EXHIBIT C:

Resolution Certifying the EIR and Adopting General Plan Elements

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Harbor LA Community Plans Update
CPC-2018-6404-CPU (Harbor Gateway); ENV-2019-3379-EIR

Recommended by the City Planning Commission on February 8, 2024

June 2025

CPC-2018-6404-CPU
Recommended by City Planning Commission

RESOLUTION

A RESOLUTION OF THE COUNCIL OF THE CITY OF LOS ANGELES, CERTIFYING ENVIRONMENTAL IMPACT REPORT STATE CLEARINGHOUSE (SCH) No. 2019080248 (ENV-2019-3379-EIR) AS RELATED TO THE UPDATE TO THE HARBOR GATEWAY COMMUNITY PLAN; ADOPTING FINDINGS OF FACT PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081(a), APPROVING A MITIGATION MONITORING PLAN, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS; AND ADOPTING THE UPDATE TO THE HARBOR GATEWAY COMMUNITY PLAN, AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN, TO THE FRAMEWORK ELEMENT, AND TO THE MOBILITY PLAN 2035.

WHEREAS, the Harbor Gateway Community Plan was adopted by the City Council in 1970 and amended in 1991 through the General Plan/ Zoning Consistency Program, and then updated in 1995;

WHEREAS, the Department of City Planning has prepared an update to the Harbor Gateway Community Plan, which consists of all of the following:

(1) Amendments to the General Plan Land Use Map, referred to as the Harbor Gateway Community Plan General Plan Land Use Map;
(2) A new Harbor Gateway Community Plan policy document;
(3) Amendments to the Appendix A to the Framework Element and Mobility Plan 2035 for consistency with the new Harbor Gateway Community Plan;
(4) Zoning ordinances to implement the Harbor Gateway Community Plan:
    a. Proposed amendments to LAMC Chapter 1 and Chapter 1A;
    b. Proposed Zone Changes to the City of Los Angeles Zoning Map;
    c. Proposed Community Benefits - Local Affordable Housing Program Map
    d. Proposed Protected Historic Resources: Individual Historic Resources Review Map
    e. Proposed Hazardous Sites Map

WHEREAS, a notice of public hearing on the Proposed Project was published in the “Daily Journal” on October 16, 2023, and notice was mailed to property owners and occupants on October 16, 2023 in accordance with LAMC Sections 13B.1.1.C.1 and 13B.1.4.C.1 (Chapter 1A); and

WHEREAS, hearing officers of the Planning Department, as representatives of the City Planning Commission, pursuant to Los Angeles Municipal Code (LAMC) Section 13B.1.1.C.1 and 13B.1.4.C.1 (Chapter 1A), held a public hearing regarding the Proposed Project on November 9, 2023, and made a report and recommendation; and

WHEREAS, a notice of a public hearing for the City Planning Commission was published in the “Daily Journal” on October 16, 2023, and notice was mailed to property owners and occupants on October 16, 2023 in accordance with LAMC Sections 13B.1.1.C.1 and 13B.1.4.C.1(Chapter 1A), and

WHEREAS, the City Planning Commission conducted a public hearing on February 8, 2024, and considered all evidence, both oral and written, made at the February 8, 2024 hearing, and the previous November 9, 2023 hearing, including but not limited to the Staff Report of the City Planning Department, including exhibits and appendices, which included the recommendations of the hearing officers, and testimony, documents, and exhibits or attachments, submitted by interested parties, including other state and local agencies; and

WHEREAS, at the completion of the February 8, 2024 public hearing, the City Planning Commission recommended the City Council approve the Proposed Project with the modifications attached to the City Planning Commission's Letter of Determination, dated Month Year

WHEREAS, the City Council finds the Proposed Project reflects changes in land use policies that have occurred in the community since the current Harbor Gateway Community Plan, and its implementing ordinances, were adopted; and

WHEREAS, the City Council has reviewed and considered the Final Environmental Impact Report (FEIR) No. ENV-2019-3379-EIR, inclusive of the Draft EIR and its appendices, in its determination of adopting the Proposed Project; and

WHEREAS, pursuant to the City Charter Section 555 and LAMC Section 13B.1.1 (Chapter 1A), the Mayor and the City Planning Commission have transmitted their recommendations to the City Council.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.

2. Findings. The City Council has reviewed the City Charter, General Plan, Municipal Code, and State law findings recommended by the Los Angeles City Planning Commission located in _____ and adopts these findings as the findings of the City Council.

3. CEQA Certification, Findings, and Statement of Overriding Considerations.

   (a) Contents of FEIR. Pursuant to CEQA Guidelines Section 15132, the Final Environmental Impact Report (FEIR), which is attached hereto and incorporated herein by this reference, includes the Draft EIR SCH No. 2019080248 (ENV-2019-3379-EIR), dated September 21, 2023, the Draft EIR appendices, and the document titled "Final EIR" dated June 6, 2025, including all its related appendices and attachments.

   (b) EIR Certification. The City Council certifies:

      (1) the FEIR has been completed in compliance with CEQA

      (2) the FEIR was presented to the City Council and that the City Council has reviewed and considered the information contained in the FEIR prior to approval of the

Proposed Plan, and all of the information contained therein has substantially influenced all aspects of the decision by the City Council; and

(3) the FEIR reflects the City Council's independent judgment and analysis.

(c) Mitigation Monitoring. The Mitigation Monitoring Program (MMP) set forth in Exhibit 1 to this resolution, which is attached hereto and incorporated herein by this reference, is adopted to ensure that all mitigation measures described in the MMP are fully implemented. The City Council finds all of the mitigation measures in the MMP are feasible.

(d) CEQA Findings. The Council also adopts the findings in the EIR Findings set forth in Exhibit 2 to this Resolution, which are attached hereto and incorporated herein by this reference. In adopting the EIR Findings, the Council ratifies, adopts, and incorporates the analysis and explanation in the FEIR, and ratifies, adopts, and incorporates in these findings, the determinations and conclusions in the FEIR relating to environmental impacts, mitigation measures, and alternatives.

(e) Statement of Overriding Considerations. The City Council adopts the Statement of Overriding Considerations attached at Exhibit 2 to this Resolution, which is attached hereto and incorporated herein by reference. The City Council finds that each listed Proposed Project benefit identified in the Statement of Overriding Considerations provides a separate and independent ground for its approval of the Proposed Project and overrides all of the identified significant and unavoidable impacts of the Proposed Project.

(f) Location and Custodian of Documents. The record of approval of the Proposed Project shall be kept in the office of the City Clerk, City of Los Angeles, City Hall, 200 North Spring Street, Los Angeles, California 90012 which shall be held by the City Clerk as the custodian of the documents; all other record of proceedings shall be kept with the Department of City Planning and the Director of the Department of City Planning shall be the custodian of the documents.

(g) Notice of Determination. The Director of the Department of City Planning is directed to file a Notice of Determination as required by the Public Resources Code and CEQA Guidelines.

4. General Plan Amendments. The City Council approves the proposed General Plan text and map amendments found in Council File No._____, as recommended by the City Planning Commission on February 8, 2024, and adopted by the City Council on _____, to: (a) the Harbor Gateway Community Plan (Land Use Element); (b) the Framework Element; and (c) the Mobility Plan 2035 (Circulation Element).

5. Reversion to Prior Community Plan. Unless otherwise provided by action of the City Council, to the extent the Harbor Gateway Community Plan Update is enjoined (in whole or in part, permanently or temporarily), or set aside by court order, the Harbor Gateway Community Plan (as adopted in 1995 shall, by operation of law, be revived and continue in

full force and effect, until such time as the injunction is dissolved, the court order is set aside, and/or until further action of the City Council.

6. Operative Date. To ensure the City's zoning ordinances are in conformity with the General Plan, Section 4 of this resolution shall be operative upon the adoption by the City Council of the following implementing ordinances found in Council File No. _____ for the Harbor Gateway Community Plan Update: Amendments to Chapter 1A, and zone changes to the City Zoning Map.

Attachments:

1 – Exhibit __ MMP
2 – Exhibit __ CEQA Findings of Fact and Statement of Overriding Considerations

4.0 MITIGATION MONITORING PROGRAM

4.1 INTRODUCTION

The Mitigation Monitoring Program (MMP) has been prepared in conformance with Section 21081.6 of the California Environmental Quality Act (CEQA). It is the intent of this program to: (1) verify satisfaction of the required mitigation measures of the EIR (EIR); (2) provide a methodology to document implementation of the required mitigation measures; (3) provide a record of the Monitoring Program; (4) identify monitoring responsibility; (5) establish administrative procedures for the clearance of mitigation measures; (6) establish the frequency and duration of monitoring; and (7) use existing review processes wherever feasible.

This MMP describes the procedures for the implementation of the mitigation measures adopted for the Proposed Plans. The MMP for the Proposed Plans will be in place through the planning horizon of the Plans (2040) or until the Plans and EIR are updated again, whichever is later. The City of Los Angeles Department of City Planning (DCP) staff and staff of other City Departments (e.g., Department of Building and Safety) shall be responsible for administering the MMP activities or delegating them to consultants, or contractors. The Monitoring or Enforcing Agencies identified herein, at their discretion, may require a project applicant or operator to pay for one or more independent environmental monitor(s) to be responsible for monitoring implementation of mitigation measures (e.g., City building inspector, project contractor, certified professionals, etc., depending on the requirements of the mitigation measures) required of project applicants or operators. Monitors would be hired by the City or by the applicant or operator at the City's discretion.

Each mitigation measure is identified in **Table 4.0-1, Mitigation Monitoring Program Matrix,** and is categorized by environmental topic and corresponding number with identification of:

- The Implementing Party or Agency – this is in most cases, the applicant for individual projects who will be required to implement most of the measures.

- The Enforcement and Monitoring Entity – this is the entity or entities that will monitor each measure and ensure that it is implemented in accordance with this MMP.

- Monitoring Phase and Monitoring Actions – this is the timeframe that monitoring would occur and the criteria that would determine when the measure has been accomplished and/or the monitoring actions to be undertaken to ensure the measure is implemented.

Many of the mitigation measures are implemented through the environmental protection measures/standards through the New Zoning Code Environmental Protection Measures (EPM) Handbook process. Others may be implemented through the imposition of conditions of approval subject to the City's authority to condition the applicable entitlement for any subsequent environmental review pursuant to *State CEQA Guidelines* Sections 15162, 15163, 15164, or 15168, or tiered clearance to the Harbor LA Community Plans Update EIR, pursuant to the procedures in *State CEQA Guidelines* Section 15152 or streamlining CEQA Clearance as permitted in PRC Sections 21083, 21094.5, 21155-21155.2, 21155.4 or *State CEQA Guidelines* Sections 15183 or 15183.3.

Mitigation measures implemented through the EPM Handbook shall do all of the following:

- Adopt environmental standards or protection measures to implement, and that are consistent with, the mitigation measures; and

- Require projects to substantially conform with all applicable environmental standards or environmental protection measures, subject to the discretion of the enforcing and monitoring agency; and

- Authorize any City implementing, monitoring or enforcing agency, to require the applicant to hire an outside consultant (which may or shall be subject to City approval) to monitor and certify compliance with the environmental standards or protection measures, or develop any other administrative procedures to ensure compliance with the environmental standards or protection measures, including but not limited to requiring the applicant to sign acknowledgement of environmental standards or protection measures and provide affidavit committing to comply with applicable environmental standard or protection measures, and maintain records for certain period of time and hold records available for City inspection to demonstrate compliance.

Mitigation measures implemented through the EPM Handbook may do the following:

Provide for the modification or a deletion of an environmental standard or protection measure subject to the following: The development project shall be in substantial conformance with the environmental standard contained in the EPM Handbook. The Planning Director may determine substantial conformance with the environmental standard in their reasonable discretion. If the Planning Director cannot find substantial conformance, an environmental standard may be modified or deleted if the Planning Director, or the decision maker for a subsequent discretionary project related approval, complies with CEQA Guidelines, including sections 15162 and 15164, by preparing an addendum or subsequent environmental clearance to analyze the impacts from the modifications to or deletion of the environmental standard. Any addendum or subsequent CEQA clearance shall explain why the mitigation measure is no longer needed,

not feasible, or the other basis for modifying or deleting the project design feature or mitigation measure. Under this process, the modification or deletion of a mitigation measure shall not require a modification to any project discretionary approval unless the Planning Director or decisionmaker also finds that the change to the environmental standard requires a modification or other entitlement under the LAMC or other City ordinance or regulation.

Mitigation measures imposed as a condition of approval shall be imposed with a MMP that may include the following provisions:

- This MMP shall be enforced throughout all phases of development projects subject to the mitigation measures. The Applicant shall be responsible for implementing each mitigation measure and shall be obligated to provide certification, as identified below, to the appropriate monitoring agency and the appropriate enforcement agency that each project design feature and mitigation measure has been implemented. The Applicant shall maintain records demonstrating compliance with each project design feature and mitigation measure. Such records shall be made available to the City upon request. Further, specifically during the construction phase (including excavation, grading and demolition) and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant), approved by DCP, who shall be responsible for monitoring implementation of mitigation measures during grading and construction activities consistent with the monitoring phase and frequency set forth in this MMP. The Construction Monitor shall also prepare documentation of the Applicant's compliance with the mitigation measures during grading and construction every 90 days. The documentation must be signed by the Applicant and Construction Monitor and be maintained by the Applicant. The Construction Monitor shall be obligated to immediately report to the Enforcement Agency/Entity any non-compliance with the mitigation measures within two business days if the Applicant does not correct the non-compliance within a reasonable time of notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency/Entity. Until five years after all mitigation measures are fully satisfied, the Applicant and Owner shall maintain all records of mitigation measure compliance (e.g., reports, studies, certifications, verifications, monitoring or mitigation plans) and make the records available for the City's inspection within three business days of the City requesting the records. All records related to grading and construction shall be maintained on the construction site during grading and construction and shall be immediately available for inspection by the City or by the Construction Monitor. The Applicant/Owner shall also sign a Statement of Compliance, in a form approved by the City, prior to issuance of any building permit, committing to compliance with all applicable mitigation measures.

All development projects shall be in substantial conformance with the mitigation measures contained in this MMP. The Enforcement Agency/Entity may determine substantial conformance with mitigation measures in the MMP in their reasonable discretion. If the Enforcement Agency/Entity cannot find substantial conformance, a mitigation measure may be modified or deleted if the Enforcement Agency/Entity, or the decision maker for a subsequent discretionary project related approval, complies with *State CEQA Guidelines*, including sections 15162 and 15164, by preparing an addendum or subsequent environmental clearance to analyze the impacts from the modifications to or deletion of the mitigation measures. Any addendum or subsequent CEQA clearance shall explain why the mitigation measure is no longer needed, not feasible, or the other basis for modifying or deleting the project design feature or mitigation measure. Under this process, the modification or deletion of a mitigation measure shall not require a modification to any project discretionary approval unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the Project or the non-environmental conditions of approval.

