts between construction activities, street

traffic, bicyclists, and pedestrians. The Construction Traffic Management Plan and Worksite Traffic Control Plan shall be based on the nature and timing of specific construction activities and other projects in the vicinity, and shall include, but not be limited to, the following measures:

- Maintain access for land uses in the vicinity of the Project Site during construction;
- Minimize obstruction of traffic lanes adjacent to the Project Site to the extent feasible;
- Organize Project Site deliveries and the staging of all equipment and materials in the most efficient manner possible, and on-site where possible, to avoid an impact to the surrounding roadways;
- Coordinate truck activity and deliveries to ensure trucks do not wait to unload or load at the Project Site and impact roadway traffic, and if needed, utilize an organized off-site staging area;
- Provide advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation;
- Prohibit construction worker or equipment parking on adjacent streets;
- Provide temporary pedestrian, bicycle, and vehicular traffic controls to ensure traffic safety on public rights-of-way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's driveways;
- Schedule construction activities to reduce the effect on traffic flow on surrounding arterial streets;
- Contain construction activity within the Project Site boundaries;
- Implement safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers as appropriate;
- Limit sidewalk and lane closures to the maximum extent possible, and avoid peak hours to the extent possible. Where such closures are necessary, the Project's Worksite Traffic Control Plan will identify the location of any sidewalk or lane closures and identify all traffic detours and control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of demolition and construction activity;
- Schedule construction-related deliveries, haul trips, etc., so as to occur outside the commuter peak hours to the extent feasible; and/or
- Prepare a haul truck route program that specifies the construction truck routes to and from the Project Site.

Cumulative Impacts

Similar to the Project, all ingress/egress and access associated with the related projects would be designed and constructed in conformance to all applicable requirements, including the City Building Code, City Fire Code, LAMC, and other LAFD standards and requirements for design and construction. As all related projects would be required to comply with existing regulations related to access, cumulative impacts with respect to emergency access would be less than significant.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The information and analysis of the Project's potential impacts to tribal cultural resources is based on the following report (refer to Appendix C):

C-2 Archaeological Resources Assessment for the 800-840 Fairfax Project, SWCA Environmental Consultants, February 3, 2021.

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k)?

Less than Significant Impact.

Regulatory Setting

A tribal cultural resource is defined by Public Resources Code Section 21074(a) as:

(1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

(A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.

(B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Section 21074(b) of the Public Resources Code provides that:

A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

In addition, Section 21074(c) of the Public Resources Code provides that:

A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

California Register of Historical Resources

To be eligible for listing in the California Register of Historical Resources (California Register), a property generally must be at least 50 years of age and must possess significance at the local, state, or national level, under one or more of the following four criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; or
2. It is associated with the lives of persons important to local, California, or national history; or
3. It embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values; or

4. It has yielded, or has the potential to yield, information important in the prehistory or history of the local area, California, or the nation.

Historic resources eligible for listing in the California Register may include buildings, sites, structures, objects, and historic districts. Resources less than 50 years of age may be eligible if it can be demonstrated that sufficient time has passed to understand its historical importance. The California Register criteria also require that properties reflect their appearance during their period of significance.¹⁵¹

The California Register may also include properties identified during historic resource surveys. However, the survey must meet all of the following criteria:

1. The survey has been or will be included in the State Historic Resources Inventory;
2. The survey and the survey documentation were prepared in accordance with office [California Office of Historic Preservation (OHP)] procedures and requirements;
3. The resource is evaluated and determined by OHP to have a significance rating of Category 1 to 5 on a DPR Form 523; and
4. If the survey is five or more years old at the time of its nomination for inclusion in the California Register, the survey is updated to identify historical resources which have become eligible or ineligible due to changed circumstances or further documentation and those which have been demolished or altered in a manner that substantially diminishes the significance of the resource.

Project Impacts

As discussed in Section 5.V, Cultural Resources, of this SCEA, the existing multi-family residential buildings are not eligible for listing in the National Register, California Register, or as a City of Los Angeles HCM. The existing restaurant (Tom Bergin's) is City of Los Angeles HCM No. 1182 and is also eligible for listing under state and federal criteria. However, the Tom Bergin's building would remain on the Project Site as part of the Project, and as discussed in Section 5.V of this SCEA, the Project would not result in a significant adverse change in the significance of this resource, and Project impacts with respect to historic resources were determined to be less than significant. Therefore, the Project's impacts with respect to any potential tribal cultural resources that are listed on, or eligible for listing on, the California Register would also be less than significant.

b. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section

¹⁵¹ Public Resources Code Section 4852.

5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less Than Significant Impact.

Regulatory Setting

Assembly Bill (AB) 52

AB 52 amended PRC Section 5097.94 and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. Section 4 of AB 52 adds Sections 21074(a) and (b) to the PRC, which address tribal cultural resources and cultural landscapes. Section 21074(a) defines tribal cultural resources as one of the following:

- (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
 - (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Section 1(a)(9) of AB 52 establishes that “a substantial adverse change to a tribal cultural resource has a significant effect on the environment.” Effects on tribal cultural resources should be considered under CEQA. Section 6 of AB 52 adds Section 21080.3.2 to the PRC, which states that parties may propose mitigation measures “capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource.” The environmental document and the mitigation monitoring and reporting program (where applicable) shall include any mitigation measures that are adopted (PRC Section 21082.3[a]).

