FINDINGS

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

I. Introduction

The Environmental Impact Report (EIR), consisting of the Draft EIR and the Final EIR, is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and environmental impacts of the Fourth & Central Project (Project), comprised of three Sites (West, South and North Sites) located at 364–448, 425-433 S. Central Avenue 715 and 730 E. 4th Street, within the Downtown Community Plan area (Site or Project Site). The Project would demolish the existing surface parking and cold storage facility and warehouse uses on the West and South Sites, and would adaptively reuse, if feasible, a portion of a six-story cold storage building on the North Site, while demolishing the remaining warehouse uses. The Project would include a mix of residential, office, and restaurant/retail uses within 10 distinct buildings within the Project Site totaling up to 2,318,534 square feet of floor area for a FAR of up to 7.05:1 consisting of the following components: 1,589 residential units, including affordable housing units, totaling 1,761,673 square feet; 411,113 square feet of office uses; 145,748 square feet of restaurant/retail uses; and 90,113 square feet of publicly-accessible open space, including paseos between Central Avenue and Alameda Street, plazas, and pocket parks within the North and South Sites. The proposed buildings would range in height from two to 30 stories, with a maximum height of approximately 364 feet. Parking would be provided in up to four levels of subterranean parking and in above-grade parking podiums.

The City of Los Angeles (City), as Lead Agency, has evaluated the environmental impacts of implementation of the Project by preparing an EIR (Case Number ENV-2021-4071-EIR/State Clearinghouse No. 2022030295). The EIR was prepared in compliance with the California Environmental Quality Act of 1970 (CEQA), Public Resources Code (PRC) Section 21000 et seq. and the California Code of Regulations Title 15, Chapter 6 (CEQA Guidelines). The findings discussed in this document are made relative to the conclusions of the EIR.

PRC Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." PRC Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in PRC Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See PRC Section 21081[a]; CEQA Guidelines Section 15091[a].) For each significant environmental impact identified in an EIR for a proposed project, the approving agency must issue a written finding, based on substantial evidence in light of the whole record, reaching one or more of the three possible findings, as follows:

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 EIR.

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the EIR for the Project as fully set forth therein. Although CEQA Guidelines Section 15091 does not require findings to address environmental impacts that an EIR identifies as merely "potentially significant", these findings nevertheless fully account for all such effects identified in the Final EIR for the purpose of better understanding the full environmental scope of the Project. For each environmental issue analyzed in the EIR which was determined to be less than significant with mitigation or significant and unavoidable, the following information is provided:

- Description of Significant Effects—A description of the environmental effects identified in the EIR.
- Project Design Features—A list of the Project Design Features (PDFs) or actions that are included as part of the Project.
- Mitigation Measures—A list of the mitigation measures that are required as part of the Project to reduce identified significant impacts.
- Finding—One or more of the three possible findings set forth above for each of the significant impacts.
- Rationale for Finding—A summary of the rationale for the finding(s).
- Reference—A reference of the specific section of the EIR which includes the evidence and discussion of the identified impact.

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternatives, a public agency, after adopting proper findings based on substantial evidence, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's benefits rendered acceptable its unavoidable adverse environmental effects (CEQA Guidelines Sections 15093 and 15043[b]; see also PRC Section 21081[b]).

II. Environmental Review Process

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes (but is not limited to) the following documents:

Initial Study. The Project was reviewed by the City of Los Angeles Department of City Planning (Lead Agency) in accordance with the requirements of CEQA (PRC Section 21000 et seq.). The City prepared an Initial Study in accordance with Section 15063(a) of the CEQA Guidelines.

Notice of Preparation. Pursuant to the provisions of Section 15082 of the CEQA Guidelines, the

City then circulated a Notice of Preparation (NOP) to State, regional and local agencies, and members of the public for a 30-day period commencing on March 10, 2022 and ending on April 11, 2022. The NOP also provided notice of a Public Scoping Meeting held on March 23, 2022. The purpose of the NOP and Public Scoping Meeting was to formally inform the public that the City was preparing a Draft EIR for the Project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR. Written comment letters responding to the NOP and the Scoping Meeting were submitted to the City by various public agencies, interested organizations and individuals. The NOP, Initial Study, and NOP comment letters are included in Appendix A of the Draft EIR.

