

*Initial Study/  
Mitigated Negative Declaration*

for

**Alley Vacation - Harlem Place, between 4<sup>th</sup> Street and 5<sup>th</sup> Street  
VAC-E1401184**



**City of Los Angeles**

**ENGINEERING**



**CITY OF LOS ANGELES**

**Bureau of Engineering  
Environmental Management Group**

**February 2016**

**CITY OF LOS ANGELES**  
**OFFICE OF THE CITY CLERK**  
 ROOM 395, CITY HALL  
 LOS ANGELES, CALIFORNIA 90012  
**CALIFORNIA ENVIRONMENTAL QUALITY ACT**  
**MITIGATED NEGATIVE DECLARATION**  
 (Article I, City CEQA Guidelines)

**LEAD CITY AGENCY AND ADDRESS:** Los Angeles City Engineer  
 Bureau of Engineering, EMG  
 1149 Broadway, Suite 600  
 Los Angeles, CA 90015-2213

**COUNCIL DISTRICT**  
**14**

**PROJECT TITLE:** Alley Vacation - Harlem Place, between 4th Street and 5th Street (E1401184)

**T.G.**  
 Page 634, Grid F-4

**PROJECT LOCATION:** The proposed project site is located on Harlem Place, south of 4<sup>th</sup> Street, north of 5<sup>th</sup> Street, west of Main Street, and east of Spring Street, within the Central City Community and Council District 14, in the City of Los Angeles.

**DESCRIPTION:** The proposed project consists of the complete vacation of the public right-of-way at Harlem Place alley between 4th Street and 5th Street. The objective is to have the alley be used to support outdoor dining and provide additional pedestrian access to retail uses and the adjacent Spring Street Park. The vacation would not involve new development of buildings in the vacated alley.

**NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY:**

**FINDING:** The City Engineer of the City of Los Angeles has determined the proposed project could not have a significant effect on the environment. See attached Initial Study.

**SEE THE ATTACHED PAGES FOR ANY MITIGATION MEASURES IMPOSED**


**Any written objections received during the public review period are attached, together with the responses of the lead City agency.**

**THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED**

**PERSON PREPARING THIS FORM:**  
 James R Tebbetts

**ADDRESS:**  
 1149 S. Broadway, Suite 600, MS 939  
 Los Angeles, CA 90015

**TELEPHONE NUMBER:**  
 (213) 485-5732

**SIGNATURE (Official):**  
  
 Maria Martin, Environmental Affairs Officer  
 Environmental Management Group

**DATE:**  
 2/17/16

CITY OF LOS ANGELES  
CALIFORNIA ENVIRONMENTAL QUALITY ACT  
**Initial Study/Mitigated Negative Declaration**  
(Article I - City CEQA Guidelines)

Council District: 14

Date: **February 2016**

Lead City Agency: **Public Works, Bureau of Engineering – Land Development Group**

Project Title: **Alley Vacation - Harlem Place, between 4th Street and 5th Street**

Project No.: **VAC-E1401184**

Applicant: **Gilmore Associates, 411 S. Main Street, Suite M100, Los Angeles CA 90013**

## **I. INTRODUCTION**

### **A. Purpose of an Initial Study**

The California Environmental Quality Act (CEQA) was enacted in 1970 for the purpose of informing decision-makers and the public regarding potential environmental effects of proposed projects; identifying methods of avoiding environmental damage; and disclosing to the public reasons for a project's approved even if it leads to environmental damage. The City of Los Angeles (City) Bureau of Engineering Environmental Management Group (EMG) has determined the proposed project is subject to CEQA and no exemptions apply. Therefore, the preparation of an initial study is required.

An initial study is a preliminary analysis conducted by the lead agency, in consultation with other agencies (responsible or trustee agencies, as applicable), to determine whether there is substantial evidence that a project may have a significant effect on the environment. If the initial study concludes that the project, even with mitigation, may have a significant effect on the environment, an environmental impact report should be prepared; otherwise, the lead agency may adopt a negative declaration (ND) or mitigated negative declaration (MND).

### **B. Process**

The proposal to adopt a negative declaration (or mitigated negative declaration) initiates a twenty-day public comment period. The purpose of this comment period is to provide public agencies and the public an opportunity to review the initial study and comment on the adequacy of the analysis and the findings of the lead agency regarding potential environmental impacts of the proposed project. If a reviewer believes there is substantial evidence that the project may have a significant effect on the environment, the reviewer should identify the specific effect, explain why it is believed the effect would occur, and explain why it is believed the effect would be significant. Facts or expert opinion supported by facts should be provided as the basis of such comments.

After close of the public review period, the Board of Public Works considers the negative declaration or mitigated negative declaration, together with any comments received during the public review process, and makes a recommendation to the City Council on whether or not to approve the project. One or more Council committees may then review the proposal and documents and make its own recommendation to the full City Council. The City Council is the decision-making body and also considers the negative declaration or mitigated negative declaration, together with any comments received during the public review process, in the final decision to approve or disapprove the project. During the project approval process, persons and/or agencies may address either the Board of Public Works or the City Council regarding the project.

Public notification of agenda items for the Board of Public Works, Council committees and City Council is posted 72 hours prior to the public meeting. The agenda can be obtained by visiting the Council and Public Services Division of the Office of the City Clerk at City Hall, 200 North Spring Street, Suite 395; by calling 213/978-1047, 213/978-1048 or TDD/TTY 213/978-1055; or via the internet at <http://www.lacity.org/CLK/index.htm>.

If the project is approved, the City will file a Notice of Determination with the County Clerk within 5 days. The notice of determination will be posted by the County Clerk within 24 hours of receipt. This begins a 30-day statute of limitations on legal challenges to the approval under CEQA. The ability to challenge the approval in court may be limited to those persons who objected to the approval of the project, and to issues which were presented to the lead agency by any person, either orally or in writing, during the public comment period. 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 its programs, services, and activities.

## **II. PROJECT DESCRIPTION**

### **A. Location**

The Project is located at Harlem Place, an alley that connects 4th Street and 5th Street, between Spring Street and Main Street, in the Central City Community Plan Area of the City of Los Angeles. See Figure 1, Vicinity Map and Figure 2, Aerial Map. The Site is located within the Los Angeles Quadrangle of the United States Geological Survey 7.5-Minute series topographic map. The Site is approximately 3,500 feet southeast of the I-110 Freeway and approximately 3,400 feet southwest of the US-101 Freeway. The Los Angeles River is approximately 1.0 mile east.

### **B. Purpose**

The alley vacation is intended to increase pedestrian connectivity within long Downtown blocks, and activate the alley with outdoor dining.

### **C. Description**

The Project consists of the complete vacation of the public right-of-way at Harlem Place alley between 4<sup>th</sup> Street and 5<sup>th</sup> Street. The objective is to have the alley be used to support outdoor dining and provide additional pedestrian access to retail uses and the adjacent Spring Street Park.

The alley vacation does not include major construction activities, such as building demolition or development. The operation of the alley could include additional pedestrian access and amenities such as outdoor dining. No changes to the existing driveway are proposed. Utilities in the alley (cable, electrical, and storm drain) are not proposed to be relocated or removed. The applicant would be able to record an overall easement to ensure that all utilities will be provided access. The vacation would not involve new development buildings on the vacated alley. The total area to be vacated exceeds 10,000 square feet and thus, the vacation is not categorically exempt under CEQA Guidelines, Article 19, Class 5 (Minor Alterations in Land Use Limitations). Therefore, this IS/MND is necessary under CEQA. The vacated area would revert to the vestee(s) of the underlying fee title interest, which is generally the adjacent property owner(s). Properties along the alley include residential, commercial, restaurant, parking structure, and a public park. See Exhibit A, Site Plan, below.

On April 1, 2015, the Department of City Planning<sup>1</sup> found that with the inclusion of the following conditions of approval, the alley vacation is consistent with the intent, goals, and provisions of the General Plan, the Central City Community Plan, and Downtown Design Guide. Conditions:

1. The Applicant shall provide the city with a public access easement over the alley, indicating that it shall remain open and accessible to the public during the hours of 6 AM to 12 AM.
2. Improvements shall be constructed in accordance with the plans as shown on Exhibit A, stamped and signed by the Department of City Planning.
3. Gates, if installed, must remain fully open during the above hours, and shall be designed to complement the historic character of the surrounding buildings.
4. Per City Council approval (91-2033, motion adopted November 8, 1991) of the placement of gates at each end of the alley: The alley shall be closed at each end with gates as approved by Engineering; and that keys to gate locks be furnished to the Police and Fire departments, Public Works, and public utility companies upon their request. All of the costs of the alley closure will be paid by affected property owners.
5. The Department of Engineering, Land Use Section requires that easement of rights be provided for existing public utilities in the alley. As such the Project shall locate and protect these public utilities and provide necessary easements as required by the affected agencies.

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<sup>1</sup> *From Craig Weber, Principal City Planner, Policy Planning Division to Edmond Yew, Manager, Land Development Group, April 1, 2015.*

The analysis in this document assumes that, unless otherwise stated, the project will be designed, constructed and operated following all applicable laws, regulations, ordinances and formally adopted City standards (e.g., *Los Angeles Municipal Code* and Bureau of Engineering *Standard Plans*). Also, this analysis assumes that any construction will follow the uniform practices established by the Southern California Chapter of the American Public Works Association (e.g., *Standard Specifications for Public Works Construction* and the *Work Area Traffic Control Handbook*) as specifically adapted by the City of Los Angeles (e.g., The City of Los Angeles Department of Public Works *Additions and Amendments to the Standard Specifications For Public Works Construction* (AKA "The Brown Book," formerly Standard Plan S-610)). 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 its programs, services, and activities.

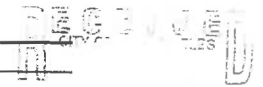
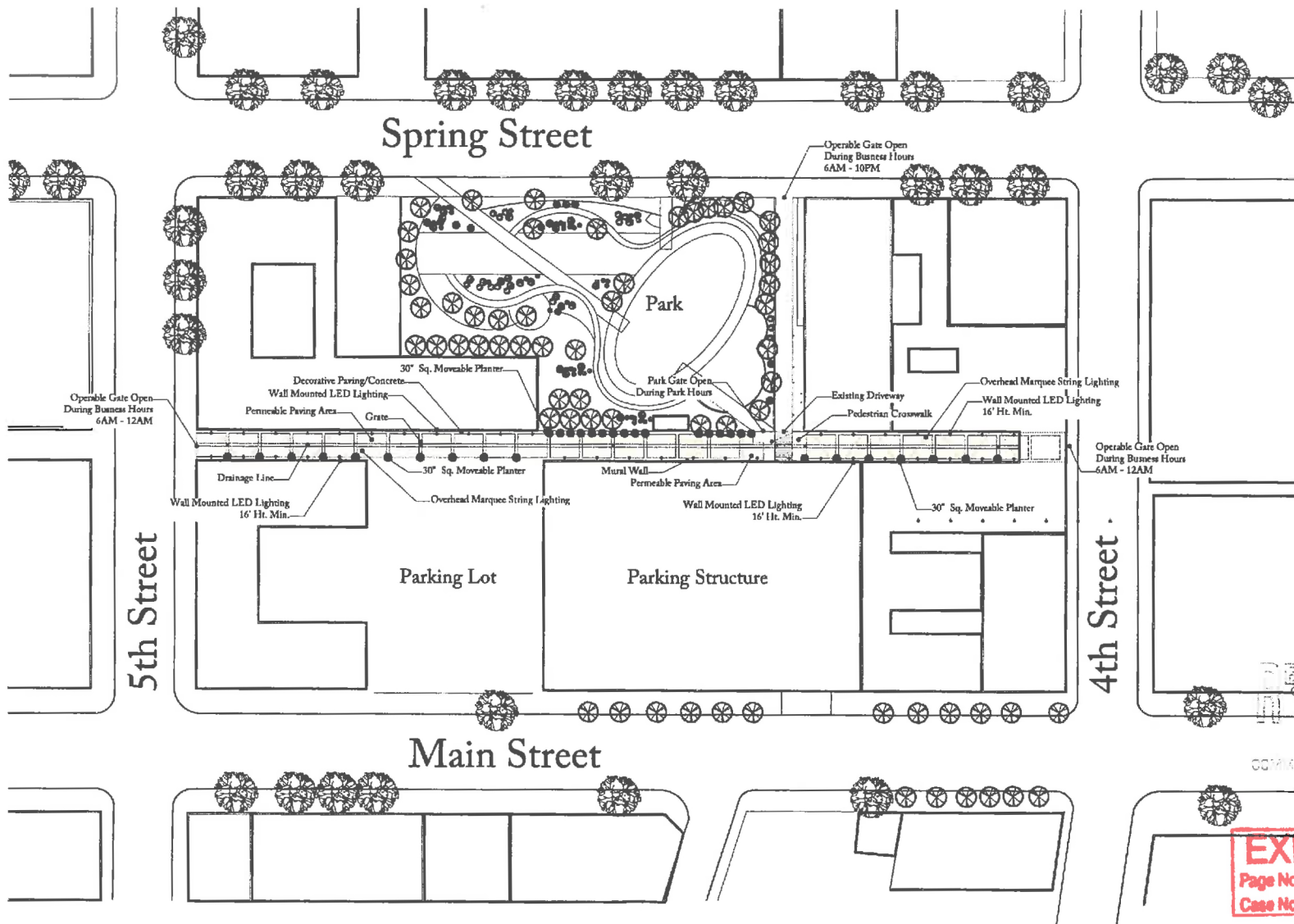
### **III. EXISTING ENVIRONMENT**

The Project Site and vicinity are located within a fully urbanized area of Downtown Los Angeles in the Old Bank District historic area. Harlem Place is approximately 20 feet wide and approximately 600 feet long. The adjacent parcels to north and south are zoned [Q]C4-4D and have a General Plan Land Use designation of Regional Center Commercial. Parcels to the east across 4<sup>th</sup> Street are zoned [Q]C4-4D and have a General Plan Land Use designation of Regional Center Commercial. Parcels to the west across 5<sup>th</sup> Street are zoned C2-4D and have a General Plan Land Use designation of Regional Center Commercial.<sup>2</sup>

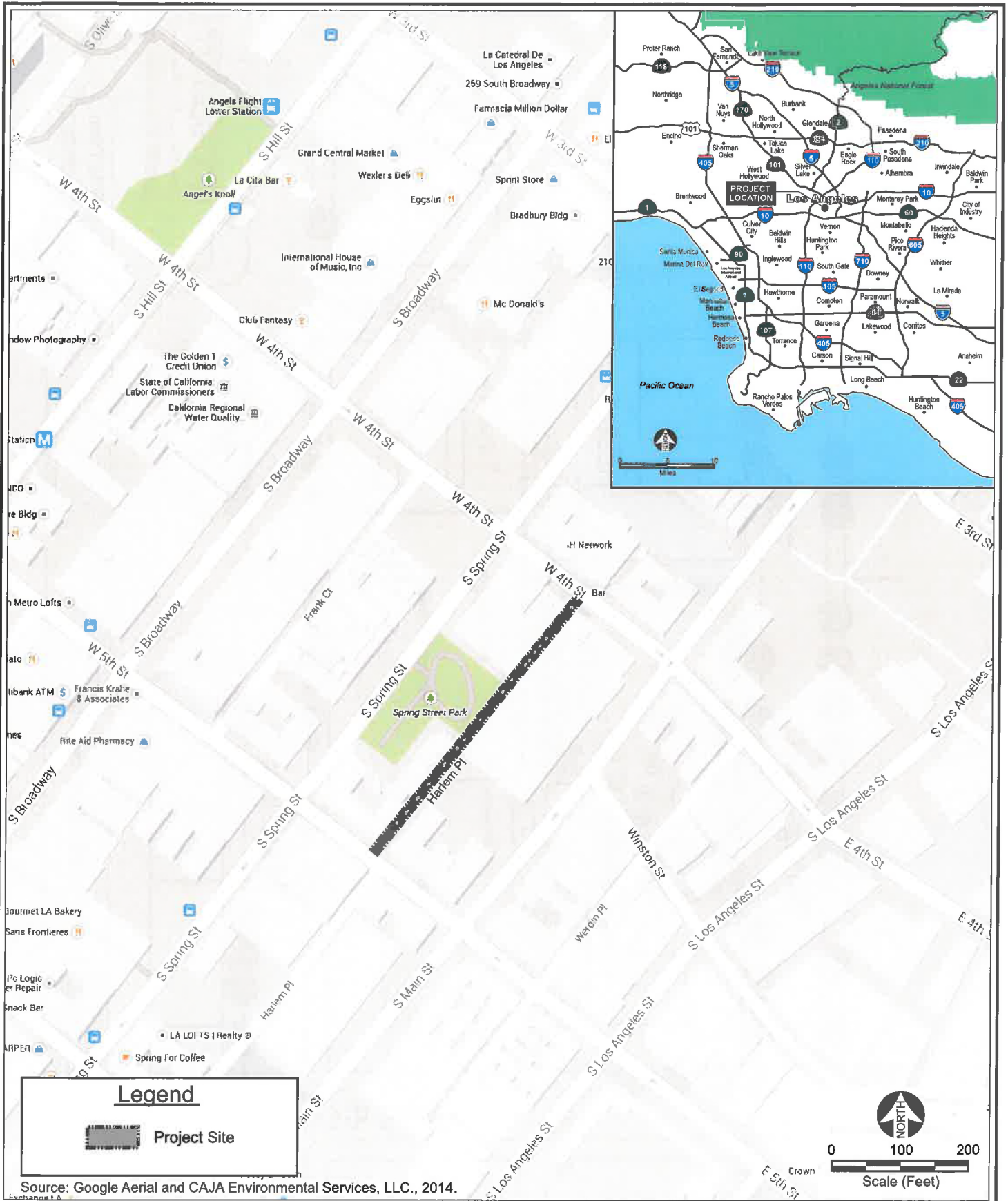
The alley contains two main entrances, one on 4<sup>th</sup> Street and one on 5<sup>th</sup> Street. A vehicle driveway connects Spring Street to a parking garage and crosses the alley midblock. The adjacent surface parking lot with vehicle access on Main Street is separated from the alley by a chain-link fence. This fencing is not proposed to be replaced. The alley has pedestrian access from the adjacent buildings. The alley is closed to the public with secured gates, but provides access to adjacent residents and property owners. The alley includes trash receptacles for adjacent proprietries. The adjacent Spring Street Park has a rear vehicle access way and associated maintenance accessory structure for the Los Angeles Department of Recreation and Parks. The alley is relatively flat and provides drainage via a slight curved centerline to various drains. There is lighting throughout the alley. Figures 3 and 4 show images of the existing alley.

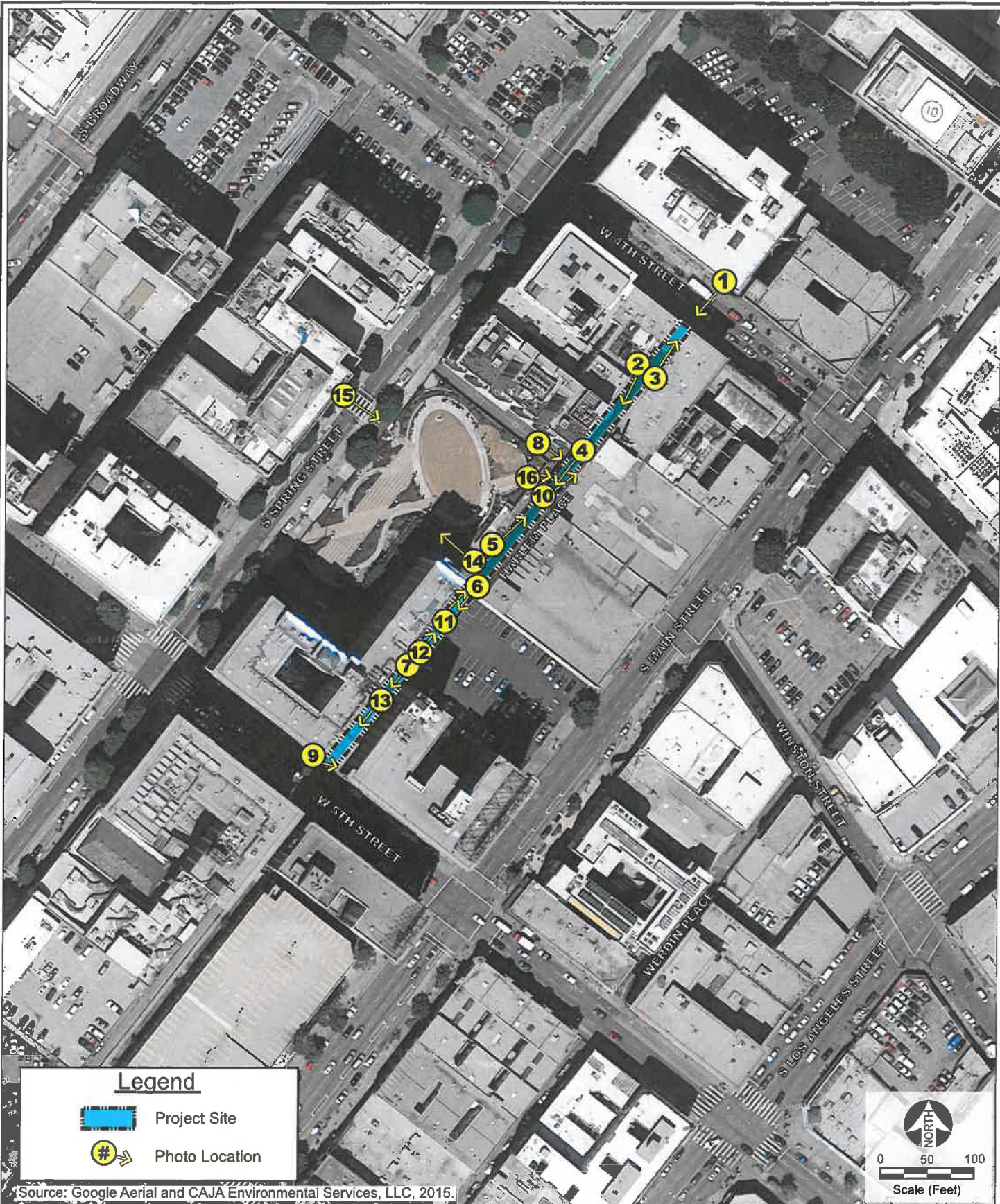
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<sup>2</sup> LA Department of City Planning, *Zoning Information and Map Access System*: <http://zimas.lacity.org/>.



**EXHIBIT "A"**  
 Page No. 1 of 1  
 Case No. VAC-E1401184







**View 1:** Looking at alley entrance from 4th Street.



**View 2:** Looking southwest along alley.



**View 3:** Looking northeast along alley toward 4th Street entrance.



**View 4:** Looking southwest along alley.



**View 5:** Looking northeast along alley.



**View 6:** Looking southwest along alley.



**View 7:** Looking southwest along alley to 5th Street.



**View 8:** Vehicle access crossing.



**View 9:** Looking at alley entrance from 5th Street.



**View 10:** Looking at adjacent parking lot that has access to the alley.



**View 11:** Looking northeast along alley. Adjacent surface parking lot is to the right.



**View 12:** Looking northeast along alley. Adjacent surface parking lot is to the right.



**View 13:** Looking southwest along alley to 5th Street.



**View 14:** View of Spring Street Park, adjacent to the alley.



**View 15:** View of Spring Street Park, looking southeast from Spring Street.



**View 16:** View of alley from adjacent Spring Street Park.

**IV. ENVIRONMENTAL EFFECTS**

The following analysis is based on the CEQA Thresholds questions listed in Appendix G of the State CEQA Guidelines and the Los Angeles City CEQA Thresholds Guide.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<b>1. AESTHETICS. Would the project:</b>				
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 scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**City of Los Angeles CEQA Thresholds Guide**

Based upon criteria established in the L.A. CEQA Thresholds Guide, the determination of significance shall be made on a case-by-case basis considering the following factors:

**Aesthetics**

- The amount or relative proportion of existing features or elements that substantially contribute to the valued visual character or image of a neighborhood, community, or localized area, which would be removed, altered, or demolished.
- The amount of natural open space to be graded or developed.
- The degree to which proposed structures in natural open space areas would be effectively integrated into the aesthetics of the site, through appropriate design, etc.
- The degree of contrast between proposed features and existing features that represent the area’s valued aesthetic image.
- The degree to which a proposed zone change would result in buildings that would detract from the existing style or image of the area due to density, height, bulk, setbacks, signage, or other physical elements.
- The degree to which the project would contribute to the area’s aesthetic value.
- Applicable guidelines and regulations.

### **Obstruction of Views**

- The nature and quality of recognized or valued views (such as natural topography, settings, man-made or natural features of visual interest, and resources such as mountains or the ocean).
- Whether the project affects views from a designated scenic highway, corridor, or parkway.
- The extent of obstruction (e.g., total blockage, partial interruption, or minor diminishment).
- The extent to which the project affects recognized views available from a length of a public roadway, bike path, or trail, as opposed to a single, fixed vantage point.