Cultural Setting

The precise location of most Native American villages in the Los Angeles Basin is subject to much speculation, maps depicting villages throughout the greater Los Angeles area show these sites located along rivers or streams, and several maps have been produced throughout the twentieth century depicting this settlement pattern. Native American place-names referred to at the time of Spanish contact did not necessarily represent a continually occupied settlement within a discrete location, rather in at least some cases, the communities were represented by several smaller camps scattered throughout an approximate geography, shaped by natural features that were subject to change over generations. Further complicating any efforts to pin-point the location of a village site is the fact that many of the

villages had long since been abandoned by the time ethnographers, anthropologists, and historians attempted to document any of their locations. By the time any such effort was made, Native American lifeways had been irrevocably changed and the former village sites or areas were impacted by urban and agricultural development. In some cases Spanish-era Rancho grants may have bounded Indian villages, and in others the Spanish ranchos adopted Native American^[SEP] placenames such as *Kaweenga*, *Tujunga*, *Topanga*, and *Cucamonga*. Alternative names and spellings for communities, and conflicting reports on their meaning or locational reference, further complicate efforts to determine the location of actual village sites. Thus, even with ethnographic, historical, and archaeological evidence, it can be difficult to conclusively establish whether any given assemblage represents the remains of the former village site.

The nearest named villages to the Project Site within the Los Angeles Basin include *Guaspet/Waachnga*, near the Ballona wetlands, and *Kuruvunga* to the west/southwest near Santa Monica, and Yaangna, Geveronga, and Maawnga to the east/northeast near downtown Los Angeles. The closest of these is *Kuruvunga* (also known as *Kuruvunga* Springs or Tongva Springs), near present-day University High School, but taken together the named sites are all located within a 5.9- to 7.5-mile radius of the Project Site. Other unnamed Native American settlements have been documented approximately 1.9 miles south of the Project Site near wetlands (for which Las Cienegas is named) formed along the former course of the Los Angeles River (now Ballona Creek).

The Project Site is not near any former Gabrielino communities listed in ethnographic sources. A major source of asphaltum (La Brea Tar Pits) is located approximately 0.4-miles from the Project Site. The asphaltum source at the La Brea Tar Pits is known to have been an important resource for the Gabrielino, and human remains found at the La Brea Tar Pits site suggest it was known to^[SEP] Native Americans more than 10,000 years ago. Also, south of the Project Site, water features including perennial springs and small wetlands formed along tributaries of Ballona Creek (formerly Los Angeles River) are known to have existed along the southeast-facing toeslopes of the Santa Monica Mountains and would have been frequented by Native Americans. Smaller habitation sites were not typically noted by early ethnographers and Spanish colonizers; therefore, the lack of explicit data pointing to a site in the area does not indicate a lack of Native American activity in the area. Captain Gaspar de Portolá's expedition across the Los Angeles Basin followed a route from nearby Gabrielino settlements to the asphaltum source.

Project Impacts

As discussed in Section 5.V, Cultural Resources, of this SCEA, a CHRIS records search and archival research identified 12 previously recorded resources within a 0.5-mile radius of the Project Site. None of the resources are within the Project Site, although significant prehistoric archaeological materials were recovered from the La Brea Tar pits, located approximately 0.4 mile to the northeast. The nearest Native American villages and settlements identified in ethnographic literature are between 5.7 and 7.5 miles from the Project Site. Other unnamed Native American settlements are known to have been present along the former course of the Los Angeles River (now Ballona Creek), located approximately 2.5 miles south of the Project Site, and several wetland features that once existed in the Las Cienegas area. These also likely served as important perennial water sources. The La Brea Tar Pits served as an important

source of asphaltum for Native Americans dating back at least 10,000 years. Other water features including perennial springs are known to have existed across the Los Angeles Basin and along the southeast-facing toeslopes of the Santa Monica Mountains, which would have been frequented by Native Americans. The nearest such spring identified in historical maps was located approximately 0.9 miles to the north. Late nineteenth century and early twentieth century topographic maps show several small southwest-flowing streams once located approximately 0.5 miles to the north, south, and west of the Project Site. These streams appear to have been intermittent or ephemeral and only contained water for short periods of time during the wet season. The relative proximity to these natural resources, especially the asphaltum source, suggests an increased level of sensitivity for prehistoric archaeological resources, specifically remains from a temporary open camp identified by the presence of flaked stone tools, tool-making debris, stone milling tools, shell, fire-altered rock, and sediment discoloration or carbonization.

During the eighteenth century, the Project Site remained an undeveloped open space within the eastern portion of Rancho de las Aguas—a Mexican land grant—which was possibly used as pasture for cattle and sheep grazing. By the early twentieth century, the Project Site was located on the west end of a grain field (most likely wheat or barley). Aerial photos taken in the early 1920s indicate that the field was seasonally plowed. The present-day street grid in this area was established by 1924 as part of the expanding commercial and residential developments centered on Wilshire Boulevard, but the Project Site remained a vacant lot until 1951, when the extant apartment building was constructed. Given the sparse use during the Spanish, Mexican, and early American periods, it is very unlikely that substantial material remains ever existed within the Project Site. During the 30-year period from about 1920 to 1951, when the Project Site remained a vacant lot, it is possible that individual pieces of refuse could have been discarded and become buried, which slightly increases the archaeological sensitivity, specifically food and beverage waste, and personal items.

The preservation conditions within the Project Site are poor. The development of the agricultural field in the early twentieth century and subsequent residential development in 1951 would have disturbed surface or near-surface archaeological deposits that may have once been present. Sediment profiles taken from boring samples in the Project Site indicate at least two feet of artificial fill on top of naturally deposited alluvial sediments. Artifacts or features associated Native American activities can remain preserved below surface disturbances, but given the lack of evidence suggesting concentrated activity within the Project Site, it is unlikely that any such archaeological deposits exist either intermixed with the artificial fill or within the underlying alluvial sediments. For these reasons, SWCA finds the Project Site has low sensitivity to contain such resources.