Draft EIR. The Draft EIR was published on October 12, 2023, in accordance with CEQA Guidelines Section 15087. The Draft EIR evaluated in detail the potential effects of the Project. It also analyzed the effects of a reasonable range of alternatives to the Project, including a "No Project" alternative. The Draft EIR for the Project (State Clearinghouse No. 2022030295), incorporated herein by reference in full, was prepared pursuant to CEQA and the City's CEQA Guidelines (City of Los Angeles California Environmental Quality Act Guidelines). The Draft EIR was circulated for a 61-day public comment period beginning on October 12, 2023, and ending on December 11, 2023. A Notice of Completion and Availability (NOCA) was distributed on October 12, 2023 to all property owners and occupants within 500 feet of the Project Site and interested parties, which informed them of where they could view the document and how to comment. The Draft EIR was available to the public at the City of Los Angeles, Department of City Planning, and the following local libraries: Los Angeles Central Library; Little Tokyo Branch Library; and, Robert Louis Stevenson Branch Library. A copy of the document was also posted online at https://planning.lacity.org. Notices were filed with the County Clerk on October 12, 2023.

Notice of Completion. A Notice of Completion was sent with the Draft EIR to the Governor's Office of Planning and Research State Clearinghouse for distribution to State Agencies on October 12, 2023, and notice was provided in newspapers of general and/or regional circulation.

Final EIR. The City released a Final EIR for the Project on October 25, 2024, which is hereby incorporated by reference in full. The Final EIR constitutes the second part of the EIR for the Project and is intended to be a companion to the Draft EIR. The Final EIR also incorporates the Draft EIR by reference. Pursuant to Section 15088 of the CEQA Guidelines, the City, as Lead Agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment in Section II, Responses to Comments, of the Final EIR. On October 25, 2024, responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the EIR pursuant to CEQA Guidelines Section 15088(b). Notices regarding availability of the Final EIR were also sent to property owners and occupants within a 500-foot radius of the Project Site, as well as anyone who commented on the Draft EIR, and interested parties.

Public Hearing. A noticed public hearing for the Project was held by the Deputy Advisory Agency and Hearing Officer on behalf of the City Planning Commission on November 20, 2024.

III. Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes

(but is not limited to) the following documents and other materials that constitute the administrative record upon which the City approved the Project. The following information is incorporated by reference and made part of the record supporting these Findings of Fact:

- All Project plans and application materials including supportive technical reports;
- The Draft EIR and Appendices and Final EIR and Appendices, and all documents relied upon or incorporated therein by reference;
- The Mitigation Monitoring Program (MMP) prepared for the Project;
- The City of Los Angeles General Plan and related EIR;
- The Southern California Association of Governments (SCAG)'s 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and related EIR (SCH No. 2019011061);
- The Municipal Code of the City of Los Angeles (LAMC), including but not limited to the Zoning Ordinance and Subdivision Ordinance;
- All records of decision, resolutions, staff reports, memoranda, maps, exhibits, letters, minutes of meetings, summaries, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project;
- Any documents expressly cited in these Findings of Fact, in addition to those cited above; and
- Any and all other materials required for the record of proceedings by PRC Section 21167.6(e).

Pursuant to PRC Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the Record of Proceedings upon which the City has based its decision are located in and may be obtained from the Department of City Planning, as the custodian of such documents and other materials that constitute the Record of Proceedings, located at the City of Los Angeles, Figueroa Plaza, 221 North Figueroa Street, Suite 1350, Los Angeles, CA 90012.

In addition, copies of the Draft EIR and Final EIR are available on the Department of City Planning's website at https://planning.lacity.org/development-services/eir (to locate the documents, search for either the environmental case number or project title in the search box). The Draft and Final EIR are also available at the following three Library Branches:

- Los Angeles Central Library – 630 West Fifth Street, Los Angeles, CA 90071
- Little Tokyo Branch Library – 203 S. Los Angeles Street, Los Angeles, CA 90012 (this library is closed for construction from October 7, 2024 to December 11, 2024).
- Robert Louis Stevenson Branch Library, 803 Spence Street, Los Angeles, CA 90023