### **Shade/Shadow**

- If shadow-sensitive uses would be shaded by project-related structures for more than three hours between the hours of 9:00 AM and 3:00 PM Pacific Standard Time (between late October and early April), or for more than four hours between the hours of 9:00 AM and 5:00 PM Pacific Daylight Time (between early April and late October).

### **Nighttime Illumination**

- The change in ambient illumination levels as a result of project sources.
- The extent to which project lighting would spill off the project site and affect adjacent light-sensitive areas.

a) A significant impact would occur if a project introduced incompatible scenic elements within a field of view containing a scenic vista or substantially block views of an existing scenic vista. The Site is located in the Center City/Historic Core of the Central City Community of Downtown Los Angeles. The Historic Core forms the spine of Central City. It links together the Central City districts to the west that contain downtown's mix of business, finance, cultural and sports/entertainment activities to the "Markets" districts to the east that represent the large and vital array of manufacturing, distribution, wholesale, industry-related retail, social service activities; the Civic Center/Little Tokyo to the north; and South Park to the south. The Historic Core/Center City contains a concentration of some of the most architecturally significant buildings in Southern California including a number of nationally recognized historic theater buildings. Spring Street houses the core of historic buildings. Built as financial palaces in the 1920s in the Beaux Arts style, most are now used as retail at the ground level and abandoned on the upper floors. There are a number of older hotels in the area as well. Several existing commercial buildings along Spring Street have been renovated by the City and used as offices for City agencies, extending governmental uses into the Historic Core and contributing to downtown revitalization.<sup>3</sup>

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<sup>3</sup> *Central City Community Plan: <http://cityplanning.lacity.org/complan/pdf/CCYCPTXT.PDF>*

The Project Site is surrounded by an eclectic mix of urban land uses. The area supports multi-family residences and converted lofts in historic buildings, mid-rise office buildings with ground floor retail and restaurant, and instructional and government buildings. Views along the alley are constrained by the buildings that abut it and the buildings that are at the end of the access points. Only the area along Spring Street Park allows views to areas out of the alley. There are no remarkable views, or scenic vistas. In addition, CEQA is only concerned with public views with broad access by persons in general, not private views that will affect particular persons.<sup>4</sup> Urban features that may contribute to a valued aesthetic character or image include: structures of architectural or historic significance or visual prominence; public plazas, art or gardens; heritage oaks or other trees or plants protected by the City; consistent design elements (such as setbacks, massing, height, and signage) along a street or district; pedestrian amenities; landscaped medians or park areas; etc.<sup>5</sup> There are no tall or topographic features on the Project Site from which scenic vistas may be obtained or which make up part of the scenic landscape of the surrounding community. From the public sidewalks, there are limited views into the alley, which are restricted with gates. No designated scenic vistas in the local area would be impeded, and the Project will not substantially block any scenic vistas. Therefore, no impact would occur.

**b)** A significant impact would occur only if scenic resources would be damaged or removed by a project, such as a tree, rock outcropping, or historic building within a designated scenic highway. There are no identified scenic resources such as rock outcroppings located on-site or historic buildings located within a scenic highway. Because the alley abuts historic buildings, there is the potential that any changes to these adjacent rear facades to facilitate dining and increased pedestrian amenities and access could impact the integrity of a historic building. Mitigation Measure 5-1 (listed below) for design review and construction monitoring would ensure continued conformance and that impact would reduced be less than significance. Mitigation Measure 5-2 would protect the underground Zanja Madre Distribution Line Number 8. There are no major open spaces and there are no aesthetically significant man-made features (such as major architectural structures, monuments, or gardens) on the Project Site. The Project Site is not located within or along a designated scenic highway, corridor, or parkway. The nearest historic parkway is the Arroyo Seco Historic Parkway (I-110) between milepost 25.7 and 31.9.<sup>6</sup> There are no trees in the alley. Therefore, no impact would occur.

**c)** A significant impact may occur if a project were to introduce incompatible visual elements on the Project Site or visual elements that would be incompatible with the character of the area surrounding the Project Site. The Project will vacate the alley and allow it to be activated for pedestrians. The Project will be compatible with and

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<sup>4</sup> *Obstruction of a few private views in a project's immediate vicinity is not generally regarded as a significant environmental impact. (See Ocean View Estates Homeowners Assn., Inc. v. Montecito Water Dist., supra, 116 Cal.App.4th at p. 402 [that a project affects "only a few private views" suggests that its impact is insignificant]; Mira Mar Mobile Community v. City of Oceanside, supra, 119 Cal.App.4th at pp. 492-493 [distinguishing public and private views; "[u]nder CEQA, the question is whether a project will affect the environment of persons in general, not whether a project will affect particular persons"].*

<sup>5</sup> *L.A. CEQA Thresholds Guide, 2006, section A.1 Aesthetics.*

<sup>6</sup> *California Scenic Highway Mapping Systems: [http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm)*

complementary to the surrounding area because it would consist of uses that already exist in the area (such as pedestrian amenities and outdoor dining). The alley is entirely contained within several buildings and not visible to the outside street. As such, the Project would not degrade the existing visual character or quality of the Site and its surroundings. Therefore, no impact would occur.

d) A significant impact may occur if a project were to introduce new sources of light or glare on or from the Project Site which would be incompatible with the area surrounding the Project Site, or which pose a safety hazard to motorists utilizing adjacent streets or freeways. The Project Site and surrounding area is highly urbanized and contain numerous sources of nighttime lighting, including streetlights, security lighting, illuminated signage, indoor building illumination (light emanating from the interior of structures that passes through windows), and automobile headlights. In addition, glare is a common phenomenon in the Southern California area due mainly to the occurrence of a high number of days per year with direct sunlight and the highly urbanized nature of the region, which results in a large concentration of potentially reflective surfaces. The alley contains lighting and will continue to provide lighting for the pedestrian amenities. All lighting is shielded and focused on the Site and directed away from the upper neighboring land uses to the maximum extent feasible and consistent with safety requirements. In addition, the ambient “glow” presently associated with urban settings and within this part of the City, already creates significant light to adjacent streets and land uses. The Project will not result in a substantial amount of light that would adversely affect the day or night time views in the project vicinity. Any additional exterior lighting will be designed to confine illumination to the Project Site and off-site areas that do not include light-sensitive uses.

Urban glare is largely a daytime phenomenon occurring when sunlight is reflected off the surfaces of buildings or objects. Excessive glare not only restricts visibility, but also increases the ambient heat reflectivity in a given area. Potential reflective surfaces in the project vicinity include automobiles traveling and parked on streets in the vicinity of the Project Site, exterior building windows, and surfaces of brightly painted buildings in the project vicinity. Glare from building facades include those that are largely or entirely comprised of highly reflective glass or mirror-like material from which the sun reflects at a low angle in the periods following sunrise and prior to sunset. Building surfaces or glass windows have the potential to create glare, particularly during the early morning and later afternoon time periods. The Project does not include an increase in window and building surfaces in comparison to the existing uses. The Project will not result in a new source of substantial glare. Therefore, no impact would occur.

### **Shade/Shadow**

The issue of shade and shadow pertains to the blockage of direct sunlight by project buildings, which may affect adjacent properties. Shading is an important environmental issue because the users or occupants of certain land uses have some reasonable expectations for direct sunlight and warmth from the sun. Shadow lengths are dependent on the height and size of the building from which they are cast and the angle of the sun. The angle of the sun varies with respect to the rotation of the earth (i.e. time of day) and elliptical orbit (i.e. change in seasons). The longest shadows are cast during the winter months and the shortest shadows are cast during the summer months. “Solstice” is defined as either of the two points on the ecliptic (i.e., the path of the earth around the sun) that lie midway between the equinoxes (separated from them by an angular distance of 90°). At the

solstices, the sun’s apparent position on the celestial sphere reaches its greatest distance above or below the celestial equator, about 23 1/2° of the arc. At winter solstice, about December 22, the sun is overhead at noon at the Tropic of Capricorn; this marks the beginning of winter in the Northern Hemisphere. At the time of summer solstice, about June 22, the sun is directly overhead at noon at the Tropic of Cancer. In the Northern Hemisphere, the longest day and shortest night of the year occur on this date, marking the beginning of summer. Measuring shadow lengths for the winter and summer solstices represents the extremes of the shadow patterns that occur throughout the year. Shadows cast on the summer solstice are the shortest shadows during the year, becoming progressively longer until winter solstice when the shadows are the longest they are all year.

**Screening Criteria and Thresholds of Significance<sup>7</sup>**

Would the project include light-blocking structures in excess of 60 feet in height above the ground elevation that would be located within a distance of three times the height of the proposed structure to a shadow-sensitive use on the north, northwest or northeast? Facilities and operations sensitive to the effects of shading include: routinely useable outdoor spaces associated with residential, recreational, or institutional (e.g., schools, convalescent homes) land uses; commercial uses such as pedestrian-oriented outdoor spaces or restaurants with outdoor eating areas; nurseries; and existing solar collectors. These uses are considered sensitive because sunlight is important to function, physical comfort, or commerce. Per the screening criteria of the L.A. CEQA Thresholds Guide, the Project would not include light-blocking structures in excess of 60 feet. The Project is an alley vacation surrounding by existing buildings. Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
2. <b>AGRICULTURE AND FORESTRY RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project, and the Forest Legacy Assessment project, and forest carbon measurement mythology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>7</sup> L.A. CEQA Thresholds Guide, 2006, section A.3 Shading.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Program of the California Resources Agency, to non-agricultural use?				
b. Conflict the 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"/>

#### City of Los Angeles CEQA Thresholds Guide

a) A significant impact may occur if a project were to result in the conversion of State-designated agricultural land from agricultural use to another non-agricultural use. The California Department of Conservation, Division of Land Protection, lists Prime Farmland, Unique Farmland, and Farmland of Statewide Importance under the general category of “Important Farmland” in California. The Project Site is surrounded by uses zoned [Q]C4-4D (commercial zone) and the General Plan land use designation for the Site is Regional Center Commercial. The Site is designated Urban and Built-up Land and is not included in the Prime Farmland, Unique Farmland, or Farmland of Statewide Importance category.<sup>8</sup> Therefore, the Project would have no impact on the conversion of farmland to non-agricultural uses.

b) A significant impact may occur if a project were to result in the conversion of land zoned for agricultural use or under a Williamson Act Contract from agricultural use to non-agricultural use. The Williamson Act of 1965 allows local governments to enter into contract agreements with local landowners with the purpose of trying to limit specific parcels of land to agricultural or other related open space use.<sup>9</sup> The Project Site is not zoned for agricultural use and is not subject to a Williamson Act Contract. The Project Site will not result in the

<sup>8</sup> State of California Department of Conservation, *Farmland Mapping and Monitoring Program, Los Angeles County Important Farmland 2010, Map*, website: <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/los10.pdf>, September 29, 2014.

<sup>9</sup> State of California Department of Conservation, *Williamson Act Program*, website: <http://www.conservation.ca.gov/dlrp/lca/Pages/index.aspx>, accessed September 29, 2014.

conversion of land zoned for agricultural use to non-agricultural use. Further, the Project will not result in the conversion of land under a Williamson Act Contract from agricultural use to non-agricultural use. Therefore, no impact with respect to land zoned for agricultural use or under a Williamson Act Contract will occur.

c) Neither the Project Site nor surrounding parcels are zoned for forest land or timberland. No impacts related to forest land or timberland will occur.

d) The Project Site is completely surrounded by urban uses and infrastructure, and is not forest land. No impact related to the loss of forest land or conversion of forest land will occur.

e) A significant impact may occur if a project involves other changes to the existing environment that could result in the conversion of farmland to another non-agricultural use or conversion of forest land to non-forest use. Neither the Project Site nor surrounding parcels are utilized for agricultural uses or forest land and such uses are not in proximity to the Project Site. No impacts related to conversion of farmland to a non-agricultural use or conversion of forest land to non-forest use will occur.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<b>3. AIR QUALITY.</b> 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 result in:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the air basin is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### City of Los Angeles CEQA Thresholds Guide

For air quality, the City has not adopted specific citywide significance thresholds, but instead relies on regional significance thresholds identified by the SCAQMD in its *CEQA Air Quality Handbook* (SCAQMD CEQA Handbook), as revised in November 1993 and approved by the SCAQMD's Board of Directors.

### Construction Emissions

Based on guidance from the SCAQMD, the Project would have a significant impact if:

- Daily regional construction emissions exceed SCAQMD construction emissions thresholds for VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>2.5</sub>, or PM<sub>10</sub>, as presented in Table 3-1;
- Daily localized construction emissions exceed SCAQMD construction emissions thresholds for NO<sub>x</sub>, CO, PM<sub>2.5</sub>, or PM<sub>10</sub>, as presented in Table 3-1;
- The Project would generate TAC emissions that generate a health risk that exceeds ten persons in one million; and/or
- The Project would create an odor nuisance.

### **Operational Emissions**

Based on SCAQMD guidance, the Project would have a significant impact if:

- Daily operational emissions exceed SCAQMD operational thresholds for VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>2.5</sub>, or PM<sub>10</sub>, as presented in Table 3-2;
- Project-related traffic causes CO concentrations at study intersections to violate the CAAQS for either the one- or eight-hour period. The CAAQS for the one- and eight-hour periods are 20 ppm and 9.0 ppm, respectively;
- The Project would generate significant emissions of TACs;
- The Project would create an odor nuisance; and/or
- The Project would not be consistent with the AQMP.

### **Toxic Air Contaminants**

- The regulatory framework for the toxic material(s) and process (es) involved;
- The proximity of the toxic air contaminants to sensitive receptors;
- The quantity, volume and toxicity of the contaminants expected to be emitted;
- The likelihood and potential level of exposure; and
- The degree to which project design will reduce the risk of exposure.

**Table 3-1**  
**SCAQMD Construction Emissions Thresholds**

Criteria Pollutant	Regional Emissions (Pounds Per Day)	Localized Emissions (Pounds Per Day) /a/
Volatile Organic Compounds (VOC)	75	--
Nitrogen Oxides (NO <sub>x</sub> )	100	74
Carbon Monoxide (CO)	550	680
Sulfur Oxides (SO <sub>x</sub> )	150	--
Fine Particulates (PM <sub>2.5</sub> )	55	3
Particulates (PM <sub>10</sub> )	150	5

/a/ Localized thresholds based on 25-meter receptor distance and a 1 acre per day grading schedule in the Central LA County receptor area.  
Source: SCAQMD Local Significance Thresholds guidance.

**Table 3-2**  
**SCAQMD Daily Operational Emissions Thresholds**

Criteria Pollutant	Pounds Per Day
Volatile Organic Compounds (VOC)	55
Nitrogen Oxides (NO <sub>x</sub> )	55
Carbon Monoxide (CO)	550
Sulfur Oxides (SO <sub>x</sub> )	150
Fine Particulates (PM <sub>2.5</sub> )	55
Particulates (PM <sub>10</sub> )	150

Source: SCAQMD.

a) In the case of projects proposed within the City or elsewhere in the South Coast Air Basin (the “Basin”), the applicable plan is the 2012 Air Quality Management Plan (AQMP), which is prepared by the South Coast Air Management District (SCAQMD). SCAQMD adopted the final 2012 AQMP on December 7, 2012.<sup>10</sup> The SCAQMD is the agency principally responsible for comprehensive air pollution control in the Basin. To that end, the SCAQMD, a regional agency, works directly with the Southern California Association of Governments (SCAG), county transportation commissions, local governments, and cooperates actively with all state and federal government agencies. The SCAQMD develops rules and regulations, establishes permitting requirements, inspects emissions sources, and enforces measures through educational programs or fines, when necessary.

#### **Consistency with the SCAQMD’s 2012 Air Quality Management Plan**

The proposed alley vacation will neither conflict with the SCAQMD’s 2012 AQMP nor jeopardize the region’s attainment of air quality standards. The regional ozone attainment plan focuses on accommodating population growth forecasts by implementing stationary source and mobile source reduction programs. Because the Project would develop commercial space in the City of Los Angeles and would not increase population (there are no residential units and Project is not of a regional scale or unique employee attraction (such as high-tech or other highly specialized) type to compel population migration) in the South Coast Air Basin, it is considered

<sup>10</sup> SCAQMD, AQMP: <http://www.aqmd.gov/aqmp/aqmpintro.htm>

consistent with the AQMP. As a result, the Project would be consistent with the Southern California Association of Governments’ growth forecasts from the 2012 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS), which are largely built off local growth forecasts from local governments like the City of Los Angeles. The RTP/SCS accommodates up to 3,991,700 persons; 1,455,700 households; and 1,817,700 jobs in the City of Los Angeles by 2020. Consequently, the Project’s direct and indirect impacts on regional attainment of ozone standards are accommodated in the emissions inventory for the 2012 AQMP. Additionally, the Project is in an urban area with commercial density and transportation infrastructure that ultimately reduces vehicle travel demand and activity. The Project is consistent with the SCAQMD’s AQMP. Therefore, no impact would occur.

**Consistency with City of Los Angeles General Plan Air Quality Element**

The City’s Air Quality Element relies on SCAQMD’s guidance and requirements in this area to determine the significance of development on air quality. Based on the analysis in this section, the Project would not have significant cumulatively considerable impacts on local or regional air quality during construction or operations of the project. In addition, the Element identifies several policies that are relevant to the Project. Table 3.3-1, General Plan Air Quality Element, assesses the Project’s consistency with the applicable policies of the Air Quality Element. Based on this assessment, the Project would be consistent with the Air Quality Element.

**Table 3-3  
 General Plan Air Quality Element**

Policy	Analysis
<b>Policy 1.3.1</b> Minimize particulate emissions from construction sites.	<b>Consistent.</b> Any construction activities for this site will comply with SCAQMD Rule 403 that governs fugitive dust. Best management practices will be employed that reduce local exposure to PM <sub>10</sub> and PM <sub>2.5</sub> .
<b>Policy 1.3.2</b> Minimize particulate emissions from unpaved roads and parking lots, which are associated with vehicular traffic.	<b>Consistent.</b> There are no unpaved roads or parking lots. All areas of the alley are paved.
<b>Policy 4.1.1</b> Coordinate with all appropriate regional agencies the implementation of strategies for the integration of land use, transportation, and air quality policies.	<b>Consistent.</b> The Project is surrounded by a mix of uses, is in an urban area, and is served by Metro transit.
<b>Policy 4.2.2</b> Improve accessibility for the City’s residents to places of employment, shopping centers, and other establishments.	<b>Consistent.</b> The area is served by Metro transit.
<b>Policy 4.2.3</b> Ensure that new development is compatible with pedestrians, bicycles, transit, and alternative fuel vehicles.	<b>Consistent.</b> The Project includes pedestrian activity on the alley. Bicycle parking would be at existing locations. Vehicle parking would be at existing locations.
<b>Policy 4.2.4</b> Require that air quality impacts be a consideration in the review and approval of all discretionary projects.	<b>Consistent.</b> The Project is being evaluated under CEQA for air quality impacts and complies with this policy.
<b>Policy 5.1.2</b> Effect a reduction in energy consumption and shift to non-polluting sources of energy in its buildings and operations.	<b>Consistent.</b> The Project will comply with CalGreen requirements as required by Code.
<i>Table: CAJA Environmental Services, September 2014.</i>	

b) A project could have a significant impact where project-related emissions would exceed federal, state, or regional standards or thresholds, or where project-related emissions would substantially contribute to an existing or projected air quality violation. Both short-term impacts occurring during construction (e.g., site grading, haul truck trips) and long-term effects related to the ongoing operation of the Project are discussed. This analysis typically focuses on two levels of impacts: pollutant emissions and pollutant concentrations. “Emissions” refer to the quantity of pollutants released into the air. “Concentrations” refer to the amount of pollutant material per volumetric unit of air, as measured in parts per million (ppm) or micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ).

### **Pollutants and Effects**

Criteria air pollutants are defined as pollutants for which the federal and State governments have established ambient air quality standards for outdoor concentrations. The federal and State standards have been set at levels above which concentrations could be harmful to human health and welfare. These standards are designed to protect the most sensitive persons from illness or discomfort. Pollutants of concern include carbon monoxide (CO), ozone ( $\text{O}_3$ ), nitrogen dioxide ( $\text{NO}_2$ ), sulfur dioxide ( $\text{SO}_2$ ), particulate matter 2.5 microns or less in diameter ( $\text{PM}_{2.5}$ ), particulate matter ten microns or less in diameter ( $\text{PM}_{10}$ ), and lead (Pb). The alley vacation does not include major construction activities, such as building demolition or development. The Spring Street Park is adjacent to the alley. The upgrades would comply with all applicable SCAQMD rules and regulations, including Rule 403 (Fugitive Dust), and 431 (Diesel Equipment). The characteristics of the alley vacation (vacation and minor improvements) and compliance with all regulatory compliance measures would ensure that no construction emissions impact would occur. The operation of the alley could include additional pedestrian access and amenities such as outdoor dining. No changes to the existing driveway are proposed. Utilities in the alley (cable, electrical, and storm drain) are not proposed to be relocated or removed. These uses do not generate operational emissions, which come primarily from motor vehicles. The alley would be used by local area residents and workers who can walk, ride bicycles, or take the Metro buses and Red Line that serve the area. Therefore, no operation impact would occur.

c) Construction of the Project would not contribute significantly to cumulative emissions of pollutants for any non-attainment pollutants. For regional ozone precursors, the Project would not exceed SCAQMD mass emission thresholds for VOC or  $\text{NO}_x$  during construction or operations as explained in b) above. Construction of the Project would not produce cumulative considerable emissions of localized nonattainment pollutants  $\text{NO}_2$ ,  $\text{PM}_{10}$ ,  $\text{PM}_{2.5}$  or lead, as the anticipated emissions would not exceed LST thresholds set by the SCAQMD. When considering local impacts, cumulative construction emissions are considered when projects are within a few hundred yards of each other. The alley is complete surrounded by existing buildings. Future development nearby that could generate construction emissions would be judged against the SCAQMD’s LST thresholds and perform dispersion modeling if potential violations of health standards were to occur. As for cumulative operational impacts, the alley vacation will neither conflict with the SCAQMD’s 2012 AQMP nor jeopardize the region’s attainment of air quality standards. The Project would not add any residents to the Plan area. As a result, the Project would be consistent with SCAG’s growth forecasts from the 2012 RTP/SCS, which focuses on population growth and accommodates up to 3,991,700 persons; 1,455,700 households; and 1,817,700 jobs in the City of Los Angeles by 2020. Consequently, the Project’s direct and indirect impacts on regional attainment of ozone standards are accommodated in the emissions inventory for the 2012 AQMP. Locally, the Project will

not produce cumulatively considerable emissions of nonattainment pollutants NO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub> or lead. The Project does not include major sources of combustion or fugitive dust. As a result, its localized emissions would be minimal. Therefore, no impact would occur.

d) There are several existing sensitive receptors near the Project Site, including the adjacent residential buildings along Spring Street. However, the Project would not result in on-site emission increases that exceed the LST thresholds set by the SCAQMD and would not contribute to any localized violations of the CO, NO<sub>x</sub>, PM<sub>2.5</sub>, or PM<sub>10</sub> standards at any local sensitive receptors because the alley vacation does not involve any major construction. LST thresholds represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable ambient air quality standard. The application of LST thresholds to any related project in the local area would help ensure that each project does not produce localized hotspots of PM<sub>2.5</sub>, PM<sub>10</sub>, and NO<sub>2</sub>. Any related projects that would exceed LST thresholds would perform dispersion modeling to mitigate any significant localized emissions. Receptors that are located further away would not be threatened with exceedances of health-based standards, and emissions significantly disperse as a function of atmospheric stability, mixing heights, and other variables, with distance a critical factor. The SCAQMD's LST thresholds recognize the influence of a receptor's proximity, setting LST mass emissions thresholds for PM<sub>10</sub> that generally double with every doubling of distance. As such, the cumulative impact of construction projects on local sensitive receptors would be considered less than significant.

Long-term operations of the Project would not result in exceedances of CO air quality standards at roadways in the area. This is 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. Screening analysis guidelines for localized CO hotspot analyses from Caltrans recommend that projects in CO attainment areas focus on emissions from traffic intersections where air quality may get worse.<sup>11</sup> Specifically, projects that significantly increase the percentage of vehicles operating in cold start mode, significantly increase traffic volumes, or worsen traffic flow should be considered for more rigorous CO modeling. The alley vacation would not increase traffic or vehicles trips. In addition, the Project would not significantly increase the percentage of vehicles operating in cold start mode or substantially worsen traffic flow.

Finally, TAC emissions are not expected to be significant, as the Project does not include typical sources of acutely and chronically hazardous TACs such as industrial manufacturing processes and automotive repair facilities. In addition, the SCAQMD recommends that health risk assessments be conducted for substantial sources of diesel particulate emissions (e.g., truck stops and warehouse distribution facilities) and has provided guidance for analyzing mobile source diesel emissions.<sup>12</sup> The Project is not anticipated to generate truck trips.

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<sup>11</sup> Caltrans, *Transportation Project-Level Carbon Monoxide Protocol*, updated October 13, 2010.

<sup>12</sup> SCAQMD, *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Emissions*, December 2002.