The Project requires the excavation of the underlying alluvial sediments and the removal of the overlying artificial fill. The potential for unidentified tribal cultural resources within these sediments is found to be low. In the event that any tribal cultural resources are discovered during grading, excavation, or other soil-disturbing activities, the Project Applicant would comply with the City's standard condition of approval regarding the inadvertent discovery of tribal cultural resources (provided below), and which has been determined to be equal or more effective than Mitigation Measure PMM TCR-1 from the Connect SoCal EIR. Therefore, Project impacts with respect to tribal cultural resources would be less than significant.

Condition of Approval

Inadvertent discovery of tribal cultural resources: If objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the project permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; and (2) the Department of City Planning at (213) 978-1454.
- If the City determines, pursuant to PRC Section 21074(a)(2), that the object or artifact appears to be a tribal cultural resource, the City shall provide any affected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the project permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- The project permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the project permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The project permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any affected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The project permittee shall not be allowed to recommence ground disturbance activities until the City approves this plan.
- If the project permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the project permittee may request mediation by a mediator agreed to by the permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The project permittee shall pay any costs associated with the mediation.
- The project permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archaeological study or tribal cultural resources study or report detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the SCCIC at California State University, Fullerton.
- Notwithstanding the above, any information determined to be confidential in nature by the City Attorney's office shall be excluded from submission to the SCCIC or the public under the

applicable provisions of the California Public Records Act, California PRC, and shall comply with the City's AB 52 Confidentiality Protocols.

Cumulative Impacts

Impacts related to tribal cultural resources tend to be site-specific and are assessed on a site-by-site basis. The City would require the applicants of each of the related projects to assess, determine, and mitigate any potential impacts related to tribal cultural resources that could occur as a result of development, as necessary. As discussed previously, through compliance with existing laws and the City's conditions of approval, Project impacts with respect to tribal cultural resources would be less than significant. As such, the Project would not contribute to any potential cumulative impacts related to tribal cultural resources. Therefore, cumulative impacts related to tribal resources would be less than significant.

XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less Than Significant Impact. A significant impact may occur if a project would result in the relocation or construction of new or expanded water, wastewater or storm water drainage facilities to such a degree that the capacity of facilities currently serving the Project Site would be exceeded. As discussed below, Project impacts related to these issues would be less than significant.

Water Treatment

The LADWP owns and operates the Los Angeles Aqueduct Filtration Plant (LAAFP) located in the Sylmar community of the City. The LAAFP treats City water prior to distribution throughout LADWP's

Central Water Service Area. The designated treatment capacity of the LAAFP is 600 mgd, with an average plant flow of 550 mgd during the summer months and 450 mgd in the non-summer months. Thus, the facility has between approximately 50 to 150 mgd of remaining capacity depending on the season. As shown on Table 5.XIX-1, the Project would consume approximately 39,487 gallons of water per day (or approximately 0.04 mgd). With the remaining capacity of approximately 50 to 150 mgd, the LAAFP would have adequate capacity to serve the Project. Therefore, Project impacts related to water treatment would be less than significant.

**Table 5.XIX-1
Estimated Water Consumption**

Land Use	Size	Water Consumption Rate¹	Total (gallons/day)
Existing Uses			
Multi-Family Residential	40 du	228 gpd/du	9,120
Proposed Uses			
Multi-Family Residential	209 du	228 gpd/du	47,652
Restaurant	2,653 sf	360 gallons / 1,000 sf	955
Project Subtotal			48,607
(Existing)			9,120
Total			39,487
<i>gpd = gallon per day sf = square feet du = dwelling unit</i>			
<i>Note: Water consumption is assumed to equal 120 percent of wastewater generation.</i>			
<i>¹ Source: City of Los Angeles Bureau of Sanitation, Sewer Generation Rates Table, March 20, 2002.</i>			

Wastewater Treatment

The Project Site is located within the service area of the Hyperion Water Reclamation Plant (HWRP), which has been designed to treat 450 million gallons per day (mgd) to full secondary treatment and a peak wet weather flow of 800 mgd. Full secondary treatment prevents virtually all particles suspended in effluent from being discharged into the Pacific Ocean and is consistent with the LARWQCB discharge policies for the Santa Monica Bay. The HWRP currently treats an average daily flow of approximately 275 mgd on a dry weather day.¹⁵² Thus, there is approximately 175 mgd available capacity.

The Project would generate an increase of approximately 32,906 gallons of wastewater per day (or 0.03 mgd) (refer to Table 5.XIX-2). With a remaining daily capacity of 88 mgd, the HTP would have adequate capacity to serve the Project. Therefore, Project impacts related to wastewater treatment would be less than significant.

¹⁵² City of Los Angeles Sanitation Department, website: https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-cw/s-lsh-wwd-cw-p/s-lsh-wwd-cw-p-hwrp?_afLoop=14693255451939690&_afWindowMode=0&_afWindowId=null&_adf.ctrl-state=eljl3h87g_1#!%40%40%3F_afWindowId%3Dnull%26_afLoop%3D14693255451939690%26_afWindowMode%3D0%26_adf.ctrl-state%3Deljl3h87g_5, accessed December 17, 2020.