Table 4.0-1
Mitigation Monitoring Program Matrix

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
Impact – Air Quality			
MM AQ-1: For any project whose construction activities involve the use of construction equipment and requires a permit from the Los Angeles Department of Building and Safety (LADBS), consistent with SCAQMD Rule 403, the best available dust control measures shall be implemented during Ground Disturbance Activities and active construction operations capable of generating dust.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM AQ-2: For any project whose construction activities involve the use of construction equipment requires a permit from LADBS, maintain construction equipment in good, properly tuned operating condition, as specified by the manufacturer, to minimize exhaust emissions. Documentation demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications shall be maintained per the proof of compliance requirements for a minimum of five years after the Certificate of Occupancy is issued. All construction equipment shall achieve emissions reductions that are no less than what could be achieved by a Tier 3 diesel emission control strategy for a similarly sized engine as defined by CARB regulations.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM AQ-3: For any project whose construction activities involve the use of construction equipment and requires a permit from LADBS, Vehicle idling during construction activities shall be limited to five minutes as set forth in the California Code of Regulations, Title 13, Section 2449. Signs shall be posted in areas where they will be seen by vehicle operators stating idling time limits.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
MM AQ—4: For any project whose construction activities involve the use of construction equipment and requires a permit from LADBS, electricity from power poles rather than temporary gasoline or diesel-powered generators shall be used To the Extent Available and Feasible.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM AQ-5: For any project whose construction activities involve the use of construction equipment requires a permit from LADBS and involves at least 5,000 cubic yards of on-site cut/fill on any given day, all off-road diesel-powered construction equipment equal to or greater than 50 horsepower shall meet the U.S. Environmental Protection Agency's (U.S. EPA) Tier 4 emission standards during construction. Operators shall maintain records of all off-road equipment associated with Project construction to document that each piece of equipment used meets these emission standards per the proof of compliance requirement for a minimum of five years after the Certificate of Occupancy is issued. In lieu of compliance with the above requirement, an air quality study prepared in accordance with the SCAQMD's Air Quality Handbook may be provided by the Applicant or Owner demonstrating that Project construction activities would not exceed the SCAQMD's regional and localized construction thresholds.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM AQ-6: For any project whose construction activities involve the use of construction equipment, requires a permit from LADBS and involves at least 5,000 cubic yards of on-site cut/fill on any given day, construction equipment less than 50 horsepower shall use low polluting fuels (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline). In lieu of compliance with the above requirement, an air quality study prepared in accordance with the SCAQMD's Air Quality Handbook may be provided by the Applicant or Owner demonstrating that Project construction activities would not exceed the SCAQMD's regional and localized construction thresholds.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM AQ-7: For any project whose construction activities involve the use of construction equipment, require a permit from LADBS, and involve more than 90 round-trip haul truck trips on any given day for demolition debris and import/export of soil, construction haul truck operators for demolition debris and import/export of soil shall use trucks that meet the California Air Resources Board's (CARB) 2010 engine emissions standards at 0.01 g/bhp-hr. of particulate matter (PM) and 0.20 g/bhp-hr. of nitrogen oxides (NOX) emissions.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
Operators shall maintain records of all trucks associated with Project construction to document that each truck used meets these emission standards. In lieu of compliance with the above requirement, an air quality study prepared in accordance with the SCAQMD's Air Quality Handbook may be provided by the Applicant or Owner demonstrating that Project construction activities would not exceed the SCAQMD's regional and localized construction thresholds.			
MM AQ-8: For any project whose construction activities involve the use of construction vehicles and requires a permit from LADBS, construction contractors shall reroute construction trucks away from congested streets or Sensitive Uses, as feasible. The burden of proving that compliance is infeasible shall be upon the Applicant or Owner. Where avoiding sensitive uses and congested streets altogether is infeasible, routing away from sensitive uses shall be prioritized over routing away from congested streets.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM AQ-9: For applicants for distribution centers in the Harbor LA CPAs within 1,000 feet of sensitive uses that require discretionary permits and/or would accommodate more than 100 truck trips or 40 TRUs per day, prepare HRAs in accordance with SCAQMD and OEHHA guidance to identify the potential for cancer and non-cancer health risks. If cancer risks exceeding SCAQMD standards are identified, the Applicant shall identify opportunities to reduce emissions and associated risks. Methods may include, but are not limited to, limiting the number of trucks/TRUs accessing the site on a daily basis, locating distribution center entry and exist points as far as possible from sensitive land uses, and routing truck traffic away from sensitive land uses.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM AQ-10: Air Quality Standard–Compliance with Assembly Bill 617 (Community Air Initiatives). For any Project requiring a grading, excavation, or building permit from LADBS and which is located within an area identified in the *AB 617 Community Map* which: • Generates more than 100 truck trips per day, or • Exceeds 250,000 square feet of floor area, or • Includes a Heavy Commercial, Heavy Industrial Use or a Transportation Use as defined in Part 5D. (Use Definitions) of Chapter 1A of the LAMC, or • Is located on a lot greater than an acre and is within 500 feet of a Sensitive Receptors and/ or Noise-Sensitive Use. Prior to demolition, grading/excavation, or construction, and/or or issuance of building permits, the Applicant and Owner shall coordinate with SCAQMD and other agencies identified within the CERP to identify project design	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
features. The Applicant and Owner shall maintain proof of compliance with the project design features identified with the CERP pursuant to Sec. I.D.6.			
Impact-Biological Resources			
MM BIO-1: For all projects, if any active bird nest is found during a pre-construction nesting bird survey or is discovered inadvertently during earthwork or construction-related activities, a Qualified Biologist shall be retained by the Applicant or Owner to determine an appropriate avoidance buffer which shall be no less than is necessary to protect the nest, eggs and/or fledglings, from damage or disturbance in consideration of the following factors: the bird species, the availability of suitable habitat within the immediate area, the proposed work activity, and existing disturbances associated with surrounding land uses. The buffer shall be demarcated using bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary of the buffer. All construction personnel shall be notified of the buffer zone and shall avoid entering the protected area. No Ground Disturbing Activities or vegetation removal shall occur within this buffer area until the Qualified Biologist has confirmed that breeding/nesting is complete and the young have fledged the nest and/or that the nest is no longer an Active Nest. The Qualified Biologist shall prepare a report prior to the issuance of any building permit detailing the results of the nesting bird survey and subsequent monitoring, which shall be maintained for a minimum of five years after the Certificate of Occupancy is issued.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM BIO-2: All project applicants for grading, excavation, or building permits will be notified of and shall include on their plans an acknowledgement of the requirement to comply with the federal MBTA and CFGC to not destroy active bird nests and of best practices recommended by qualified biologist to avoid impacts to active nests, including checking for nests prior to construction activities during February 1-August 31 and what to do if an active nest is found during grading or construction activities, including the need to comply with the measures in MM BIO-1.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion	Applicant for individual project	City of Los Angeles, Department of Building and Safety
Impact – Cultural Resources			
MM CR-1: For any project that requires a permit for grading or excavation; if a possible archaeological resource is uncovered during earthwork or construction, all work shall cease within a minimum distance of 50 feet from the find until a Qualified Archaeologist has been retained to evaluate the find in accordance with National Register of Historic Places and California Register of Historical Resources criteria. The Qualified Archaeologist may adjust this avoidance area, ensuring appropriate temporary protection measures of the find are taken while also considering ongoing construction needs in the surrounding area. Temporary staking and delineation of the avoidance area shall be installed around the find in order to avoid any disturbance from	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion	Applicant for individual project	City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
construction equipment. Ground Disturbance Activities may continue unimpeded on other portions of the site outside the specified radius. Any potential archaeological resource or associated materials that are uncovered shall not be moved or collected by anyone other than an Archaeological Monitor or Qualified Archaeologist unless the materials have been determined to be non-unique archaeological resources, as defined in Public Resources Code Section 21083.2(h), by the Qualified Archaeologist. The Qualified Archaeologist shall determine if the resources are unique archeological resources as defined in Public Resources Code Section 21083.2(g). Consistent with Public Resources Code Section 21083.2, the handling, treatment, preservation, and recordation of unique archaeological resources should occur as follows: • The find should be preserved in place or left in an undisturbed state unless the Project would damage the resource. • When preserving in place or leaving in an undisturbed state is not possible, excavation and recovery of the find for scientific study should occur unless testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, and this determination is documented by a Qualified Archaeologist. Ground Disturbance Activities in the area where resource(s) were found may recommence once the identified resources are properly assessed and processed by a Qualified Archaeologist. A report that describes the resource(s) and its disposition, as well as the assessment methodology, shall be prepared by the Qualified Archaeologist according to current professional standards and maintained for a minimum of five years after the Certificate of Occupancy is issued. If appropriate, the report should also contain the Qualified Archaeologist's recommendations for the preservation, conservation, and curation of the resource at a suitable repository, such as the Natural History Museum of Los Angeles County, with which the Applicant or Owner must comply.			
MM CR-2: Prior to issuance of a permit for grading or excavation all project applicants will receive notice and acknowledge receipt of the following notice: Several laws regulate the treatment of archaeological, paleontological, and tribal cultural resources and make it a criminal violation to destroy those resources. These regulations include, but are not limited to: • California Penal Code Section 622 1/2 - Unlawful Disfigurement of Archeological or Historical Objects provides the following: "Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archeological or historical interest or value, whether situated on private lands or within any public park or place, is	Prior to issuance of excavation or grading permits: verify receipt of acknowledgement from applicant.	Applicant for individual project	City of Los Angeles, Department of City Planning City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
guilty of a misdemeanor." • Public Resources Code Section 5097.5(a) states: "A person shall not knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands." The following best practices are recognized by archaeologists and environmental consultants to ensure archaeological resources are not damaged during grading, excavation, or other Ground Disturbance Activities: • Records Search. A cultural resources records search should be requested from and conducted by the California Historical Resources Information System's (CHRIS) South Central Coastal Information Center (SCCIC) located at California State University, Fullerton to determine whether any cultural resources have been previously identified on or within a 0.5-mile radius of the Project site. The results of this records search shall be used as an indicator of the archaeological sensitivity of the Project site. • A Qualified Archaeologist shall be retained and use all reasonable methods, consistent with professional standards and best practices, to determine the potential for archaeological resources to be present on the Project site. • If the Qualified Archaeologist determines there is a medium to high potential that archaeological resources may be located on the Project site and it is possible that such resources will be impacted by the Project, the Qualified Archaeologist shall advise the Applicant and Owner to retain an Archaeological Monitor to observe all Ground Disturbance Activities within those areas identified as having a medium to high potential in order to identify any resources and avoid potential impacts to such resources. • Monitoring. An Archaeological Monitor should monitor excavation and grading activities in soils that have not been previously disturbed in order to identify and record any potential archaeological finds and avoid potential impacts to such resources. In the event of a possible archaeological discovery, the Archaeological Monitor shall notify a Qualified Archaeologist. The Archaeological Monitor has the authority to temporarily halt earthwork activities.. • Handling, Evaluation, and Preservation. Any archaeological resource materials or associated materials that are uncovered shall not be moved or collected by anyone other than an Archaeological Monitor or Qualified Archaeologist unless they have been determined to be nonunique			

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
archaeological resources, as defined in Public Resources Code Section 21083.1(h) by a Qualified Archaeologist. A Qualified Archaeologist shall determine if the resources are unique archeological resources as defined in Public Resources Code Section 21083.2(g). • Consistent with Public Resources Code Section 21083.2, the handling, treatment, preservation, and recordation of unique archaeological resources should occur as follows: 1. The find should be preserved in place or left in an undisturbed state unless the Project would damage the resource. 2. When preserving in place or leaving in an undisturbed state is not possible, excavation and recovery of the find for scientific study should occur unless testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, and this determination is documented by a Qualified Archaeologist. 3. If recommended by the Qualified Archaeologist, the resource(s) shall be curated by a public, non-profit institution with a research interest in the material, such as the Natural History Museum of Los Angeles County or another appropriate curatorial facility for educational purposes. 4. Ground Disturbance Activities in the area where resource(s) were found may recommence once the identified resources are properly assessed and processed by a Qualified Archaeologist.			
Geology and Soils			
MM GEO-1: Paleontological Resources. Any Project that requires a permit for grading or excavation, if a probable paleontological resource is uncovered during earthwork or construction, all work shall cease within a minimum distance of 50 feet from the find until a Qualified Paleontologist has been retained to evaluate the find in accordance with the Society of Vertebrate Paleontology's Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources. Temporary flagging shall be installed around the find in order to avoid any disturbance from construction equipment. Any paleontological materials that are uncovered shall not be moved or collected by anyone other than a Qualified Paleontologist or his/her designated representative such as a Paleontological Monitor. If cleared by the Qualified Paleontologist, Ground Disturbance Activities may continue unimpeded on other portions of the site. The found deposit(s) shall be treated in accordance with the Society of Vertebrate Paleontology's Standard Procedures. Ground Disturbance Activities in the area where resource(s) were found may recommence once the identified resources are properly assessed and processed by a Qualified Paleontologist. A report that describes the	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion	Applicant for individual project	City of Los Angeles, Department of City Planning City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
resource and its disposition, as well as the assessment methodology, shall be prepared by the Qualified Paleontologist according to current professional standards and maintained for five years after certificate of occupancy. If appropriate, the report should also contain the Qualified Paleontologist's recommendations for the preservation, conservation, and curation of the resource at a suitable repository, such as the Natural History Museum of Los Angeles County, with which the Applicant or Owner must comply.			
MM GEO-2: Notification of Intent to Excavate Language. For all projects seeking excavation or grading permits, the Department of Building and Safety shall issue the following notice and obtain an acknowledgement of receipt of the notice from applicants: • California Penal Code Section 622.5 provides the following: "Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor." • PRC Section 5097.5 provides protection for cultural and paleontological resources, where Section 5097.5(a) states, in part, that: "No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands." • California Code of Regulations, Title 14, Section 4307 states that "No person shall destroy, disturb, mutilate, or remove earth, sand, gravel, oil, minerals, rocks, paleontological features, or features of caves." The following best practices are recognized by paleontologists and environmental consultants to ensure paleontological resources are not damaged during construction or Ground Disturbance Activities: 1. A paleontological resources records search shall be requested from and conducted by the Natural History Museum of Los Angeles County to determine whether any paleontological resources have been previously identified on or near the Project site. The results of this records search shall be used as an indicator of the paleontological sensitivity of the Project site. 2. A Qualified Paleontologist shall be retained and use all reasonable methods, consistent with professional standards and best practices, to determine the potential for paleontological resources to be present on the Project site.	Prior to issuance of excavation or grading permits: verify receipt of acknowledgement from applicant.	Applicant for individual project, and DBS	City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
3. If the Qualified Paleontologist determines there is a high potential that paleontological resources may be located on the Project site and it is possible that such resources will be impacted by the Project, the Qualified Paleontologist or his/her designated representative such as a Paleontological Monitor shall observe all Ground Disturbance Activities within those areas identified as having an undetermined or high potential in order to identify any resources and avoid potential impacts to such resources. In the event of a possible paleontological discovery, the Qualified Paleontologist or Paleontological Monitor shall have the authority to temporarily halt earthwork activities within an appropriate radius of the find, as determined by the Qualified Paleontologist, necessary to protect the resource or other potential resources on or near the Project site. Temporary flagging shall be installed around the find in order to avoid any disturbance from construction equipment. 4. Prior to the start of construction, the Qualified Paleontologist or his/her designee shall conduct training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. a. If paleontological resources are uncovered (in either a previously disturbed or undisturbed area), all work should cease in the area of the find until a Qualified Paleontologist has evaluated the find in accordance with federal, state, and local guidelines, including the Society of Vertebrate Paleontology's Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (SVP, 2010). b. If fossils are discovered, a Qualified Paleontologist shall recover them. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case the paleontologist has the authority to temporarily direct, divert or halt construction activity to ensure the fossil(s) can be removed in a safe and timely manner. Handling and disposition of fossils is done at the direction and guidance of a Qualified Paleontologist. c. Personnel of the Project should not collect or move any paleontological materials or associated materials. d. If cleared by the Qualified Paleontologist, construction activity may continue unimpeded on other portions of the Project site. e. Construction activities in the area where resources were found may commence once the identified resources are properly assessed and processed by a Qualified Paleontologist, and the Qualified Paleontologist clears the site for construction activity.			