Based on the limited activity of TAC sources, the Project would not warrant the need for a health risk assessment associated with on-site activities. Therefore, no impact would occur.

e) Odors are usually associated with industrial projects involving the use of chemicals, solvents, petroleum products, and other strong-smelling elements used in manufacturing processes, as well as sewage treatment facilities and landfills. The Project would include dining uses but would not result in activities that create objectionable odors. It 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 would regulate any occasional odors associated with on-site uses. Therefore, no impact would occur.

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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**4. BIOLOGICAL RESOURCES.** Would the project:

a. Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations 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 the local or regional plans, policies, regulations 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"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (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 type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as 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"/>

**City of Los Angeles CEQA Thresholds Guide**

Based upon criteria established in the L.A. CEQA Thresholds Guide, the determination of significance shall be made if it could result in:

- The loss of individuals, or the reduction of existing habitat, of a state or federal listed endangered, threatened, rare, protected, or candidate species, or a Species of Special Concern or federally listed critical habitat;
- The loss of individuals or the reduction of existing habitat of a locally designated species or a reduction in a locally designated natural habitat or plant community;
- Interference with wildlife movement/migration corridors that may diminish the chances for long-term survival of a sensitive species;
- The alteration of an existing wetland habitat; or
- Interference with habitat such that normal species behaviors are disturbed (e.g., from the introduction of noise, light) to a degree that may diminish the chances for long-term survival of a sensitive species.

**a)** A significant impact would occur if a project were to remove or modify habitat for 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 Wildlife<sup>13</sup> (CDFW) or the U.S. Fish and Wildlife Service (USFWS). The Project Site is located in an urbanized area of the City. There are no trees or vegetation in the alley. There is temporary small ornamental vegetation in potted planter. The adjacent Spring Street Park contains trees and vegetation but would not be affected by the Project. There are no city or county significant ecological areas.<sup>14</sup> The Project will not result in take of nesting native bird species. Therefore, the Project will not have a direct impact on any identified species because none are present on this highly urbanized Project Site and the Project will not modify any habitat that would affect identified species because no habitat exists on this highly urbanized Project Site. Therefore, no impact would occur.

**b)** A significant impact would occur if riparian habitat or any other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS were to be adversely modified without adequate mitigation. No riparian or other sensitive habitat areas are located on or adjacent to the Project Site.<sup>15</sup> Therefore, no impact would occur.

**c)** A significant impact would occur if federally protected wetlands, as defined by Section 404 of the Clean Water Act, would be modified or removed by a project without adequate mitigation. No federally protected wetlands (e.g., estuarine and marine deepwater, estuarine and marine, freshwater pond, lake, riverine) occur on or in the immediate vicinity of the Project Site. The nearest wetlands are the MacArthur Park Lake (classified as

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<sup>13</sup> Effective January 1, 2013, the California Department of Fish and Game changed its name to the California Department of Fish and Wildlife: <http://www.dfg.ca.gov/about/namechange.html>

<sup>14</sup> Navigate LA, City of Los Angeles, Bureau of Engineering, Significant Ecological Areas layer: <http://navigatela.lacity.org/index01.cfm>

<sup>15</sup> U. S. Fish & Wildlife Service, National Wetlands Inventory, Wetlands Mapper, website: <http://www.fws.gov/wetlands/Data/Mapper.html>, accessed September 29, 2014.

Freshwater Pond) and the Los Angeles River (classified as Riverine).<sup>16</sup> These habitat areas not near the Project Site. Therefore, the Project will not result in the direct removal, filling, or hydrological interruption of a federally protected wetland as defined by Section 404 of the Clean Water Act. Therefore, no impact would occur.

d) A significant impact would occur if a project would interfere with or remove access to a migratory wildlife corridor or impede the use of wildlife nursery sites. Due to the existing urban development that completely surrounds the alley and the adjacent surroundings, the alley does not function as a corridor for the movement of native or migratory animals. Additionally, no native wildlife nurseries are located in the project area. Therefore, no impacts would occur.

e) A project-related significant adverse effect could occur if a project would cause an impact that is inconsistent with local regulations pertaining to biological resources. Local ordinances protecting biological resources are limited to the City of Los Angeles Native Tree Preservation Ordinance. There are no trees in the alley. The Project would not be impacting any protected trees. Therefore, no impact would occur.

f) A significant impact would occur if a project is inconsistent with mapping or policies in any conservation plans of the types cited. Due to the existing urban development that completely surrounds the alley, there are no known locally designated natural communities on the Project Site or in the vicinity. There are no city or county significant ecological areas.<sup>17</sup> The Project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or State habitat conservation plan. No impact would occur.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<b>5. CULTURAL RESOURCES:</b> Would the project:				
a. Cause a substantial adverse change in significance of a historical resource as defined in <i>State CEQA Guidelines</i> §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in significance of an archaeological resource pursuant to <i>State CEQA Guidelines</i> §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>16</sup> U. S. Fish & Wildlife Service, National Wetlands Inventory, Wetlands Mapper, website: <http://www.fws.gov/wetlands/Data/Mapper.html>, accessed September 29, 2014.

<sup>17</sup> Navigate LA, City of Los Angeles, Bureau of Engineering, Significant Ecological Areas layer: <http://navigatela.lacity.org/index01.cfm>

## **City of Los Angeles CEQA Thresholds Guide**

Based upon criteria established in the L.A. CEQA Thresholds Guide, the determination of significance shall be made on a case-by-case basis considering the following factors:

### **Paleontological Resources**

- 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.

### **Archaeological Resources**

- Is associated with an event or person of recognized importance in California or American prehistory or of recognized scientific importance in prehistory;
- Can provide information which is both of demonstrable public interest and useful in addressing scientifically consequential and reasonable archaeological research questions;
- Has a special or particular quality, such as the oldest, best, largest, or last surviving example of its kind;
- Is at least 100-years-old<sup>18</sup> and possesses substantial stratigraphic integrity; or
- Involves important research questions that historical research has shown can be answered only with archaeological methods.

### **Historical Resources**

- Demolition of a significant resource;
- Relocation that does not maintain the integrity and significance of a significant resource;
- Conversion, rehabilitation, or alteration of a significant resource which does not conform to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings; or
- Construction that reduces the integrity or significance of important resources on the site or in the vicinity.

a) *State CEQA Guidelines* Section 15064.5 defines an historical resource as: 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 listed in a local register of historical resources or identified as significant in a historical resource survey meeting certain state guidelines; or 3) an object, building, structure, site, area, place, record or manuscript which a lead agency determines to be significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California,

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<sup>18</sup> *Although the CEQA criteria state that "important archaeological resources" are those which are at least 100-years-old, the California Register provides that any site found eligible for nomination to the National Register will automatically be included within the California Register and subject to all protections thereof. The National Register requires that a site or structure be at least 50-years-old.*

provided that the lead agency’s determination is supported by substantial evidence in light of the whole record. A project-related significant adverse effect would occur if a project were to adversely affect a historical resource meeting one of the above definitions. The Zanja Madre Distribution Line Number 8 (or mother ditch carried much of Los Angeles’ water supply during the 19<sup>th</sup> century). According to NavigateLA, it is located underneath the northern portion of the alley. The alley vacation does not propose any activities that would go underground that could cause an impact to this resource. The Project does not involve the demolition of any historic resources. The existing buildings that abut the alley include historic buildings and City of Los Angeles Historic-Cultural Monuments (HCMs).<sup>19</sup> In addition the northern 210 feet of the alley and western half of the alley are in the Spring Street Financial Historic District, which includes various addresses from 354 to 704 Spring Street. Because the alley abuts historic buildings, there is the potential that any changes to these adjacent rear facades to facilitate dining and increased pedestrian amenities and access could impact the integrity of a historic building. The Project is not contemplating any excavation that could expose the Zanja Madre Distribution Line, or any other archaeological resources. However, to ensure that any future developments or changes proposed for the alley would ensure continued conformance, the conditions stated in the measures would apply. The following mitigation measures for design review and construction monitoring would ensure continued conformance and that impacts would be less than significant.

## **Mitigation Measure**

### **5-1 Historic Buildings and Contributing Factors**

- a. If any changes to the adjacent historic buildings or contributing features to the historic designation (i.e., light posts, curb/gutter/sidewalk, etc.) are contemplated, the project developer shall retain a qualified professional historic architect or architectural historian to participate in design collaboration with the project team through preparation of construction documents and to monitor construction, to ensure continued conformance with the *Secretary of the Interior’s Standards*. The role of the historic architect or architectural historian will include collaboration on a range of items relating to materials selection, construction methods, design of exterior and interior alterations, and monitoring of on-going construction activities.

### **5-2 Archaeological Resources**

- a. If any ground-disturbing activities are necessary, prior to initiation of any ground-disturbing activities a qualified archaeological monitor shall conduct a brief awareness training session for the benefit of all construction workers and supervisory personnel. The training, which could be held in conjunction with the project’s initial on-site safety meeting, would explain the importance of and legal basis for the protection of significant archaeological resources. Each worker would also learn the proper procedures to follow in the event that cultural resources or human remains/burials are uncovered during ground-disturbing activities. These procedures include work curtailment or

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<sup>19</sup> [http://cityplanning.lacity.org/complan/HCM/dsp\\_hcm\\_result.cfm?community=Central%20City](http://cityplanning.lacity.org/complan/HCM/dsp_hcm_result.cfm?community=Central%20City)

redirection and the immediate contact of the site supervisor and the archaeological monitor. The worker education session should include visual images of artifacts that might be found in the project vicinity, and that the session take place on-site immediately prior to the start of ground-disturbing activities.

- b. Because the area near Harlem Place and 4th Street is potentially sensitive for archaeological resources, a qualified archaeologist shall be present to monitor all ground-disturbing activities, if any. All monitoring work shall be conducted under the direction of a qualified principal investigator, which is an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards (National Park Service 1983).
- c. In the event that archaeological resources are exposed during any future ground-disturbance activity (if any), work in the immediate vicinity of the find must stop until a qualified archaeologist can evaluate the significance of the find. Construction activities may continue in other areas. If the discovery proves significant under CEQA (Section 15064.5f; PRC 21082), additional work such as testing or data recovery may be warranted.

**b)** Section 15064.5 of the State CEQA Guidelines defines significant archaeological resources as resources that meet the criteria for historical resources, as discussed above, or resources that constitute unique archaeological resources. A project-related significant adverse effect could occur if a project were to affect archaeological resources that fall under either of these categories. The Site is located in an urbanized area and has been previously disturbed by past development activities. The alley is completely paved, precluding the usefulness of a survey. If discovery of archaeological resources were made, standard construction practices would be employed such as the suspension of work until a qualified archaeologist can evaluate the find and make recommendations as necessary for the protection of the discovered resources. The Project would not require excavation. There is no potential to uncover buried archaeological resources within the Project Site. Therefore, no impact would occur.

**c)** A significant adverse effect could occur if grading or excavation activities associated with a project would disturb paleontological resources or geologic features which presently exist within the Project Site. The Site is located in an urbanized area and has been previously disturbed by past development activities and the alley is completely paved, precluding the usefulness of a survey. If discovery of paleontological resources were made, standard construction practices would be employed such as the suspension of work until a qualified paleontologist can evaluate the find and make recommendations as necessary for the protection of the discovered resources. The Project would not require excavation. There is no potential to uncover buried paleontological resources within the Project Site. Therefore, no impact would occur.

**d)** A significant adverse effect would occur if grading or excavation activities associated with a project were to disturb previously interred human remains. The Site is located in an urbanized area and has been previously disturbed by past development activities and the alley is completely paved, precluding the usefulness of a survey. However, a standard halt-work condition would be in place in the event that human remains were

discovered The Project would not require excavation. There is no potential to uncover unrecorded human remains within the Project Site. Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<b>6. GEOLOGY AND SOILS.</b> Would the project:				
a. Expose people or structures to 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.	<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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potential result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**City of Los Angeles CEQA Thresholds Guide**

Based upon criteria established in the L.A. CEQA Thresholds Guide, a project would normally have a significant geologic hazard impact if the project would:

**Geologic Hazards**

- Cause or accelerate geologic hazards, which would result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury.

**Sedimentation and Erosion**

- Constitute a geologic hazard to other properties by causing or accelerating instability from erosion; or
- Accelerate natural processes of wind and water erosion and sedimentation, resulting in sediment runoff or

deposition that would not be contained or controlled on site.

### **Landform Alteration**

- If one or more distinct and prominent geologic or topographic feature would be destroyed, permanently covered, or materially and adversely modified. Such features may include, but are not limited to hilltops, ridges, hillslopes, canyons, ravines, rock outcrops, water bodies, streambeds, and wetlands.

**a.i)** The Project Site is located in the seismically active region of Southern California. Numerous active and potentially active faults with surface expressions (fault traces) have been mapped adjacent to, within, and beneath the City of Los Angeles. In 1972, the Alquist-Priolo Special Studies Zones Act (now known as the Alquist-Priolo Earthquake Fault Zoning Act) was passed into law. The Act defines “active” and “potentially-active” faults using the same aging criteria as that used by the California Geological Survey (CGS). However, established state policy has been to zone only those faults which have direct evidence of movement within the last 11,000 years. It is this recent fault movement that the CGS considers as a characteristic for faults that have a relatively high potential for ground rupture in the future. CGS policy is to delineate a boundary from 200 to 500 feet wide on each side of the known fault trace based on the location precision, the complexity, or the regional significance of the fault. If a site lies within an Earthquake Fault Zone, a geologic fault rupture investigation must be performed that demonstrates that the proposed building site is not threatened by surface displacement from the fault before development permits may be issued. Surface rupture is defined as surface displacement which occurs along the surface trace of the causative fault during an earthquake. The nearest fault is the Puente Hills Blind Thrust located approximately 1.4 kilometers away. The Site is not located within an Alquist-Priolo Earthquake Fault Zone.<sup>20</sup> Therefore, no impact would occur.

**a.ii)** The Project Site is located within a seismically active region. As with all of southern California, the primary geologic hazard at the Project Site is moderate to strong ground motion (acceleration) caused by an earthquake on any of the local or regional faults. However, the alley vacation does not involve construction of any structures. Any alterations to accommodate the pedestrian amenities and alley activation would comply with the most current codes regulating seismic risk, including the California Building Code and the Los Angeles Municipal Code (LAMC), which incorporates the International Building Code (IBC). Compliance with current California Building Code and LAMC requirements will minimize the potential to expose people or structures to substantial risk or loss or injury. Therefore, no impact would occur.

**a.iii)** Liquefaction is a phenomenon in which saturated silty to cohesionless soils below the groundwater table are subject to a temporary loss of strength due to the buildup of excess pore pressure and cyclic loading conditions such as those induced by an earthquake. Liquefaction related effects include loss of bearing strength, amplified ground oscillations, lateral spreading, and flow failures. The Site is not located within a liquefaction area,<sup>21</sup> or areas susceptible to liquefaction.<sup>22</sup> Therefore, no impact would occur.

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<sup>20</sup> City of Los Angeles Department of City Planning, Zoning Information and Map Access System: <http://zimas.lacity.org/>.

<sup>21</sup> City of Los Angeles Department of City Planning, Zoning Information and Map Access System: <http://zimas.lacity.org/>.

**a.iv)** A project-related significant adverse effect may occur if the project is located in a hillside area with soil conditions that would suggest a high potential for sliding. A landslide area is land identified by the State of California that is located in the general area of sites that possess the potential for earthquake-induced rock falls, slope failure, and debris flow. The probability of seismically-induced landslides occurring on the Site is considered to be low due to the general lack of elevation difference slope geometry across the alley and the adjacent building. In addition, the City of Los Angeles ZIMAS mapping system<sup>23</sup> and the Safety Element of the City of Los Angeles<sup>24</sup> do not classify the Project Site as within a landslide area, or identified as a bedrock or probably bedrock landslide site. Further, according to the State of California Seismic Hazards Map<sup>25</sup>, the Project Site is not at risk for landslides. Therefore, no impact would occur.

**b)** A significant impact may occur if a project exposes large areas to the erosional effects of wind or water for a protracted period of time. The alley is completely paved and no grading or excavation would occur. Therefore, no impact would occur.

**c)** A significant impact may occur if the project is built in an unstable area without proper site preparation or design features to provide adequate foundations for the project buildings, thus posing a hazard to life and property. The alley vacation does not include buildings. Additionally, as discussed in the response the Question 6(a)(iii) and 6(a)(iv), the Project Site is not at risk for liquefaction or landslides. The potential for dry seismic settlement is considered negligible because the alley is completely paved. Therefore, no impact would occur.

**d)** A significant impact may occur if a project is built on expansive soils without proper site preparation or design features to provide adequate foundations for project buildings thus posing a hazard to life and property. Expansive soils are clay-based soils that tend to expand (increase in volume) as they absorb water and shrink (decrease in volume) as water is drawn away. If soils consist of expansive clays, foundation movement and/or damage can occur if wetting and drying of the clay does not occur uniformly across the entire area. The alley is completely paved and no grading or excavation would occur. Therefore, no impact would occur.

**e)** The Project Site is located in an urbanized area within the City of Los Angeles, which is served by a wastewater collection, conveyance, and treatment system operated by the City. No septic tanks or alternative disposal systems are necessary, nor are they proposed. Therefore, no impact would occur.

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<sup>22</sup> *Los Angeles Safety Element, Exhibit B, Areas Susceptible to Liquefaction in the City of Los Angeles:* <http://cityplanning.lacity.org/cwd/gnlpln/saftyelt.pdf>, accessed September 29, 2014.

<sup>23</sup> *City of Los Angeles Department of City Planning, Zoning Information and Map Access System:* <http://zimas.lacity.org/>.

<sup>24</sup> *Los Angeles Safety Element, Exhibit C, Landslide Inventory and Hillside Areas in the City of Los Angeles:* <http://cityplanning.lacity.org/cwd/gnlpln/saftyelt.pdf>, accessed September 29, 2014.

<sup>25</sup> *California, Department of Conservation, Landslide Maps:* <http://www.quake.ca.gov/gmaps/WH/landslidemaps.htm>, accessed September 29, 2014.

	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>7. GREENHOUSE GAS EMISSIONS.</b> 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with an applicable plan, policy or regulations adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Further, CEQA Guidelines Section 15064.4 states that:

1. A lead agency should consider the following factors, among others, when assessing the significance of greenhouse gas emissions on the environment:
  - a. The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;
  - b. Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; and
  - c. The extent to which the project complies with regulations or requirements adopted to implement a Statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project’s incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.

a) Various gases in the Earth’s atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the Earth’s surface temperature. Solar radiation entering Earth’s atmosphere is absorbed by the Earth’s surface. When the Earth emits this radiation back toward space, the radiation changes from high-frequency solar radiation to lower-frequency infrared radiation. GHGs are transparent to solar radiation and absorb infrared radiation. As a result, radiation that otherwise would escape back into space is retained, warming the atmosphere. This phenomenon is known as the greenhouse effect. GHGs that contribute to the greenhouse effect include:

- Carbon Dioxide (CO<sub>2</sub>) is released to the atmosphere when solid waste, fossil fuels (oil, natural gas, and coal), and wood and wood products are burned. CO<sub>2</sub> emissions from motor vehicles occur during operation

of vehicles and operation of air conditioning systems. CO<sub>2</sub> comprises over 80 percent of GHG emissions in California.<sup>26</sup>

- Methane (CH<sub>4</sub>) is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from the decomposition of organic waste in solid waste landfills, raising livestock, natural gas and petroleum systems, stationary and mobile combustion, and wastewater treatment. Mobile sources represent 0.5 percent of overall methane emissions.<sup>27</sup>
- Nitrous Oxide (N<sub>2</sub>O) is emitted during agricultural and industrial activities, as well as during combustion of solid waste and fossil fuels. Mobile sources represent about 14 percent of N<sub>2</sub>O emissions.<sup>28</sup> N<sub>2</sub>O emissions from motor vehicles generally occur directly from operation of vehicles.
- Hydrofluorocarbons (HFCs) are one of several high global warming potential (GWP) gases that are not naturally occurring and are generated from industrial processes. HFC (refrigerant) emissions from vehicle air conditioning systems occur due to leakage, losses during recharging, or release from scrapping vehicles at end of their useful life.
- Perfluorocarbons (PFCs) are another high GWP gas that are not naturally occurring and are generated in a variety of industrial processes. Emissions of PFCs are generally negligible from motor vehicles.
- Sulfur Hexafluoride (SF<sub>6</sub>) is another high GWP gas that is not naturally occurring and are generated in a variety of industrial processes. Emissions of SF<sub>6</sub> are generally negligible from motor vehicles.

For most non-industrial development projects, motor vehicles make up the bulk of GHG emissions, particularly carbon dioxide, methane, nitrous oxide, and HFCs.<sup>29</sup> The other GHGs are less abundant but have higher GWP than CO<sub>2</sub>. To account for this higher potential, emissions of other GHGs are frequently expressed in the equivalent mass of CO<sub>2</sub>, denoted as CO<sub>2</sub>e. Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO<sub>2</sub> were being emitted. High GWP gases such as HFCs, PFCs, and SF<sub>6</sub> are the most heat-absorbent.

## **Regulatory Setting**

### ***Federal***

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<sup>26</sup> California Environmental Protection Agency, *Climate Action Team Report to Governor Schwarzenegger and the Legislature, March 2006, p. 11.*

<sup>27</sup> United States Environmental Protection Agency, *Inventory of U.S. Greenhouse Gas Emissions and Sinks, 1990-2003, April 2005 (EPA 430-R-05-003).*

<sup>28</sup> United States Environmental Protection Agency, *U.S. Adipic Acid and Nitric Acid N<sub>2</sub>O Emissions 1990-2020: Inventories, Projections and Opportunities for Reductions, December 2001.*

<sup>29</sup> California Air Resources Board, *Climate Change Emission Control Regulations, 2004*

The U.S. EPA has historically not regulated GHGs because it determined the Clean Air Act did not authorize it to regulate emissions that addressed climate change. In 2007, the U.S. Supreme Court found that GHGs could be considered within the Clean Air Act's definition of a pollutant.<sup>30</sup> In December 2009, U.S. EPA issued an endangerment finding for GHGs under the Clean Air Act, setting the stage for future regulation. In September 2009, the National Highway Traffic Safety Administration and U.S. EPA announced a joint rule that would tie fuel economy to GHG emission reduction requirements. By 2016, this could equate to an overall light-duty vehicle fleet average fuel economy of 35.5 miles per gallon.

### *State*

California has adopted a series of laws and programs to reduce emissions of GHGs into the atmosphere. Assembly Bill (AB) 1493 was enacted in September 2003 and requires regulations to achieve “the maximum feasible reduction of greenhouse gases” emitted by vehicles used for personal transportation. On June 1, 2005, Governor Schwarzenegger issued Executive Order S-3-05, which set the following GHG emission reduction targets: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; and by 2050, reduce GHG emissions to 80 percent below 1990 levels. The California Environmental Protection Agency formed a Climate Action Team that recommended strategies that can be implemented by State agencies to meet GHG targets. In September 2006, AB 32 was signed into law by Governor Arnold Schwarzenegger, focusing on achieving GHG emissions equivalent to statewide levels in 1990 by 2020. It mandates that CARB establish a quantified emissions cap, institute a schedule to meet the cap, implement regulations to reduce statewide GHG emissions from stationary sources, and develop tracking, reporting, and enforcement mechanisms to ensure that reductions are achieved. A companion bill, Senate Bill (SB) 1368, requires the California Public Utilities Commission and the California Energy Commission to establish GHG emission performance standards for the generation of electricity. These standards will also apply to power that is generated outside of California and imported into the State. AB 32 charges CARB with the responsibility to monitor and regulate sources of GHG emissions. On June 1, 2007, CARB adopted three early action measures: setting a low carbon fuel standard, reducing refrigerant loss from motor vehicle air conditioning maintenance, and increasing methane capture from landfills.<sup>31</sup> On October 25, 2007, CARB approved measures improving truck efficiency (i.e., reducing aerodynamic drag), electrifying port equipment, reducing PFCs from the semiconductor industry, reducing propellants in consumer products, promoting proper tire inflation in vehicles, and reducing sulfur hexafluoride emissions from the non-electricity sector. CARB determined that the total statewide aggregated GHG 1990 emissions level and 2020 emissions limit is 427 million metric tons of CO<sub>2</sub>e. The 2020 target reductions are currently estimated to be 174 million metric tons of CO<sub>2</sub>e.