**Table 5.XIX-2
Estimated Wastewater Generation**

Land Use	Size	Wastewater Generation Rate¹	Total (gallons/day)
Existing Uses			
Multi-Family Residential	40 du	190 gpd/du	7,600
Proposed Uses			
Multi-Family Residential	209 du	190 gpd/du	39,710
Restaurant	2,653 sf	300 gallons / 1,000 sf	796
Project Subtotal			40,506
(Existing)			7,600
Total			32,906
<i>gpd = gallon per day sf = square feet du = dwelling unit</i> ¹ Source: City of Los Angeles Bureau of Sanitation, Sewer Generation Rates Table, March 20, 2002.			

Storm Water Drainage

For a full discussion of storm water drainage, please see Section 5.X (Hydrology and Water Quality), of this SCEA. As discussed therein, Project impacts related to storm water drainage would be less than significant.

Natural Gas

For a full discussion of natural gas capacities and distribution, please see Section 5.VI (Energy), of this SCEA. As discussed therein, Project impacts related to natural gas capabilities and distribution would be less than significant.

Electricity

For a full discussion of electrical capacities and distribution, please see Section 5.VI (Energy), of this SCEA. As discussed therein, Project impacts related to electricity would be less than significant.

Telecommunications

In the Project area, existing telephone and internet service is readily available from a variety of providers, and existing cable television is typically provided by Spectrum (formerly Time Warner Cable). The Project Site could be served by existing telecommunications facilities that are available in the Project Site area and would not require new or expanded facilities. Therefore, Project impacts related to telecommunications facilities would be less than significant.

Cumulative Impacts

Water Treatment

Implementation of the Project in conjunction with the related projects (identified on Table 2-1 in Section 2 (Project Description) of this SCEA) would increase demand for water treatment in the City. As shown in Table 5.XIX-3, below, the related projects in combination with the Project would demand approximately 159,224 gpd (0.16 mgd) of water. With the remaining capacity of approximately 50 to 150

mgd, the LAAFP would have adequate capacity to serve the cumulative water treatment needs for the Project in combination with the related projects. Therefore, cumulative impacts related to water treatment would be less than significant.

**Table 5.XIX-3
Cumulative Water Consumption**

Land Use	Size	Water Consumption Rate¹	Total (gpd)
Residential	337 du	228 gallons / unit	87,584
Retail	16,778 sf	30 gallons / 1,000 sf	503
Restaurant	10,748 sf	360 gallons / 1,000 sf	3,869
Hospital	47,036 sf	300 gallons / 1,000 sf	14,111
Office	125,089 sf	180 gallons / 1,000 sf	22,516
Museum	-24,571 sf	360 gallons / 1,000 sf	-8,846
Related Projects Subtotal			119,737
Project Total			39,487
Total (Related Projects + Project)			159,224
<i>gpd = gallon per day sf = square feet du = dwelling unit</i> <i>Note: Water consumption is assumed to equal 120 percent of wastewater generation.</i> <i>¹ Source: City of Los Angeles Bureau of Sanitation, Sewer Generation Rates Table, March 20, 2002.</i>			

Wastewater Treatment

Implementation of the related projects listed on Table 2-1 (in Section 2 (Project Description) of this SCEA) could increase the need for wastewater treatment. As shown in Table 5.XIX-4, below, the related projects in combination with the Project would generate approximately 123,730 gpd (0.12 mgd) of wastewater. For each related project, the City, as part of the building permit process, would confirm and ensure that there is sufficient capacity in the local and trunk lines to accommodate the cumulative project’s wastewater flows. Further detailed gauging and evaluation would be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity, then the developer would be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit would be made at that time. Each related project would also pay any required sewer connection fees.

The related projects would rely on the wastewater treatment services provided by the HWRP, as all related projects are within the service boundaries of the HTP. The capacity of the HTP is 450 million gallons per day and the HTP’s current average wastewater flow is 275 million gpd on a dry weather day. The cumulative sewage generation would therefore be well within the design capacity of the HTP, representing approximately 0.07 percent of the remaining capacity.¹⁵³ As such, cumulative impacts with respect to wastewater treatment would be less than significant.

¹⁵³ 0.12 mgd / 175 mgd x 100% = 0.07%

**Table 5.XIX-4
Cumulative Wastewater Generation**

Land Use	Size	Wastewater Generation Rate¹	Total (gpd)
Residential	337 du	190 gallons / unit	64,030
Retail	16,778 sf	25 gallons / 1,000 sf	419
Restaurant	10,748 sf	300 gallons / 1,000 sf	3,224
Hospital	47,036 sf	250 gallons / 1,000 sf	11,759
Office	125,089 sf	150 gallons / 1,000 sf	18,763
Museum	-24,571 sf	300 gallons / 1,000 sf	-7,371
Related Projects Subtotal			90,824
Project Total			32,906
Total (Related Projects + Project)			123,730
<i>gpd = gallon per day sf = square feet du = dwelling unit</i>			
<i>¹ Source: City of Los Angeles Bureau of Sanitation, Sewer Generation Rates Table, March 20, 2002.</i>			

Storm Water Drainage

For a full discussion of cumulative storm water drainage impacts, please see Section 5.X (Hydrology and Water Quality), of this SCEA. As discussed therein, cumulative impacts related to storm water drainage would be less than significant.

Natural Gas

For a full discussion of cumulative natural gas impacts, please see Section 5.VI (Energy), of this SCEA. As discussed therein, cumulative impacts related to natural gas capabilities and distribution would be less than significant.

Electricity

For a full discussion of cumulative electricity impacts, please see Section 5.VI (Energy), of this SCEA. As discussed therein, cumulative impacts related to electricity would be less than significant.