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
Hazards and Hazardous Material			
MM HAZ-1: Any Project that requires a grading, excavation, or building permit from LADBS and which is: • Located on or within 500 feet of a Hazardous Materials site listed in any of the following databases: o State Water Resources Control Board GeoTracker (refer to https://geotracker.waterboards.ca.gov); o DTSC EnviroStor (refer to https://www.envirostor.dtsc.ca.gov/public); o DTSC Hazardous Waste Tracking System (refer to https://hwts.dtsc.ca.gov); o LAFD Certified Unified Program Agency (refer to the active, inactive, and historical inventory lists at https://www.lafd.org/fire-prevention/cupa/public-records); o Los Angeles County Fire Department Health Hazardous Materials Division (refer to the active and inactive facilities, site mitigation, and California Accidental Release Prevention inventory lists at https://fire.lacounty.gov/public-records-requests); o SCAQMD Facility Information Detail (refer to https://xappprod.aqmd.gov/find); or • Located on or within 500 feet of a Hazardous Materials site designated as a Resource Conservation and Recovery Act (RCRA) Small Quantity Generator or Large Quantity Generator (refer to the USEPA Envirofacts database at https://enviro.epa.gov/index.html); or • Located in an Oil Drilling District (O) or located on or within 50 feet of a property identified as having an oil well or an oil field (active or inactive) by the California Geologic Energy Management Division (refer to https://www.conservation.ca.gov/calgem/Pages/WellFinder.aspx); or • Located on land currently or previously designated with an industrial use class or industrial zoning, in whole or in part; or • Located on land currently or previously used for a gas station or dry-cleaning facility. Or: • The Applicant or Owner are aware or have reason to be aware that the Project site was previously used for an industrial use, gas station or dry cleaner. And: • The site has not been previously remediated to the satisfaction of the relevant regulatory agency/agencies for any contamination associated with the above uses or site conditions.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion. Prior to issuance of grading, excavation, or building permits: review and approve the Phase I Environmental Site Assessment (ESA). If no recognized environmental conditions (REC) are identified, no further documentation is required. If the Phase I ESA identifies a REC and/or if recommended in the Phase I ESA, review and approve a Phase II ESA. If the Phase II ESA indicates the need for remediation, review and approve a remediation plan. If oversight or approval from a regulatory agency is required, verify agency sign off on remediation plan and that a No Further Action letter has been issued.	Applicant for individual project	City of Los Angeles, Department of Building and Safety City of Los Angeles Fire Department Other enforcement agencies as applicable: California State Water Resources Control Board; State Department of Toxic Substances Control; Los Angeles County Fire Department

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
Then a Phase I Environmental Site Assessment shall be prepared by a Qualified Environmental Professional in accordance with State standards/guidelines and current professional standards, including the American Society for Testing and Materials' (ASTM) Standard Practice for Environmental Site Assessments, to evaluate whether the site, or the surrounding area, is contaminated with hazardous substances from any past or current land uses, including contamination related to the storage, transport, generation, or disposal of toxic or Hazardous Waste or materials. If the Phase I identifies a Recognized Environmental Condition (REC) and/or if recommended in the Phase I, a Phase II Environmental Site Assessment shall also be prepared by a Qualified Environmental Professional. The Phase I and/or Phase II Environmental Site Assessment(s) shall be maintained pursuant to appropriate proof of compliance for a minimum of five years after the Certificate of Occupancy is issued and made available for review and inclusion in the case file by the appropriate regulatory agency, such as the State Water Resources Control Board, the State Department of Toxic Substances Control, or the LAFD Hazard Mitigation Program. Any remediation plan recommended in the Phase II Environmental Site Assessment or by the appropriate regulatory agency shall be implemented and, if required, a No Further Action letter shall be issued by the appropriate regulatory agency prior to issuance of any permit from LADBS, unless the regulating agency determines that remedial action can be implemented in conjunction with excavation and/or grading. If oversight or approval by a regulatory agency is not required, the Qualified Environmental Professional shall provide written verification of compliance with and completion of the remediation plan, such that the site meets the applicable standards for the proposed use, which shall be maintained pursuant to appropriate proof of compliance requirements.			
MM HAZ-2: Any project that requires a grading, excavation, or building permit from LADBS and which suspected Hazardous Materials, contamination, debris, or other features or materials that could present a threat to human health or the environment are discovered during earthwork or construction, such activities shall cease immediately until the affected area is evaluated by a Qualified Environmental Professional. If the Qualified Environmental Professional determines that a hazard exists, a remediation plan shall be developed by the Qualified Environmental Professional in consultation with the appropriate regulatory agency, and the remediation identified shall be completed. Work shall not resume in the affected area until appropriate actions have been implemented in accordance with the remediation plan, to the satisfaction of the regulatory agency. A report that describes the Hazardous Materials, contamination or debris and its disposition, shall be prepared by the Qualified Environmental Professional, according to current professional standards and maintained pursuant to	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion. If materials found and have been properly evaluated: review and approve the remediation plan and verify that the appropriate regulatory agency/agencies have approved the plan. Verify receipt of any needed agency sign off on remediation plan.	Applicant for individual project	City of Los Angeles, Department of Building and Safety City of Los Angeles Fire Department Other enforcement agencies as applicable: California State Water Resources Control Board; State Department of Toxic Substances Control; Los Angeles County Fire Department

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
appropriate proof of compliance requirements.			
Impact - Noise			
MM NOI-1: Required for any project whose earthwork or construction activities involve the use of powered exterior construction equipment and require a permit from LADBS. Power exterior construction equipment (including combustion engines), fixed or mobile, shall be equipped with noise shielding and muffling devices consistent with manufacturers' standards or the Best Available Control Technology. All equipment shall be properly maintained, and the applicant or owner shall require any construction contractor to keep documentation on-site during any earthwork or construction activities demonstrating that the equipment has been maintained in accordance with manufacturer's specifications.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM NOI-2: Required for any project whose earthwork and construction activities involve the use of construction equipment and require a permit from LADBS. Driven (impact) pile systems shall not be used, except in locations where the underlying geology renders drilled piles, sonic, or vibratory pile drivers infeasible, as determined by a soils or geotechnical engineer and documented in a soils report.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM NOI-3: Required for any project whose earthwork or exterior construction activities involve the use of powered construction equipment and require a permit from LADBS. All outdoor mechanical equipment (e.g., generators, compressors) shall be enclosed or visually screened. The equipment enclosure or screen shall be impermeable (i.e., solid material with minimum weight of 2 pounds per square feet) and break the line of sight between the equipment and any off-site Noise-Sensitive Uses.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM NOI-4: The following is required for any project whose earthwork or construction activities involve the use of construction equipment and require a permit from LADBS. Construction staging areas, including those related to constructing a mat pour foundation, shall be located as far from noise-sensitive uses as reasonably possible and technically feasible in consideration of site boundaries, topography, intervening roads and uses, and operational constraints. The burden of proving that compliance is technically infeasible shall be upon the Applicant or Owner, which shall mean that noise barriers cannot be located between the construction activities and noise-sensitive uses due to site boundaries, topography, intervening roads and uses, and/or operational constraints.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
MM NOI-5: The following is required for any project whose earthwork or exterior construction activities involve the use of powered construction equipment and require a permit from LADBS; and whose construction activities are located within a line of sight to and within 500 feet of Noise-Sensitive Uses, with the exception of projects limited to the construction of 2,000 square feet or less of floor area. Noise barriers, such as temporary walls (minimum ½-inch thick plywood) or sound blankets (minimum STC 25 rating), that are a minimum of eight feet tall, shall be erected between construction activities and noise-sensitive uses as reasonably possible and technically feasible in consideration of site boundaries, topography, intervening roads and uses, and operational constraints. The burden of proving that compliance is technically infeasible shall be upon the applicant or owner. Technical infeasibility shall mean that noise barriers cannot be located between construction activities and Noise-Sensitive Uses due to site boundaries, topography, intervening roads and uses, and/or operational constraints.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety
MM NOI-6: The following is required for any project whose earthwork or exterior construction activities involve the use of powered construction equipment and require a permit from LADBS; are located within 500 feet of noise-sensitive uses; and have one or more of the following characteristics: • Two or more subterranean levels • 20,000 cubic yards or more of excavated material; • Exterior simultaneous use of five or more pieces of powered construction equipment; or • Construction duration (excluding architectural coatings) of 18 months or more; or • Any project whose construction activities involve pile driving or the use of 300 horsepower equipment. A Noise Study, prepared by a qualified noise expert shall be required and prepared prior to obtaining any permit by LADBS. The Noise Study shall characterize expected sources of earthwork and construction noise that may affect identified noise-sensitive uses, quantify expected noise levels at these noise-sensitive uses, and recommend measures to reduce noise exposure to the extent noise reduction measures are available and feasible, and to demonstrate compliance with any noise requirements in the Los Angeles Municipal Code. Specifically, the Noise Study shall identify noise reduction devices or techniques to reduce noise levels in accordance with accepted industry practices and in compliance with LAMC standards. Noise reduction devices or techniques shall include but not be limited to: mufflers, shields, sound barriers, and time and place restrictions on equipment and activities. The Noise Study shall identify anticipated noise reductions at noise-sensitive uses associated with the noise reduction measures. Applicants and owners shall be required to	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
implement and comply with all measures identified and recommended in the Noise Study. The Noise Study and copies of any contractor agreements shall be maintained and a copy of all records documenting compliance shall be maintained for a minimum of five years after the Certificate of Occupancy is issued.			
MM NOI-7: Required for any project, with the exception of projects limited to the construction of 2,500 square feet or less of floor area, whose earthwork or construction activities: (1) involve the use of construction equipment, including Heavy Construction Equipment, that produces 0.12 PPV or more of vibration at a distance of 25 feet; (2) require a permit from LADBS; and (3) which occur: • Within 25 feet of any building extremely susceptible to vibration damage, including unreinforced masonry buildings, wood-frame multi-story buildings with soft, weak or open front walls, and non-ductile concrete buildings that have not been retrofitted, or a building that is designated or determined to be a historic resource pursuant to local or state law or that is determined to be potentially eligible for historic designation in a Historic Resources Survey; or • Within 15 feet of non-engineered timber and masonry buildings or any project whose construction activities involve the use of pile drivers within 135 feet of any building extremely susceptible to vibration damage, including existing unreinforced masonry buildings, existing tilt-up concrete wall buildings, existing wood-frame multi-story buildings with soft, weak or open front walls, and existing non-ductile concrete buildings, or a building that is designated or determined to be a historic resource pursuant to local or state law or that is determined to be potentially eligible for historic designation in a Historic Resources Survey. • For the above described projects, prior to demolition, grading/excavation, or construction, a Qualified Structural Engineer shall prepare a survey establishing baseline structural conditions of potentially affected structures and a Vibration Control Plan, which shall include methods to minimize vibration, including, but not limited to: o A visual inspection of the potentially affected structures to document (by video and/or photography) the apparent physical condition of the building (e.g., cracks, broken panes, etc.). o A shoring design to protect the identified structures from potential damage; o Use of drilled piles or a sonic vibratory pile driver rather than impact pile driving, when the use of vibrating equipment is unavoidable; o Use of rubber-tired equipment rather than metal-tracked equipment; and	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
○ Avoiding the use of vibrating equipment when allowed by best engineering practice.			
MM NOI-8: Required for any project, with the exception of projects limited to the construction of 2,000 square feet or less of floor area, whose earthwork or construction activities: (1) involve the use of construction equipment, including Heavy Construction Equipment, that produces 0.12 PPV or more of vibration at a distance of 25 feet; (2) require a permit from LADBS; and (3) which occur: • Within 25 feet of any building extremely susceptible to vibration damage, including unreinforced masonry buildings, tilt-up concrete wall buildings, wood-frame multi-story buildings with soft, weak or open front walls, and non-ductile concrete buildings, or a building that is designated or determined to be a historic resource pursuant to local or state law or that is determined to be potentially eligible for historic designation in a Historic Resources survey; or • Within 15 feet of non-engineered timber and masonry buildings. • Or any project whose construction activities involve the use of pile drivers within 135 feet of any building extremely susceptible to vibration damage, including existing unreinforced masonry buildings, existing tilt-up concrete wall buildings, existing wood-frame multi-story buildings with soft, weak or open front walls, and existing non-ductile concrete buildings, or a building that is designated or determined to be a historic resource pursuant to local or state law or that is determined to be potentially eligible for historic designation in a Historic Resources Survey. For the above-described projects, in the event of damage to any non-historic building due to construction vibration, as verified by the Qualified Structural Engineer, a letter describing the damage to the impacted building(s) and recommendations for repair shall be prepared by the Qualified Structural Engineer within 60 days of the time when damage occurred. Repairs shall be undertaken and completed, at the owner's or applicant's expense, in conformance with all applicable codes. In the event of vibration damage to any building that is designated or determined to be a historic resource pursuant to local or state law or that is determined to be potentially eligible for historic designation in a Historic Resources survey, a letter describing the damage to the impact building(s) and recommendations for repair shall be prepared by the Qualified Historian within 60 days of the time when damage occurred. Repairs shall be undertaken and completed, at the owner's or applicant's expense, in conformance with the California Historical Building Code (Title 24, Part 8) as well as the Secretary of the Interior's Standards for the Treatment of Historic Properties and associated guidelines, as applicable and as determined by the Qualified Historian.	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion. During repairs: repairs to historical buildings are undertaken and completed in conformance with the California Historical Building Code and the Secretary of the Interior's Standards for the Treatment of Historic Properties.	Applicant for individual project	City of Los Angeles, Department of Building and Safety City of Los Angeles, Department of City Planning