IV. Project Description

Original Project

The Project, as analyzed in the Draft EIR (hereafter referred to as the "Original Project"), proposed to demolish the existing surface parking, cold storage facility, and warehouse uses, with the intention of preserving and adaptively reusing a portion of the existing six-story warehouse building on the North Site; and construct a new mixed-use development totaling 2,318,534 square feet of floor area on approximately 8 acres for a floor area ratio (FAR) of up to 7.05:1, consisting of the following primary components: 1,521 residential units, including five percent of the total number of units reserved for Extremely Low Income households and 11 to 40 percent of the total number of units reserved for Very Low-, Low-, or Moderate-Income households; up to 411,113 square feet of office space; up to 101,088 square feet of restaurant/retail uses; and 68 hotel rooms. The proposed uses would be built within 10 distinct buildings ranging in height from two to 44 stories and would include parking locations located both below and above grade. In addition, the Project would include 90,113 square feet of publicly-accessible open space, including paseos passing between Central Avenue and Alameda Street, plazas, and pocket parks within the North and South Sites.

Modified Project

In response to comments received on the Draft EIR, the Applicant proposed modifications to the Original Project. Under the Modified Project, the hotel component would be removed and replaced with an additional 68 residential units, for a total of 1,589 units; restaurant/retail uses would increase, for a total 145,748 square feet; and open space areas would increase, for a total 170,275 square feet. Building 1, which is located on the North Site, would increase in height to 88 feet. The maximum height of the tallest building on the Project Site, Building 2, would decrease to 364 feet (or 30 stories). Building 6, located on the South Site, would increase in height to 335 feet (or 26 stories) and reconfigured to accommodate for the change in use from hotel to residential. Proposed vehicle parking would total 2,444 spaces. Conversely, long-term bicycle parking would increase for a total of 629 long-term bicycle parking spaces; and short-term bicycling parking would increase, for a total of 163 spaces. All other aspects of the Original Project would remain the same. The "Modified Project" shall hereafter be referred to as the "Project".

Findings

These findings are made with respect to the Modified Project as proposed by the Project Applicant in October 2024, before the Final EIR was published. The Project generally reduces the overall size of the Original Project, as evaluated in the Draft EIR, including the heights of certain new buildings. The Modified Project does not, however, change the nature of mixed-use residential, office, and restaurant/retail uses of the Project. Based on that reduction in size, among other reasons, the Final EIR concluded that the impacts of the Modified Project would be less than or equal to the impacts of the Original Project as evaluated in the Draft EIR. Therefore, the conclusions in the Draft EIR concerning the impacts of the Original Project apply to the impacts of the Modified Project, and the findings made herein apply to the Modified Project based on the impact analyses in the Draft and Final EIR.

Since the impacts of the Modified Project are the same or less than impacts of the Original Project, these Findings shall use the term "Project" when discussing the determinations and conclusions concerning environmental impacts made in the Draft EIR, which are also applicable to the Modified Project. For the same reasons, the language of the Project Design Features and Mitigation Measures listed in these Findings use the term "Project," but to be clear those features

and measures apply to the project as modified. Further, these Findings use the term "Project" when discussing the comparative impacts and benefits relative to the impacts and benefits of the alternatives of the Original Project. Finally, the Statement of Overriding Considerations provided at the end of these Findings use the term "Project" when discussing the benefits of the project as modified. Therefore, the use of the term "Project" in the Findings applies to the Modified Project. The term "Modified Project" is hereinafter used in these Findings only when (i) the nature of the modifications to the project are described, (ii) the impacts of the project as modified are compared to the impacts of the original version of the project, and (ii) the analysis of environmental impacts provided in the Final EIR are specifically discussed or summarized.

V. No Impact or Less than Significant without Mitigation

Impacts of the Project that were determined to have no impact or to be less than significant in the EIR (including having a less than significant impact due to compliance with existing regulations) and that require no mitigation are identified below. The City has reviewed the record and agrees with the conclusion that the following environmental issues would not be significantly affected by the Project and therefore, no additional findings are needed. The following information does not repeat the full discussions of environmental impacts contained in the EIR. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the EIR.

Aesthetics

Impact Summary

The Project is a residential mixed-use and employment center project located on an infill site within a Transit Priority Area (TPA). Therefore in accordance with PRC Section 21099(d)(1) and ZI No. 2452, the Project's aesthetic impacts are not considered to be significant impacts on the environment and therefore do not require further evaluation under CEQA (pages 51 through 62 in Appendix A.2, Initial Study, of the Draft EIR).