CARB developed an AB 32 Scoping Plan that contains strategies to achieve the 2020 emissions cap. This Scoping Plan, which was developed by CARB in coordination with the CAT, was first published in October

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<sup>30</sup> *Massachusetts v. Environmental Protection Agency et al* (127 S. Ct. 1438 (2007))

<sup>31</sup> *California Air Resources Board, Proposed Early Action Measures to Mitigate Climate Change in California, April 20, 2007.*

2008 (the “2008 Scoping Plan”). The 2008 Scoping Plan proposed a comprehensive set of actions designed to reduce overall GHG emissions in California, improve the environment, reduce the state’s dependence on oil, diversify the state’s energy sources, save energy, create new jobs, and enhance public health. An important component of the plan is a cap-and-trade program covering 85 percent of the state’s emissions. Additional key recommendations of the 2008 Scoping Plan include strategies to enhance and expand proven cost-saving energy efficiency programs; implementation of California’s clean cars standards and increasing the amount of clean and renewable energy used to power the state. Furthermore, the 2008 Scoping Plan proposes full deployment of the California Solar Initiative, high-speed rail, water-related energy efficiency measures, and a range of regulations to reduce emissions from trucks and from ships docked in California ports. As required by AB 32, CARB must update its Scoping Plan every five years to ensure that California remains on the path toward a low carbon future. In order to assess the scope of reductions needed to return to 1990 emissions levels, CARB first estimated the 2020 business-as-usual (BAU) GHG emissions in the 2008 Scoping Plan. These are the GHG emissions that would be expected to result if there were no GHG emissions reduction measures, and as if the state were to proceed on its pre-AB 32 GHG emissions track. After estimating that statewide 2020 BAU GHG emissions would be 596 metric tons, the 2008 Scoping Plan then identified recommended GHG emissions reduction measures that would reduce BAU GHG emissions by approximately 174 metric tons (an approximately 28.35 percent reduction) by 2020. Interestingly, the 2008 Scoping Plan attributes only eight percent of the 2020 predicted GHG emissions inventory to the commercial and residential sector, and allocates only relatively minimal GHG emission reduction obligates to the land use sector (CARB 2008). The only measure particularly aimed at the land use sector—regional transportation-related GHG emissions targets—sets a 5 million metric ton (“MMT”) CO<sub>2</sub>e goal, which represents less than three percent of the 169 MMT CO<sub>2</sub>e necessary reductions under AB 32. On August 19, 2011, following legal action in opposition to the Scoping Plan, CARB updated the Scoping Plan through a Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document (FED or 2011 Scoping Plan).<sup>32</sup>

CARB’s updated projected BAU GHG emissions in the 2011 Scoping Plan are based on current economic forecasts (i.e., as influenced by the economic downturn) and certain GHG emissions reduction measures already in place. The BAU projection for 2020 GHG emissions in California was originally estimated to be 596 MMTCO<sub>2</sub>e. The updated calculation of the 2011 Scoping Plan’s estimates for projected GHG emissions in 2020, as of October 2010 based on current economic forecasts, totals 506.8 MMTCO<sub>2</sub>e (or approximately 507 MMTCO<sub>2</sub>e). On October 1, 2013, CARB released a discussion draft of a first update to the Scoping Plan (2013 Scoping Plan Update Discussion Draft).

The 2013 Scoping Plan Update Discussion Draft recalculates 1990 GHG emissions using IPCC Fourth Assessment Report (AR4) released in 2007. It states that based on the AR4 global warming potentials, the 427 MMTCO<sub>2</sub>e 1990 emissions level and 2020 GHG emissions limit would be slightly higher than identified in the Scoping Plan, at 431 MMTCO<sub>2</sub>e (CARB 2013). Based on (1) the revised estimates of expected 2020 emissions identified in the 2011 supplement to the Functional Environmental Document, and (2) updated 1990 emissions

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<sup>32</sup> *California Air Resources Board, Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document (FED), Attachment D, August 19, 2011.*

levels identified in the draft first update to the Scoping Plan, achieving the 1990 emission level would require a reduction of 76 MMTCO<sub>2</sub>e (down from 507 MMTCO<sub>2</sub>e) or a reduction by approximately 16 percent (down from 28.35 percent) to achieve in 2020 emissions levels in the "business as usual" condition. Nonetheless, as the 2013 Scoping Plan Update Discussion Draft is still a draft, it has not been relied upon in this analysis.

CARB also developed a mandatory reporting program on January 1, 2008 for large stationary combustion sources that emit more than 25,000 metric tons of CO<sub>2</sub> per year and make up 94 percent of the point source CO<sub>2</sub> emissions in California. In response to SB 97, the Governor's Office of Planning and Research (OPR) adopted CEQA guidelines that became effective on March 18, 2010. The amendments provide guidance to public agencies on analysis and mitigation of the effects of GHG emissions in CEQA documents, including:

- Lead agencies should quantify all relevant GHG emissions and consider the full range of project features that may increase or decrease GHG emissions as compared to the existing setting;
- Consistency with the CARB Scoping Plan is not a sufficient basis to determine that a project's GHG emissions would not be cumulatively considerable;
- A lead agency may appropriately look to thresholds developed by other public agencies, including the CARB's recommended CEQA thresholds;
- To qualify as mitigation, specific measures from an existing plan must be identified and incorporated into the project. General compliance with a plan, by itself, is not mitigation;
- The effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impact analysis; and
- Given that impacts resulting from GHG emissions are cumulative, significant advantages may result from analyzing such impacts on a programmatic level. If analyzed properly, later projects may tier, incorporate by reference, or otherwise rely on the programmatic analysis.

On September 30, 2008, SB 375 was instituted to help achieve AB 32 goals 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 greenhouse gas emissions reductions targets for the transportation sector. 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 a Sustainable Communities Strategy (SCS) within the Regional Transportation Plan (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. While SB 375 does not prevent CARB from adopting additional regulations, such actions are not anticipated in the

foreseeable future.<sup>33</sup> On October 24, 2008, CARB published draft guidance for setting interim GHG significance thresholds. This was the first step toward developing the recommended Statewide interim thresholds of significance for GHG emissions that may be adopted by local agencies for their own use. The guidance does not attempt to address every type of project that may be subject to CEQA, but instead focuses on common project types that are responsible for substantial GHG emissions (i.e., industrial, residential, and commercial projects). CARB believes that thresholds in these sectors will advance climate objectives, streamline project review, and encourage in CEQA analyses of GHG emissions throughout the State.

### ***Regional***

The SCAQMD convened a GHG CEQA Significance Threshold Working Group to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents. Members of the working group include government agencies implementing CEQA and representatives from stakeholder groups that will provide input to the SCAQMD staff on developing GHG CEQA significance thresholds. On December 5, 2008, the SCAQMD Governing Board adopted interim GHG significance threshold for projects where the SCAQMD is lead agency.<sup>34</sup> The SCAQMD has not adopted guidance for CEQA projects under other lead agencies. The analysis relies on the BAU approach. CARB estimates only a 16 percent reduction below the estimated statewide BAU emission levels would now be necessary to achieve 1990 emission levels (i.e., 427 MMTCO<sub>2</sub>E) by 2020, instead of the 28.35 percent reduction previously reported under the 2008 Scoping Plan.<sup>35</sup> Therefore, a project that is able to demonstrate a 16 percent reduction in GHG emissions as compared to the BAU scenario would be considered consistent with AB 32 and the State's goal of achieving 1990 GHG emission levels by the year 2020.

### ***Local***

The City of Los Angeles has adopted its LA Green Plan that outlines goals and actions to reduce the generation of GHGs to 35 percent below 1990 levels. Key strategies include increasing the generation of renewable energy, improving energy conservation and efficiency, and changing land use patterns to reduce dependence on autos. The City adopted a Green Building Ordinance in April 2008 that calls for reduction of the use of natural resources for new development. To assess the Project's consistency with AB 32 emission reduction targets, this analysis includes potential emissions under two scenarios. First, a BAU scenario was developed that is based on historic trends across economic sectors and represents emissions in the absence of GHG emissions reduction measures (e.g., AB 1493 standards for vehicles, the California Low Carbon Fuel Standard, full implementation

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<sup>33</sup> *American Planning Association, California Chapter, Analysis of SB 375, <http://www.calapa.org/-en/cms/?2841>, accessed March 30, 2009.*

<sup>34</sup> *SCAQMD, Greenhouse Gases: <http://www.aqmd.gov/ceqa/handbook/GHG/GHG.html>*

<sup>35</sup> *Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document (FED), Attachment D, page 11, CARB, August 19, 2011.*

of the Renewables Portfolio Standard). Second, an “As Proposed” scenario was developed that includes Project design features and implementation of state mandates that reduce GHG emissions across economic sectors. This also includes the January 2011 revisions to Title 24 commonly known as the California Green Building Standards Code, as well as the California Low Carbon Fuel Standard, and tailpipe standards in AB 1493 (Pavley).

**Project Impacts**

The alley vacation does not include construction that would typically emit GHG emissions through the combustion of fossil fuels by heavy-duty construction equipment and through vehicle trips generated by construction workers traveling to and from the project site. No changes to the existing driveway are proposed. Utilities in the alley (cable, electrical, and storm drain) are not proposed to be relocated or removed. Operation greenhouse gas emissions occur with long-term operation of building systems and motor vehicle operations. The alley vacation does not include new buildings or generating additional vehicle trips. The Project’s contribution to global climate change is not “cumulatively considerable”. The Project would not increase emissions as compared to a Business-As-Usual scenario and are consistent with the State’s AB 32 Scoping Plan objectives for reducing community-based emissions. The alley vacation would encourage additional pedestrian and bicycle trips from local residents and workers. The Project is consistent with the State’s AB 32 Scoping Plan objectives for reducing community-based emissions. Therefore, no impact would occur.

b) The Project will not contribute to cumulative increases in GHG emissions over time in the absence of policy intervention. In addition, the AB 32 Scoping Plan provides the basis for policies that will reduce cumulative GHG emissions within California to 1990 levels by 2020. As a result, the Project is judged against its consistency with the AB 32 Scoping Plan to determine whether it will result in adverse cumulative impacts to global climate change. As shown in Table 7-1, the Project would be not applicable or consistent with all feasible and applicable strategies recommended in the AB 32 Scoping Plan. Therefore, no impact would occur.

**Table 7-1  
 Project Consistency with AB 32 Scoping Plan Greenhouse Gas Emission Reduction Strategies**

Strategy	Project Consistency
<b>California Cap-and-Trade Program.</b> Implement a broad-based California cap-and-trade program to provide a firm limit on emissions.	<b>Not Applicable.</b> The statewide program is not relevant to the Project.
<b>California Light-Duty Vehicle Greenhouse Gas Standards.</b> Implement adopted Pavley standards and planned second phase of the system. Align zero-emission vehicle, alternative and renewable fuel and vehicle technology programs with long-term climate change goals.	<b>Not Applicable.</b> The development of standards is not relevant to the Project.
<b>Energy Efficiency.</b> Maximize energy efficiency building and appliance standards, and pursue additional efficiency efforts including new technologies, and new policy and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California.	<b>Not Applicable.</b> The Project does not include new buildings.

**Table 7-1  
Project Consistency with AB 32 Scoping Plan Greenhouse Gas Emission Reduction Strategies**

Strategy	Project Consistency
<b>Renewables Portfolio Standard.</b> Achieve 33 percent renewable energy mix statewide.	<b>Consistent.</b> The Project lights utilize energy from the Los Angeles Department of Water and Power, which has goals to diversify its portfolio of energy sources to increase the use of renewable energy.
<b>Low-Carbon Fuel Standard.</b> Develop and adopt the Low Carbon Fuel Standard.	<b>Not Applicable.</b> The statewide program is not relevant to the Project.
<b>Regional Transportation-Related Greenhouse Gases.</b> Develop regional greenhouse gas emissions reduction targets for passenger vehicles.	<b>Not Applicable.</b> The development of regional planning goals is not relevant to the Project.
<b>Vehicle Efficiency Measures.</b> Implement light-duty vehicle efficiency measures.	<b>Not Applicable.</b> State agencies are responsible for implementing efficiency measures.
<b>Goods Movement.</b> Implement adopted regulations for the use of shore power for ships at berth. Improve efficiency in goods movement activities.	<b>Not Applicable.</b> State agencies are responsible for implementing regulations and promoting efficiency in goods movement.
<b>Million Solar Roofs Program.</b> Install 3,000 MW of solar-electric capacity under California’s existing solar programs.	<b>Not Applicable.</b> The Project does not include new buildings.
<b>Medium/Heavy-Duty Vehicles.</b> Adopt medium and heavy-duty vehicle efficiency measures.	<b>Not Applicable.</b> State agencies are responsible for implementing efficiency measures.
<b>Industrial Emissions.</b> Require assessment of large industrial sources to determine whether individual sources within a facility can cost-effectively reduce greenhouse gas emissions. Reduce greenhouse gas emissions from fugitive emissions from oil and gas extraction and gas transmission.	<b>Not Applicable.</b> The Project is not an industrial facility.
<b>High Speed Rail.</b> Support implementation of a high speed rail system.	<b>No Applicable.</b> This calls for the California High Speed Rail Authority and stakeholders to develop a statewide rail transportation system.
<b>Green Building Strategy.</b> Expand the use of green building practices to reduce the carbon footprint of California’s new and existing inventory of buildings.	<b>Not Applicable.</b> The Project does not include new buildings.
<b>High Global Warming Potential Gases.</b> Adopt measures to reduce high global warming potential gases.	<b>Not Applicable.</b> State agencies are responsible for implementing these measures.
<b>Recycling and Waste.</b> Reduce methane emissions at landfills. Increase waste diversion, composting, and commercial recycling. Move toward zero-waste.	<b>Consistent.</b> Under City of Los Angeles requirements, the any waste would divert/recycle at least 50% of construction debris, re-use existing materials in new construction, use recycled content materials; and recycle during operation.
<b>Sustainable Forests.</b> Preserve forest sequestration and encourage the use of forest biomass for sustainable energy generation.	<b>Not Applicable.</b> Resource Agency departments are responsible for implementing this measure.
<b>Water.</b> Continue efficiency programs and use cleaner energy sources to move and treat water.	<b>Not Applicable.</b> The Project does not include new buildings.
<b>Agriculture.</b> In the near-term, encourage investment in manure digester and at the five-year Scoping Plan update	<b>Not Applicable.</b> The Project does not include agricultural facilities.

**Table 7-1  
 Project Consistency with AB 32 Scoping Plan Greenhouse Gas Emission Reduction Strategies**

Strategy	Project Consistency
determine if the program should be made mandatory by 2020.	
<i>Source: CAJA, 2014.</i>	

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<b>8. HAZARDS AND HAZARDOUS MATERIALS.</b> 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for the people residing or working in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### **City of Los Angeles CEQA Thresholds Guide**

Based upon criteria established in the L.A. CEQA Thresholds Guide, the determination of significance shall be made on a case-by-case basis considering the following factors:

#### **Risk of Upset/Emergency Preparedness**

- The regulatory framework;
- The probable frequency and severity of consequences to people or property as a result of a potential accidental release or explosion of hazardous substance;
- The degree to which the project may require a new, or interfere with an existing, emergency response or evacuation plan, and the severity of the consequences; and
- The degree to which project design will reduce the frequency or severity of a potential accidental release or explosion of a hazardous substance.

#### **Human Health Hazard**

- The regulatory framework for the health hazard;
- The probable frequency and severity of consequences to people from exposure to the health hazard; and
- The degree to which project design would reduce the frequency of exposure or severity of consequences of exposure to the health hazard.

Human health hazard screening criteria is for pipelines, storage fields for above ground tanks, solid waste facility, waste water treatment plant, major utility transmission, land use with recognized vector problems, or facilities that use hazardous waste in sufficient quantities. The Project would not include those uses. Thus, no further analysis of this issue is required.

a) A significant impact may occur if a project would involve the use or disposal of hazardous materials as part of its routine operations, or would have the potential to generate toxic or otherwise hazardous emissions that could adversely affect sensitive receptors. The Project could involve the temporary transport, use, and disposal of potentially hazardous materials. These materials include paints, adhesives, surface coatings, cleaning agents, fuels, and oils that are typically associated with upgrading the alley with pedestrian amenities. All of these materials would be used temporarily. The Project does not involve the routine transport, use, or disposal of hazardous materials. Additionally, all potentially hazardous materials would be used and stored in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations, which further minimizes the potential risk associated with construction-related hazardous materials. Finally, the

activities are contained on the alley and, thus, any emissions from the use of such materials would be minimal. From an operational perspective, the Project does not involve the routine use, transport, or disposal of hazardous materials. The alley uses could include limited hazardous materials such as cleaning solvents, paints, and pesticides for landscaping. The Project would adhere to regulatory requirements for source hazardous waste reduction measures (e.g., recycling of used batteries, recycling of elemental mercury, etc.) that would minimize the generation of hazardous waste. The Project will comply with the applicable City ordinances regarding implementation of hazardous waste reduction efforts on-site (i.e., the City's Green Building Ordinance). The transport of hazardous materials and wastes (i.e., paints, adhesives, surface coatings, cleaning agents, fuels, and oils) would occur in accordance with federal and state regulations, including the Federal Resource Conservation and Recovery Act (RCRA), Title 49 of the Code of Federal Regulations (CFR), the California Vehicle Code, and the California Health and Safety Code. In accordance with such regulations, the transport of hazardous materials and wastes would only occur with transporters who have received training and appropriate licensing. The applicable regulatory requirements further ensure that the minimal amount of hazardous materials are properly treated and disposed of at licensed resource recovery facilities or hazardous waste landfills. Therefore, no impact would occur.

**b)** A significant impact may occur if a project utilizes hazardous materials as part of its routine operations and could potentially pose a hazard to nearby sensitive receptors under accident or upset conditions. The alley does not include buildings that could create release of hazardous materials, such as asbestos-materials, lead-based paint, polychlorinated biphenyls (PCBs). The Site is not within methane hazard zone<sup>36</sup>. Therefore, no impact would occur.

**c)** A project-related significant adverse effect may occur if the Project Site is located within 0.25-mile (1,325 feet) of an existing or proposed school site, and is projected to release toxic emissions, which would pose a health hazard beyond regulatory thresholds. There are no schools nearby. In addition, the Project would emit hazardous emissions. Therefore, no impact would occur.

**d)** California Government Code Section 65962.5 requires various state agencies to compile lists of hazardous waste disposal facilities, unauthorized release from underground storage tanks, contaminated drinking water wells, and solid waste facilities from which there is known migration of hazardous waste and submit such information to the Secretary for Environmental Protection on at least an annual basis. In meeting the provisions in Government Code Section 65962.5, commonly referred to as the "Cortese List," database resources that provide information regarding identified facilities or sites include EnviroStor, GeoTracker, and other lists compiled by the California Environmental Protection Agency.

According to EnviroStor, there are no cleanup sites, permitted sites, or SLICS (Spills, Leaks, Investigation, and Cleanup) on, in or under the Project Site. There is an identified LUFT (leaking underground fuel tanks) for nearby 433 Spring Street (Twin Springs LLC) case number T0603734500. The cleanup was completed and the

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<sup>36</sup> *City of Los Angeles Department of City Planning, Zoning Information and Map Access System:  
<http://zimas.lacity.org/>.*

case closed on September 9, 2011.<sup>37</sup> According to GeoTracker, there are no, other cleanup sites, land disposal sites, military sites WDR sites, permitted UST facilities, monitoring wells, or California Department of Toxic Substance Control cleanup sites or hazardous materials permits on, in or under the Project Site.<sup>38</sup> The Project Site has not been identified as a solid waste disposal site having hazardous waste levels outside of the Waste Management Unit.<sup>39</sup> There are no active Cease and Desist Orders or Cleanup and Abatement Orders from the California Water Resources Control Board associated with the Project Site.<sup>40</sup> The Project Site is not subject to corrective action pursuant to the Health and Safety Code, as it has not been identified as a hazardous waste facility.<sup>41</sup> The Project Site is not located on a list of hazardous material sites (and that the identified LUST cleanup site is considered complete and the case closed). Therefore, no impact would occur.

e) The Project is not within an airport hazard area.<sup>42</sup> The Project Site is not located within two miles of a public airport. Therefore no impact would occur.

f) There are no nearby private airstrips. Therefore, no impacts will occur.

g) A significant impact may occur if a project were to interfere with roadway operations used in conjunction with an emergency response plan or emergency evacuation plan, or would generate sufficient traffic to create traffic congestion that would interfere with the execution of such a plan. The Project will not impede public access or travel on public rights-of-way such as 4th Street or 5<sup>th</sup> Street. The alley will continue to be maintained for emergency access. The Project would not interfere with an emergency response plan. Therefore, no impact would occur.

h) A significant impact may occur if a project is located in proximity to wildland areas and would pose a potential fire hazard, which could affect persons or structures in the area in the event of a fire. The Project Site is

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<sup>37</sup> [http://geotracker.waterboards.ca.gov/profile\\_report.asp?global\\_id=T0603734500](http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0603734500)

<sup>38</sup> California State Water Resources Control Board, GeoTracker, website: <http://geotracker.waterboards.ca.gov/map>, accessed September 29, 2014.

<sup>39</sup> California Environmental Protection Agency, Cortese List Data Resources, Sites Identified with Waste Constituents Above Hazardous Waste Levels Outside the Waste Management Unit, website: <http://www.calepa.ca.gov/SiteCleanup/CorteseList/CurrentList.pdf>, accessed September 29, 2014.

<sup>40</sup> California Environmental Protection Agency, Cortese List Data Resources, List of "Active" CDO and CAO from Water Board, website: <http://www.calepa.ca.gov/sitecleanup/corteselist/>, September 29, 2014.

<sup>41</sup> California Environmental Protection Agency, Cortese List Data Resources, Cortese List: Section 65962.5(a), website: <http://www.calepa.ca.gov/SiteCleanup/CorteseList/SectionA.htm#Facilities>, September 29, 2014.

<sup>42</sup> City of Los Angeles Department of City Planning, Zoning Information and Map Access System: <http://zimas.lacity.org/>.

not located in a Very High Fire Hazard Severity Zone,<sup>43</sup> nor does the Site contain any wildlands fire hazard terrain.<sup>44</sup> Therefore, no impacts will occur.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<b>9. HYDROLOGY AND WATER QUALITY.</b> Would the proposal result in:				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned land uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Place housing within a 100-year flood plain as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood plain structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>43</sup> City of Los Angeles Department of City Planning, Zoning Information and Map Access System: <http://zimas.lacity.org/>.

<sup>44</sup> Los Angeles Safety Element, Exhibit D, Selected Wildfire Hazard Areas in the City of Los Angeles: <http://cityplanning.lacity.org/cwd/gnlpln/saftvelt.pdf>.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
inquiry or death involving flooding, including flooding as a result of the failure of a levee or dam?				
j. Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**City of Los Angeles CEQA Thresholds Guide**

A project would normally have a significant impact on surface water hydrology if it would:

**Surface Water Hydrology**

- Cause flooding during the projected 50-year developed storm event, which would have the potential to harm people or damage property or sensitive biological resources;
- Substantially reduce or increase the amount of surface water in a water body; or
- Result in a permanent, adverse change to the movement of surface water sufficient to produce a substantial change in the current or direction of water flow.

**Surface Water Quality**

- Discharges associated with the project would create pollution, contamination or nuisance as defined in Section 13050 of the California Water Code (CWC) (see definitions below) or that cause regulatory standards to be violated, as defined in the applicable NPDES stormwater permit or Water Quality Control Plan for the receiving water body.

**Groundwater Level**

- Change potable water level sufficiently to:
  - Reduce the ability of a water utility to use the groundwater basin for public water supplies, conjunctive use purposes, storage of imported water, summer/winter peaking, or to respond to emergencies and drought;
  - Reduce yields of adjacent wells or well fields (public or private); or
  - Adversely change the rate or direction of flow of groundwater, or
- Result in demonstrable and sustained reductions of groundwater recharge capacity.

**Groundwater Quality**

- Affect the rate or change the direction of movement of existing contaminants;
- Expand the area affected by contaminants;
- Result in an increased level of groundwater contamination (including that from direct percolation, injection or salt water intrusion); or
- Cause regulatory water quality standards at an existing production well to be violated, as defined in the California Code of Regulations (CCR), Title 22, Division 4, and Chapter 15 and in the Safe Drinking Water Act.

a) A significant impact may occur if a project discharges water that does not meet the quality standards of agencies that regulate surface water quality and water discharge into stormwater drainage systems. The National Pollutant Discharge Elimination System (NPDES) program establishes a comprehensive stormwater quality program to manage urban stormwater and minimize pollution of the environment to the maximum extent practicable. Pursuant to the NPDES, the Project is subject to the requirements set forth in the County's Standard Urban Stormwater Mitigation Plan (SUSMP). The goals and objectives of the SUSMP are achieved through the use of Best Management Practices (BMPs) to help manage runoff water quality. The City of Los Angeles has adopted the regulatory requirements set forth in the SUSMP of the Los Angeles Regional Water Quality Control Board (LARWQCB) under the City of Los Angeles Ordinance No. 173,494. BMPs typically include controlling roadway and parking lot contaminants by installing oil and grease separators at storm drain inlets; cleaning parking lots on a regular basis; incorporating peak-flow reduction and infiltration features (such as grass swales, infiltration trenches, and grass filter strips) into landscaping; and implementing education programs. The SUSMP identifies the types and sizes of private development projects that are subject to its requirements. Requirements of the SUSMP are enforced through the City's plan approval and permit process. Low Impact Development (LID) is a stormwater management strategy that seeks to prevent impacts of runoff and stormwater pollution as close to its source as possible. It is an ordinance passed in 2011 amending LAMC 64.70 (the City's stormwater code) and expanding on the City's existing Standard Urban Stormwater Mitigation Plan (SUSMP) requirements. LID is different from the previous SUSMP because it requires a larger scope of development and redevelopment projects to comply with stormwater measures, and incorporating new LID practices and measures. All development and redevelopment projects that create, add, or replace 500 square feet or more of impervious area need to comply with the LID Ordinance. A project must comply with the LID Best Management Practices (BMPSs) (determined on a case by case basis by Public Works), and if that is not feasible only then do SUSMP BMPs apply.