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
Tribal Cultural Resources			
MM TC-1: For any Project that requires a permit for grading or excavation. If a possible tribal cultural resource is uncovered during earthwork or construction, all work shall cease within a minimum distance of 50 feet from the find until a Qualified Tribal Monitor or Archaeological Monitor has been retained to evaluate the find. Following discovery, the Applicant or Owner shall immediately contact all Native American tribes that have informed the City of Los Angeles they are traditionally and culturally affiliated with the geographic area of the Project, as well as the Department of City Planning, Office of Historic Resources (OHR). If a Qualified Tribal Monitor or Archaeological Monitor determines, pursuant to Public Resources Code Section 21074(a)(2), that the object or artifact appears to be a potential tribal cultural resource, in its discretion and supported by substantial evidence, the Applicant and Owner shall provide any affected tribe a reasonable period of time, not less than five business days, to conduct a site visit and make recommendations to the Applicant or Owner and OHR regarding the monitoring of future Ground Disturbance Activities and the treatment and disposition of any discovered tribal cultural resources. The Applicant or Owner shall implement the tribe's recommendations if the Qualified Tribal Monitor or Archaeological Monitor reasonably concludes such recommendations are reasonable and feasible. Consistent with Public Resources Code Section 21083.2, the handling, treatment, preservation, and recordation of tribal cultural resources should occur as follows: • The find should be preserved in place or left in an undisturbed state unless the Project would damage the resource. • When preserving in place or leaving in an undisturbed state is not possible, excavation and recovery of the find for scientific study should occur unless testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, and this determination is documented by a Qualified Tribal Monitor or Qualified Archaeologist. All collected artifacts and fieldwork notes, if not human remains or other mortuary objects, shall be curated at the Natural History Museum of Los Angeles County or another appropriate curatorial facility for educational purposes. If cleared by the Qualified Tribal Monitor or Archaeological Monitor, Ground Disturbance Activities may continue unimpeded on other portions of the site. Ground Disturbance Activities in the area where resource(s) were found may recommence once the identified resources are properly assessed and processed. A report that describes the resource and its disposition, as well as the assessment methodology shall be prepared by the Qualified Tribal Monitor or Archaeological Monitor, according to current professional standards and maintained pursuant to the proof of compliance requirements in Sec. 1.D.6. (Additional Requirements). A copy of the report	Prior to issuance of grading or building permits submittal of plans with measure on plans, collection of acknowledgements by owner; subject to inspection by DBS; maintenance of records of compliance for at least five years after issuance of certificate of occupancy; enforcement of violations available through LAMC at City discretion.	Applicant for individual project	City of Los Angeles, Department of Building and Safety City of Los Angeles, City Planning's Office of Historic Resources

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
shall be submitted to OHR, the South Central Coastal Information Center at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File. If requested by the City, OHR may review and approve any monitoring or mitigation plan prior to implementation.			
MM TC-2: Notices for Non-Discretionary Projects All projects that are seeking excavation or grading permits, prior to issuance of a permit for grading or excavation, shall receive the following notice: • Several federal and state laws regulate the treatment of tribal cultural resources and make it criminal violation to destroy those resources. These include, but are not limited to: o California Penal Code Section 622-1/2 provides the following: "Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor." o Public Resources Code Section 5097.5(a) states, in part, that: "A person shall not knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express written permission of the public agency having jurisdiction over the lands." Best practices to ensure that tribal cultural resources are not damaged include but are not limited to the following steps: • A Sacred Lands File (SLF) records search shall be requested from and conducted by the California Native American Heritage Commission (NAHC) to determine whether cultural resources associated with any Native American tribe(s) with traditional lands or cultural places located within or near the Project site have been previously identified or whether the Project area is considered sensitive for the presence of tribal cultural resources. • All tribes listed on the NAHC's Native American Contact List included with the SLF records search shall be contacted, informed of the Project, and given an opportunity to provide input. If the tribe provides substantial evidence of a potential for discovery of tribal cultural resources within the Project site and requests monitoring of Project excavation, grading or other	Prior to issuance of excavation or grading permits: verify receipt of acknowledgement from applicant.	Applicant for individual project	City of Los Angeles, Department of Building and Safety

Ground Disturbance Activities, a qualified tribal monitor or a qualified archaeological monitor shall be retained. • A qualified tribal monitor or qualified archaeological monitor shall observe all ground disturbance activities within those areas identified in the records search as sensitive for the presence of tribal cultural resources in order to identify any resources and avoid potential impacts to such resources. In the event of a possible discovery of a tribal cultural resource, the qualified tribal monitor or qualified archaeological monitor shall have the authority to temporarily halt earthwork activities within an appropriate radius of the find, as determined by the qualified tribal monitor or qualified archaeological monitor to ensure the find is not damaged or any other potential tribal cultural resources on or near the project site. • If tribal resources are uncovered, all work should cease in the appropriate radius determined by the qualified tribal monitor. • Any find shall be treated with appropriate dignity and protected and preserved as appropriate with the agreement of the qualified tribal monitor and in accordance with federal, state, and local guidelines. • The location of the tribal cultural resources find and the type and nature of the find should not be published beyond providing the information to public agencies with jurisdiction or responsibilities related to the resources any affected tribal representatives. • Following discovery, the applicant or owner shall immediately contact all Native American tribes that have informed the City of Los Angeles they are traditionally and culturally affiliated with the geographic area of the Project, as well as the Department of City Planning, Office of Historic Resources (OHR). • The applicant and owner shall provide any affected tribe a reasonable period of time, not less than 14 calendar days, to conduct a site visit and make recommendations to the applicant or owner regarding the monitoring of future ground disturbance activities and the treatment and disposition of any discovered tribal cultural resources. • The applicant or owner shall implement the tribe's recommendations if the qualified tribal monitor or archaeological monitor reasonably concludes such recommendations are reasonable and feasible and determined to be supported with substantial evidence. • Consistent with Public Resources Code Section 21083.2, the handling, treatment, preservation, and recordation of tribal cultural resources shall occur as follows: o The find shall be preserved in place or left in an undisturbed state unless the Project would damage the resource. o When preserving in place or leaving in an undisturbed state is not possible, excavation and recovery of the find for scientific study shall occur unless testing or studies already completed have adequately			

Mitigation Measure	Monitoring Phase and Monitoring Actions[1]	Implementing Party	Enforcement and Monitoring Entity
recovered the scientifically consequential information from and about the resource, and this determination is documented by a Qualified Tribal Monitor or Qualified Archaeologist. • All collected artifacts and fieldwork notes, if not human remains or other mortuary objects, shall be curated at the Natural History Museum of Los Angeles County or another appropriate curatorial facility. • If cleared by the Qualified Tribal Monitor or Archaeological Monitor, Ground Disturbance Activities may continue unimpeded on other portions of the site. Ground Disturbance Activities in the area where resource(s) were found may recommence once the identified resources are properly assessed and processed. • Personnel of the project should not collect or move any tribal cultural resources or associated materials or publish the location of tribal cultural resources			

Notes:

1. The Monitoring Phase/Monitoring Actions are applicable to projects that are subject to the measures as described within each measure.

Harbor LA Community Plans
Findings of Fact and
Statement of Overriding Considerations

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1. INTRODUCTION

The following Findings of Fact (Findings) have been prepared for the Harbor LA Community Plans Update ("Proposed Plans" or "Proposed Project"), for which an environmental impact report (EIR) was prepared pursuant to California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] Section 21000, et seq.). Approval of a project with significant impacts requires that findings be made by the lead agency pursuant to Public Resources Code Section 21081(a) and Section 15091 of the *State CEQA Guidelines* (California Code of Regulations [CCR] Title 14, Division 6, Chapter 3).

PRC Section 21081 provides:

> *Pursuant to the policy stated in Sections 21002 and 21002.1, no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:*
>
> *(a) The public agency makes one or more of the following findings with respect to each significant effect:*
>
> *(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.*
>
> *(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.*
>
> *(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.*
>
> *(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.*

State CEQA Guidelines Section 15091(a) provides:

> *(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:*
>
> *(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*

(2) *Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*

(3) *Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.*

2. FINDINGS

Unless specified otherwise, references to the EIR for the Proposed Project[1] in this document includes the Draft EIR and the Final EIR, including the Findings document.

Based on all the information and evidence in the administrative record, the City Council for the City of Los Angeles herby makes the following Findings of Fact:

A. General Findings

EIR Findings

The Council ratifies, adopts, and incorporates the analysis and explanations in the EIR (inclusive of the Draft EIR and Final EIR), and ratifies, adopts, and incorporates in these findings, all of the determinations and conclusions in the EIR relating to environmental impacts, mitigation measures, and alternatives.

Response to Comments

The City evaluated comments on the environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The City Council reviewed the comments received and the responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information as defined by *State CEQA Guidelines* Section 15088.5. The City Council finds that all information added to the EIR after public notice of the availability of the Draft EIR for public review but before certification merely clarifies, amplifies, or makes insignificant modifications to an adequate EIR and does not require recirculation. The City Council has based its actions on a full evaluation of all comments in the record of proceedings concerning the environmental impacts identified and analyzed in the EIR.

1 "Proposed Project" and "Proposed Plans" are used interchangeably in these Findings of Fact and Statement of Overriding Considerations (SOC).

Substantial Evidence

The City Council finds and declares that substantial evidence for each Finding made herein is contained in the EIR and other materials found in the record of proceedings. Moreover, the City Council finds that where more than one reason exists for any Finding, the City Council finds that each reason independently supports such Finding, and that any reason in support of a given finding individually constitutes a sufficient basis for that Finding.

Relationship of Findings to the EIR

These Findings are based on the most current information available. Accordingly, to the extent there are any apparent conflicts or inconsistencies between the Draft EIR and the Final EIR, on the one hand, and these Findings, on the other, these Findings shall control over the Draft EIR and the Final EIR or both, as the case may be. The EIR is hereby amended as set forth in these Findings. Corrections or information that has been added to the Draft EIR as part of the preparation of the Final EIR are described in detail in **Chapter 2.0, Corrections and Additions,** of the Final EIR.

B. Findings for Environmental Impacts Found to be Significant and Unavoidable

The Proposed Plans would result in significant and unavoidable impacts after implementation of any feasible mitigation measures identified in the EIR. For each of the significant and unavoidable impacts, the City adopts one or more of the following findings as identified below:

Finding 1: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Finding 2: Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

Finding 3: Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Air Quality

Cumulatively Considerable Net Increase

The following findings are for the Proposed Plans' impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans would result in a significant and unavoidable project and cumulative impacts related to a cumulatively considerable net increase of criteria pollutants for which the region is non-attainment under an applicable federal or state ambient air quality standard, including releasing emissions which exceed quantitative thresholds for ozone precursors during construction (nitrogen oxides [NOx]) and during operations (VOC) (see Draft EIR pages 4.2-37 through 4.2-50; 4.2-64 through 4.2-65).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measures in the Mitigation and Monitoring Plan (MMP):

- **MM AQ-1**
- **MM AQ-2**
- **MM AQ-3**
- **MM AQ-4**
- **MM AQ-5**
- **MM AQ-6**
- **MM AQ-7**
- **MM AQ-8**

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

Rationale for Finding

Mitigation

Implementation of **Mitigation Measure MM AQ-1** through **MM AQ-8** would substantially reduce average equipment and vehicle emissions. However, individual large development projects or multiple smaller projects within the Harbor LA CPAs may exceed the SCAQMD regional significance threshold for NOx despite emission reductions from implementation of the **Mitigation Measure MM AQ-1** through **MM AQ-8**.

No feasible mitigation measures were available to reduce the long-term (operational) VOC emissions associated with the implementation of the Proposed Plans to below SCAQMD thresholds. Similarly, no feasible mitigation measures were identified to reduce the significant impacts related or regional NOx emissions from construction to below SCAQMD thresholds.

No additional mitigation measures were identified to reduce this significant impact during construction to less than significant levels and meet the project objectives.

Alternatives

None of the alternatives studied in the EIR would reduce significant impacts related to cumulative criteria pollutant emissions to a less than significant level. Alternative 1 would result in less development in the Harbor LA CPAs and thus, lower construction and operational emissions in the CPAs, as compared to the Proposed Plan; however, while emissions would be less overall, they would still exceed significance thresholds for construction related NOx emissions and operational VOC emissions (see Draft EIR pages 5.0-9 through 5.0-10). Alternative 1 would not be subject to mitigation measures proposed in the Proposed Plans. Therefore, the level of impact would be greater than under the Proposed Plans despite the lower overall intensity of development in the Harbor LA CPAs. Alternatives 2 and 3 would result in less development in the Harbor Gateway and Wilmington-Harbor City CPAs, respectively, and therefore may result in a reduced amount of operational emissions. However, as with the Proposed Plans, impacts under Alternatives 2 and 3 would remain significant and unavoidable. As discussed below in Section 2(E), the City rejects Alternatives 1, 2, and 3.

Conclusions

No additional feasible mitigation measures or alternatives were identified to reduce the significant impacts for construction related NOx emissions and operational VOC emissions.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Plans that substantially lessens the significant impact associated with construction. However, it is reasonable to assume that the Proposed Plans could generate emissions exceeding the significance threshold for construction related NOx emissions despite implementation of **Mitigation Measures MM AQ-1** through **MM AQ-8**. No feasible mitigation measures were identified for operational VOC emissions.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce the Proposed Plans construction related NOx emissions and operational VOC emission impacts to a less than significant level.

Sensitive Receptors (Operation)

The following findings are for the Proposed Plans' impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans would result in significant and unavoidable project and cumulative impacts related to the exposure of sensitive receptors to substantial toxic air contaminant (TAC) emissions from truck trips associated with operation of distribution centers and warehouses (see Draft EIR pages 4.2-60 through 4.2-61 and 4.2-64 through 4.2-65).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measures in the Mitigation and Monitoring Plan (MMP):

- **MM AQ-9**
- **MM AQ-10**

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 3

Rationale for Finding

Mitigation

Application of **Mitigation Measure MM AQ-9** and **AQ-10** would reduce impacts associated with distribution centers and warehouses with high volumes of trucking activity to the degree feasible. However, due to the lack of project-level details, it cannot be determined that distribution centers or large warehouses with high trucking volumes would not result in health risks exceeding the SCAQMD threshold. As discussed above, no additional mitigation measures were identified to further reduce construction or operation impacts to less than significant levels that would meet the project objectives. Generally, the City found the SCAQMD suggested mitigation measures to not be applicable to plan level documents and/or are not within the powers of the City to impose and enforce.