Telecommunications

In the Project area, existing telephone and internet service is readily available from a variety of providers, and existing cable television is typically provided by Spectrum (formerly Time Warner Cable). The Project Site as well as the sites of the related projects could be served by existing telecommunications facilities that are available in the Project area and would not require new or expanded facilities. Therefore, cumulative impacts related to telecommunications facilities would be less than significant.

b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. A significant impact may occur if a project were to increase water consumption to such a degree that new water sources would need to be identified, or that existing resources would be consumed at a pace greater than planned for by purveyors, distributors, and service providers. The City's water supply comes from local groundwater sources, the Los Angeles-Owens River Aqueduct, State Water Project, and from the Metropolitan Water District of Southern California, which is obtained from the Colorado River Aqueduct. These sources, along with recycled water, are expected to supply the City's water needs in the years to come.

As shown on Table 5.XIX-1, the Project would consume approximately 39,487 gallons of water per day (or approximately 0.04 mgd). According to LADWP, if a project is consistent with the City's General Plan, the projected water demand associated with that project is considered to be accounted for in the most recently adopted Urban Water Management Plan (UWMP), which is prepared by the LADWP to ensure that existing and projected water demand within its service area can be accommodated.¹⁵⁴ As discussed previously in Section 5.XI (Land Use and Planning) of this SCEA, the Project is consistent with the City's General Plan land use designation for the Project Site. In addition, LADWP further looks to SCAG's growth projections to determine existing and projected water demand, and as discussed in Section 5.XIV (Population and Housing) of this SCEA, the Project would fall within the population, housing, and employment projections for the City. Thus, the Project's demand for water could be accommodated by LADWP's existing and projected water supplies, including during normal, dry, and multiple dry years. As such, the Project would not require new or additional water supply or entitlements. Therefore, Project impacts related to water supply would be less than significant.

Cumulative Impacts

Implementation of the Project in conjunction with the related projects (identified in Table 2-1 in Section 2 (Project Description) of this SCEA) would increase demand for water services provided by the City's water supply system. Through its UWMP, LADWP anticipates its projected water supplies will meet demand through the year 2035. In terms of the City's overall water supply condition, any related project that is consistent with the City's General Plan has been taken into account in the planned growth of the water system. In addition, any related project that conforms to the demographic projections from SCAG's RTP and is located in the service area is considered to have been included in LADWP's water supply planning efforts so that projected water supplies would meet projected demands.

For projects that meet the requirements established pursuant to SB 610, SB 221, and Sections 10910-10915 of the State Water Code, a water supply assessment demonstrating sufficient water availability is required on a project-by-project basis. Similar to the Project, each related project would be required to comply with City and State water code and conservation programs for both water supply and infrastructure.

¹⁵⁴ LADWP, 2011 UWMP, page 249.

Related projects that propose changing the zoning or other characteristics beyond what is within the General Plan would be required to evaluate the change under CEQA in an environmental document. The CEQA analysis, similar to this SCEA, would compare the existing to the proposed uses and the ability of LADWP supplies and infrastructure to provide a sufficient level of water service. Future development projects within the service area of LADWP would be subject to the locally mandated water conservation programs, and citywide water conservation efforts would also be expected to partially offset the cumulative demand for water. LADWP undertakes expansion or modification of water service infrastructure to serve future growth in the City as required in the normal process of providing water service. For these reasons, cumulative impacts related to water supply would be less than significant.

c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. A significant impact may occur if a project would increase wastewater generation to such a degree that the capacity of facilities currently serving the Project Site would be exceeded. As discussed previously, with a remaining daily capacity of 88 mgd, the HTP would have adequate capacity to serve the Project. Therefore, Project impacts related to wastewater treatment would be less than significant.

Cumulative Impacts

For a full discussion of cumulative impacts with respect to wastewater treatment, please see subsection (a), above. As discussed therein, cumulative impacts related to wastewater treatment would be less than significant.

d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact. A significant impact may occur if a project were to increase solid waste generation to a degree that existing and projected landfill capacity would be insufficient to accommodate the additional solid waste or impair the attainment of solid waste reduction goals. The landfills that serve the City and the capacity of these landfills are shown on Table 5.XIX-5. As shown, the landfills have an approximate available daily intake of 21,798 tons.

**Table 5.XIX-5
Landfill Capacity**

Landfill Facility	Estimated Remaining Life (years)	Estimated Remaining Disposal Capacity (million tons)	Permitted Intake (tons/day)	Daily Disposal (tons/day)	Available Daily Intake (tons/day)
Sunshine Canyon	19	65.3	12,100	7,012	5,088
Chiquita Canyon	29	59.8	12,000	2,307	9,693
Antelope Valley	22	12.0	3,600	1,677	1,923
Lancaster	23	10.2	3,000	376	2,624
Calabasas	11	4.9	3,500	1,030	2,470
Total					21,798
<i>Source: County of Los Angeles, Countywide Integrated Waste Management Plan, 2018 Annual Report, December 2019.</i>					

As shown on Table 5.XIX-6, the Project would generate approximately 2,080 pounds (1.04 tons) of solid waste per day. This total is conservative and does not account for the effectiveness of recycling efforts, which the Project would be required by the City to implement.