The Project would not involve any additional discharging of water. The Project would not include industrial discharge to any public water system. Under existing conditions, runoff at the Site may contain typical urban pollutants such as automotive fluids (including oil and grease) commercial cleaning and landscaping pollutants discharged into the storm drainage system. There would be no substantial increase in runoff as a result of the Project (which would be primarily pedestrian oriented) and the Site would not differ substantially in type or quantity than that which currently exists. Therefore, no impact would occur.

b) A significant impact may occur if a project includes deep excavations resulting in the potential to interfere with groundwater movement or includes withdrawal of groundwater or paving of existing permeable surfaces important to groundwater recharge. The nearest surface water in the vicinity are at MacArthur Park Lake, Echo Park Lake, Silver Lake Reservoir. No settling ponds, lagoons, surface impoundments, wetlands or natural catch basins are on the Project Site or nearby. A public water system operated by the Los Angeles Department of Water and Power (LADWP) serves the Project Site. The sources of public water for the City of Los Angeles are surface water from California Water Project and Colorado River purchased through the Metropolitan Water District (MWD) and groundwater.<sup>45</sup> The alley is currently completely paved and would continue to be paved. Thus, the Project would not be altering the amount of impervious surface that affects groundwater recharge. Therefore, no impact would occur.

c) A significant impact may occur if a project results in a substantial alteration of drainage patterns that would result in a substantial increase in erosion or siltation during construction or operation of the project. Proper surface drainage is critical to the future performance of the Project. Saturation of a soil can cause it to lose internal shear strength and increase its compressibility, resulting in a change in the designated engineering properties. Proper Site drainage should be maintained at all times. The Project Site is not near, nor would be altering, a stream or river. Therefore, no impact would occur.

d) A significant impact may occur if a project results in increased runoff volumes during construction or operation of the project that would result in flooding conditions affecting the Project Site or nearby properties. No flooding is expected to occur on- or off-site due to the relatively flat grades of the alley and since it is completely surrounded by buildings. The Project Site is also not near, nor would be altering, a stream or river. Therefore, no impact would occur.

e) A significant impact may occur if a project would increase the volume of stormwater runoff to a level that exceeds the capacity of the storm drain system serving a Project Site. A Project-related significant adverse effect would also occur if a project would substantially increase the probability that polluted runoff would reach storm drains. No natural watercourses exist on or in the vicinity of the Project Site. Drainage across the Site is by sheet flow across the southern vacant portion and the northern built portion toward the existing storm drain system. The storm drain system includes a catch basin at the south end of the alley at 5<sup>th</sup> Street (rear of 425 Main Street) that connects to a connector to a 24-inch main line RCP (reinforced concrete pipe) that flows south to Main Street. 4<sup>th</sup> Street also has an 18-inch main line that flows south.<sup>46</sup> The catch basin will remain and not be relocated. The Applicant shall provide the city with a public access easement over the alley to ensure access to the catch basin. Urban runoff discharged from municipal storm drains is one of the principal causes of water quality problems in most urban areas. Oil and grease from parking lots, pesticides, cleaning solvents, and other toxic chemicals can contaminate stormwater, which can then contaminate receiving waters downstream and, eventually, the Pacific Ocean. There are regulations that control water pollution by regulating point sources that

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<sup>45</sup> LADWP, *Water, Sources of Water*: <https://www.ladwp.com/>, accessed September 29, 2014

<sup>46</sup> *Navigate LA, City of Los Angeles, Bureau of Engineering, Storm Drains Layer*: <http://navigatela.lacity.org/index01.cfm>

discharge pollutants. The Project would not change the volume of stormwater runoff. Therefore, no impact would occur.

f) A significant impact may occur if a project includes potential sources of water pollutants that would have the potential to substantially degrade water quality. The Project does not include sources of contaminants that could substantially degrade water quality. Therefore, no impact would occur.

g) This question would apply to the Project only if it were placing housing in a 100-year flood zone. The Project does not include residential dwelling units. The Site is not in a 100-year flood hazard area.<sup>47</sup> The Site is in FEMA Firm 06037C1636F and not in a flood hazard. The Site is not within a flood zone.<sup>48</sup> Therefore, no impact would occur.

h) A significant impact may occur if a project were located within a 100-year flood zone, which would impede or redirect flood flows. The Project Site is not located within a City-designated 100- or 500-year floodplain.<sup>49</sup> The Project will not be at risk of flooding and would not place structures in an area that would impede or redirect flood flows. No impact would occur.

i) A significant impact may occur if a project were located in an area where a dam or levee could fail, exposing people or structures to a significant risk of loss, injury, or death. The nearest surface water in the vicinity are at MacArthur Park Lake, Echo Park Lake, Silver Lake Reservoir. The Project Site, and much of the Downtown Los Angeles area, is located within a potential inundation area.<sup>50</sup> However, the result of the Baldwin Hills dam failure in 1963 and the near collapse of the Van Norman Dam during the 1971 San Fernando Earthquake resulted in strengthening of the federal, state, and local design standards and retrofitting of existing facilities. None of the 13 dams in the greater LA area was severely damaged during the 1994 Northridge Earthquake. This low damage level was due in part to completion of the retrofitting of dams and reservoirs pursuant to the 1972 State Dam Safety Act following the San Fernando earthquake.<sup>51</sup> The LADWP maintains a Water System Reservoir Surveillance Program. Most of LADWP's dams and reservoirs are under the jurisdiction of the California Department of Water Resources, Division of Safety of Dams (DSOD). DSOD issues operating licenses for dams and reservoirs under its jurisdiction, and the owner must comply with certain operation, maintenance, and inspection procedures in order to retain the license to operate the facility. LADWP maintains

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<sup>47</sup> *Los Angeles Safety Element, Exhibit F, 100-Year and 500-year Flood Plains in the City of Los Angeles:* <http://cityplanning.lacity.org/cwd/gnlpln/saftyelt.pdf>.

<sup>48</sup> *City of Los Angeles Department of City Planning, Zoning Information and Map Access System:* <http://zimas.lacity.org/>.

<sup>49</sup> *Los Angeles Safety Element, Exhibit F, 100-Year and 500-year Flood Plains in the City of Los Angeles:* <http://cityplanning.lacity.org/cwd/gnlpln/saftyelt.pdf>.

<sup>50</sup> *Los Angeles Safety Element, Exhibit G, Inundation & Tsunami Hazard Areas Map:* <http://cityplanning.lacity.org/cwd/gnlpln/saftyelt.pdf>.

<sup>51</sup> *Page II-16, Los Angeles Safety Element,* <http://cityplanning.lacity.org/cwd/gnlpln/saftyelt.pdf>.

an assertive dam safety program, consisting of a six-person Reservoir Surveillance Group dedicated to inspecting each in-City reservoir monthly and each of its Owens Valley reservoirs annually or semi-annually. Reservoir inspections include reading groundwater monitoring wells in and around the dams, reading flows at seepage drains, and performing a thorough visual inspection. Many LADWP reservoirs have Movement and Settlement (M&S) survey points installed on, and near, the dams. These points are periodically measured using precision survey equipment. The M&S survey, groundwater, and seepage data are plotted on long-term charts to determine if there has been any significant change over time. At least once per year, State DSOD inspectors accompany LADWP Reservoir Surveillance personnel into the field to inspect each dam and reservoir. The Water System's Geotechnical Engineering Group maintains a program for periodically analyzing its dams and reservoirs for earthquake safety.<sup>52</sup> As with other dams in California, are continually monitored by various governmental agencies (such as the State of California Division of Safety and Dams and the U.S. Army Corps of Engineers) to guard against the threat of dam failure. Current design and construction practices and ongoing programs of review, modification, or total reconstruction of existing dams are intended to ensure that all dams are capable of withstanding the maximum credible earthquake for the site. Flooding from other sources is not expected; thus the minimal risk of flooding from potential dam or levee failure will not be exacerbated by the development of the Project. Therefore, no impact would occur.

j) A significant impact may occur if a Project Site is sufficiently close to the ocean or other water body to be potentially at risk for the effects of seismically-induced tidal phenomena (seiche and tsunami) or if the project site is located adjacent to a hillside area with soil characteristics that would indicate potential susceptibility to mudslides or mudflows. Seiches are oscillations generated in enclosed bodies of water that can be caused by ground shaking associated with an earthquake. Mitigation of potential seiche action has been implemented by the LADWP through regulation of the level of water in its storage facilities and providing walls of extra height to contain seiches and prevent overflows. Dams and reservoirs are monitored during storms and measures are instituted in the event of potential overflow.<sup>53</sup> The Project Site is not located within an area potentially impacted by a tsunami, which is typically located along the coast of the Pacific Ocean.<sup>54</sup> The Project Site is not within a Hillside Area.<sup>55</sup> In addition, the City of Los Angeles ZIMAS mapping system<sup>56</sup> and the Safety Element of the

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<sup>52</sup>LADWP, *Water System Reservoir Surveillance Program*: [http://eng.lacity.org/projects/fmp/pdf/handout4\\_042009.pdf](http://eng.lacity.org/projects/fmp/pdf/handout4_042009.pdf)

<sup>53</sup> *Page II-16, Los Angeles Safety Element*, <http://cityplanning.lacity.org/cwd/gnlpln/saftyelt.pdf>.

<sup>54</sup> *Los Angeles Safety Element, Exhibit G, Inundation & Tsunami Hazard Areas Map*: <http://cityplanning.lacity.org/cwd/gnlpln/saftyelt.pdf>.

<sup>55</sup> *City of Los Angeles Department of City Planning, Zoning Information and Map Access System*: <http://zimas.lacity.org/>.

<sup>56</sup> *City of Los Angeles Department of City Planning, Zoning Information and Map Access System*: <http://zimas.lacity.org/>.

City of Los Angeles<sup>57</sup> do not classify the Project Site as within a landslide area, or identified as a bedrock or probably bedrock landslide site. Thus, there is no potential for mudflow. Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<b>10. LAND USE AND PLANNING.</b> Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**City of Los Angeles CEQA Thresholds Guide**

Based upon criteria established in the L.A. CEQA Thresholds Guide, the determination of significance shall be made on a case-by-case basis considering the following factors:

**Land Use Consistency**

- Whether the proposal is inconsistent with the adopted land use/density designation in the Community Plan, redevelopment plan or specific plan for the site.
- Whether the proposal is inconsistent with the General Plan or adopted environmental goals or policies contained in other applicable plans.

**Land Use Compatibility**

- The extent of the area that would be impacted, the nature and degree of impacts, and the type of land uses within that area.
- The extent to which existing neighborhoods, communities, or land uses would be disrupted, divided or isolated, and the duration of the disruptions.
- The number, degree, and type of secondary impacts to surrounding land uses that could result from implementation of the proposed project.

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<sup>57</sup> Los Angeles Safety Element, Exhibit C, Landslide Inventory and Hillside Areas in the City of Los Angeles: <http://cityplanning.lacity.org/cwd/gnlpln/saftvelt.pdf>, accessed September 29, 2014.

a) A significant impact may occur if a project were 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 that 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 is not of a scale or nature that could physically divide an established community. Although the Project involves an alley vacation, the alley has been nominally closed to through traffic and pedestrian, other than those granted access by virtue of their residence in surrounding buildings, and has been used by adjacent businesses. The alley access is currently limited with fences along Spring Street Park, and gates at the 4<sup>th</sup> and 5<sup>th</sup> Street entrances. The limited access was originally to reduce crime and create an environment for the immediate residents and tenants. The alley vacation would allow the alley to include additional pedestrian access and connectivity points. The adjacent street system adequately served the needs of the vehicle traffic. Therefore, no impact would occur.

b) A significant impact may occur if a project is inconsistent with applicable land use plans or zoning designations and would cause adverse environmental effects, which these regulations are designed to avoid or mitigate.

An original request for a partial vacation was requested on October 11, 2011. On April 3, 2012, the City Planning Department recommended against a previous alley vacation request that sought to only vacate the first 360 feet of the alley from 4<sup>th</sup> Street. Since then, the request is now for a full vacation of the 600 feet length from 4<sup>th</sup> Street to 5<sup>th</sup> Street. The alley vacation would not include any building or development.

#### **Applicability of SCAG Plans**

The goals and policies of the Regional Comprehensive Plan and Guide (RCPG), Compass Blueprint, Regional Comprehensive Plan (RCP), and Regional Transportation Plan (RTP) address projects considered to be regionally significant. To monitor regional development, CEQA requires regional agencies, such as SCAG, to review projects and plans throughout its jurisdiction. In the Southern California region, with exception of the County of San Diego, SCAG acts as the region's "Clearinghouse," and collects information on projects of varying size and scope to provide a central point to monitor regional activity. The Project is not considered to be a regionally significant project pursuant to CEQA Guidelines 15206.58 The consideration for a residential development is more than 500 dwelling units and commercial building is employing more than 1,000 persons or more than 250,000 square feet. The alley vacation would have no residential units and no commercial building. As such, the Project will not be required to demonstrate consistency with SCAG policies contained in the RCPG, Compass Blueprint, RCP, or RTP.

#### **Air Quality Management Plan (AQMP)**

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<sup>58</sup> CEQA, Section 15206, *Projects of Statewide, Regional, or Areawide Significance*: [http://www.dot.ca.gov/hq/tpp/offices/ocp/igr\\_ceqa\\_files/Handout\\_CCR\\_15206\\_Statewide,Regional,Areawide\\_052007.pdf](http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/Handout_CCR_15206_Statewide,Regional,Areawide_052007.pdf), accessed February 20, 2014.

In the South Coast Air Basin, cumulative impacts on regional ozone air quality are judged by a project's consistency with the SCAQMD's 2012 Air Quality Management Plan (AQMP).<sup>59</sup> The AQMP works with the Southern California Association of Governments (SCAG) to forecast population growth for the region and develops a long-term attainment plan to accommodate the air pollution impacts of such growth. Because population growth drives the demand for jobs and housing that contribute to regional air pollution, projects that are consistent with regional population forecasts built into the AQMP are considered to have less-than-significant impacts on regional air quality. Consistency with jobs and housing projections are also considered as secondary barometers for growth. Because the project will not increase population, its impact on regional air quality is accommodated by the overall growth assumptions in the 2012 AQMP. The Project is consistent with the SCAQMD's 2012 AQMP.

#### **Congestion Management Plan (CMP) for Los Angeles County.**

The CMP for Los Angeles County is intended to address vehicular congestion relief by linking land use, transportation, and air quality decisions. The CMP also seeks to develop a partnership among transportation decision-makers to devise appropriate transportation solutions that include all modes of travel, and to propose transportation projects that are eligible to compete for state gas tax funds. Within Los Angeles County, Metro is the designated congestion management agency responsible for coordinating the CMP. No traffic would be generated to impact any CMP facility.

#### **City of Los Angeles General Plan**

The General Plan Framework Element is a strategy for long-term growth that sets a citywide context to guide the update of the community plan and citywide elements. The alley is surrounded by uses designated as Regional Center Commercial. Regional centers are intended to serve as the focal points of regional commerce, identity, and activity. They cater to many neighborhoods and communities and serve a population of 250,000 to 500,000 residents. They contain a diversity of uses such as corporate and professional offices, retail commercial malls, government buildings, major health facilities, major entertainment and cultural facilities and supporting services. Region-serving retail commercial malls and retail services should be integrated where they complement and support the other uses in the regional center. The development of sites and structures integrating housing with commercial uses is encouraged in concert with supporting services, recreational uses, open spaces, and amenities. Regional centers, typically, provide a significant number of jobs and many non-work destinations that generate and attract a high number of vehicular trips. Consequently, each center shall function as a hub of regional bus or rail transit both day and night. Good quality street, area, and pedestrian lighting is essential to generating feelings of safety, comfort, and well being necessary for ensuring public nighttime use of transit facilities. They are typically high-density places whose physical form is substantially differentiated from the lower-density neighborhoods of the City. Generally, regional centers will range from FAR 1.5:1 to 6:1 and are characterized by six- to twenty-story (or higher) buildings as determined in the community plan. Their densities and functions support the development of a comprehensive and inter-connected

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<sup>59</sup> SCAQMD, AQMP: <http://www.aqmd.gov/aqmp/aqmpintro.htm>

network of public transit and services. Physically, the regional centers are generally characterized by three forms of development:

1. Areas containing mid- and high-rise structures concentrated along arterial or secondary highway street frontages (e.g., Wilshire and Hollywood Boulevards). The intensity of activity and incorporation of retail uses in the ground floor of these structures should induce considerable pedestrian activity.
2. Areas containing mid- and high-rise structures sited on large independent lots, set back from the property frontages (e.g., Warner Center and most of Century City). Though inhibited by the separation of structures, it is encouraged that buildings and sites be designed to improve pedestrian activity within the center.
3. Areas containing retail commercial "malls," characterized by low- and mid-rise buildings clustered around common pedestrian areas. It is encouraged that these buildings be sited and designed to improve their relationships to their principal street frontages, enhancing pedestrian activity.<sup>60</sup>

The alley vacation would not impede any of the goals, objectives, or policies for adjacent Regional Center Commercial land use. The alley vacation would enhance urban lifestyles with additional pedestrian access points and outdoor dining (Objective 3.10); promote and induce pedestrian activity, and not conflict with Pedestrian-Oriented District Policies 3.16.1 through 3.16.3 (Policy 3.10.3). The other policies would not apply to the alley vacation.

### **Transportation Element**

The 1999 Transportation Element of the General Plan has policy 2.27 which: "Discouraged the vacation and/or closure of public alleys which service properties fronting on major or secondary highways."<sup>61</sup> The streets surrounding the alley are secondary highways.

The service access for the adjacent properties would continue to be maintained. The current Spring Street Park vehicle maintenance parking would be maintained after vacation. The current driveway to the parking garage on Main Street would be maintained. The service of any trash or loading would be maintained. No building development would occur on the alley vacation. The Planning Department cites that the Spring Street Park was designed with a secondary entrance in the rear for pedestrians that would otherwise have to walk to either 4<sup>th</sup> Street or 5<sup>th</sup> Street to access the front primary entrance of the park. This access is currently closed, however it could be opened by decision of LADRP. The alley vacation would encourage this connection to the park. The full alley vacation and continued maintenance of access ensures that it is no longer inconsistent with Transportation Element policy.

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<sup>60</sup> <http://cityplanning.lacity.org/cwd/framwk/chapters/03/03205.htm>

<sup>61</sup> <http://cityplanning.lacity.org/cwd/gnlpln/transelt/TE/T4Objctv.htm>

A new transportation element called Mobility Plan 2035 was released in draft form in February 2014. Once adopted, it would replace the 1999 Element. The draft Mobility Plan also discourages the vacation and/or closure of public streets, alleys, and right-of-ways. However, it acknowledges that some alleys have little use for vehicles and could be modified as "paseos" to accommodate only pedestrians and bicyclists. Design improvements can make the public right-of-ways more inviting and attractive community amenities.<sup>62</sup> This flexibility provides the basis for evaluating alley vacations due to their existing use. The Harlem Place alley is mostly for pedestrians (limited by gates to the adjacent residential buildings) and provides little vehicle and service access. The vehicle and service access would remain after vacation.

### **Central City Community Plan**

As part of the Urban Design Chapter of the Community Plan, the Downtown Design Guide is referenced to: promote green streets and green alleys.<sup>63</sup> Within the Historic Core, another objective is: Link east-west mid-block paseo and galleries into a network that provides easy pedestrian access through the area, activated by retail and institutional uses. Use alleys for service and parking access and make them secure at all times.<sup>64</sup> The alley vacation would activate the alley with additional pedestrians and allow it to be used for additional access points. It would activate and support additional usage of the alley. The alley would continue to allow vehicle access to the parking garage from Spring Street, Spring Street Park LADRP access, and any other service access (such as trash) as currently required. An activated alley would be made more secure with additional pedestrian surveillance as a natural crime deterrent.

The alley vacation would be consistent with Central City Community Plan, Chapter IV (Transportation and Circulation), Policy: Provide for the efficient circulation into and within Downtown. Harlem Place provided essential through traffic and access and that the zoning and land use designation would encourage additional development adjacent to the alley that would require access. The alley vacation does not preclude additional development adjacent to the alley or additional access as necessary. The alley vacation would not include any development on the alley itself. The gates at 4<sup>th</sup> and 5<sup>th</sup> Street ensure that the alley vehicle traffic is severely limited. There is a driveway to the parking structure. All vehicle access and service would be maintained after the alley vacation. The alley vacation would still allow vehicle access and loading as required for building's adjacent to the alley and the Spring Street Park. The vacation would not increase congestion on the adjoining streets. The full alley vacation and continued maintenance of access ensures that it is consistent with Community Plan policy.

### **Downtown Design Guide**

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<sup>62</sup> Page 85, *Mobility Plan 2035*: [http://cityplanning.lacity.org/Cwd/GnlPln/MobiltyElement/Text/MobilityPlan\\_2035.pdf](http://cityplanning.lacity.org/Cwd/GnlPln/MobiltyElement/Text/MobilityPlan_2035.pdf)

<sup>63</sup> Page V-1: <http://cityplanning.lacity.org/complan/pdf/CCYCPTXT.PDF>

<sup>64</sup> Page V-4: <http://cityplanning.lacity.org/complan/pdf/CCYCPTXT.PDF>

The Downtown Design Guide discusses alleys and building walls facing alleys:<sup>65</sup>

Maintain and enhance alleys.

1. No existing alley shall be vacated unless 1) vehicular access to the project is provided only at the former intersection of the alley with the street; 2) vacating the alley will not result in the need for additional curb cuts for other parcels on the same block; and 3) an east-west pedestrian paseo at least 20 feet wide will be provided in the middle third of the block as part of the project.

2. As a general rule, Downtown alleys shall not be gated. Existing gates shall be removed where feasible. Use alleys primarily for vehicular access, loading and service.

3. The primary purpose of most Downtown alleys is vehicular access and loading. The exceptions are “pedestrian-priority” alleys as designated as “pedestrian-priority” alleys by the Reviewing Agency. Pedestrian-priority alleys typically are located in the City Markets district.

4. Access to parking shall be from an alley where one exists or can be provided.

5. Where there is no alley and the project includes frontage on an east-west street, parking access shall be located mid-block on the east-west street.

Provide access to utilities and mechanical equipment from alleys.

6. Electrical transformers shall be located to be accessed from an alley where one exists or can be provided. If located adjacent to a sidewalk, they shall be screened and incorporated into the building to read as a storefront or office. Design building walls that face alleys to be attractive those who see them.

7. While they can be more simply designed than street-facing façades, building walls that face alleys nonetheless should be visually attractive.

8. Parking levels may be visible but should be designed to alleviate the horizontality and lack of articulation and to screen lighting from the public rights-of-way and surrounding residential units, as described in the prior discussion of free standing parking structures.

Ensure that residents are not adversely affected by the use of alleys for parking access, service and loading.

Urban downtown environments typically experience higher ambient sound levels than, for example, suburban residential neighborhoods due to traffic on streets and alleys, street activity and commercial ground-floor uses.

9. Each home buyer and renter in the Downtown shall sign a statement acknowledging that:

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<sup>65</sup> Pages 24-25: <http://planning.lacity.org/urbanization/dwntwdesign/TableC.pdf>

- Sound levels may be higher than in other locations due to traffic on streets and alleys, street activity, ground floor uses, vehicular loading, and trash collection;
- There will be additional development all around them;
- Alleys will be used as the primary access to all parking in the Downtown and for loading, utilities and trash collection.

10. Residential units shall not be located on the ground floor adjacent to alleys in order to reduce light, glare, and noise concerns.

11. Residential units shall be designed to maintain interior sound levels, when windows are closed, at below 45 dB. Because the exterior sound level may exceed 60 dB, measures in addition to conventional construction are suggested to meet the interior standard, including:

- Use of 1/4” laminated or double glazing in windows
- Installation of rubberized asphalt in the alleys.

Incorporate green elements in alleys.

12. Subject to approval by BOE, install permeable paving to infiltrate storm water and eliminate standing water.

The alley vacation would abide by these design guide including continuing to allow vehicle access at existing areas (such as the driveway to the adjacent parking), the Spring Street Park rear vehicle area for LADRP maintenance, and service (such as trash) access. Emergency access will not change and continue to be maintained. The alley vacation would allow the alley to become additionally pedestrian priority.

The current gates on the alley forbid general vehicle access so that the alley essentially functions as pedestrian priority currently. The gates were added to deter criminal activity. An activated and pedestrian friendly alley can act to deter criminality through increased witness and surveillance. The policy states “As a general rule” and “removed where feasible”. These phrases make clear that while gates are discouraged, they are not explicitly required to be removed.

Pedestrian priority alleys are typically located in the City Market district, which is generally south of the Historic Core, south of Los Angeles Street. While typical, it does not preclude a pedestrian priority alley outside of the City Market district, especially since Harlem Place is within a block of the City Market boundary and essentially functions as a pedestrian priority alley. The walls that face the alley already contain lighting and some temporary landscaping (planters). The rear of Spring Street Park also provides a landscaped wall. The alley functions also as a shared alley in which it is primarily pedestrian with some service access. The alley is compatible with the adjacent residential uses since it already functions primarily as a pedestrian and service corridor. The alley vacation would further activate the alley with additional pedestrian activity. The alley is illuminated for both vehicles and pedestrian security. The alley can be vacated because vehicular access is

provided only at the former intersection of the alley with the street (such as at Spring Street to the parking garage on Main Street), and at the 4<sup>th</sup> and 5<sup>th</sup> Street entrances); 2) vacating the alley will not result in the need for additional curb cuts for other parcels on the same block; and 3) an east-west pedestrian paseo at least 20 feet wide will be provided (the alley is 20 feet wide).