Alternatives

None of the alternatives studied in the EIR would reduce significant impacts related to the exposure of sensitive receptors to substantial TAC emissions to a less than significant level. Alternative 1 would result in less development and therefore less operational emissions in the Harbor LA CPAs, as compared to the Proposed Plans. However, while emissions would be less overall, they would still exceed operational VOC

emissions and impacts to sensitive receptors from operational impacts related to distribution facilities and significant and unavoidable impacts could still occur. Alternative 1 would not be subject to mitigation measures proposed in the Proposed Plans. Therefore, the level of impact would be greater than under the Proposed Plans despite the lower overall intensity of development in the Harbor LA CPAs. Alternatives 2 and 3 would result in less development in the Harbor Gateway and Wilmington-Harbor City CPA's, respectively, and therefore may result in reduced impacts to sensitive receptors. However, as with the Proposed Plans, impacts under Alternatives 2 and 3 would remain significant and unavoidable. As discussed below in Section 2(E), the City rejects Alternatives 1, 2, and 3.

Conclusions

No additional feasible mitigation measure or alternatives were identified to reduce the significant impacts for TAC-related impacts associated with distribution centers and warehouses.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Plans that substantially lessens the significant impact associated with distribution centers. However, absent project-level details, it is reasonable to assume that the Proposed Plans could result in significant impacts related to sensitive receptor exposure to substantial pollutant concentrations for heavy industrial use operations involving high volumes of trucking activities, despite implementation of **Mitigation Measure MM AQ-9** and **AQ-10**.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce the Proposed Plans sensitive receptor exposure to substantial pollutant concentration impacts to a less than significant level.

Cultural Resources

Historical Resources

The following findings are for the Proposed Plans impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans would result in a significant and unavoidable project and cumulative impacts due to the possible demolition and/or significant alteration to some of the historical resources within the Harbor LA CPAs (see Draft EIR pages 4.4-38 to 4.4-44, and 4.4-50 to 4.4-51).

Adopted Mitigation Measure(s)

No feasible mitigation measures have been identified that could reduce the significant impacts to historical resources.

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 3

Rationale for Finding

Mitigation

The City's regulations and typical practices make it unlikely that a historical resource will be lost. However, the Cultural Heritage Ordinance and Historic Preservation Overlay Zone (HPOZ) Ordinances cannot prevent a property from being demolished or redeveloped or prevent structures from being altered. The potential for impacts to historical resources from individual developments is site-specific and depends on the location and nature of each individual development proposal. All future development projects would continue to be subject to existing federal, state, and local requirements and discretionary projects may be subject to project-specific mitigation requirements. It is anticipated that cumulative impacts to historical resources can be avoided through implementation of regulatory compliance measures (existing rules for HCM, for example) and project design features on a project-by-project basis, but alteration or demolition of historical resources remains a possibility throughout the Harbor LA CPAs. Therefore, additional mitigation measures are not feasible.

Alternatives

None of the alternatives studied in the EIR would reduce significant impacts related to historical resources to a less than significant impact. Alternative 1 would result in less development and may result in slightly reduced impacts to historical resources as compared to the Proposed Plans. However, because Alternative 1 would not be subject to mitigation measures proposed in the Proposed Plans the potential for disturbance of historical resources would be greater. Therefore, the level of impact would be greater than under the Proposed Plans despite the lower overall intensity of development in the Harbor LA CPAs. Alternatives 2 and 3 would result in less development in the Harbor Gateway and Wilmington-Harbor City CPAs, respectively, and therefore fewer historical resources are likely to be disturbed, but significant and unavoidable impacts could still occur. As discussed below in Section 2(E), the City rejects Alternatives 1, 2, and 3.

Conclusions

No feasible alternative or mitigation measures were identified to reduce impacts related to historical resources from the Proposed Plans to less than significant.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce the Proposed Plans and cumulative impacts to historical resources to a less than significant level.

Noise and Vibration

Temporary Increase in Noise Levels (Construction)

The following findings are for the Proposed Plans' impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans would result in a significant and unavoidable project and cumulative impacts due to the temporary noise impacts related to construction (Draft EIR pages 4.12-26 to 4.12-31, 4.12-39 to 4.12-40, 4.12-47 to 4.12-48).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measures in the Mitigation and Monitoring Plan (MMP):

- **MM NOI-1**
- **MM NOI-2**
- **MM NOI-3**
- **MM NOI-4**
- **MM NOI-5**
- **MM NOI-6**

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

Rationale for Finding

Mitigation

Implementation of **Mitigation Measures NOI-1** through **MM NOI-6** would reduce temporary construction noise for projects within the Harbor LA CPAs to the extent feasible. For any project whose earthwork or construction activities involve the use of construction equipment and require a permit from the Department of Building and Safety (LADBS); are located within 500 feet of Noise-Sensitive Uses; and have two or more subterranean levels, 20,000 cubic yards or more of excavated material, simultaneous use of five or more pieces of construction equipment, construction duration (excluding architectural coatings) of 18 months or more, or construction activities involving impact pile driving or the use of 300 horsepower equipment, **Mitigation Measure NOI-6** would require preparation of a Noise Study by a qualified noise expert prior to obtaining any permit from LADBS.

For any project whose earthwork or construction activities involve the use of construction equipment and require a permit from LADBS, power construction equipment shall be equipped with noise shielding and muffling devices (i.e., **Mitigation Measure NOI-1**) all outdoor mechanical equipment (e.g., generators, compressors) shall be enclosed or visually screened (i.e., **Mitigation Measure NOI-3**), and construction staging areas shall be located as far from Noise-Sensitive Uses as reasonably possible and technically feasible (i.e., **Mitigation Measure NOI-4**). Additionally, for any project with both earthwork and construction activities that involve the use of construction equipment and require a permit from LADBS, **Mitigation Measure NOI-2** would prohibit driven (impact) pile systems, except in locations where the underlying geology renders drilled piles, sonic, or vibratory pile drivers infeasible.

Any project whose construction activities are located within a line of sight to and within 500 feet of Noise-Sensitive Uses, with the exception of projects limited to the construction of 2,000 square feet or less of floor area dedicated to residential uses, and whose earthwork and construction activities involve the use of construction equipment and require a permit from LADBS, would be required to erect noise barriers, such as temporary walls or sound blankets, that are a minimum of eight feet tall between construction activities and Noise-Sensitive Uses as reasonably possible and technically feasible (i.e., **Mitigation Measure NOI-5**)

Noise generated by construction could still exceed the 75 dBA standard in Los Angeles Municipal Code Section 112.05. Since compliance with all City standards cannot be assured for all construction projects, construction noise at various sensitive land uses could result in significant impacts. Additionally, based on peculiar site or project conditions or characteristics, significant impacts related to temporary increases in ambient noise may occur even with imposition of **Mitigation Measures NOI-1** through **NOI-6**. No other feasible mitigation measures were identified to reduce significant impacts from construction activities.

Alternatives

None of the alternatives studied in the EIR would reduce significant impacts related to temporary construction noise to a less than significant level. Alternative 1 would result in less development and therefore fewer number of persons could experience effects from significant construction noise impacts, but significant and unavoidable impacts could still occur. Alternative 1 would result in less development and may result in slightly reduced impacts with temporary construction noise as compared to the Proposed Plans. However, because Alternative 1 would not be subject to mitigation measures proposed in the Proposed Plans, construction-related noise would be greater despite the lower overall intensity of development in the Harbor LA CPAs. Alternatives 2 and 3 would result in less development in the Harbor Gateway and Wilmington-Harbor City CPAs, respectively, and therefore the overall impact generated by temporary construction would be less than the Proposed Plans, but significant and unavoidable impacts could still occur. As discussed below in Section 2(E), the City rejects Alternatives 1, 2, and 3.

Conclusions

No additional feasible mitigation measure or alternatives were identified to reduce the significant impacts for temporary construction noise impacts.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Plans that substantially lessen the significant impact associated with temporary construction noise impacts. However, noise generated by construction could still exceed the 75 dBA standard in LAMC Section 112.05 and therefore impacts would be considered significant and unavoidable despite implementation of **Mitigation Measures MM NOI-1** through **MM NOI-6**.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce the Proposed Plans impacts related to temporary construction noise to a less than significant level.

Temporary Increase in Ground-borne Vibration (Construction)

The following findings are for the Proposed Plans impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans would result in a significant and unavoidable project and cumulative impacts related to temporary ground-borne vibration or ground-borne noise (collectively "ground-borne vibration") during construction of reasonably anticipated development under the Proposed Plans (see Draft EIR pages 4.12-41 to 4.12-42, 4.12-49 to 4.11-50).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measures in the Mitigation and Monitoring Plan (MMP):

- **MM NOI-7**
- **MM NOI-8**

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

Rationale for Finding

Implementation of **Mitigation Measures MM NOI-7** and **MM NOI-8** would document the physical condition of potentially affected structures, substantially reduce/control construction vibration, and provide a process for repair of vibration damage in the event it occurs. However, in the absence of construction details associated with specific projects and without knowing the proximity of construction activities to specific receptors, it is anticipated that construction vibration levels at certain particularly fragile adjacent buildings could exceed the thresholds of significance. Therefore, because it is unknown if there would be projects of the size necessary to cause a significant vibration impact adjacent to fragile buildings this impact is considered significant despite implementation of the above mitigation measures. No other feasible mitigation measures were identified.

Alternatives

None of the alternatives would reduce significant impacts related to temporary ground borne vibration during construction to a less than significant level. Alternative 1 would result in less development and therefore fewer number of persons could experience effects from temporary construction vibration, but significant and unavoidable impacts could still occur. Alternative 1 would result in less development and may result in slightly reduced impacts with temporary construction vibration as compared to the Proposed Plans. However, because Alternative 1 would not be subject to mitigation measures proposed in the Proposed Plans, construction-related vibration would be greater than under the Proposed Plans despite the lower overall intensity of development in the Harbor LA CPAs. Alternatives 2 and 3 would result in less development in the Harbor Gateway and Wilmington-Harbor City CPAs, respectively, and therefore the overall impact generated by temporary construction would be less than the Proposed Plans, but significant

and unavoidable impacts could still occur. As discussed below in Section 2(E), the City rejects Alternatives 1, 2 and 3.

Conclusions

No additional feasible mitigation measure or alternatives were identified to reduce the significant impacts for temporary ground-borne vibration impacts.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Plans that substantially lessen the significant impact associated with temporary ground-borne vibration impacts. However, impacts would be considered significant and unavoidable despite implementation of **Mitigation Measures MM NOI-7** through **MM NOI-8**.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce the Proposed Plans impacts related to temporary ground-borne vibration to a less than significant level.

Public Services and Recreation

Existing Regional Parks or Recreation Facilities

The following findings are for the Proposed Plans impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans would result in significant unavoidable project and cumulative impacts related to physical deterioration of parks and recreational facilities (see Draft EIR pages 4.14-68 to 4.14-72, 4.14-73 to 4.14-74).

Adopted Mitigation Measure(s)

No feasible mitigation measures have been identified that could reduce the significant impacts to the physical deterioration of parks and recreational facilities.

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 3

Rationale for Finding

Mitigation

Several constraints limit the number and size of new park facilities constructed in the Harbor LA CPAs and the City, including a scarcity of vacant or underused land; high cost of real estate throughout the City; and competition with other identified community priorities, such as affordable housing. The City has conducted various studies such as the Citywide Community Needs Assessment[2] to address issues with recreational facilities and manage the status of current and future recreational facilities. The Quimby Act requires developers of residential projects (except affordable housing units and second dwelling units) to dedicate land for park and recreation purposes, or pay a fee in lieu thereof, prior to obtaining a permit. The City collects fees, requires open space under updated fee and Quimby program, but there is not adequate land at reasonable costs to meet the City's park needs. Therefore, mitigation measures beyond the policies and initiatives included in current City policies/programs and the Proposed Plans to enhance recreational opportunities are not feasible.

Alternatives

None of the alternatives studied in the EIR would reduce significant impacts related to existing parks and recreational facilities to a less than significant level. Alternatives 1, 2, and 3 would result in less development and therefore a lesser impact on the deterioration of existing parks, but significant and unavoidable impacts could still occur. As discussed below in Section 2(E), the City rejects Alternatives 1, 2, and 3.

Conclusions

No feasible alternative or mitigation measures were identified to reduce impacts to existing parks and recreational facilities from the Proposed Plans to less than significant.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce the Proposed Plans and cumulative impacts related to deterioration of parks and recreational facilities to a less than significant level.

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2 City of Los Angeles, Department of Recreation and Parks, *2009 Citywide Community Needs Assessment*. Available online at: https://www.laparks.org/sites/default/files/projects/2009%20Community%20Needs%20Assessment%20-%20Final.pdf. Accessed on March 6, 2024.

Transportation and Traffic

Vehicle Miles Traveled

The following findings are for the Proposed Plans impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans would result in significant and unavoidable project and cumulative impacts related to VMT (see Draft EIR pages 4.15-50 to 4.15-61, 4.15-79).

Adopted Mitigation Measure(s)

Mitigation Measure AQ-9 and **AQ-10**

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 3

Rationale for Finding

Mitigation Measures AQ-9 and **AQ-10** include limiting truck activity which would reduce VMT as well as air quality impacts and identification of project design features to ensure the Projects do not conflict with the Wilmington, Carson, West Long Beach Community Emissions Reduction Plan.

The City currently addresses trip reduction and TDM on a Citywide basis per LAMC Section 12.26 J. This section of the LAMC is being updated and has been preliminarily approved by the City's Planning and Land Use Management Committee (PLUM). Final City Council approval is expected prior to the effective date of the Community Plans. Key updates to the City's TDM Ordinance include revisions to applicability, project scale and levels (including project-level thresholds), project requirements, and monitoring and enforcement. All future development projects will be subject to the Ordinance once it is adopted implemented.

Alternatives

Of the alternatives studied in the EIR, only Alternative 3 would reduce significant impacts related to VMT to less than significant levels. Alternatives 1 and 2 would result in less development and would result in a reduced VMT compared to the Proposed Plans, however, the impacts would remain significant and

unavoidable. Due to the reduced development capacity, Alternative 3 would result a in less than significant VMT impact, compared to the significant and unavoidable impact under the Proposed Plans. As discussed below in Section 2(E), the City rejects Alternatives 1, 2, and 3.

Conclusions

No feasible alternative or mitigation measures were identified to reduce impacts related to VMT.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce the Proposed Plans and cumulative impacts to highway safety to a less than significant level.

Design Feature Hazards – Ramp Queuing Safety Issues

The following findings are for the Proposed Plans impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans would result in significant and unavoidable project and cumulative impacts related to off ramp queuing on State highway facilities (see Draft EIR pages 4.14-61 to 4.14-64, 4 4.14-79).

Adopted Mitigation Measure(s)

No feasible mitigation measures have been identified that could reduce the significant impacts related to off ramp queuing on State highway facilities.

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 3

Rationale for Finding

Mitigation

Significant and unavoidable impacts have been identified in relation to the potential for project-specific ramp queuing safety impacts as growth occurs pursuant to the Proposed Plans. Potential mitigation may include transportation demand management strategies to reduce a project's trip generation, investments to active transportation infrastructure, or transit system amenities, and/or operational changes to the ramp terminal such as lane reassignment, traffic signalization, signal phasing or timing modifications, etc.