**Table 5.XIX-6
Estimated Solid Waste Generation**

Land Use	Size	Generation Rate ¹	Total (lbs)
Existing Uses			
Multi-Family Residential	40 du	12.23 lbs/day/du	489
Proposed Uses			
Multi-Family Residential	209 du	12.23 lbs/day/du	2,556
Restaurant	2,653 sf	5 lbs/day/1,000 sf	13
Project Subtotal			2,569
(Existing)			(489)
Total			2,080
<i>lb = pound tpd = tons per day sf = square feet</i>			
¹ <i>Source: CalRecycle Estimated Solid Waste Generation Rates.</i>			
<i>Note: Waste generation includes all materials discarded, whether or not they are later recycled or disposed of in a landfill.</i>			

With a remaining daily intake capacity of approximately 21,798 tons of solid waste per day, the landfills serving the City could accommodate the Project's increase of approximately 1.04 tons of solid waste per day. Further, pursuant to AB 939, each city and county in the state must divert 50 percent of its solid waste from landfill disposal through source reduction, recycling, and composting. The City is on track

toward its goal to achieve a 90 percent diversion by 2025.^{155,156} Therefore, Project impacts related to solid waste would be less than significant.

Cumulative Impacts

As shown in Table 5.XIX-7, below, the related projects in combination with the Project would generate approximately 7,124 pounds (approximately 3.6 tons) per day of operational solid waste. As shown on Table 5.XIX-5, the facilities serving the Project area would have adequate capacity to accommodate the solid waste generated by cumulative development. Similar to the Project, the related projects would be required by the City to participate in regional source reduction and recycling programs pursuant to AB 939, which would further reduce the amount of solid waste to be disposed of at the landfills identified on Table 5.XIX-5. Thus, cumulative development would not create the need for new or expanded landfills, and cumulative impacts with respect to solid waste service would be less than significant.

**Table 5.XIX-7
Cumulative Estimated Solid Waste Generation**

Land Use	Size	Solid Waste Rates	Total (pounds)
Residential	337 du	12.23 lbs/day/du	4,122
Retail	16,778 sf	5 lbs/day/1,000 sf	84
Restaurant	10,748 sf	5 lbs/day/1,000 sf	54
Hospital	47,036 sf	6 lbs/day/1,000 sf	282
Office	125,089 sf	5 lbs/day/1,000 sf	625
Museum	-24,571 sf	5 lbs/day/1,000 sf	-123
Related Projects Subtotal			5,044
Project Total			2,080
Total (Related Projects + Project)			7,124
<i>lb = pound tpd = tons per day sf = square feet</i> ¹ Source: CalRecycle Estimated Solid Waste Generation Rates. Note: Waste generation includes all materials discarded, whether or not they are later recycled or disposed of in a landfill.			

e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. Solid waste management in the State is primarily guided by the California Integrated Waste Management Act of 1989 (AB 939), which emphasizes resource conservation through reduction, recycling, and reuse of solid waste. AB 939 establishes an integrated waste management hierarchy consisting of (in order of priority): 1) source reduction; 2) recycling and composting; and 3) environmentally safe transformation and land disposal. In addition to AB 939, SB

¹⁵⁵ Zero Waste Progress Report, City of Los Angeles, March 2013, http://www.forester.net/pdfs/City_of_LA_Zero_Waste_Progress_Report.pdf, November 2016.

¹⁵⁶ City of Los Angeles, Department of Public Works, A Five-Year Strategic Plan, Fiscal Years 2012/13-2016/17, <http://dpw.lacounty.gov/services/aboutDPW/strategicPlan.pdf>, November 2016.

1374 requires that the Project implement a construction waste management plan to recycle and/or salvage a minimum of 75 percent of non-hazardous demolition and construction debris. Additionally, the City is currently implementing its “Zero-Waste-to-Landfill” goal to achieve zero waste to landfills by 2025 to enhance the Solid Waste Integrated Resources Planning Process. The Project would comply with the applicable regulations associated with solid waste, including AB 939, SB 1374, as well as the City’s Curbside Recycling Program and the Construction and Demolition Waste Recycling Ordinance (Ordinance No. 181,519). Since the Project would comply with federal, State, and local statutes and regulations related to solid waste, a less than significant impact would occur.

Cumulative Impacts

All development in the City, including the Project and the related projects, would be required to comply with the City’s recycling programs. Therefore, cumulative impacts related to this issue would be less than significant.

XX. WILDFIRE

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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If located in or near state responsibility areas or lands classified as very high fire hazard severity zones would the Project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact. The Project Site is not located in or near a state responsibility area, nor is the Project Site located in a Very High Fire Hazard Severity Zone.¹⁵⁷ Therefore, no impact would occur.

b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No Impact. The Project Site is not located in or near a state responsibility area, nor is the Project Site located in a Very High Fire Hazard Severity Zone.¹⁵⁸ Therefore, no impact would occur.

¹⁵⁷ City of Los Angeles, ZIMAS Parcel Profile Report, website: <http://zimas.lacity.org>, June 15, 2020.

¹⁵⁸ Ibid.

c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No Impact. The Project Site is not located in or near a state responsibility area, nor is the Project Site located in a Very High Fire Hazard Severity Zone.¹⁵⁹ Therefore, no impact would occur.

d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact. The Project Site is not located in or near a state responsibility area, nor is the Project Site located in a Very High Fire Hazard Severity Zone.¹⁶⁰ Therefore, no impact would occur.

Cumulative Impacts

Neither the Project Site nor the related projects are within or near a very high fire severity zone, and the Project would not result in any impacts related to wildfire. Regardless of the degree to which the related projects could result in impacts related to wildfire, the Project does not have the potential to contribute to any cumulative impacts because the Project would not result in any wildfire-related impacts.