Agriculture and Forestry Resources

Impact Summary

The Project Site is located in an urbanized area of the City of Los Angeles and is developed with commercial buildings and surface parking. The Project Site and surrounding area are not zoned for agricultural or forest uses, and no agricultural or forest lands occur on-site or in the vicinity of the Project Site. No impacts to agriculture and forestry resources would occur (pages 63 through 64 in Appendix A.2, Initial Study, of the Draft EIR).

Air Quality (Conflict with Applicable Plans and Objectionable Odors)

Impact Summary

The Project would not conflict with the applicable provisions of the Air Quality Management Plan (AQMP) or the General Plan Air Quality Element (Air Quality Element) (pages IV.A-35 through IV.A-36, IV.A-48 through IV.A-63, and IV.A-109 through IV.A-111 in Section IV.A, Air Quality, of the Draft EIR, and as revised on pages III-39, III-41 through III-44, and III-68 through III-80 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR). Construction and operation of the Project would comply with applicable required fleet rules and control strategies to reduce on-road truck emissions and other applicable South Coast Air Quality

Management District (SCAQMD) rules specified and incorporated in the 2016 AQMP, and the Project would not jeopardize attainment of the AQMP air quality goals and would be consistent with, and meet or exceed, the AQMP requirements for control strategies intended to reduce emissions from construction equipment and activities. The Project would also be consistent with the population and employment growth projections of the 2016-2040 and 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) upon which the 2016 and 2020 AQMP forecasted emission levels are based. During operations, the Project's location, design, and land uses would be consistent with both the 2016 and 2020 AQMP as well as the land use and transportation strategies from both the 2016–2040 and 2020-2045 RTP/SCS that are intended to reduce vehicle miles traveled (VMT) and resulting regional mobile source emissions.

Additionally, as stated on pages IV.A-48 through IV.A-49 and IV.A-97 through IV.A-98 of the Draft EIR, no intersections would result in a Carbon Monoxide (CO) hotspot in excess of ambient air quality standards. As such, the Project would not conflict with applicable air quality policies of the AQMP or the Air Quality Element. Moreover, as stated on pages IV.A-110 through IV.A-111 of the Draft EIR, the Project's contribution to an impact related to conflicts with appliable air quality plans would not be cumulatively considerable. Therefore, Project-level and cumulative impacts related to conflicts with, or obstruction of the implementation of, applicable air quality plans under criterion 2 would be less than significant.

No objectionable odors are anticipated as a result of either construction or operation of the Project and construction and operation of the Project would comply with all applicable SCAQMD regulations. Impacts would be less than significant (Draft EIR pages IV.A-108 through IV.A-109 and Appendix A.2, Initial Study, of the Draft EIR, pages 65 through 66).

Project Design Features

Project Design Feature AQ-PDF-1: The Project contractor(s) will use electricity from power poles (where available) and/or solar-powered generators rather than temporary diesel or gasoline generators during construction.

Biological Resources

Impact Summary

The Project Site is located in an urbanized area and is currently developed with cold storage facility and warehouse uses and paved surface parking. Landscaping within the Project Site is limited to minimal ornamental landscaping and hardscape features. None of the trees within the Project Site are protected under the City of Los Angeles Native Tree Protection Ordinance and tree removal would comply with the Migratory Bird Treaty Act and California Fish and Game Code. Impacts would be less than significant (Appendix A.2, Initial Study, of the Draft EIR, pages 66 through 69).

Cultural Resources (Off-Site Historical Resources, Human Remains)