However, without specific information on where safety impacts may occur as a result of freeway off ramp queuing, it is not possible to identify appropriate mitigation measures.

Currently, there is no identified State plan or project to implement any improvements to these State facilities, nor is there a financing plan in place to fund the improvements for impacts resulting from jurisdictions outside the City or existing deficiencies. As individual projects are identified, the City will work with Caltrans to identify project specific mitigation measures as appropriate. In such a context, under the Mitigation Fee Act, it is not feasible for the City to adopt local fees for its share of impacts on State facilities.

Therefore, no feasible mitigation can be identified for the Harbor LA CPAs. It is anticipated that subsequent land use development projects that are seeking approval under the Proposed Plans will be required to study freeway queuing and safety impacts in more detail per the Interim Guidance for Freeway Safety Analysis.

Alternatives

None of the alternatives studied in the EIR would reduce significant impacts related to ramp queuing safety to a less than significant level. Alternatives 1, 2, and 3 would result in less development and would result in reduced vehicle queuing at freeway ramps compared to the Proposed Plans. As discussed below in Section 2(E), the City rejects Alternatives 1, 2, and 3.

Conclusions

No feasible alternative or mitigation measures were identified to reduce impacts related to highway safety as a result of design features or incompatible uses from the Proposed Plans to less than significant.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce the Proposed Plans and cumulative impacts to highway safety to a less than significant level.

C. Findings for Environmental Impacts Found to be Less than Significant After Mitigation

The EIR identifies significant impacts that are reduced to a "less than significant" level by the imposition of mitigation measures identified in the EIR.

For each significant impact discussed below, the City adopts the following findings:

> **Finding 1:** Changes or alterations have been required in, or incorporated into, the Proposed Plans which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Air Quality

Sensitive Receptors

The following findings are for the Proposed Plans impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans would result in criteria pollutant and toxic air contaminants (TAC)-related impacts associated with construction that are reduced to less than significant level by the inclusion of **Mitigation Measures MM AQ-1** through **MM AQ-8** (see Draft EIR pages 4.2-39 to 4.2-53).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measures in the Mitigation and Monitoring Plan (MMP):

- **MM AQ-1**
- **MM AQ-2**
- **MM AQ-3**
- **MM AQ-4**
- **MM AQ-5**
- **MM AQ-6**
- **MM AQ-7**
- **MM AQ-8**

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1

Rationale for Finding

Mitigation

Application of **Mitigation Measures MM AQ-1** through **MM AQ-8** would reduce criteria pollutant and TAC emissions generated by construction activities, including equipment operation to less than significant levels (see DEIR at 4.2-51 to 4.2-61 and 4.2-64 to 4.2-65.)

Alternatives

Alternative 1 would have less development overall than the Proposed Plans but would still have potentially significant impacts before mitigation. The mitigation measures under the Proposed Plans would not apply to Alternative 1. Alternatives 2 and 3 result in less development in the Harbor Gateway and Wilmington-Harbor City CPAs, respectively, than the Proposed Plans but would still have potentially significant impacts before mitigation. **Mitigation Measures MM AQ-**1 to **MM AQ-8** would be assumed to apply to both Alternatives, which would be anticipated to reduce impacts to less than significant for both alternatives.

Conclusions

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Plans that would reduce significant environmental effects associated with a criteria pollutants and TAC emissions generated by construction activities associated with the Proposed Plans to a less than significant level.

Cultural Resources

Archaeological Resources

The following findings are for the Proposed Plans impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans would result in significant impacts related to substantial adverse changes in or disturbance of known or unknown archeological resources that is reduced to less than significant level by the inclusion of **Mitigation Measure MM CR-1** and **MM CR-2** (see Draft EIR pages 4.4-45 to 4.4-49, 4.4-51).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measures in the Mitigation and Monitoring Plans (MMP):

- **MM CR-1**
- **MM CR-2**

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1

Rationale for Finding

Mitigation

Implementation of **Mitigation Measures MM CR-1** through **MM CR-2**, would avoid significant direct impacts to archaeological resources to the maximum extent feasible and provide for recovery and/or documentation of any significant resources. With mitigation, significant archaeological resources would be preserved and impacts to archaeological resources would be less than significant with mitigation.

Alternatives

Similar to the Proposed Plans, Alternative 1 would have the potential to disturb archaeological resources and/or human remains and would still have potentially significant impacts before mitigation. The mitigation measures under the Proposed Plans would not apply to Alternative 1, and, therefore, impacts to archaeological resources would be significant and unavoidable . Alternatives 2 and 3 would result in less development in the Harbor Gateway and Wilmington-Harbor City CPAs, respectively, and would have a lower level of potentially significant impacts before mitigation. **Mitigation Measures MM CR-1** and **MM CR-2** would be assumed to apply to Alternatives 2 and 3, which would reduce impacts to less than significant for both alternatives.

Conclusions

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Plans that would reduce significant environmental effects associated with a substantial adverse change in or disturbance of known or unknown archaeological resources from the Proposed Plans to a less than significant level.

Geology and Soils

Paleontological Resources

The following findings are for the Proposed Plans impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans would result in significant impacts associated with directly or indirectly destroying a unique paleontological resource or site. The impacts would be reduced to a less than significant level by the inclusion of **Mitigation Measures MM GEO-1** through **MM GEO-3** (see Draft EIR pages 4.6-35 to 4.6-39).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measures in the Mitigation and Monitoring Plan (MMP):

- **MM GEO-1**
- **MM GEO-2**
- **MM GEO-3**

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1

Rationale for Finding

Implementation of **Mitigation Measures MM GEO-1** through **MM GEO-3**, would reduce impacts to paleontological resources to less than significant levels by ensuring that potential resources are identified and either avoided or recovered.

Alternatives

Alternative 1 would have less development overall than the Proposed Plans but would still have potentially significant impacts before mitigation. The mitigation measures under the Proposed Plans would not apply to Alternative 1, and, therefore, this alternative would have significant and unavoidable impacts on paleontological resources. Alternatives 2 and 3 would have less development overall than the Proposed Plans but would still have potentially significant impacts before mitigation. **Mitigation Measures MM GEO-1** to **MM GEO-3** would be assumed to apply to Alternatives 2 and 3, which would reduce impacts to less than significant for both alternatives.

Conclusions

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Plans that would reduce significant environmental effects associated with a substantial adverse change in or disturbance of known or unknown paleontological resources from the Proposed Plans to a less than significant level.

Hazards and Hazardous Materials

Hazardous Materials Transport, Use, Disposal

The following findings are for the Proposed Plans impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans would result in significant impacts associated with construction within the Harbor LA CPAs creating a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Future demolition and construction activities would have the potential to result in exposure to hazardous materials. The impacts would be reduced to a less than significant level by the inclusion of **Mitigation Measures MM HAZ-1** and **MM HAZ-2** (see Draft EIR pages 4.8-60 to 4.8-63).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measures in the Mitigation and Monitoring Plan (MMP):

- **MM HAZ-1**
- **MM HAZ-2**

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1

Rationale for Finding

Mitigation

Implementation of **Mitigation Measures MM HAZ-1** and **MM HAZ-2** would reduce impacts associated with hazards and hazardous materials to less than significant levels by ensuring that applicants are put on notice of the need to determine if there is contamination on site and avoid impacts that may result from lack of detection and compliance with federal and state laws in abating hazardous contamination.

Alternatives

Alternative 1 would have less development overall than the Proposed Plans but would still have potentially significant impacts before mitigation. The mitigation measures under the Proposed Plans would not apply

to Alternative 1, which would have significant and unavoidable impacts. **Mitigation Measures MM HAZ-1** and **MM HAZ-2** would be assumed to apply to Alternatives 2 and 3, which would reduce impacts to less than significant for both alternatives.

Conclusions

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Plans that would reduce significant environmental effects associated with the potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials within the Proposed Plans to a less than significant level.

Hazardous Materials Upset or Accident

The following findings are for the Proposed Plans impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans would result in significant impacts associated with future grading and construction of existing contaminated sites. Construction activity that disturbs soil or groundwater could have the potential to result in the release of previously unidentified hazardous materials, which could adversely affect construction workers and/or neighboring properties. The impacts would be reduced to less than significant level by the inclusion of **Mitigation Measures MM HAZ-1** and **MM HAZ** (see Draft EIR pages 4.8-63 to 4.8-67).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measures in the Mitigation and Monitoring Plan (MMP):

- **MM HAZ-1**
- **MM HAZ-2**

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1

Rationale for Finding

Mitigation

Implementation of **Mitigation Measures MM HAZ-1** and **MM HAZ-2** would reduce impacts associated with the creation of a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release hazardous materials into the environment to less than significant levels by ensuring that applicants are put on notice of the need to determine if there is contamination on site and avoid impacts that may result from lack of detection, and compliance with state and federal requirements related to hazardous materials.

Alternatives

Alternative 1 would have less development overall than the Proposed Plans but would still have potentially significant impacts before mitigation. The mitigation measures under the Proposed Plans would not apply to Alternative 1, which would have significant and unavoidable impacts. **Mitigation Measures MM HAZ-1** and **MM HAZ-2** would be assumed to apply to Alternatives 2 and 3, which would reduce impacts to less than significant for both alternatives.

Conclusions

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Plans that would reduce significant environmental effects associated with the potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions within the Proposed Plans to a less than significant level.

Hazards within 0.25-Mile of a School

The following findings are for the Proposed Plans impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans would result in significant impacts associated with future grading and construction of existing contaminated sites. Construction activity that disturbs soil or groundwater could have the potential to result in the release of previously unidentified hazardous materials within 0.25 miles of a school. The impacts would be reduced to a less than significant level by the inclusion of **Mitigation Measures MM HAZ-1** and **MM HAZ-2** (see Draft EIR pages 4.8-67 to 4.8-68).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measures in the Mitigation and Monitoring Plan (MMP):

- **MM HAZ-1**
- **MM HAZ-2**

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1

Rationale for Finding

Mitigation

Implementation of **Mitigation Measures MM HAZ-1** and **MM HAZ-2** would reduce impacts to schools to a less than significant level by ensuring the identification and, as necessary, remediation of soil and/or groundwater contamination prior to excavation or grading on properties within 0.25 mile of schools.

Alternatives

Mitigation Measures MM HAZ-1 and **MM HAZ-2** would be assumed to apply to Alternatives 2, and 3, which would reduce impacts to less than significant for both alternatives. The mitigation measures would not apply to Alternative 1, the no project alternative, which would have significant and unavoidable impacts.

Conclusions

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Plans that would reduce significant environmental effects associated with the potential to create emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25-mile of an existing or proposed school within the Proposed Plans to a less than significant level.

Hazardous Materials Sites

The following findings are for the Proposed Plans impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans would result in significant impacts associated with future grading and construction of existing contaminated sites. Construction activity that disturbs soil or groundwater could result in exposure to construction workers and occupants of neighboring properties to the release of hazardous materials. The impacts would be reduced to a less than significant level by the inclusion of **Mitigation Measures MM HAZ-1** and **MM HAZ-2** (see Draft EIR pages 4.8-68 to 4.8-69).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measures in the Mitigation and Monitoring Plan (MMP):

- **MM HAZ-1**
- **MM HAZ-2**

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1

Rationale for Finding

Mitigation

Implementation of **Mitigation Measures MM HAZ-1** and **MM HAZ-2** would reduce impacts to a less than significant level by ensuring identification of properties listed on a hazardous materials sites compiled pursuant to Government Code Section 65962.5, and any contamination is adequately remediated to federal and state standards.

Alternatives

Mitigation Measures MM HAZ-1 and **MM HAZ-2** would be assumed to apply to Alternatives 2, and 3, which would reduce impacts to less than significant for both alternatives. The mitigation measures would not apply to Alternative 1, the no project alternative, which would have significant and unavoidable impacts.

Conclusions

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Plans that would reduce significant environmental effects associated with the development of site which are

included on a list of hazardous materials sites pursuant to Government Code Section 65962.5 within the Proposed Plans to a less than significant level.

Tribal Cultural Resources

Tribal Resources

The following findings are for the Proposed Plans impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Plans could result in significant impacts to tribal cultural resources. Grading and excavation of individual development projects that disturb previously undisturbed soils could potentially encounter intact tribal cultural resources within the Harbor LA CPAs. The impacts would be reduced to a less than significant level by the inclusion of **Mitigation Measures MM TC-1** through **MM TC-2**, and **MM CR-1** through **MM CR-2** (see Draft EIR pages 4.16-8 to 4.16-15).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measures in the Mitigation and Monitoring Plan (MMP):

- **MM TC-1**
- **MM TC-2**
- **MM CR-1**
- **MM CR-2**

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1

Rationale for Finding

Mitigation

Implementation of **Mitigation Measures MM TC-1, MM TC-2, MM CR-1, and MM CR-2**, would reduce impacts to tribal cultural resources to a less than significant level by requiring a process to identify and, if necessary, avoid and/or recover identified tribal cultural resources throughout the Harbor LA CPAs, including areas where resources have been previously identified.

Alternatives

Alternative 1 would result in less development and would result in less potential to encounter tribal cultural resources. In addition, the mitigation measures under the Proposed Plans would not apply to Alternative 1, and, therefore, this alternative would have significant and unavoidable impacts. Alternatives 2 and 3 would result in less development in the Harbor Gateway and Wilmington-Harbor City CPAs, respectively, and therefore would have less chances of encountering tribal cultural resources during construction-related activities. **Mitigation Measures MM CR-1, MM CR-2, MM TR-1**, and **MM TR-2** would be assumed to apply to Alternatives 2 and 3, which would reduce impacts to less than significant for both alternatives.

Conclusions

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Plans that would reduce significant environmental effects to tribal cultural resources within the Proposed Plans to a less than significant level.

D. Findings for Environmental Impacts Found to be Less than Significant or No Impact

Based on the EIR, the City finds the Proposed Plans, inclusive of the future development within the scope of the EIR, to have less than significant impacts, or no impacts, without mitigation to all other significant impacts not identified in Section 2(B) and 2(C), including the following:

Aesthetics

- **Scenic Vistas** (Draft EIR pages 4.1-38 to 4.1-49): Less than significant impact.
- **Scenic Resources within State Scenic Highway** (Draft EIR pages 4.1-50): No impact.
- **Scenic Quality Zoning and Regulations** (Draft EIR pages 4.1-51 to 4.1-56): Less than significant impact.
- **Light and Glare** (Draft EIR pages 4.1-56 to 4.1-58): Less than significant impact.
- **Cumulative Impacts** (Draft EIR pages 4.1-58 to 4.1-60: Less than significant impact.

Agriculture and Forestry Resources

- **Conversion of Farmland to Non-Agricultural Uses** (Draft EIR pages 7.0-1 to 7.0-2): No impact.
- **Conflict with Agricultural Zoning or Williamson Act** (Draft EIR pages 7.0-1 to 7.0-2): No impact.