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant With Mitigation Incorporated. As discussed in Section 5.IV (Biological Resources), the Project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal. As discussed in Section 5.V (Cultural Resources), with implementation of Mitigation Measure MM-CUL-1, Project impacts with respect to archaeological resources would be less than significant. In addition, as discussed in Section 5.VII (Geology and Soils), with implementation of Mitigation Measure MM-GEO-1, Project impacts with respect to paleontological resources would be less than significant. As such, the Project would not eliminate important examples of the major periods of California history or prehistory. Therefore, with

implementation of the mitigation measures outlined in Section 5 of the SCEA, Project impacts related to these issues would be less than significant.

b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant Impact. Cumulative impacts for each checklist topic listed in Section 5 of the SCEA have been addressed. As discussed in this section, the Project would not contribute a cumulatively considerable impact to any cumulative impacts outlined in this section.

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant With Mitigation Incorporated. As discussed in Section 5.III (Air Quality), Project impacts during both construction and operation would be less than significant. As discussed in Section 5.VIII (Greenhouse Gas Emissions), the Project would not result in any significant impacts related to GHG emissions. As discussed in Section 5.IX (Hazards and Hazardous Materials), Project impacts related to hazards and hazardous materials would be less than significant. As discussed in Section 5.XIII (Noise), with implementation of mitigation, the Project’s construction-related noise and vibration impacts would be less than significant. The Project’s operational noise and vibration impacts would be less than significant. Therefore, with implementation of the mitigation measures outlined in Section 5 of the SCEA, the Project would not have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly.

6 SCEA CONDITIONS

MITIGATION MEASURES

- MM-CUL-1** If archaeological resources are discovered during excavation, grading, or construction activities, work shall cease in the area of the find until a qualified archaeologist has evaluated the find in accordance with the State regulations and guidelines, including those set forth in CEQA Guidelines Section 15064.5(f). A qualified archaeologist is defined as one who meets the Secretary of the Interior Professional Qualification Standards in Archaeology. Personnel associated with the Project shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the Project Site. The found desposits shall be treated in accordance with State regulations and guidelines, including those set forth in CEQA Guidelines Section 15126.4 and California PRC Section 21083.2. If the discovery proves significant under CEQA (Section 15064.5; PRC Section 21083.2), additional work such as testing or data recovery may be warranted. Should any Native American artifacts be encountered, additional consultation would NAHC-listed tribal groups should be conducted immediately.
- MM-GEO-1** A Project Paleontologist shall be retained. A Project Paleontologist is defined as one who meets the Secretary of Vertebrate Paleontology (SVP) standards, has experience working with asphaltic fossil deposits, and is approved by the Natural History Museum of Los Angeles County (LACM). The Project Paleontologist will prepare a Paleontological Resources Monitoring and Mitigation Plan (PRMMP). This plan will address specifics of monitoring and mitigation and will comply with the recommendations of the SVP's *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources*. This plan will be subject to the approval of the LACM and submitted to them for review before ground disturbance begins.
- MM-GEO-2** The Project Paleontologist shall develop a Worker's Environmental Awareness Program (WEAP) to train the construction crew on the legal requirements for preserving fossil resources as well as procedures to follow in the event of a fossil discovery. This training program shall be given to the crew before ground-disturbing work commences and will include handouts to be given to new workers as needed.
- MM-GEO-3** All ground disturbances at the Project Site that occur in previously undisturbed older alluvial sediments that have high paleontological potential shall require monitoring. Monitoring shall be conducted by a Paleontological Monitor, who meets the standards defined in the SVP's *Standard Procedures for the*

Assessment and Mitigation of Adverse Impacts to Paleontological Resources. Should asphaltic sediments be encountered during excavations, the monitor must also have prior experience or training working in asphaltic sediments and meet the approval of the LACM. Monitoring shall be conducted in accordance with the PRMMP and under the supervision of the Project Paleontologist. The Project Paleontologist may periodically inspect construction activities to adjust the level of monitoring in response to subsurface conditions. Full-time monitoring can be reduced to part-time inspections or ceased entirely if determined adequate by the Project Paleontologist and the LACM. Paleontological monitoring shall include inspection of exposed sedimentary units during active excavations within sensitive geologic sediments. The monitor shall have authority to temporarily divert activity away from exposed fossils to evaluate the significance of the find and, should the fossils be determined significant, professionally and efficiently recover the fossil specimens and collect associated data. Paleontological monitors shall record pertinent geologic data and collect appropriate sediment samples from any fossil localities. When monitoring work is completed, the Project Paleontologist shall prepare a report of the findings of the monitoring plan after construction is completed.

MM-GEO-4 In the event of a fossil discovery, whether by the paleontological monitor or a member of the construction crew, all work shall cease in a 50-foot radius of the find while the Project Paleontologist assesses the significance of the fossil and document its discovery. Should the fossil be determined significant, it shall be salvaged following the procedures and guidelines of the SVP and in consultation with the LACM. Recovered fossils shall be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility. The most likely repository is the LACM, and a repository agreement shall be identified and a curatorial arrangement shall be signed prior to collection of the fossils.

MM-NOI-1 Require implementation of relevant provisions of PMM NOISE-1 from the 2020-2045 RTP/SCS Program EIR Mitigation Monitoring and Reporting Program, which include the following:

- Install temporary noise barriers during construction. These shall be at least 17 feet in height with a surface density of four pounds per square foot or more with no gaps between barrier panels and between the barrier and the ground.
- Require use of construction equipment with mufflers or other noise control devices that will limit each piece of equipment to 70 dBA L_{eq} at 50 feet of distance.