The alley would continue to maintain the driveway access to the parking garage. There are already pedestrian crossing safety features such as a full stop, signage, and speed bumps. The alley vacation would not deteriorate public sidewalks as primary places of pedestrian activity. Rather, the alley would support the sidewalks as access points into specific blocks and commercial activity. The full alley vacation and continued maintenance of access ensures that it is consistent with the policies of the Design Guide.

### **Conclusion**

The transformation of alleys in commercial areas can lead to more sustainable, pedestrian and business-friendly environments. Alleys serve a variety of purposes in the built environment and are an integral component of a city's infrastructure. They are narrow spaces nestled between buildings and are commonly used for vehicular access to residential garages, storage for public facilities, refuse collection, and parking. Alleys can be private, separate parcels of land from the surrounding property or public land, maintained by the local government. The Los Angeles Department of Public Works, specifically the Bureau of Street Services has jurisdiction over the city's alleys and are responsible for alley cleaning, illegal dumping, slurry sealing (i.e., filling potholes and asphalt cracks), street use code enforcement, trash receptacle pickup and debris removal. Poorly maintained alley networks can become plagued with illegal and other criminal activity. Within the past decade, however, city governments and organizations around the country have begun undertaking projects that improve, repurpose, 'green' and revitalize alleys with objectives to improve the environmental and aesthetic quality of the urban form. Alleys can provide easy access to a 'second' storefront for buildings. It bridges access between parking and commercial areas, allowing customers to park and walk to multiple locations. Alley revitalization may also be approached as a strategy to combat blight and public safety issues. If the alley is cleaner and designed to be more visible to the public and pedestrian friendly, it is likely to draw an enhanced public presence and activity. Based on the Crime Prevention through Environmental Design theory, livable cities have a higher volume of street activity that naturally deters criminal or unsafe activities.<sup>66</sup>

As explained above, the full alley vacation and continued maintenance of access ensures that it is no longer inconsistent with Community Plan policy, Design Guide policies, or Transportation Element policy related to alleys and access. The alley vacation would allow the alley to be activated for additional pedestrian use while maintaining the essential vehicle access that already exists. Therefore, no impact would occur.

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<sup>66</sup> *East Cahuenga Alley Revitalization Project, Best Practices, October 2013.*

On April 1, 2015, the Department of City Planning<sup>67</sup> found that with the inclusion of the following conditions of approval, the alley vacation is consistent with the intent, goals, and provisions of the General Plan, the Central City Community Plan, and Downtown Design Guide. Conditions:

1. The Applicant shall provide the city with a public access easement over the alley, indicating that it shall remain open and accessible to the public during the hours of 6 AM to 12 AM.
2. Improvements shall be constructed in accordance with the plans as shown on Exhibit A, stamped and signed by the Department of City Planning.
3. Gates, if installed, must remain fully open during the above hours, and shall be designed to complement the historic character of the surrounding buildings.
4. Per City Council approval (91-2033, motion adopted November 8, 1991) of the placement of gates at each end of the alley: The alley shall be closed at each end with gates as approved by Engineering; and that keys to gate locks be furnished to the Police and Fire departments, Public Works, and public utility companies upon their request. All of the costs of the alley closure will be paid by affected property owners.
5. The Department of Engineering, Land Use Section requires that easement of rights be provided for existing public utilities in the alley. As such the Project shall locate and protect these public utilities and provide necessary easements as required by the affected agencies.

e) A significant adverse effect could occur if a Project Site were located within an area governed by a habitat conservation plan or natural community conservation plan. The Project Site is located in an urbanized and fully developed portion of the City. There are no known locally designated natural communities on the Project Site or in the vicinity. The Project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or State habitat conservation plan. No impact would occur.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<b>11. MINERAL RESOURCES.</b> Would the project:				
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"/>

<sup>67</sup> From Craig Weber, Principal City Planner, Policy Planning Division to Edmond Yew, Manager, Land Development Group, April 1, 2015.

### **City of Los Angeles CEQA Thresholds Guide**

Based upon criteria established in the L.A. CEQA Thresholds Guide, the determination of significance shall be made on a case-by-case basis considering the following factors:

- Whether, or the degree to which, the project might result in the permanent loss of, or loss of access to, a mineral resource that is located in a MRZ-2 or other known or potential mineral resource area; and
- Whether the mineral resource is of regional or statewide significance, or is noted in the Conservation Element as being of local importance.

a) A significant impact may occur if the Project Site is located in an area used or available for extraction of a regionally-important mineral resource, or if the Project would convert an existing or future regionally-important mineral extraction use to another use, or if the Project would affect access to a site used or potentially available for regionally-important mineral resource extraction. Mineral Resources Zone-2 (MRZ-2) sites contain potentially significant sand and gravel deposits which are to be conserved. Any proposed development plan must consider access to the deposits for purposes of extraction. Much of the area within the MRZ-2 sites in Los Angeles was developed with structures prior to the MRZ-2 classification and, therefore, are unavailable for extraction.<sup>68</sup> MRZ-2 sites are identified in two community plan elements of the city's general plan, the Sun Valley and the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon community plans.<sup>69</sup> Neither the Project Site nor the surrounding area is identified as an area containing mineral deposits of regional or statewide significance. The Project Site is not located within any Major Oil Drilling Areas, which are 25 City designated major oil drilling areas. The nearest one is #21 Union Station Oil Field, a broad swath of land generally between Alameda Street and Santa Fe Avenue, east of the Downtown core.<sup>70</sup> Therefore, no impact would occur.

b) A significant impact would occur if a project is located in an area used or available for extraction of a locally-important mineral resource and the Project converted an existing or potential future locally-important mineral extraction use to another use or if the Project affected access to a site in use or potentially available for locally-important mineral resource extraction. The Project Site is not delineated as a locally important mineral resource recovery site on any City plans. Additionally, as stated in the response to Question 11(a), no oil wells exist on

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<sup>68</sup> *City of Los Angeles Department of City Planning, Conservation Element, adopted September 2001, page II-58: <http://cityplanning.lacity.org/cwd/gnlpln/consvelt.pdf>, accessed September 29, 2014.*

<sup>69</sup> *City of Los Angeles Department of City Planning, Conservation Element, adopted September 2001, page II-59: <http://cityplanning.lacity.org/cwd/gnlpln/consvelt.pdf>, accessed September 29, 2014.*

<sup>70</sup> *City of Los Angeles Department of City Planning, Safety Element Exhibit E, Oil Field and Oil Drilling Areas: <http://cityplanning.lacity.org/cwd/gnlpln/saftvelt.pdf>, accessed September 29, 2014.*

the Project Site. Furthermore, the Site is surrounded by dense urban buildings and residential uses. Thus, the Project Site would not be an adequate candidate for mineral extraction. Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<b>12. NOISE.</b> Would the project:				
a. Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<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 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"/>
f. For a project within the vicinity of a private airstrip, 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"/>

**City of Los Angeles CEQA Thresholds Guide**

Based upon criteria established in the L.A. CEQA Thresholds Guide, a project would normally have a significant impact on noise levels if:

**Construction Noise**

- Construction activities lasting more than one day would exceed existing ambient exterior noise levels by 10 dBA or more at a noise sensitive use;
- Construction activities lasting more than 10 days in a three month period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise sensitive use; or
- Construction activities would exceed the ambient noise level by 5 dBA at a noise sensitive use between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday, before 8:00 a.m. or after 6:00 p.m. on Saturday, or at anytime on Sunday.

**Operational Noise**

- Causes the ambient noise level measured at the property line of affected uses to increase by 3 dBA in CNEL to or within the "normally unacceptable" or "clearly unacceptable" category, or any 5 dBA or greater noise increase.

#### **Railroad Noise**

- Causes noise measured at the property line of a noise sensitive receptor to increase by 3 dBA in CNEL, to or within the "normally unacceptable" or "clearly unacceptable" category, or any 5 dBA or greater noise increase.

#### **Airport Noise**

- Noise levels at a noise sensitive use attributable to airport operations exceed 65 dB CNEL and the project increases ambient noise levels by 1.5 dB CNEL or greater.

**a)** Sound is technically described in terms of the loudness (amplitude) and frequency (pitch) of the sound. The standard unit of measurement for sound is the decibel (dB). The human ear is not equally sensitive to sound at all frequencies. The "A-weighted scale," abbreviated dBA, reflects the normal hearing sensitivity range of the human ear. On this scale, the range of human hearing extends from approximately 3 to 140 dBA. Sound levels are discussed in terms of Community Noise Equivalent Level (CNEL) and Equivalent Noise Level ( $L_{eq}$ ).

- Community Noise Equivalent Level. CNEL is an average sound level during a 24-hour period. CNEL is a noise measurement scale, which accounts for noise source, distance, single event duration, single event occurrence, frequency, and time of day. Human reaction to sound between 7:00 p.m. and 10:00 p.m. is as if the sound were actually 5 dBA higher than if it occurred from 7:00 a.m. to 7:00 p.m. when background ambient noise levels are higher. From 10:00 p.m. to 7:00 a.m., humans perceive sound as if it were 10 dBA higher due to an even lower background noise level. Accordingly, the CNEL is obtained by adding an additional 5 dBA to measured or projected sound levels in the evening from 7:00 p.m. to 10:00 p.m. and 10 dBA to sound levels in the night from 10:00 p.m. to 7:00 a.m. Because CNEL accounts for human sensitivity to sound, the CNEL 24-hour figure is always a higher number than the actual 24-hour measured or projected average.
- Equivalent Noise Level.  $L_{eq}$  is the average noise level on an energy basis for any specific time period. The  $L_{eq}$  for one hour is the energy average noise level during the hour. The average noise level is based on the energy content (acoustic energy) of the sound.  $L_{eq}$  can be thought of as the level of a continuous noise that has the same energy content as the fluctuating noise level. The equivalent noise level is expressed in units of dBA.

#### **Effects of Noise**

The degree to which noise can impact the environment ranges from levels that interfere with speech and sleep to levels that cause adverse health effects. Human response to noise is subjective and can vary from person to person. Factors that influence individual response include the intensity, frequency, and pattern of noise, the

amount of background noise present before the intruding noise, and the nature of work or human activity that is exposed to the noise source.

**Audible Noise Changes**

Small perceptible changes in sound level for a person with normal hearing sensitivity is approximately 3 dBA. A change of at least 5 dBA would be noticeable and could produce a community reaction. A 10 dBA increase is heard as a doubling in loudness and would produce a community response. Noise levels decrease as the distance from the noise source to the receiver increases. Noise generated by a stationary noise source, or “point source,” will decrease by approximately 6 dBA over hard surfaces (e.g., reflective surfaces such as parking lots or smooth bodies of water) and 7.5 dBA over soft surfaces (e.g., absorptive surfaces such as soft dirt, grass, or scattered bushes and trees) for each doubling of distance. For example, if a noise source produces a noise level of 89 dBA at a reference distance of 50 feet, the noise level would be 83 dBA at a distance of 100 feet from the noise source, 77 dBA at a distance of 200 feet, and so on. Noise generated by a mobile source will decrease by approximately 3 dBA over hard surfaces and 4.5 dBA over soft surfaces for each doubling of distance. Noise is most audible when traveling by direct line-of-sight, a visual path between the noise source and noise receptor. Barriers, such as walls or buildings that break the line-of-sight between the source and the receiver can greatly reduce noise levels from the source since sound can only reach the receiver by diffraction. Sound barriers can reduce sound levels by up to 20 dBA or more. However, if a barrier is not high or long enough to break the line-of-sight from the source to the receiver, its effectiveness is greatly reduced. The California Department of Health Services has established guidelines for acceptable exterior noise levels for each county and city. These standards and criteria are incorporated into the land use planning process to reduce future noise and land use incompatibilities. Table 12-1 reflects State guidance that allows the City to ensure integrated planning for compatibility between land uses and outdoor noise. State interior noise standards were established in 1974, when the California Commission on Housing and Community Development adopted noise insulation standards for residential buildings (Title 24, Part 2, California Code of Regulations). Title 24 establishes standards for interior room noise attributable to outside noise sources. Title 24 also specifies that acoustical studies should be prepared whenever a residential building or structure is proposed to be located in areas with exterior noise levels of 60 dB Day-Night Average Noise Level (L<sub>dn</sub>) or greater. The acoustical analysis must show that the building has been designed to limit intruding noise to an interior level not exceeding 45 dB L<sub>dn</sub> for any habitable room.

**Table 12-1  
Land Use Compatibility for Community Noise Environments**

Land Use Compatibility	Community Noise Exposure (dBA, CNEL)							
	<	55	60	65	70	75	80	>
Residential – Low Density Single-Family, Duplex Mobile Homes	NA							
		CA						
					NU			
						CU		
Residential – Multi-Family	NA							
		CA						
					NU			
						CU		
Transient Lodging – Motels, Hotels	NA							

			CA				
					NU		
							CU
Schools, Libraries, Churches, Hospitals, Nursing Homes	NA						
			CA				
					NU		
							CU
Auditoriums, Concert Halls, Amphitheaters	CA						
					CU		
Sports Arenas, Outdoor Spectator Sports	CA						
					CU		
Playgrounds, Neighborhood Parks	NA						
					NU		
							CU
Golf Courses, Riding Stables, Water Recreation, Cemeteries	NA						
					NU		
							CU
Office Buildings, Business Commercial and Professional	NA						
					CA		
						NU	
Industrial, Manufacturing, Utilities, Agriculture	NA						
					CA		
						NU	
<p>NA = Normally Acceptable - Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.</p> <p>CA = Conditionally Acceptable - New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply system or air conditioning will normally suffice.</p> <p>NU = Normally Unacceptable - New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.</p> <p>CU = Clearly Unacceptable - New construction or development should generally not be undertaken.</p> <p>Source: Exhibit I, Guidelines for Noise Compatible Land Use.</p>							

### Applicable Regulations

The City of Los Angeles Municipal Code (LAMC) has established both construction and operation noise regulations. Between the hours of 7:00 a.m. and 10:00 p.m., in any residential zone of the City or within 500 feet thereof, no person shall operate or cause to be operated any powered equipment or powered hand tool that produces a maximum noise level exceeding the following noise limits at a distance of 50 feet from the equipment itself:

- 75 dBA for construction, industrial, and agricultural machinery including crawler-tractors, dozers, rotary drills and augers, loaders, power shovels, cranes, derricks, motor graders, paving machines, off-highway trucks, ditchers, trenchers, compactors, scrapers, wagons, pavement breakers, compressors and pneumatic or other powered equipment;
- 75 dBA for powered equipment of 20 HP or less intended for infrequent use in residential areas, including chain saws, log chippers and powered hand tools;
- 65 dBA for powered equipment intended for repetitive use in residential areas, including lawn mowers, backpack blowers, small lawn and garden tools and riding tractors.<sup>71</sup>
- Additionally, according to the LAMC, a noise level increase of five decibels over the existing average ambient noise level at an adjacent property line is considered a noise violation. This standard applies to sources such as consumer electronics, HVAC systems, powered equipment intended for repeated use in residential areas and motor vehicles driven onsite. Section 41.40 of the LAMC also prohibits construction activity from occurring between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday, and between 6 p.m. and 8 a.m. on Saturday. No construction activity is permitted on Sunday and federal holidays.

### **Noise Impacts**

The alley vacation does not involve major construction activities that typically generate substantial noise, such as demolition of buildings, ground clearing and excavation (due to construction equipment), foundation shoring, and vertical construction. No changes to the existing driveway are proposed. Utilities in the alley (cable, electrical, and storm drain) are not proposed to be relocated or removed. Ambient noise in the alley is generally from the vehicle sources along Spring Street and pedestrian noise along 4<sup>th</sup> Street, 5<sup>th</sup> Street, and in Spring Street Park. The standard is whether any activities would increase ambient noise levels more than 5 dBA and/or elevate ambient noise levels above 75 dBA at adjacent noise sensitive receptors. Because the alley vacation would not involve major construction, no significant construction noise would occur. The Project would comply with the City's noise ordinance. Specifically, the Bureau of Engineering Standard Project Specifications for public works construction are designed to comply with the City's General Plan Noise Element and related Municipal Code Noise Ordinance and, given that the Project would be implemented in accordance with these, significant adverse impacts to noise levels are not expected. Therefore, no impact would occur.

The alley vacation would facilitate additional pedestrian connectivity and outdoor dining options. This would increase the potential for noise sources and generation. The actual noise levels will be influenced by the orientation of seating, shield sources such as overhangs, and time of service. Empirical evidence suggests a wide variation of noise levels from outdoor dining. Local measurements from a Los Angeles-area restaurant

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<sup>71</sup>*City of Los Angeles, Municipal Code, 1986.*

showed noise levels as low as 55 dBA at adjacent properties with a direct line-of-sight.<sup>72</sup> The residential buildings include windows along upper levels (generally above the 2<sup>nd</sup> floor). However, operational noise is not expected to be significant due to the vertical distance to most residential openings and the ambient noise that already exists in the area, especially from vehicles and existing dining uses along Main Street. In addition, the residential uses already acknowledge the existing conditions of living adjacent to alleys including that sound levels may be higher than in other locations due to traffic on streets and alleys, street activity, ground floor uses, vehicular loading, and trash collection. The residential units shall be designed to maintain interior sound levels, when windows are closed, at below 45 dB. The operation of any outdoor uses would be subject to LAMC noise standards established by the City's noise ordinance and Noise Element. Any exceedance of LAMC standards could include potential operational changes to bring the use back into compliance. There would be no vehicle noise, parking noise, or mechanical noise from the alley vacation. The alley is not near any railroad facility that could create noise sources. Therefore, no impact would occur.

**b)** Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Unlike noise, vibration is not a common environmental problem. It is unusual for vibration from sources such as buses and trucks to be perceptible. Common sources of vibration include trains, buses, and construction activities.

#### **Vibration Definitions**

There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings and is usually measured in inches per second. The root mean square (RMS) amplitude is most frequently used to describe the effect of vibration on the human body. The RMS amplitude is defined as the average of the squared amplitude of the signal. Decibel notation (VdB) is commonly used to measure RMS. The decibel notation acts to compress the range of numbers required to describe vibration.<sup>73</sup>

#### ***Effects of Vibration***

High levels of vibration may cause physical personal injury or damage to buildings. However, ground-borne vibration levels rarely affect human health. Instead, most people consider ground-borne vibration to be an annoyance that may affect concentration or disturb sleep. In addition, high levels of ground-borne vibration may damage fragile buildings or interfere with equipment that is highly sensitive to ground-borne vibration.

#### ***Perceptible Vibration Changes***

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<sup>72</sup>A 55 dBA measurement was taken at residences 75 feet from a Marina Del Rey Cheesecake Factory's outdoor dining area with 75-100 outdoor seats after 10 PM. Arup Acoustics, "Brentwood Project/The Park" EIR No. 98-0334-CUB(CUZ)(ZV)(DA).

<sup>73</sup>Federal Transit Administration, *Transit Noise and Vibration Impact Assessment*, May 2006.

Unlike noise, ground-borne vibration is not an environmental issue that most people experience every day. The background vibration velocity level in residential areas is usually 50 RMS or lower, well below the threshold of perception for humans, which is around 65 RMS.<sup>74</sup> Most perceptible indoor vibration is caused by sources within buildings, such as movement of people or slamming of doors. Typical outdoor sources of ground-borne vibration are construction equipment, trains, and traffic on rough roads. If the roadway is smooth, the vibration from traffic is typically not perceptible.

### ***Applicable Regulations***

To counter the effects of ground-borne vibration, the Federal Transit Administration (FTA) has published guidance relative to vibration impacts. According to the FTA, non-engineered timber and mason buildings can be exposed to ground-borne vibration levels of 0.2 inches per second without experiencing structural damage, while reinforced-concrete, steel, or timber buildings can be exposed to ground-borne vibration levels of 0.5 inches per second.<sup>75</sup> The FTA has also established guidelines that provide thresholds for ground-borne vibration causing human annoyance. For residential land uses, which experience occasional events of ground-borne vibration or noise, the FTA has established a threshold of 75 VdB.<sup>76</sup> Some commercial buildings, such as auditoriums and theaters have additional vibration and noise annoyance criteria. In terms of construction-related impacts on buildings, the City of Los Angeles has not adopted policies or guidelines relative to groundborne vibration. While the Los Angeles County Code (LACC Section 12.08.350) states a presumed perception threshold of 0.01 inch per second RMS, this threshold applies to groundborne vibrations from long-term operational activities, not construction. Consequently, as both the City of Los Angeles and the County of Los Angeles do not have a significance threshold to assess vibration impacts during construction, the FTA and California Department of Transportation's (Caltrans) adopted vibration standards for buildings are used to evaluate potential impacts related to Project construction.

In addition, the City of Los Angeles has not adopted any thresholds associated with human annoyance for groundborne vibration impacts. Therefore, this analysis uses the FTA's vibration impact thresholds for human annoyance for long-term operational activities, not construction. These thresholds include 80 VdB at residences and buildings where people normally sleep (e.g., nearby residences) and 83 VdB at institutional buildings, which includes schools and churches. No thresholds have been adopted or recommended for commercial and office uses.

### **Vibration Impacts**

The alley vacation does not involve major construction activities that typically generate substantial vibrations, such as demolition of buildings, ground clearing and excavation (due to construction equipment), foundation

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<sup>74</sup>*Ibid.*

<sup>75</sup>*Ibid.*

<sup>76</sup>*Ibid.*

shoring, and vertical construction. No changes to the existing driveway are proposed. Utilities in the alley (cable, electrical, and storm drain) are not proposed to be relocated or removed. Therefore, no impact would occur.

During operation of the Project, there would not be significant stationary sources of ground-borne vibration, such as heavy equipment operations. The alley is not near any railroad facility that could create vibration sources. Operational ground-borne vibration in the Project vicinity would be generated by vehicular travel on the local roadways. The alley vacation would not generate any additional vehicular travel than that which already exists on local streets. Therefore, no impact would occur.

c) The majority of any long-term noise impacts will come from traffic traveling to and from the area. The alley vacation would not generate any additional vehicular travel than that which already exists on local streets. Therefore, no impact would occur.

d) The alley vacation does not involve major construction activities that would contribute to cumulative noise levels. Any construction noise from nearby related projects would be attenuated by distance and intervening buildings to the alley. Additional related projects would be subject to the City’s noise ordinance, which limits the hours of allowable construction activities and the extent to which direct noise impacts can affect adjacent land uses. Therefore, no impact would occur.

e) The Project is not within an airport hazard area.<sup>77</sup> The Project Site is not located within two miles of a public airport. Therefore, no impact would occur.

f) The Project Site is not in the vicinity of a private airstrip. Therefore, no impact would occur.

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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**13. POPULATION AND HOUSING.** Would the project:

a. Induce substantial 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**City of Los Angeles CEQA Thresholds Guide**

<sup>77</sup> City of Los Angeles Department of City Planning, Zoning Information and Map Access System: <http://zimas.lacity.org/>.

Based upon criteria established in the L.A. CEQA Thresholds Guide, the determination of significance shall be made on a case-by-case basis considering the following factors:

**Population and Housing Growth**

- The degree to which the project would cause growth (i.e., new housing or employment generators) or accelerate development in an undeveloped area that exceeds projected/planned levels for the year of project occupancy/buildout, and that would result in an adverse physical change in the environment;
- Whether the project would introduce unplanned infrastructure that was not previously evaluated in the adopted Community Plan or General Plan; and
- The extent to which growth would occur without implementation of the project.

**Population and Housing Displacement**

- The total number of residential units to be demolished, converted to market rate, or removed through other means as a result of the proposed project, in terms of net loss of market-rate and affordable units;
- The current and anticipated housing demand and supply of market rate and affordable housing units in the project area;
- The land use and demographic characteristics of the project area and the appropriateness of housing in the area; and
- Whether the project is consistent with adopted City and regional housing policies such as the Framework and Housing Elements, HUD Consolidated Plan and CHAS policies, redevelopment plan, Rent Stabilization Ordinance, and the Regional Comprehensive Plan and Guide (RCP&G).

a) A significant impact would occur if a project would locate new development such as homes, businesses, or infrastructure, with the effect of substantially inducing growth in the project area that would otherwise not have occurred as rapidly or in as great a magnitude. The Project does not involve new development such as housing that would induce growth in the area. Therefore, no impact would occur.

b) A significant impact may occur if a project would result in the displacement of existing housing units, necessitating the construction of replacement housing elsewhere. The Project Site does not contain any housing. The Project does not represent a displacement of substantial numbers of existing housing. Therefore, no impact would occur.

c) A significant impact may occur if a project would result in the displacement of existing occupied housing units, necessitating the construction of replacement housing elsewhere. The Project Site does not contain any housing. The Project does not represent a displacement of substantial numbers of existing housing. Therefore, no impact will occur.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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**14. PUBLIC SERVICES.**

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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:

i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**City of Los Angeles CEQA Thresholds Guide**

Based upon criteria established in the L.A. CEQA Thresholds Guide, the determination of significance shall be made on a case-by-case basis considering the following factors:

**Police Protection**

- The population increase resulting from the proposed project, based on the net increase of residential units or square footage of non-residential floor area;
- The demand for police services anticipated at the time of project buildout compared to the expected level of service available. Consider, as applicable, scheduled improvements to LAPD services (facilities, equipment, and officers) and the project's proportional contribution to the demand; and
- Whether the project includes security and/or design features that would reduce the demand for police services.