- **Conflict with Zoning or Cuse Rezoning of Forest Land** (Draft EIR pages 7.0-1 to 7.0-2): No impact.
- **Loss or Conversion of Forest Land** (Draft EIR pages 7.0-1 to 7.0-2): No impact.
- **Other Changes Resulting in Conversion of Farmland of Forest Land** (Draft EIR pages 7.0-1 to 7.0-2): No impact.

Air Quality

- **Air Quality Plan** (Draft EIR pages 4.2-32 to 4.3-36): Less than significant impact.
- **Odors** (Draft EIR pages 4.2-62 to 4.2-63): Less than significant impact.
- **Cumulative Impacts** (Draft EIR pages 4.2-63 to 4.2-67): Less than significant impact (Air Quality Plan and Odor).

Biological Resources

- **Endangered Animal Species** (Draft EIR pages 4.3-47 to 4.3-50): Less than significant impact, mitigation specific to nesting birds is voluntarily added and is not necessary to ensure impacts remain less than significant.
- **Riparian Habitat** (Draft EIR pages 4.3-51 to 4.1-52): Less than significant impact.
- **Wetlands** (Draft EIR pages 4.3-52 to 4.1-54): Less than significant impact.
- **Migratory Wildlife** (Draft EIR pages 4.3-54): Less than significant impact.
- **Local Policies and Ordinances** (Draft EIR pages 4.3-41 to 4.1-43): Less than significant impact.
- **Habitat Conservation Plan** (Draft EIR pages 4.3-43): No impact.
- **Cumulative Impacts** (Draft EIR pages 4.3-43 to 4.1-45): Less than significant impact.

Cultural Resources

- **Human Remains** (Draft EIR pages 4.4-49 to 4.4-50): Less than significant impact.
- **Cumulative Impact** (Draft EIR pages 4.4-50 to 4.4-51): (Human Remains).

Energy

- **Inefficient Energy Consumption** (Draft EIR pages 4.5-30 to 4.5-37): Less than significant impact.
- **Renewable Energy/Energy Efficiency Plan** (Draft EIR pages 4.5-38): Less than significant impact.
- **Cumulative Impact** (Draft EIR pages 4.5-39 to 4.5-40): Less than significant impact.

Geology and Soils

- **Earthquake Fault** (Draft EIR pages 4.6-25 to 4.6-28): Less than significant impact.
- **Seismic Ground Shaking** (Draft EIR pages 4.6-28 to 4.6-29): Less than significant impact.
- **Seismicity** (Draft EIR pages 4.6-29 to 4.6-30): Less than significant impact.
- **Soil Erosion** (Draft EIR pages 4.6-31 to 4.6-32): Less than significant impact.
- **Unstable Soils** (Draft EIR pages 4.6-32 to 4.6-33): Less than significant impact.
- **Expansive Soil** (Draft EIR pages 4.6-34): Less than significant impact.
- **Septic Tanks** (Draft EIR pages 4.6-34 to 4.6-35): No impact.
- **Cumulative Impact** (Draft EIR Pages 4.6-39): Less than significant impact (Geology and Soils).

Greenhouse Gas Emissions

- **Plans, Policies, and Regulations** (Draft EIR pages 4.7-60 to 4.7-84): Less than significant impact.
- **Cumulative Impact** (Draft EIR pages 4.7-85): Less than significant impact.

Hazards and Hazardous Materials

- **Public Airport** (Draft EIR pages 4.8-70): No impact.
- **Emergency Response Plans** (Draft EIR pages 4.8-71 to 4.8-72): Less than significant impact.
- **Wildland Fires** (Draft EIR pages 4.8-72 to 4.8-73): Less than significant impact.
- **Cumulative Impact** (Draft EIR pages 4.8-73 to 4.8-75): No Impact (Public Airport). Less than significant impact (Emergency Response Plans, and Wildland Fires).

Hydrology and Water Quality

- **Surface/Groundwater Quality/Discharge Requirements** (Draft EIR pages 4.9-34 to 4.9-38): Less than significant impact.
- **Groundwater** (Draft EIR pages 4.9-38 to 4.9-41): Less than significant impact.
- **Drainage – Erosion, Runoff, Flooding** (Draft EIR pages 4.9-41 to 4.9-44): Less than significant impact.
- **Pollutants** (Draft EIR pages 4.9-44 to 4.9-46): Less than significant impact.
- **Water Quality Plans and Policy Consistency** (Draft EIR pages 4.9-46 to 4.9-47): Less than significant impact.
- **Cumulative Impact** (Draft EIR pages 4.9-47 to 4.9-52): Less than significant impact.

Land Use and Planning

- **Physically Divide a Community** (Draft EIR pages 4.10-20 to 4.10-22): No impact.
- **Land Use Plan and Policy Consistency** (Draft EIR pages 4.10-23 to 4.10-33): Less than significant impact.
- **Cumulative Impact** (Draft EIR pages 4.10-33): Less than significant impact.

Mineral Resources

- **Loss of Known Mineral Resource** (Draft EIR pages 4.11-8 to 4.11-12): No impact.
- **Loss of Mineral Resource Recovery Site** (Draft EIR pages 4.11-12 to 4.11-13): No impact.
- **Cumulative Impact** (Draft EIR pages 4.13): No impact

Noise Impact

- **Noise Levels - Operational** (Draft EIR pages 4.12-31 to 4.12-37): Less than significant impact.
- **Ground-borne Vibrations – Operational** (Draft EIR pages 4.12-40): Less than significant impact.
- **Private Airstrip** (Draft EIR pages 4.12-46 to 4.12-47): No impact.

- **Cumulative Impact** (Draft EIR pages 4.12-48 to 4.12-51): Less than significant impact (Noise Levels – Operational, Ground-borne Vibrations – Operational). No impact (Private Airstrip).

Population, Housing, and Employment

- **Induce Substantial Population Growth** (Draft EIR pages 4.13-25 to 4.13-32): Less than significant impact.
- **Displacement of Existing People or Housing** (Draft EIR pages 4.13-32 to 4.12-35): Less than significant impact.
- **Cumulative Impact** (Draft EIR pages 4.13-35 to 4.13-36): Less than significant impact.

Public Services and Recreation

- **Fire Protection** (Draft EIR pages 4.14-19 to 4.14-23): Less than significant impact.
- **Police Protection** (Draft EIR pages 4.14-31 to 4.14-34): Less than significant impact.
- **Public Schools** (Draft EIR pages 4.14-45 to 4.14-48): Less than significant impact.
- **Library** (Draft EIR pages 4.14-54 to 4.14-55): Less than significant impact.
- **Recreational and Governmental Facilities** (Draft EIR pages 4.14-72 to 4.14-73): Less than significant impact.
- **Cumulative Impact** (Draft EIR pages 4.14-23 to 4.14-24, 4.14-34 to 4.14-35, 4.14-48, 4.14-55 to 4.14-56, 4.14-73 to 4.14-74): Less than significant impact (Fire Protection, Police Protection, Public Schools, Library, and Recreational and Governmental Facilities).

Transportation and Traffic

- **Circulation System Programs and Policy** (Draft EIR pages 4.15-49 to 4.15-50): Less than significant impact.
- **Emergency Access** (Draft EIR pages 4.15-65 to 4.15-78): Less than significant impact.
- **Cumulative Impact** (Draft EIR pages 4.15-78 to 4.15-80): Less than significant impact (Circulation System Programs and Policy, and Emergency Access).

Utilities and Service Systems

- **Water Facilities** (Draft EIR pages 4.17-29 to 4.17-32): Less than significant impact.
- **Water Supply** (Draft EIR pages 4.17-33 to 4.17-38): Less than significant impact.
- **Wastewater Facilities and Wastewater Treatment** (Draft EIR pages 4.17-58 to 4.17-62): Less than significant impact.
- **Stormwater Drainage** (Draft EIR pages 4.17-62 to 4.17-63): Less than significant impact.
- **Solid Waste Standards and Capacity** (Draft EIR pages 4.16-76 to 4.16-77): Less than significant impact.
- **Solid Waste Statutes and Regulations** (Draft EIR pages 4.16-76 to 4.16-77): Less than significant impact.
- **Electric Power, Natural Gas, or Telecommunications Facilities** (Draft EIR pages 4.17-86 to 4.17-89): Less than significant impact.
- **Cumulative Impact** (Draft EIR pages 4.17-39 to 4.17-40, 4.17-62 to 4.17-64, 4.17-65, 4.16-79, 4.17-89 to 4.17-91): Less than significant impact.

Wildfire

- **Emergency Response/Evacuation Plan** (Draft EIR pages 7.0-2): No impact.
- **Slope, Prevailing Winds, Flooding, and Landslides** Draft EIR pages 7.0-2): No impact.
- **Installation Maintenance of Associated Infrastructure** (Draft EIR pages 7.0-2): No impact.
- **Expose People or Structures to Risk of Loss, Injury, or Death** (Draft EIR pages 7.0-2): No impact.

E. Findings for Alternatives to the Project

Underlying Purpose and Project Objectives

The underlying purpose and project objectives of the Harbor LA Community Plans Update, as discussed in the EIR (**Section 3.0, Project Description**), are stated below. In accordance with *State CEQA Guidelines* Section 15124(b), the specific project objectives identified below support the underlying purpose of the Proposed Project, assist the City as Lead Agency in developing a reasonable range of alternatives to evaluate in the EIR, and ultimately aid the decision maker in preparing findings, and if necessary, a statement of overriding considerations.

Underlying Purpose

The underlying purpose of the Proposed Plans is to plan for and accommodate foreseeable growth in the City, including the Harbor LA CPAs, consistent with the growth strategies of the City as provided in the Framework Element, as well as the policies of SB 375 and the Southern California Association of Governments (SCAG) Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS).

Primary Objectives

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

Secondary Objectives

- Preserve the historic character and commercial building forms of select corridors, such as portions of Gardena Boulevard and Avalon Boulevard;

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

Alternatives

Based on the whole of the administrative record, the City finds that the EIR analyzes a reasonable range of project alternatives that would feasibly attain some of the objectives of the Proposed Project, as described in **Section 5.0, Alternatives**, of the Draft EIR. The four alternatives analyzed in the EIR are described and rejected as follows:

Alternative 1 – No Project Alternative (Draft EIR pages 5.0-7 to 5.0-23)

Description of Alternative

The No Project Alternative (Alternative 1) includes continued implementation of the existing 1995 Harbor Gateway Community Plan and the 1999 Wilmington-Harbor City Plan. Under this alternative, the current Community Plans would continue to apply, and existing plans and policies would continue to

accommodate development in accordance with existing General Plan designations. This alternative would assume that the Proposed Plans, and new zoning designations are not adopted for the Harbor LA CPAs.

Impact Summary

Alternative 1 would include less development capacity overall and thus less growth in the Harbor LA CPAs, as compared to the Proposed Plans. Nevertheless, as with the Proposed Plans, Alternative 1 would result in significant impacts to: cumulatively considerable net increase of criteria pollutant (construction NOx and operational/long-term VOC emissions), sensitive receptors from TACs related to distribution facilities, historic resources, ambient and ground-borne noise levels related to construction, deterioration of parks and recreational facilities, and safety impacts related to off-ramp queuing. Because this alternative would not be subject to mitigation measures proposed in the Proposed Plans, the level of impact would be greater than under the Proposed Plans despite the lower overall intensity of development in the Harbor LA CPAs under this alternative and would have additional significant and unavoidable impacts to archaeological, paleontological, conformance with state climate action goals, hazardous (contaminated sites), transportation (VMT) and tribal resources. In addition, limiting development potential may induce higher levels of growth in other areas of the City and region that have fewer transit options and longer distances between housing, jobs, and services. As such, Alternative 1 may incrementally increase related air pollutant and GHG emissions.

Finding(s)

It is found pursuant to PRC Section 21081(a)(3) and *State CEQA Guidelines* Section 15091(a)(3), that specific economic, legal, social, technological, or other considerations, make the No Project Alternative (Alternative 1) infeasible. Therefore, the City finds that this alternative is infeasible and less desirable than the Proposed Plans and rejects this alternative for any one, some, or all, of the following reasons:

- Alternative 1 would not avoid any of the significant unavoidable impacts from the Proposed Plans.
- Alternative 1 would not meet the following Primary Objectives:
  - Alternative 1 would not accommodate projected population, housing and employment growth forecasted through the planning horizon year of 2040 consistent with the policies of the City of Los Angeles General Plan Framework Element.
  - Alternative 1 would not address the history of contamination and incompatible land use patterns.

- Alternative 1 would not revitalize existing commercial areas through zoning regulations for improved street frontage and pedestrian-oriented design standards and by promoting a diversity of uses.

- Alternative 1 would not refine the intensity and enhance the form of existing commercial areas and create new commercial areas along corridors and at centers in select location.

- Alternative 1 would not create a Regional Center in the Harbor Gateway CPA.

- Alternative 1 would not meet the Primary Objective to promote enhanced multi-modal transportation opportunities and reduce VMT and promote mixed-use areas near transit due to the reduction in transit-oriented development in comparison to the Proposed Plans.

- Alternative 1 would reduce regional VMT to a lesser degree than the Proposed Plans since the lower overall development totals, particularly near transit station, may result in increased development elsewhere in the City and incrementally higher regional VMT.

- Alternative 1 would only partially meet the Primary Objective of focusing population, housing, and employment growth near transit served centers and corridors in a sustainable, equitable, healthy, and inclusive manner to discourage the displacement of existing residents and communities.

- Alternative 1 would meet the Framework Element's objective related to concentrating development in areas with access to transit to a lesser degree than the Proposed Plans due to the reduced overall development totals.

- Alternative 1 would not meet the following Secondary Objectives:

  - Protect identified eligible historic resources through new zoning regulations;

  - Coordinate local planning efforts with anticipated changes at the Port of Los Angeles and adjacent jurisdictions;

  - Update existing zoning and land use designations to reflect on the ground uses;

  - Develop new standards that create a cohesive design while preserving neighborhood character; • Improve consistency between land use and zoning regulations where needed and update land use nomenclature to reflect the General Plan Framework designations;

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

Alternative 2 – Regional Center Alternative (Draft EIR pages 5.0-24 to 5.0-40)

Description of Alternative

The Regional Center Alternative (Alternative 2) would assume less development in the Regional Center designated areas within the Harbor Gateway CPA. The Regional Center land use designation would not be applied to some of the parcels in the change area and the current zoning would be maintained. Reasonably anticipated development would meet the SCAG RTP 2016 housing, population, and employment projections for the 2040 horizon year. Like the Harbor Gateway Community Plan, development would be focused in the Regional Center Area that is roughly bordered by 182nd Avenue, Figueroa Street, 190th Avenue, Vermont Avenue, and Western Avenue. However, Alternative 2 would result in fewer jobs, housing and population. The proposed land use and zoning considerations under Alternative 2 would further limit warehouse uses, reduce the scale (bulk, height and intensity) of development in the Regional Center with more open space, and lower-density buildings. Residential uses would consist of larger unit sizes with higher bedroom counts for families. These adjustments would be focused on the parcels south of Artesia Boulevard, east of Vermont Avenue, north of 190th Street, and west of the 110 Freeway.