MM-NOI-2 Limit no more than three pieces of heavy-duty equipment operating at up to 70 dBA L_{eq} within 15 feet of the eastern property line.

- MM-NOI-3** Require implementation of relevant provisions of PMM NOISE-2 from the 2020-2045 RTP/SCS Program EIR Mitigation Monitoring and Reporting Program. Specifically, the Project contractor shall avoid the use of heavy-duty diesel-fueled construction equipment within 12 feet of the eastern property line adjacent to garages for residences on Orange Grove Avenue.

PROJECT DESIGN FEATURES

- PDF-AES-1** During the duration of the Project's demolition and construction activities, temporary construction fencing will remain along the periphery of the Project Site to maintain security of the Project Site. The Project Applicant will ensure through daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways that are accessible/visible to the public, and that such temporary barriers and walkways are maintained in a visually attractive manner (i.e., free of trash, graffiti, peeling postings, etc.) throughout the duration of construction.

- PDF-AES-2** The Project has been designed to preserve the Tom Bergin's building, and this building will be isolated from construction activities taking place in the northern portions of the Project Site, and a landscaped courtyard will physically separate the new building from the Tom Bergin's building. The Project will also provide an outdoor deck facing Fairfax Avenue and the Tom Bergin's building with a swimming pool, spa, and recreation room at the third level, creating more open space between the Tom Bergin's building and the new building. The Project has been designed in such a way that it will be compatible with the massing, size, scale, and features of the Tom Bergin's building. Specifically, the new building has been designed so that its southwest volume, at 22 feet tall, is considerably lower than the rest of the building and slightly lower than the top of the front gable of the Tom Bergin's building, helping to soften the transition in scale between the one-and-a-half story historic building the new eight-story building. Stepping back the massing of the new building in this way also has the effect of preserving views of the Tom Bergin's building as it is being approached from the north.

In addition to the stepped massing, the new building also strategically incorporates glazing and other materials to further soften the transition between the Tom Bergin's building and the adjacent new construction. The new building will incorporate a variety of materials and textures into its design; its southern volumes, which are nearest Tom Bergin's, are extensively glazed, resulting in façades that are generally lighter, tauter, and less visually impactful than the rest of the new building. This will further ease the visual transition between the historic building and the proposed new construction.

PDF-CUL-1 Photo documentation of the Tom Bergin's building and its current site conditions will be undertaken before commencement of construction activities on the Project Site. Documentation will include the surface parking lot and all site features on the property, in addition to the building itself and its two freestanding signs. Photographic documentation will follow the guidelines of the Historic American Building Survey (HABS) Level III, although it is not required that they be submitted to the Library of Congress. Photographic documentation will be submitted to local repositories including (and not limited to) the Los Angeles Public Library and the Los Angeles Conservancy.

PDF-CUL-2 The condition of the Tom Bergin's building will be monitored during excavation and construction activities by a historic architect meeting the Secretary of the Interior's Professional Qualification Standards, to ensure it is protected from vibration and other construction-related disturbances.

PDF-PS-1 During construction, the Project would include security features, such as fencing the perimeter of the construction area and deploying site security, to prevent trespassing and theft during construction activities.

PDF-PS-2 The Project would implement principles of the City of Los Angeles Crime Prevention Through Environmental Design (CPTED) Guidelines, such as:

- The inclusion of adequate and strategically positioned functional and thematic lighting to enhance public safety;
- Visually obstructed and infrequently accessed "dead zones" would be limited; and
- Access controls would be used for the residential portion of the Project.

PDF-TR-1 **Construction Traffic Management Plan.** Prior to the start of construction, the Project Applicant shall prepare a detailed Construction Traffic Management Plan (CTMP), including street closure information, detour plans, haul routes, and staging plans, and submit it to LADOT for review and approval. The Construction Traffic Management Plan shall include a Worksite Traffic Control Plan, which will facilitate traffic and pedestrian movement, and minimize the potential conflicts between construction activities, street traffic, bicyclists, and pedestrians. The Construction Traffic Management Plan and Worksite Traffic Control Plan shall be based on the nature and timing of specific construction activities and other projects in the vicinity, and shall include, but not be limited to, the following measures:

- Maintain access for land uses in the vicinity of the Project Site during construction;

- Minimize obstruction of traffic lanes adjacent to the Project Site to the extent feasible;
- Organize Project Site deliveries and the staging of all equipment and materials in the most efficient manner possible, and on-site where possible, to avoid an impact to the surrounding roadways;
- Coordinate truck activity and deliveries to ensure trucks do not wait to unload or load at the Project Site and impact roadway traffic, and if needed, utilize an organized off-site staging area;
- Provide advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation;
- Prohibit construction worker or equipment parking on adjacent streets;
- Provide temporary pedestrian, bicycle, and vehicular traffic controls to ensure traffic safety on public rights-of-way. These controls shall include, but not be limited to, flag people trained in pedestrian and bicycle safety at the Project Site's driveways;
- Schedule construction activities to reduce the effect on traffic flow on surrounding arterial streets;
- Contain construction activity within the Project Site boundaries;
- Implement safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers as appropriate;
- Limit sidewalk and lane closures to the maximum extent possible, and avoid peak hours to the extent possible. Where such closures are necessary, the Project's Worksite Traffic Control Plan will identify the location of any sidewalk or lane closures and identify all traffic detours and control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of demolition and construction activity;
- Schedule construction-related deliveries, haul trips, etc., so as to occur outside the commuter peak hours to the extent feasible; and/or
- Prepare a haul truck route program that specifies the construction truck routes to and from the Project Site.