**Fire Protection and Emergency Medical Services**

- If it requires the addition of a new fire station or the expansion, consolidation or relocation of an existing facility to maintain service.

**Public Schools**

- The population increase resulting from the proposed project, based on the increase in residential units or square footage of non-residential floor area;

- The demand for school services anticipated at the time of project buildout compared to the expected level of service available. Consider, as applicable, scheduled improvements to LAUSD services (facilities, equipment and personnel) and the project's proportional contribution to the demand;
- Whether (and the degree to which) accommodation of the increased demand would require construction of new facilities, a major reorganization of students or classrooms, major revisions to the school calendar (such as year-round sessions), or other actions which would create a temporary or permanent impact on the school(s); and
- Whether the project includes features that would reduce the demand for school services (e.g., on-site school facilities or direct support to LAUSD).

### **Recreation and Parks**

- The net population increase resulting from the proposed project;
- The demand for recreation and park services anticipated at the time of project buildout compared to the expected level of service available. Consider, as applicable, scheduled improvements to recreation and park services (renovation, expansion, or addition) and the project's proportional contribution to the demand; and
- Whether the project includes features that would reduce the demand for recreation and park services (e.g., on-site recreation facilities, land dedication or direct financial support to the Department of Recreation and Parks).

### **Libraries**

- The net population increase resulting from the proposed project;
- The demand for library services anticipated at the time of project buildout compared to the expected level of service available. Consider, as applicable, scheduled improvements to library services (renovation, expansion, addition or relocation) and the project's proportional contribution to the demand; and
- Whether the project includes features that would reduce the demand for library services (e.g., on-site library facilities or direct support to the LAPL).

**a.i)** A significant impact may occur if the City of Los Angeles Fire Department (LAFD) could not adequately serve a project, and a new or physically altered fire station would be necessary. LAFD considers fire protection services for a project adequate if a project is within the maximum response distance for the land use proposed. A total of 1,104 uniformed firefighters (included 242 serving as Firefighters/Paramedics), are always on duty at 106 neighborhood fire stations located in the LAFD's 471-square-mile jurisdiction.<sup>78</sup> Pursuant to LAMC Section

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<sup>78</sup> LAFD website: <http://lafd.org/administration/97-lafd-administration/320-department-overview>

57.09.07, the maximum response distance between commercial land use and a LAFD station that houses an engine company is 1.0 mile and truck company is 1.5 miles. If this distance is exceeded, all structures shall be constructed with automatic fire sprinkler systems.<sup>79</sup> The Project is served by Fire Station 9 located at 430 E. 7<sup>th</sup> Street, approximately 0.5 miles from the alley. Fire Station 9 includes an Assessment Engine, truck, and Rescue Ambulance.<sup>80</sup> Fire Station 9 average response time (turnout time + travel time) in 2014 is 3:56 minutes (for non-EMS responses) and 4:21 minutes (for EMS responses).<sup>81</sup>

The Project Site is located within the distance identified by LAMC Section 57.09.07. The LAFD goal is to reach EMS incidents within 5 minutes 90 percent of the time and fire incidents within 5:20 minutes 90 percent of the time. Average (or mean) response time can be skewed with a few isolated, abnormal response times. A recommended measure is called a fractile measurement (such as 80 percent), in which performance is better measured in terms of how well the department is able to achieve the goal as compared to 100 percent of the time. For example, a department would create a performance measurement indicating fire apparatus will arrive at the scene of the dispatched incident within a certain period of time, 80 percent of the time. The distribution of response times (as measured by Incident Creation Time to Time On Scene) for emergency incidents from October 1 2012 through November 20 2013, indicates that in 86% of the incidents, the fastest response time (response time of the first unit on scene) was less than 480 seconds (8 minutes). The 90th percentile of the response time is 538 seconds (just under 9 minutes).

- Overall, EMS incidents tend to have faster responses than Fire incidents.
- EMS: The 90<sup>th</sup> percentile of response times city-wide was 534 seconds, while the 90<sup>th</sup> percentile of travel times was 357 seconds.
- Fire: The 90<sup>th</sup> percentile of response times city-wide was 564 seconds, while the 90<sup>th</sup> percentile of travel times was 409 seconds.

Travel time takes significantly longer than the other components, with a mean of 230 seconds city-wide (240 seconds in the North and West bureaus). The National Fire Protection Association (NFPA) standard is actually phrased in terms of travel time rather than response time, e.g.: “The fire department’s fire suppression resources shall be deployed to provide for the arrival of an engine company within a 240-second travel time to 90 percent of the incidents.” Travel time is much more variable than dispatch or turnout time, possibly due to the differing distances between responding resource and the incident location and traffic along the way. Furthermore, while dispatch and turnout times are largely under LAFD's control, and can be improved through better training or process design, improving travel time requires changing resource pre-positioning (deployment). The first step in evaluating LAFD’s ability to take a structured approach to finding better deployments would be to compare

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<sup>79</sup> LAFD website: [http://lafd.org/prevention/hydrants/division\\_9\\_fc.html](http://lafd.org/prevention/hydrants/division_9_fc.html)

<sup>80</sup> LAFD Fire Station Resources Directory.

<sup>81</sup> LAFD response times: [http://lafd.org/sites/default/files/pdf\\_files/04-07-2015\\_Stations.pdf](http://lafd.org/sites/default/files/pdf_files/04-07-2015_Stations.pdf)

actual travel times to predicted (model-based) travel times.<sup>82</sup> Calls for service vary based on the days of the week and time of the day. There is also variation in fire-related or emergency medical (EMS)-related calls. Of the weekday days, Wednesdays have the lowest number of Fire calls by volume (and Thursdays the highest with Fridays close behind), and Wednesdays and Thursdays have about the same number of EMS calls by volume, the lowest among weekdays (and Fridays the highest). Sundays has the lowest number of calls by volume for both Fire and EMS. The variation between incident rates for Fire is slightly higher than incident rates for EMS calls.<sup>83</sup> The Project is within the maximum response distance of a fire station with adequate equipment. There are additional fire stations located nearby (within 1.5 miles). Therefore, no impact would occur.

### ***Emergency Access***

The alley would be maintained for emergency access and service. No structural changes to the alley would occur with the vacation. Some advancement buildings have emergency ladders or other emergency exits that provide access to the alley. No change to this would occur under the vacation. The alley would continue to provide access to trash pickup and delivery of goods to businesses that currently utilize the alley. As a condition of approval, a public access easement will be provided to the City. Therefore, no impact would occur.

### ***Fire Flow***

The adequacy of fire protection is also based upon the required fire flow, equipment access, and LAFD's safety requirements regarding needs and service for the area. The quantity of water necessary for fire protection varies with the zoning of the area, type of development, occupancy rates, life hazard, and the degree of fire hazard. City-established fire flow requirements vary from 2,000 gallons per minute (gpm) in low-density residential areas to 12,000 gpm in high-density commercial or industrial areas. In any case, a minimum residual water pressure of 20 pounds per square inch is to remain in the water system while the required gpm is flowing.<sup>84</sup> The alley vacation does not involve new construction or development that would require any change to fire flow or hydrant service in the area. The LAFD has no objection to the alley vacation.<sup>85</sup> Therefore, no impact would occur.

**a.ii)** A significant impact may occur if a project creates the need for new or physically altered police facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives. The Project Site is served by the City of Los Angeles Police Department's (LAPD) Central Bureau and Central Police Station, located at 251 E. 6<sup>th</sup> Street. Each police

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<sup>82</sup>Pages 54-59, *Fire Department Deployment Resources Study, March 3, 2014*: <http://lafd.blogspot.com/2014/03/report-affirms-changes-underway-says.html>.

<sup>83</sup>Pages 48-50, *Fire Department Deployment Resources Study, March 3, 2014*: <http://lafd.blogspot.com/2014/03/report-affirms-changes-underway-says.html>.

<sup>84</sup> LAMC Sec. 57.09.06, *Fire Flow*: [http://lafd.org/prevention/hydrants/division\\_9\\_fc.html](http://lafd.org/prevention/hydrants/division_9_fc.html), September 29, 2014.

<sup>85</sup> Mark Stormes, *Fire Marshal, LAFD, November 25, 2014*.

station area is divided into smaller Reporting Districts (RD). The Project Site is within RD 144. The alley is also served by Basic Car unit 1A35.<sup>86</sup>

Deployment of police officers to existing area stations in the City is based on a number of factors and is not calculated solely based on police-need-per-population standards. The LAPD presently uses a quantitative workload model, known as Patrol Plan, to determine the deployment level in each of the area stations. Patrol Plan, which was developed by a private consultant, is a computer program which mathematically formulates 25 data variables (factors) to provide patrol officer deployment recommendations for the 18 geographic areas in the City to meet predetermined constraints (response time and available time). These factors include patrol speed, number of units fielded, forecast call rate, percent of calls with 1-6+ units dispatched, average service time, dispatching policy, percent of calls dispatched by priority, square miles of an area, average travel time and street miles (length of streets, alleys and other routes in an area). Police units are in a mobile state; hence the actual distance between the Station and the Project Site is often of little relevance to service performance. Instead the realized response time is more directly related to the number of officers deployed. Police assistance is prioritized based on the nature of a call.

The alley vacation would not be a major construction site, which can be sources of attractive nuisances, providing hazards, and inviting theft and vandalism. The alley is already secured from access with gates and fences. The alley vacation would allow additional pedestrian connectivity access and uses (dining) that would create additional security due to the increased presence of “eyes on the street” approach. Vacant and unused alleys can be sources of crime due to the perceived notion that there is no surveillance or witness. A vibrant and activated alley, similar to a busy sidewalk can deter crime due to the increased surveillance and witnesses. The screening criteria ask whether the project results in net increase of 75 residential units, 100,000 square feet (sf) of commercial floor area, or 200,000 sf of industrial floor area. Therefore, no impact would occur.

**A.iii)** A significant impact may occur if a project includes substantial employment or population growth, which could generate demand for additional school facilities. The alley vacation would not include substantial employment or population growth. No students would be generated. The screening criteria is if the project results in net increase of 75 residential units, 100,000 square feet (sf) of commercial floor area, or 200,000 sf of industrial floor area. Therefore, no impact would occur.

**a.iv)** A significant impact to parks would occur if implementation of a project includes a new or physically altered park or creates the need for a new or physically altered park, the construction of which could cause substantial adverse physical impacts. The City of Los Angeles Department of Recreation and Parks (LADRP) manages all municipally owned and operated recreation and park facilities within the City. Spring Street Park was designed with a secondary entrance in the rear for pedestrians that would otherwise have to walk to either 4<sup>th</sup> Street or 5<sup>th</sup> Street to access the front primary entrance of the park. This access is currently closed, however it could be opened by decision of LADRP. The alley vacation would encourage this connection to the park. The

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<sup>86</sup> <http://assets.lapdonline.org/assets/pdf/central.pdf>

alley vacation would not include substantial employment or population growth. The screening criteria ask whether the project results in net increase of 50 residential units or more. Therefore, no impact would occur.

a.v) A significant impact may occur if a project includes substantial employment or population growth that could generate a demand for other public facilities, such as libraries, which would exceed the capacity to service the Project Site. The City of Los Angeles Public Library (LAPL) provides library services throughout the City through its Central Library 8 regional branches, and 64 community branches. The LAPL collection has 6.4 million books, magazines, electronic media, 120 online databases, and 34,000 e-books and related media.<sup>87</sup> On February 8, 2007, The Board of Library Commissioners approved a new Branch Facilities Plan. This Plan includes Criteria for new Libraries, which recommends new size standards for the provision of LAPL facilities – 12,500 square feet for community with less than 45,000 population, 14,500 square feet for community with more than 45,000 population, and up to 20,000 square feet for a Regional branch. It also recommends that when a community reaches a population of 90,000, an additional branch library should be considered for the area. The alley vacation would not include substantial employment or population growth. The screening criteria ask whether the project results in net increase of 75 residential units or more. Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant Mitigation	Less Than Significant Impact	No Impact
<b>15. RECREATION.</b>				
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

**City of Los Angeles CEQA Thresholds Guide**

*[see Recreation and Parks, above]*

a) A significant impact may occur if a project would include substantial employment or population growth which could generate an increased demand for public park facilities that exceeds the capacities of existing parks and causes premature deterioration of the park facilities. The screening criteria ask whether the project results in net increase of 50 residential units or more. Therefore, no impact would occur.

b) A significant impact may occur if a project includes the construction or expansion of park facilities and such construction would have a significant adverse effect on the environment. The screening criteria ask whether the project results in net increase of 50 residential units or more. Therefore, no impact would occur.

<sup>87</sup> LAPL website: <http://www.lapl.org/about-lapl/press/2012-library-facts>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<b>16. TRANSPORTATION AND TRAFFIC.</b> Would the project:				
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with an applicable congestion management program, including but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycles, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**City of Los Angeles CEQA Thresholds Guide**

A proposed project would normally have a significant impact if the project traffic causes an increase in the V/C ratio operating condition after the addition of project traffic of one of the following:

**Intersection Capacity**

V/C ratio increase >0.040 if final LOS\* is C

V/C ratio increase >0.020 if final LOS\* is D

V/C ratio increase >0.010 if final LOS\* is E or F

\* “Final LOS” is defined as projected future conditions including project, ambient, and related project growth but without project traffic mitigation.

Note that if stricter criteria are required in an applicable local TSP or ICO, those criteria will apply.

If an unsignalized intersection is projected to operate at LOS C, D, E or F, re-analyze the intersection using the signalized intersection methodology to determine the significance of impacts using the sliding scale criteria described above.

### **Street Segment Capacity**

V/C ratio increase  $>0.080$  if final LOS\* is C

V/C ratio increase  $>0.040$  if final LOS\* is D

V/C ratio increase  $>0.020$  if final LOS\* is E or F

\* “Final LOS” is defined as projected future conditions including project, ambient, and related project growth but without project traffic mitigation.

### **Freeway Capacity**

- If project traffic causes an increase in the D/C ratio on a freeway segment or freeway on- or off-ramp of 2 percent or more capacity (D/C increase  $>0.02$ ), which causes or worsens LOS F conditions (D/C  $>1.00$ ).

### **Neighborhood Intrusion**

- If project traffic increases the average daily traffic (ADT) volume on a local residential street in an amount equal to or greater than the following:

ADT increase  $\geq 16\%$  if final ADT\*  $<1,000$

ADT increase  $>12\%$  if final ADT\*  $>1,000$  and  $<2,000$

ADT increase  $>10\%$  if final ADT\*  $>2,000$  and  $<3,000$

ADT increase  $>8\%$  if final ADT\*  $>3,000$

\* “Final ADT” is defined as total projected future daily volume including project, ambient, and related project growth.

The significance of neighborhood intrusion impacts related to vehicle delay shall be determined on a case-by-case basis.

***Project Access (Operation)***

- If the intersection(s) nearest the primary site access is/are projected to operate at LOS E or F during the a.m. or p.m. peak hour, under cumulative plus project conditions.

**Bicycle, Pedestrian and Vehicular Safety**

- The amount of pedestrian activity at project access points.
- Design features/physical configurations that affect the visibility of pedestrians and bicyclists to drivers entering and exiting the site, and the visibility of cars to pedestrians and bicyclists.
- The type of bicycle facility the project driveway(s) crosses and the level of utilization.
- The physical conditions of the site and surrounding area, such as curves, slopes, walls, landscaping or other barriers, that could result in vehicle/pedestrian, vehicle/ bicycle or vehicle/vehicle impacts.

**Transit System Capacity**

- The determination of significance shall be made on a case-by-case basis, considering the projected number of additional transit passengers expected with implementation of the proposed project and available transit capacity.

**Parking**

- If the project provides less parking than needed as determined through an analysis of demand from the project.

a) The proposed vacation would not cause an increase in traffic. The alley is closed to public vehicles. There is a driveway from Spring Street that connects to an adjacent parking garage on Main Street. Also, the Spring Street Park has a maintenance area that is served by LADRP vehicles only. The operation of the alley would not impede operation of these access ways. The alley may be needed for non-motorized transportation purposes and public use. This access will be maintained. The alley would not impact the street circulation system or induce additional vehicle traffic. Therefore, no impact would occur.

b) A significant impact may occur if the adopted Los Angeles County Metropolitan Transportation Authority (Metro) thresholds for a significant project impact would be exceeded. The Congestion Management program (CMP) was adopted to regulate and monitor regional traffic growth and transportation improvement programs. The CMP designates a transportation network that includes all state highways and some arterials within the County of Los Angeles. The Congestion Management Program (CMP) was adopted to monitor regional traffic growth and related transportation improvements. The CMP designated a transportation network including all state highways and some arterials within the County to be monitored by local jurisdictions. If LOS standards deteriorate on the CMP network, then local jurisdictions must prepare a deficiency plan to be in conformance

with the program. Local jurisdictions found to be in nonconformance with the CMP risk the loss of state gas tax funding. For purposes of the CMP LOS analysis, an increase in the freeway volume by 150 vehicles per hour during the AM or PM Peak Hour in any direction requires further analysis. A substantial change in freeway segments is defined as an increase or decrease of 2% in the demand to capacity ratio when at LOS F. For purposes of CMP intersections, an increase of 50 vehicles or more during the AM or PM peak requires further analysis. The proposed vacation would not cause an increase in traffic. Therefore, no impact would occur.

c) This question would apply to the Project only if it were an aviation-related use. The Project Site does not contain any aviation-related uses and the Project does not include development of any aviation-related uses. Therefore, no impact would occur.

d) A significant impact may occur if a project were to include a new roadway design, introduce a new land use or project features into an area with specific transportation requirements and characteristics that have not been previously experienced in that area, or if project access or other features were designed in such a way as to create hazardous conditions. Due to the intervening and surrounding buildings, the alley would not impact the normal operation of any school, including bus routes and pedestrian walkways. The alley is cross by an active driveway that provides vehicle access from Spring Street to a parking structure on Main Street. There is currently a speed bump, stop sign, and pedestrian crossing warning sign indicating the potential for pedestrian interaction. These safety features would be maintained during the alley vacation. Any dining use in the alley would not impede this driveway access. These existing and ongoing measures will ensure the safety of pedestrians. The adjacent surface parking lot with vehicle access on Main Street is separated from the alley by a chain-link fence. This fencing is not proposed to be replaced. As a condition of approval, a public access easement will be provided to the City. Therefore, no impact would occur.

e) A significant impact may occur if a project design would not provide emergency access meeting the requirements of the LAFD, or in any other way threatened the ability of emergency vehicles to access and serve the Project Site. The alley would be maintained structural as is currently and access by emergency services would continue. As a condition of approval, a public access easement will be provided to the City. Therefore, no impact would occur.

f) A significant impact may occur if a project would conflict with adopted policies or involve modification of existing alternative transportation facilities located on- or off-site. The Downtown area is well served by transit, including Metro Red Line, Metro buses, and DASH buses. The alley vacation would not affect public transit stations or stops. The pedestrian amenities could include additional bicycle parking to encourage its use for visitors and employees. The objective of the alley vacation is to increase pedestrian access and connectivity. It would not impede existing pedestrian facilities such as sidewalks or crosswalks. Therefore, no impact would occur.

<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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**17. UTILITIES AND SERVICE SYSTEMS.** Would the project:

- |                                                                                                                                                                                                                                   |                          |                          |                          |                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?                                                                                                                               | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?                                                                            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?                                                                                                            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Comply with federal, state, and local statutes and regulations related to solid waste?                                                                                                                                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**City of Los Angeles CEQA Thresholds Guide**

Based upon criteria established in the L.A. CEQA Thresholds Guide, the determination of significance shall be made on a case-by-case basis considering the following factors:

**Water**

- The total estimated water demand for the project;
- Whether sufficient capacity exists in the water infrastructure that would serve the project, taking into account the anticipated conditions at project buildout;
- The amount by which the project would cause the projected growth in population, housing or employment for the Community Plan area to be exceeded in the year of the project completion; and
- The degree to which scheduled water infrastructure improvements or project design features would reduce or offset service impacts.

### **Wastewater**

- The project would cause a measurable increase in wastewater flows at a point where, and a time when, a sewer's capacity is already constrained or that would cause a sewer's capacity to become constrained; or
- The project's additional wastewater flows would substantially or incrementally exceed the future scheduled capacity of any one treatment plant by generating flows greater than those anticipated in the Wastewater Facilities Plan or General Plan and its elements.

### **Solid Waste**

- Amount of projected waste generation, diversion, and disposal during demolition, construction, and operation of the project, considering proposed design and operational features that could reduce typical waste generation rates;
- Need for an additional solid waste collection route, or recycling or disposal facility to adequately handle project-generated waste; and
- Whether the project conflicts with solid waste policies and objectives in the SRRE or its updates, CiSWMPP, Framework Element or the Curbside Recycling Program, including consideration of the land use-specific waste diversion goals contained in Volume 4 of the SRRE.

### **Energy**

- The extent to which the project would require new (off-site) energy supply facilities and distribution infrastructure, or capacity enhancing alterations to existing facilities;
- Whether and when the needed infrastructure was anticipated by adopted plans; and
- The degree to which the project design and/or operations incorporate energy conservation measures, particularly those that go beyond City requirements.

The LADWP does not have water facilities within the alley but does have electrical facilities. Utilities in the alley (cable, telephone, electrical, and storm drain) are not proposed to be relocated or removed. The Applicant shall provide the city with a public access easement over the alley to ensure access to any utilities.

a) A significant impact may occur if a project would discharge wastewater whose content exceeds the regulatory limits established by the governing agency. The Los Angeles Water Quality Control Board (LAWQCB) implements programs to protect all waters in the coastal watersheds for Los Angeles and Ventura counties. LAWQCB's Water Quality Control Plan for the Los Angeles Region (the "Basin Plan") establishes

guidelines for all municipalities and other entities that use water and/or discharge into the Santa Monica Bay.<sup>88</sup> Wastewater reclamation and treatment in the City of Los Angeles is provided by the City of Los Angeles Department of Public Works' Bureau of Sanitation (LABS), which operates two treatment plants (Hyperion and Terminal Island) and two water reclamation plants in accordance with the treatment requirements of the LAWQCB and/or water reclamation requirements of the Basin Plan. The Project Site is located within the service area of the Hyperion Treatment Plant (HTP)<sup>89</sup>, which has been designed to treat 450 million gallons per day (mgd) to full secondary treatment,<sup>90</sup> and currently treats an average daily flow of approximately 362 mgd.<sup>91</sup> Thus, there is a remaining capacity of approximately 88 mgd. Full secondary treatment prevents virtually all particles suspended in effluent from being discharged into the Pacific Ocean and is consistent with the LAWQCB's discharge policies for Santa Monica Bay. Additionally, the City's Sewer Allocation Ordinance (Ordinance No. 166,060) limits the annual increase in wastewater flow to HTP to five mgd.<sup>92</sup> The Project is required to comply with the monthly allocation set forth by the ordinance, prior to issuance of building permits. Further, the HTP is a public facility and is, therefore, subject to the state's wastewater treatment requirements. Therefore, no impact would occur.

b) A significant impact may occur if a project would increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the Project Site would be exceeded. The alley vacation would not generate additional wastewater or demand additional water because no building or facilities would be constructed. The alley vacation would not produce a new or increased average daily wastewater flow of 4,000 gallons per day (gpd) or more. The area around the alley is currently developed and adequately served by the existing wastewater conveyance system. The wastewater generated by adjacent uses along the alley are residential and commercial uses. No industrial discharge into the wastewater or drainage system would occur. Additionally, there is adequate treatment capacity within the HTP system (remaining capacity of approximately 88 mgd). The HTP complies with the state's wastewater treatment requirements and will not exceed the wastewater treatment requirements of LAWQCB. Therefore, no impact would occur.

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

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<sup>88</sup> *Water Quality Control Plan, Los Angeles Region, Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties, California Regional Water Quality Control Board Los Angeles Region (4)(adopted June, 1994, updated July 2006).*

<sup>89</sup> *LA Sewers: [http://www.lasewers.org/treatment\\_plants/about/index.htm](http://www.lasewers.org/treatment_plants/about/index.htm), accessed September 29 2014.*

<sup>90</sup> *Los Angeles Sanitation: <http://www.lacitysan.org/irp/Wastewater.htm>, accessed September 29, 2014.*

<sup>91</sup> *LABS, Wastewater, About Wastewater, Facts and Figures, Treatment Plants, Hyperion Treatment Plant, website: <http://www.lacitysan.org/wastewater/factsfigures.htm>, accessed September 29, 2014.*

<sup>92</sup> *Los Angeles City Clerk, Ordinance 166,060: <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=87-2121>*

Service Area. The designated treatment capacity of 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. Therefore, no impact would occur.