As shown in **Table 5.0-1**, the reasonably anticipated development under Alternative 2 is 46,912 housing units; 160,395 residents; and 58,326 jobs by 2040. Anticipated growth in the Harbor Gateway CPA would be reduced when compared to that of the Proposed Plans with a reduction in approximately 290 housing units (-1 percent); 950 fewer residents (-1 percent); and 4,013 fewer jobs (-6 percent) through 2040. This reduction would be focused in the Regional Center area.

Impact Summary

Alternative 2 would reduce the development potential compared to the Proposed Plans in the Harbor Gateway CPA. Due to the overall lower development potential under Alternative 2 in comparison to the Proposed Plans, fewer historical resources are likely to be disturbed, and impacts related to historical resources would be less than that of the Proposed Plans. Similarly, reduced development potential under Alternative 2 compared to the Proposed Plans would result is lesser impacts related to construction and operational air quality and noise, construction vibration, and deterioration of existing parks. While Alternative 2 would result in less energy consumption in the Harbor Gateway CPA, the lower concentration of growth/development in the Harbor Gateway CPA may result in higher levels of growth in other areas of the City or the region where transit availability is lower and per capita VMT is higher. Therefore, Alternative 2 would result in greater impacts to renewable energy sources as it would contribute to greater overall regional energy use compared to the Proposed Plans. Alternative 2 would result in the same impact conclusions as the Proposed Plans in all impact categories. Unavoidable significant impacts under this alternative would occur with regards to historical resources, air quality (construction and operation), construction noise and vibration, recreational facilities, and traffic safety related to highway off-ramps.

Finding(s)

It is found pursuant to PRC Section 21081(a)(3) and *State CEQA Guidelines* Section 15091(a)(3), that specific economic, legal, social, technological, or other considerations, make the Regional Center Alternative (Alternative 2) infeasible. Therefore, the City finds that this alternative is infeasible and less desirable than the Proposed Plans and rejects this alternative for any one, some, or all, of the following reasons:

- Alternative 2 would not avoid any significant unavoidable impact from the Proposed Plans.
- Alternative 2 would only partially meet the following Primary Objectives:
  - Create hybrid industrial areas that prioritize jobs-producing uses and serve as a physical buffer between residential and heavy industrial uses.
- Alternative 2 would only partially meet the following Secondary Objectives:
  - Protect existing open space in the Harbor LA CPAs and increase access to open space by incorporating active frontages, building breaks, and outdoor amenity space where appropriate.

Alternative 3 – Major Corridors Alternative (Draft EIR pages 5.0-40 to 5.0-56)

Description of Alternative

The Major Corridors Alternative would involve less intense upzoning or increases in density than the Proposed Plans in the Wilmington-Harbor City CPA. It would distribute growth consistently amongst all the commercial corridors of the Wilmington-Harbor City CPA thereby increasing reasonably anticipated development capacity to accommodate new housing, population and jobs based on their existing commercial land use designation. This alternative would involve moderate upzones at locations that differ from those of the Proposed Plans. Generally, this alternative would make the same recommendations as the Proposed Plans but would distribute the growth more evenly across the commercial corridors within the Wilmington-Harbor City CPA as compared to the Proposed Plans where growth would be concentrated along the Pacific Coast Highway between Western Avenue to the Interstate 110 Freeway and along Avalon Boulevard between Opp Street and Harry Bridges Boulevard.

As shown in **Table 5.0-1**, under Alternative 3 the Wilmington-Harbor City CPA is projected to have a population of 94,548 residents, with 27,013 housing units, and 16,414 jobs in 2040. While Alternative 3 would result in 936 less housing units (-2 percent), 3,274 less persons (-2 percent), and 4,927 fewer jobs (-8 percent) by 2040 as compared to the Proposed Plans, Alternative 3 would still exceed the SCAG forecasts for the Harbor LA CPAs.

Impact Summary

Similar to Alternative 2, Alternative 3 would result in less development compared to the Proposed Plans in the Wilmington-Harbor City CPA. However, because Alternative 3 would result in reduced development intensity around transit in the Wilmington-Harbor City CPA, Alternative 3 may result in higher levels of growth in other areas of the City or the region where transit availability is lower and per capita VMT is higher. As a result, Alternative 3 would also result in greater impacts to renewable energy sources as it would contribute to greater overall regional energy use compared to the Proposed Plans but would remain less than significant. Similarly, Alternative 3 would also result in greater impacts in greenhouse gas emissions related to VMT compared to the Proposed Plans. Alternative 3 would result in the same impact conclusions as the Proposed Plans in all impact categories except for VMT. Unavoidable significant impacts under this alternative would occur with regards to historical resources, air quality, construction noise and vibration, recreational facilities, and traffic safety related to highway off-ramps.

Finding(s)

It is found pursuant to PRC Section 21081(a)(3) and *State CEQA Guidelines* Section 15091(a)(3), that specific economic, legal, social, technological, or other considerations, make the Major Corridors Alternative (Alternative 3) infeasible. Therefore, the City finds that this alternative is infeasible and less desirable than the Proposed Plans and rejects this alternative for any one, some, or all, of the following reasons:

- Alternative 3 would not avoid any of the significant unavoidable impacts from the Proposed Plans.
- Alternative 3 would only partially meet the following Primary Objectives:
  - Address housing needs for all income levels and minimize displacement of existing residents.
- Alternative 3 would only partially meet the following Secondary Objectives:
  - Protect existing open space in the Harbor LA CPAs and increase access to open space by incorporating active frontages, building breaks, and outdoor amenity space where appropriate.

Environmentally Superior Alternative

Section 15126.6 of the *State CEQA Guidelines* requires that an "environmentally superior" alternative be selected among the alternatives that are evaluated in the EIR. In general, the environmentally superior alternative is the alternative that would be expected to generate the fewest adverse impacts. If the No Project Alternative is identified as environmentally superior, then another environmentally superior alternative shall be identified among the other alternatives.

As shown in **Table 5.0-8, Impact Comparison of Alternatives**, Alternatives 1, 2, and 3 would all incrementally reduce impacts for multiple issue areas compared to the Proposed Plans. This is because Alternatives 1, 2, and 3 would all reduce overall development levels in the Harbor LA CPAs. However, of the alternatives, the only alternative that would reduce a significant impact of the Proposed Plans is Alternative 3 which would result in a less than significant VMT impact compared to a significant and unavoidable VMT impact for the Proposed Plans. However, the reduction in VMT is attributed to the reduced development potential. This would conflict with the planning decision to increase employment in the Harbor LA CPAs to meet anticipated demands associated with operations of the Ports as well as balancing employment with increased housing in nearby communities.

Alternative 1 would include the lowest overall level of growth and development in the Harbor LA CPAs. However, because Alternative 1 would not be subject to the mitigation measures proposed in the Proposed Plans, it may result in higher greater overall impacts than the Proposed Plans for certain issues. In addition,

by limiting growth in the Harbor LA CPAs, Alternative 1 could cause more forecasted growth and associated development to occur in other areas of the City or region that have less access to transit and longer distances between housing, jobs, and services. In this way, Alternative 1 may also result in greater overall regional VMT and associated air pollutants and GHG emissions.

Based on the ability to reduce environmental impacts and meet project objectives, the Major Corridors Alternative (Alternative 3) is the Environmentally Superior Alternatives for the respective CPAs. However, this alternative is rejected mainly because it would not meet all of the Project's Primary and Secondary Objectives. Alternative 3 would only partially meet the Primary Objectives to address housing need for all income levels and minimize displacement and encourage mixed-use and equitable transit-oriented development at key locations; through a tailored base and bonus incentive system. In addition, Alternative 3 would only partially meet the Secondary Objectives to protect existing open space in the Wilmington-Harbor City CPA.

3. STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires decision-maker(s) to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the proposed project. (PRC Section 21081(b) and *State CEQA Guidelines* Section 15093(a).) If the specific economic, legal, social, technological, or other benefits of a Proposed Plans outweigh the unavoidable significant adverse environmental effects, the adverse environmental effect may be considered "acceptable" (*State CEQA Guidelines* Section 15093(a)). CEQA also requires that when a public agency approves a project that will result in the occurrence of significant and unavoidable adverse impacts to the environment, the agency must state in writing the reasons to support its action based on the certified EIR and/or other information in the record (PRC Section 21081 and *State CEQA Guidelines* Section 15093(b)). This "statement of overriding considerations" must be supported with substantial evidence in the record (*State CEQA Guidelines* Section 15093(b)). The EIR for the Proposed Plans identifies significant and unavoidable impacts that would result from implementation of the Proposed Project, as shown in **Section 2** of these CEQA Findings of Fact and Statement of Overriding Considerations. This Statement of Overriding Considerations is based on substantial evidence in the record, including but not limited to the Draft EIR and the Final EIR, and documents, testimony, and all other materials that constitute the Record of Proceedings.

Reasons to Support Approval of Proposed Project

After balancing the specific economic, legal, social, technological, and other benefits of the Proposed Project, the City of Los Angeles has determined that the unavoidable adverse environmental impacts

identified above may be considered "acceptable" due to the following specific considerations, which outweigh the unavoidable adverse environmental impacts of the Proposed Project. The City Council finds that each of the following statements are supported by substantial evidence in the record and that each one of the following overriding considerations independently, grouped by overarching theme, or taken collectively, is/are sufficient to outweigh the significant and unavoidable impacts of the Proposed Project:

1. The Proposed Plans promote development in a manner that would accommodate anticipated population growth for the City consistent with the City's General Plan and the RTP/SCS prepared by SCAG. The RTP/SCS is the regional transportation and land use planning document required by federal and state agencies to document compliance with air quality attainment and greenhouse gas reduction requirements (Senate Bill 375, AB 32, SB 32). Consistent with the RTP/SCS, the Proposed Plans encourage new commercial and industrial development and direct residential growth to strategic areas where it can be supported by existing transportation infrastructure. The Proposed Plans include new zoning regulations that encourage mixed-use and equitable transit-oriented development at key locations in the CPAs, including areas where jobs and housing are in proximity to each other. Furthermore, because of the proximity of jobs and housing and transit-oriented development at key locations, growth in the CPAs would reduce citywide and regionwide emissions as compared to accommodating more of the projected growth in other parts of the City and/or region. For these reasons, the Proposed Plans are expected to contribute to reductions in per capita GHG emissions.

2. The Harbor Gateway and Wilmington-Harbor City communities are an integral part of both regional and global trade. Due to their proximity to the Ports of Los Angeles and Long Beach, the land uses within the CPAs have generally included warehouse and other goods movement supportive uses that support regional and state commerce as well as the national economy. Increasing employment in the CPAs would address anticipated demands associated with operations of the Ports as well as balancing employment with increased housing in nearby communities.

3. The Proposed Plans support the policies and goals of the General Plan Framework Element related to strategic growth. The Proposed Plans would increase development potential for a variety of housing and commercial development in areas designated Regional Center, Neighborhood Center, Community Center, Villages, and along major corridors served by bus lines. The Proposed Plans would direct new higher-intensity development into these specific areas of the CPAs and maintain and preserve the existing lower-intensity residential areas elsewhere. The Proposed Plans would also preserve appropriate industrial districts, as well as protect historic resources and neighborhood character. The Proposed Plans would encourage mixed use development projects that provide community benefits such as mixed income housing and open space amenities.

4. The Proposed Plans support the policies and goals of the General Plan Framework Element related to conserving existing residential neighborhoods. The Proposed Plans generally direct growth away from low-density neighborhoods and heavy industrial uses and into opportunity areas along major corridors served by transit and would improve the jobs-to-housing ratio. Stable single-family and multi-family neighborhoods are generally maintained, consistent with the Framework, under the Proposed Plans. The Proposed Plans aim to preserve neighborhood character and ensure new development is cohesive and will improve the consistency of land uses within the CPAs. This is consistent with Objective 3.7 of the Framework: "allow for growth in areas where there is sufficient public infrastructure and services, and the residents' quality of life can be maintained or improved." The Proposed Plans also include Residential Alignment Areas, where the land use and zoning will change to reflect as-built conditions

5. The Proposed Plans enhance the quality of life for existing and future residents by including updates to land use designations and zones that are intended to accommodate the growth anticipated in the SCAG 2040 forecast in a sustainable way. Reasonably anticipated growth in the CPAs will be strategically accommodated in urbanized areas and in a manner that improves the quality of life of existing and future residents. The proposed land use and zone changes associated with the Proposed Plans would accommodate community preferences, housing demand, leveraging investment in infrastructure, opportunities for economic development, and reducing the potential for environmental impacts.

6. The Proposed Plans would generally direct growth to areas identified by SCAG as High Quality Transit Areas (HQTAs), as specified in the RTP/SCS. In addition, the Proposed Plans would direct job growth to the transit corridors and nodes in the CPAs, which are well served by public transportation – both high-frequency and local bus routes. The proximity of these jobs to transit will result in fewer vehicle trips as commuters travel to and from home to work daily. The Proposed Plans would be consistent with AB 32, SB 32, and AB 1279 (through demonstration of conformance with the 2022 Scoping Plan), SB 375 (through demonstration of conformance with the Connect SoCal 2020-2045 RTP/SCS), the Sustainable City pLAn, GreenLA, and regional and local strategies to reduce GHG.

7. The Proposed Plans respond to the regional housing and homelessness crisis and the corresponding increasing cost of housing in the City of Los Angeles by including policies and affordable housing incentives through the community benefits program aimed at providing affordable housing in association with new housing development and reducing homelessness. Additional incentives are provided for projects that provide affordable units. In addition, the Proposed Plans contain several policies and implementation programs aimed at keeping existing residents and tenants in their homes. Targeting growth in transit-oriented locations as well as infill locations where housing is located near

jobs are pillars of the land use and transportation strategies contained in the RTP/SCS. Furthermore, because of the proximity of jobs and housing and transit-oriented development at key locations, focusing growth in the CPAs would reduce citywide and regionwide emissions as compared to accommodating more of the projected growth in other parts of the City and/or region.

8. The Proposed Plans are the product of a comprehensive public participation effort that includes public input from a range of stakeholders, including residents, homeowners, business owners, students, employees, community advocates, as well as review and input by the City Planning Commission, and the City Council in order to address prevailing housing, neighborhood, and community issues. The policies and programs for the Proposed Plans are based on public input, as well as collaboration with other City departments, City stakeholders, and other governmental agencies.

Conclusion

Having (i) adopted all feasible mitigation measures, (ii) recognized all significant and unavoidable impacts, (iii) rejected other alternatives to the Proposed Project, and (iv) balanced the specific economic, legal, social, technological, and other benefits of the Proposed Project, including region and statewide environmental benefits, against the Proposed Project's potential significant and unavoidable impacts, the City Council hereby finds that the benefits of the Proposed Plans outweigh and override the potential significant and unavoidable impacts for the reasons stated above and that the unavoidable adverse environmental effects may be considered "acceptable."