The Project would not result in the need for new (off-site) energy supply facilities, or major capacity enhancing alterations to existing facilities. Therefore, no impact would occur.

c) A significant impact may occur if the volume of storm water runoff increases to a level exceeding the capacity of the storm drain system serving the Project Site or if a project would substantially increase the probability that polluted runoff would reach the storm drain system. The alley is located in an urbanized area of the City. All runoff must comply with water quality standards and wastewater discharge BMPs set forth by the County of Los Angeles, SWRC, and Low Impact Development requirements. Therefore, no impact would occur.

d) 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.

### ***Water Supply Assessment***

*State CEQA Guidelines* Section 15083.5 requires a lead agency to identify water systems to provide water supply assessments for projects over specified thresholds. For any residential subdivision project Senate Bill (SB) 221 requires that the lead agency include a requirement that a sufficient water supply shall be available to serve the residential development. A residential subdivision is a proposed residential development of more than 500 dwelling units. Thus, the Project is not subject to SB 221 as it does not include a residential development of more than 500 dwelling units. SB 610 requires a water supply assessment to evaluate whether total projected water supplies will meet the projected water demand for certain development projects that are otherwise subject to CEQA review. Existing law identified those certain projects as follows:

- (a) Residential developments of more than 500 dwelling units;
- (b) Shopping centers or businesses employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- (c) Commercial office buildings employing more than 1,000 persons or having more than 250,000 square feet;
- (d) Hotels or motels with more than 500 rooms;

- (e) Industrial or manufacturing establishments housing more than 1,000 persons or having more than 650,000 square feet of 40 acres;
- (f) Mixed use projects containing any of the foregoing; or
- (g) Any other project that would have a water demand at least equal to a 500-dwelling unit project.

The Project is not subject to SB 610 as it does not meet the listed requirements.

### ***Drought Conditions***

On January 17, 2014, Governor Jerry Brown officially declared California in a drought emergency. LADWP has activated the Water Conservation Response Unit in order to implement the mandatory Emergency Water Conservation Plan Ordinance - Phase 2. This includes an odd/even numbered address watering calendar. In addition, customers cannot: 1) Use water on hard surfaces such as sidewalks, walkways, driveways, or parking areas (with exception of water brooms); 2) Irrigate landscaping between the hours of 9 a.m. and 4 p.m.; 3) Allow excess water from sprinklers to flood gutters; 4) Use water to clean, fill, or maintain decorative fountains unless the water is part of a recirculation system; 5) Serve water to customers in eating establishments, unless requested; and 6) Allow irrigation leaks to go unattended.<sup>93</sup> The 2010 Urban Water Management Plan takes into account drought conditions. After adjusting for economy and drought conditions, projected water demands can vary by approximately  $\pm 5$  percent in any given year due to average historical weather variability. This means that water demands under cool/wet weather conditions could be as much as 5 percent lower than normal demands on average; while water demands under hot/dry weather conditions could be as much as 5 percent higher than normal demands on average.<sup>94</sup> The alley vacation would not increase water consumption requiring the construction of additional off-site water infrastructure. Therefore, no impact would occur.

e) 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. The HTP has sufficient capacity. Therefore, no impact would occur.

f) 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. 43 percent of the waste generated in the City is disposed of at the Sunshine Canyon City/County Landfill (the “Sunshine

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<sup>93</sup> LADWP, *Drought Information*: [https://www.ladwp.com/ladwp/faces/ladwp/aboutus/a-water/a-w-conservation/a-w-c-droughtbusters?\\_adf.ctrl-state=nviecbhak\\_4&\\_afzLoop=932704326968157](https://www.ladwp.com/ladwp/faces/ladwp/aboutus/a-water/a-w-conservation/a-w-c-droughtbusters?_adf.ctrl-state=nviecbhak_4&_afzLoop=932704326968157)

<sup>94</sup> 2010 *Urban Water Management Plan*, Los Angeles, pg. 46: <http://www.ladwp.com/ladwp/cms/ladwp014334.pdf>, November 22, 2013.

Canyon Landfill”), with 20 percent to Chiquita Canyon Landfill, and the remaining amounts sent to over a dozen other landfills, recycling, refuse-to-energy, or resource recovery facilities.<sup>95</sup>

The alley vacation would not generate construction waste, such as through demolition or excess building materials. The operation of the alley for pedestrians and dining could increase solid waste, which would be disposed of through existing trash facilities in adjacent buildings. The increase would be negligible compared to existing uses in the buildings, which already contain residential and commercial uses. The Sunshine Canyon Landfill can accept 12,100 tpd (and currently accepts 9,000 tpd on weekdays and 3,000 tpd on Saturday). 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 had an accelerated goal of 75 percent by 2013. During fiscal 2012-13, the City exceeded the mandated 75 percent diversion rate goal, achieving 76.4 percent,<sup>96</sup> with the goal to achieve a 90 percent diversion by 2025.<sup>97</sup> Therefore, no impact would occur.

g) A significant impact may occur if a project would generate solid waste that was not disposed of in accordance with applicable regulations. Solid waste generated on-site by the Project will be disposed of in compliance with all applicable federal, state, and local regulations, related to solid waste, such as AB 939. The amount of project-related waste disposed of at area landfills would be reduced through recycling and waste diversion programs implemented by the City, in compliance with the City’s Solid Waste Integrated Resources Plan, which is the long-range solid waste management policy plan for the City through 2025, and the Source Reduction and Recycling Element, which is the strategic action policy plan for diverting solid waste from landfills. The Project would also comply with applicable regulatory measures. The Sunshine Canyon Landfill has adequate capacity and is slated to close in 2037. The Waste-By-Rails program to the Mesquite Landfill would have adequate capacity and is slated to operate for 100 years. The Project would comply with federal, state, and local regulations. Therefore, no impact would occur.

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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<sup>95</sup>City of Los Angeles, Fact Sheet: Solid Waste Facilities:  
[http://www.zerowaste.lacity.org/files/info/fact\\_sheet/SWIRPfacilitySystemInfrastructureFactSheet\\_032009.pdf](http://www.zerowaste.lacity.org/files/info/fact_sheet/SWIRPfacilitySystemInfrastructureFactSheet_032009.pdf)

<sup>96</sup>City of Los Angeles, Department of Public Works, Year at a Glance, 2012-13:  
[http://www.lacitysan.org/general\\_info/pdfs/BOS\\_YAAG\\_2012.pdf](http://www.lacitysan.org/general_info/pdfs/BOS_YAAG_2012.pdf), accessed September 29, 2014.

<sup>97</sup>City of Los Angeles, Department of Public Works, A Five-Year Strategic Plan, Fiscal Years 2013/14-2017/18:  
[http://www.lacitysan.org/general\\_info/pdfs/Strategic\\_Plan2013-14.pdf](http://www.lacitysan.org/general_info/pdfs/Strategic_Plan2013-14.pdf), accessed September 29, 2014.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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**18. MANDATORY FINDINGS OF SIGNIFICANCE.**

- |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                          |                          |                          |                                     |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. | Does the project 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, 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. | Does the project have impacts which 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. | Does the project have environmental effects which cause substantial adverse effects on human beings, either directly or indirectly?                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) A significant impact may occur only if a project would have an identified potentially significant impact for any of the above issues. The Project Site is located in an urbanized area of the City. The alley does not contain significant biological resources, or known cultural resources. The alley vacation would not involve excavation that could impact unknown archaeological, paleontological, or human remains. The Project will not degrade the quality of the environment, reduce or threaten any fish or wildlife species (endangered or otherwise), or eliminate important examples of the major periods of California history or pre-history. Therefore, no impact would occur.

b) A significant impact may occur if a project, in conjunction with other related projects in the area of the Project Site, would result in impacts that are less than significant when viewed separately, but would be significant when viewed together. The Project will not combine with related projects to create a cumulatively significant impact in any of the environmental issue areas analyzed in the IS/MND. No significant impacts have been identified as result of the Project, either on an individual or cumulative basis. The project only involves the vacation of the alley. The Project does not have the potential to achieve short-term environmental goals at the expense of long-term environmental goals. Therefore, no impact would occur.

c) A significant impact may occur if a project has the potential to result in significant impacts, as discussed in the preceding sections. As described throughout this environmental impact analysis, the Project would not result in any unmitigated significant impacts. Thus, the Project would not have the potential to result in substantial adverse effects on human being. Therefore, no impact would occur.

**V. ENVIRONMENTAL IMPACT EVALUATION**

## **Mitigation Measures**

No significant impacts have been identified. Two mitigation measures were identified:

### **Cultural Resources (Historic)**

#### **5-1 Historic Buildings and Contributing Factors**

- a. If any changes to the adjacent historic buildings or contributing features to the historic designation (i.e., light posts, curbs/gutter/sidewalk, etc.) are contemplated, the project developer shall retain a qualified professional historic architect or architectural historian to participate in design collaboration with the project team through preparation of construction documents and to monitor construction, to ensure continued conformance with the *Secretary of the Interior's Standards*. The role of the historic architect or architectural historian will include collaboration on a range of items relating to materials selection, construction methods, design of exterior and interior alterations, and monitoring of on-going construction activities.

#### **5-2 Archaeological Resources**

- a. If any ground-disturbing activities are necessary, prior to initiation of any ground-disturbing activities a qualified archaeological monitor shall conduct a brief awareness training session for the benefit of all construction workers and supervisory personnel. The training, which could be held in conjunction with the project's initial on-site safety meeting, would explain the importance of and legal basis for the protection of significant archaeological resources. Each worker would also learn the proper procedures to follow in the event that cultural resources or human remains/burials are uncovered during ground-disturbing activities. These procedures include work curtailment or redirection and the immediate contact of the site supervisor and the archaeological monitor. The worker education session should include visual images of artifacts that might be found in the project vicinity, and that the session take place on-site immediately prior to the start of ground-disturbing activities.
- b. Because the area near Harlem Place and 4th Street is potentially sensitive for archaeological resources, a qualified archaeologist shall be present to monitor all ground-disturbing activities, *if any*. All monitoring work shall be conducted under the direction of a qualified principal investigator, which is an archaeologist who meets the Secretary of the Interior's *Professional Qualification Standards* (National Park Service 1983).
- c. In the event that archaeological resources are exposed during any future ground-disturbance activity (if any), work in the immediate vicinity of the find must stop until a qualified archaeologist can evaluate the significance of the find. Construction activities may continue in other areas. If the discovery proves significant under CEQA (Section 15064.5f; PRC 21082), additional work such as testing or data recovery may be warranted.

**Conditions of Approval and Requests from City Agencies, Other Governmental Agencies and Public and Private Sector Service Providers**

As part of the vacation process various City Agencies and Departments, along with other governmental agencies and departments, along with public and private sector providers of utilities and services were contacted and were asked if the proposed vacation would impact their operations. If the vacation would impact their operation they were asked to respond.

The project contains conditions of approval or requests provided by various City Agencies and Departments, other governmental agencies and departments, and public and private sector providers of utilities and services. At such time as the vacation request is heard by the City Council, these conditions of approval and requests maybe adopted in total or partially. The impacts for these conditions of approval and requests have been included within the environmental evaluation of the project, as shown in Table 5-1.

**Table 5-1  
 Project Conditions of Approval**

Department or Agency	Condition/Request
City Planning Department	1. The applicant shall provide the City with a public access easement over the alley, indicating that it shall remain open and accessible to the public during the hours of 6AM to 12AM. 2. Improvements shall be constructed in accordance with the plans as shown on Exhibit A, stamped and signed by the Department of City Planning. 3. Gates, if installed, must remain fully open during the above hours and shall be designed to complement the historic character of the surrounding buildings.
Bureau of Engineering, Land Use Section, Central District	<p><b>1. Dedications Required:</b></p> <p><b>Main Street:</b> Modified 1-Way Secondary Highway                      Existing ½ R/W= 40' (15'-25'), Existing R/W= 80' (15'-50'-15'). The existing right-of-way is 40' wide, which is improved with a 25' roadway and a 15' sidewalk. Since existing buildings to remain, a 3' wide dedication is deferred to the future. Also, an average 2' wide sidewalk easement deferred to the future per Downtown Street Standards.</p> <p><b>Spring Street:</b> Modified 1-Way Secondary Highway                      Existing ½ R/W= 40' (14'-26'), Existing R/W= 80' (14'-52'-14'). The existing right-of-way is 40' wide, which is improved with a 26' roadway and a 14' sidewalk. No additional dedication is required.</p> <p><b>4th Street:</b> Modified 1-Way Secondary Highway                      Existing ½ R/W= 30' (11'-19'), Existing R/W= 60' (11'-38'-11'). The existing right-of-way is 30' wide, which is improved with a 19' roadway and a 11' sidewalk. No additional dedication is required.</p> <p><b>5th Street:</b> Modified 1-Way Secondary Highway                      Existing ½ R/W= 35' (15'-20'), Existing R/W= 65' (15'-40'-10'). The existing right-of-way is 35' wide, which is improved with a 20' roadway and a 15' sidewalk. No additional dedication is required.</p> <p><b>2. Improvements Required:</b>  <b>Main Street, Spring Street, 4th Street, and 5th Street</b> - Also, repair and/or replace all broken/off-grade/missing concrete curb, gutter, and sidewalk. Relocate, upgrade and/or install new street lights, street trees, fire hydrants, and traffic lights to the satisfaction of Bureau of</p>

	<p>Engineering, Bureau of Street Lighting, Bureau of Street Services/ Urban Forestry Division, Fire Department, and Department of Transportation.</p> <p><b>3. Sewers:</b> There is no sewer line in the alley to be vacated.</p> <p><b>4. Drainage:</b> There is an existing storm drain connector line and catch basin in the area proposed to be vacated. Dedicate a storm drain easement or relocated the line.</p> <p><b>5. Street Lights and Street Trees:</b> Refer to Bureau of Street Lighting and Bureau of Street Services/ Urban Forestry Division for lighting and street tree requirements.</p> <p><b>6. Non-Motorized Transportation:</b> The alley may be needed for non-motorized transportation purposes.</p> <p><b>7. Public Use:</b> The alley may be necessary for public use.</p> <p><b>8. Easement of Rights:</b> There are existing public utilities in the proposed alley to be vacated. The petitioner shall locate and protect these public utilities and provide necessary easements as required by the affected agencies. Arrangements for location or abandonment of these public utilities shall be made with affected agencies and the City Engineer. S.C.G. – 2” line S.C.T. – 19” x 10” line P.T.T. – 2” line D.W.P. – 16 ½” x 22 ½” line L.A.I.+C.S. Co – line L.A.G.+E – line</p>
Department of Transportation <sup>1</sup>	Work with LADOT to ensure that the vacated alley is designed to ensure that pedestrians and bicycle access is suitably maintained to facilitate access to and from the Spring Street Park.
Time Warner Cable <sup>1</sup>	Access to this location 24/7 to maintain existing facilities in the alley.
Southern California Gas Company <sup>1</sup>	Requests reservation of a non-exclusive easement to permit continued use and operation of facilities in the present location.
Department of Water and Power <sup>1</sup>	Arrangements need to be made for an easement or relocation of their facilities in the alley.
<p><i>1. Conditions and requests are summarized; see department or agency letter for actual text. Source: Bureau of Engineering, January 2016.</i></p>	

**VII. COMPATIBILITY WITH EXISTING ZONING AND PLANS**

The Project would be compatible with the underlying zoning and land use designations.

**VIII. PREPARATION AND COORDINATION / CONSULTATION**

**A. Prepared by:**

Seth Wulkan  
CAJA Environmental Services, LLC  
11990 West San Vicente Blvd, Suite 250, Los Angeles, CA 90049

**B. Coordination / Consultation with:**

**City of Los Angeles**

Maria Martin, Environmental Affair Officer  
Environmental Management Group  
Bureau of Engineering, Department of Public Works

James R. Tebbetts, Environmental Specialist II  
Environmental Management Group  
Bureau of Engineering, Department of Public Works

Edmond Yew, Program Manager  
Land Development Group  
Bureau of Engineering, Department of Public Works

Craig Weber, Principal City Planner  
Los Angeles Department of City Planning

Mark Stormes, Fire Marshal  
Los Angeles Fire Department

Tomas Carranza, Senior Transportation Engineer  
Los Angeles Department of Transportation

Alex Castillo, Real Estate Title Examiner  
Los Angeles Department of Water and Power

**Other Agencies**

DiAnna Watson, Branch Chief  
Community Planning, District 7  
California Department of Transportation

Margarita Cabrera  
County Sanitation Districts of Los Angeles County

Thu Truong, Supervising Cadastral Engineer I  
County of Los Angeles, Department of Public Works

## **Utilities**

Art Fernandez, Construction Supervisor  
Time Warner Cable

Whuey Wne Hartman, Technical Services  
Southern California Gas Company

Charles Lin  
Information Technology Agency

Phyllis Lopez, land Services Assistant  
Southern California Edison

## **IX. DETERMINATION - RECOMMENDED ENVIRONMENTAL DOCUMENTATION**

### **A. Summary**

The proposed project will vacate the public alley adjacent to the applicant's property: Harlem Place alley, between 4<sup>th</sup> Street and 5<sup>th</sup> Street. The vacated area would revert to the vestee(s) of the underlying fee title interest, which is generally the adjacent property owner(s). The project site is surrounded by parcels, which are zoned commercial and are developed with various uses, including residential, commercial, retail, parking, and public park. The alley vacation does not include major construction activities, such as building demolition or development. The operation of the alley could include additional pedestrian access and amenities such as outdoor dining. No changes to the existing driveway are proposed. Utilities in the alley (cable, telephone, electrical, and storm drain) are not proposed to be relocated or removed. The Project also has the following conditions to ensure access:

1. The Applicant shall provide the city with a public access easement over the alley, indicating that it shall remain open and accessible to the public during the hours of 6 AM to 12 AM.
2. Improvements shall be constructed in accordance with the plans as shown on Exhibit A, stamped and signed by the Department of City Planning.
3. Gates, if installed, must remain fully open during the above hours, and shall be designed to complement the historic character of the surrounding buildings.
4. Per City Council approval (91-2033, motion adopted November 8, 1991) of the placement of gates at each end of the alley: The alley shall be closed at each end with gates as approved by Engineering; and that keys to gate locks be furnished to the Police and Fire departments, Public Works, and public utility companies upon their request. All of the costs of the alley closure will be paid by affected property owners.

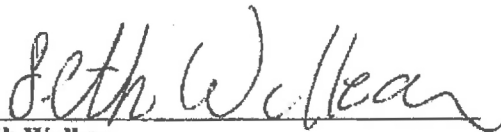
5. The Department of Engineering, Land Use Section requires that easement of rights be provided for existing public utilities in the alley. As such the Project shall locate and protect these public utilities and provide necessary easements as required by the affected agencies.

**B. Recommended Environmental Documentation**

On the basis of this initial evaluation:

I find that the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures have been proposed and included in the project and have been agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

Prepared By:

  
Seth Wulkan,  
Project Manager  
CAJA Environmental Services

Prepared For:

City of Los Angeles  
Department of Public Works, Bureau of Engineering  
Land Development Group  
201 North Figueroa Street, Suite 200  
Los Angeles, CA 90012

Approved By:

Gary Lee Moore, PE, ENV SP  
City Engineer

By:

  
Maria Martin,  
Environmental Affairs Officer  
Environmental Management Group

ATTACHMENT A  
COMMENTS AND RESPONSES - HARLEM PLACE VACATION IS/MND

<b>TABLE A-1 – COMMENTS AND RESPONSES - HARLEM PLACE VACATION IS/MND</b>			
<b>DATE</b>	<b>COMMENTS, AGENCY AND CONTACT ADDRESS</b>	<b>COMMENT</b>	<b>RESPONSE</b>
2/29/16	John Bachelder, Verizon Business john.bachelder@verizon.com	Verizon Business has no facilities in the project area.	Comment noted.
3/17/16	Steven Portigiani sportmobi@me.com	I am a resident in the Helman building. I am in favor of the application. But I was wondering about the noise from the new businesses in the alley. Will the building be required to fit the existing old windows of the units in the alley with sound proofing windows.	Comment noted. No new construction (i.e., building, structures) will occur within the alley. The Project consists of the complete vacation of the public right-of-way at Harlem Place alley between 4th Street and 5th Street. The objective is to have the alley be used to support outdoor dining and provide additional pedestrian access to retail uses and the adjacent Spring Street Park. Development and operation of the outdoor dining area, as it relates to noise, will be in conformity to the City of Los Angeles Noise Ordinance (Ordinance No. 144.331) and Noise Regulations (Chapter XI) to include, but not limited to Los Angeles Municipal Code (LAMC) Sections 41.40 (Construction Noise); 112.06 (Places of Public Entertainment); and 116.01 (Loud, Unnecessary and Unusual Noise).
3/17/16	Steven Portigiani sportmobi@me.com	We all ready have an issue with the noise on weekends in the alley with patrons that go to the continental night club. Screaming	Comment noted. The objective is to have the alley be used to support outdoor dining and provide

Alley Vacation - Harlem Place, between 4th Street and 5th Street - VAC-E1401184  
 March 2017

TABLE A-1 – COMMENTS AND RESPONSES - HARLEM PLACE VACATION IS/MND			
DATE	COMMENTS, AGENCY AND CONTACT ADDRESS	COMMENT	RESPONSE
		drunk man and woman at 11 to 2am in the morning is quite annoying. The door men that work there do not keep them quite most of the time. Was just wondering.	additional pedestrian access to retail uses and the adjacent Spring Street Park. Development and operation of the outdoor dining area, as it relates to noise, will be in conformity to the City of Los Angeles Noise Ordinance (Ordinance No. 144.331)) and Noise Regulations (Chapter XI) to include, but not limited to Los Angeles Municipal Code Sections 41.40 ( <i>Construction Noise</i> ); 112.06 ( <i>Places of Public Entertainment</i> ); and 116.01 ( <i>Loud, Unnecessary and Unusual Noise</i> ). This comment been forwarded to Los Angeles Police Department (LAPD) – Central Station.
3/17/16	Jonathan Weisberg jmweisberg@gmail.com	I am a resident of the Continental Building apartments at 408 S. Spring St. I am writing to give a public comment on the Harlem Alley Vacation proposal which I received notice of in the mail. This is an excellent idea which I think would improve the neighborhood greatly, especially in connection with Spring St. Park. However I would like to address three concerns:	Comment noted.
3/17/16	Jonathan Weisberg jmweisberg@gmail.com	Security -- The adjacent Spring Street Park requires constant security. People were using it to take drugs and make messes. A security guard has been stationed there paid for by private donors, but the city should	Comment noted. The Spring Street Park site is outside of the proposed project. Comment has been forwarded to LAPD - Central Station and to Recreation and Parks Department

<b>TABLE A-1 – COMMENTS AND RESPONSES - HARLEM PLACE VACATION IS/MND</b>			
<b>DATE</b>	<b>COMMENTS, AGENCY AND CONTACT ADDRESS</b>	<b>COMMENT</b>	<b>RESPONSE</b>
		really be providing for this service. Security needs have led to so many fences being placed in the park that it is quite unwelcoming to many. Providing for adequate security to make sure that visitors are not fouling the park and environs is necessary to having a usable park.	(RAP).
3/17/16	Jonathan Weisberg jmweisberg@gmail.com	Dogs -- Much of the greenery in the park was killed by dogs relieving themselves. A dirt area for dogs to relieve themselves was added in the back of the park which helped with this issue. It is necessary to provide adequate space for dogs to relieve themselves. The nearest park used by most residents to exercise their dogs is the park south of the police HQ at 2nd street, which is a relatively long distance north. It is nice to have dogs in the neighborhood, but park design needs to take into account means to accommodate them along with plants and park-goers.	Comment noted. The Spring Street Park site is outside of the proposed project. Comment has been forward to RAP.
3/17/16	Jonathan Weisberg jmweisberg@gmail.com	Parking Structure Access -- Many residents in the apartment buildings on Spring St. use the parking structure on Main Street. It is important to retain pedestrian access from Spring St. to the parking structure for us residents, otherwise we would have to take a much longer walk around the block north or south to 4th or 5th street, down to Main,	Comment noted. There will be no change in the ability of pedestrians to access the parking structure from Spring St. (D Williams, Land Use/BOE).

Alley Vacation - Harlem Place, between 4th Street and 5th Street - VAC-E1401184  
 March 2017

<b>TABLE A-1 – COMMENTS AND RESPONSES - HARLEM PLACE VACATION IS/MND</b>			
<b>DATE</b>	<b>COMMENTS, AGENCY AND CONTACT ADDRESS</b>	<b>COMMENT</b>	<b>RESPONSE</b>
		and then north or south to the parking structure entrance in the middle of Main street.	
3/17/16	Jonathan Weisberg jmweisberg@gmail.com	Thank you for taking comments. I think this expansion of the public space in this area is an excellent idea.	Comment noted.
3/17/16	Alex Castillo, LADWP PO Box 51111, Los Angeles, CA 90051	The Los Angeles Department of Water and Power (LADWP) does not have electrical facilities within the project area. The Department therefore does not object to the proposed vacation.	Comment noted.