Impact Summary

As stated on pages IV.B-37 through IV.B-38 and IV.B-39 through IV.B-43 of the Draft EIR, and as revised on pages III-82 through III-83 in Section III, Revisions, Clarifications and Corrections

to the Draft EIR, of the Final EIR, the Project would not have a substantial direct or indirect impact on off-site historical resources because historical resources beyond those identified in the vicinity of the Project Site do not have a reasonable potential to be impacted by the Project, either directly as a result of construction activity, or indirectly due to changes in the setting; the four off-site potentially historical buildings within the vicinity of the Project Site and the two potential historical districts are physically separated from the Project Site to such an extent that there are no reasonably foreseeable potential direct impacts as a result of construction activity on the Project Site; the Project does not propose to demolish, alter, relocate, or convert any of the off-site resources; the Project Site is not within either potential historic district; and, the off-site historical resources would retain the essential physical characteristics that convey their historic significance. As further indicated therein, the Project would not have a substantial indirect impact on off-site historical resources, in part because: the significance of the Produce Exchange Building, the Valero Gas Station, and the Southern California Gas Co. Stationery & Printing Department, which are expressed through their physical features, would not be altered or obscured by the Project; the significance of the Fisherman's Outlet would not be altered or obscured by the Project and retention of integrity of setting is not required for conveying the significance of properties that are significant under the commercial identity theme; the significance of the potential historic districts which is conveyed by the physical characteristics and interrelationship of the potential district contributors, which collectively result in a strong sense of time and place within the potential district boundary, would not be materially altered by the Project's proposed new construction outside the potential district boundaries; and, thus, all these buildings and potential historic districts would retain their essential features, and contributing buildings, that convey their historic significance, and therefore, would not be materially impaired as a result of the Project. As such, direct and indirect impacts on the off-site historical resources would be less than significant.

As to cumulative impacts, as stated on pages IV.B-52 through IV.B-60 in Section IV.B, Cultural Resources, of the Draft EIR, the Project would have a less than significant cumulative impact related to off-site historical resources, except cold storage property types, in part because: Project construction would not physically damage or alter the off-site historical resources; and while the Project would alter the larger setting of the area due to its size and scale, it would not cause a substantial material change to either potential historic district or to the historical buildings in the Study Area such that their historical significance would be materially impaired. The Project's on-site historical resource, the Los Angeles Cold Storage (LACS) Building and the potential historic districts do not constitute interrelated historical resources, and, as such, the demolition of the LACS Building is not cumulatively considerable with the demolition of a potential contributor to the potential Fifth Street SRO Hotel Historic District. Following implementation of the Project and Related Projects, the potential Downtown Los Angeles Industrial District would retain the physical characteristics of the potential historic district, the integrity of setting within the potential historic district boundaries, and the relationship between the potential contributing resources and, as such, the Project's contribution to a cumulative impact would not be considerable.

With respect to the Project's potential impacts caused by disturbance of human remains that may be buried below the ground surface of the Project Site, the Project Site is located within an urbanized area and has been subject to previous grading and development. In the event that human remains are discovered during construction activities, work in the immediate vicinity of the discovery would be halted and the Project would comply with all regulatory requirements regarding the treatment of human remains, including California Health and Safety Code Section

7050.5, PRC Section 5097.98, and CEQA Guidelines Section 15064.5(e) (Draft EIR page IV.B-52, and Appendix A.2, Initial Study, of the Draft EIR, pages 70 through 71).

Energy

Impact Summary

As stated on pages IV.C-32 through IV.C-58 in Section IV.C, Energy, of the Draft EIR, and as revised on pages III-86 through III-91 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, Project construction and operation would consume electricity, natural gas and transportation energy. However, the Project would not cause wasteful, inefficient, or unnecessary consumption of energy during construction or operation or result in a conflict with or obstruct a State or local plan for renewable energy or energy efficiency because the Project's increase in electricity and natural gas demand would be within the anticipated service capabilities of the City of Los Angeles Department of Water and Power (LADWP) and the Southern California Gas Company (SoCalGas). Further, the Project would comply with and exceed existing minimum energy efficiency requirements such as the applicable Title 24 standards, the CALGreen Code, the City of Los Angeles Green Building Code, City of Los Angeles Green New Deal, the City's All-Electric Buildings Ordinance, as applicable, and the 2020–2045 RTP/SCS. The Project would not include natural gas infrastructure to the Project buildings, and would incorporate energy efficient features, solid waste reduction features and optimization of building performance through Project Design Features such as GHG-PDF-1 (Green Building Features), which include the Project buildings achieving the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Gold Certification to improve building energy efficiency above regulatory requirements. Both in compliance with and, in some cases, in exceedance of regulatory requirements, a number of specific sustainable design components would be incorporated into the Project, including, but not limited to: installation of energy-efficient heating, ventilation, and air conditioning (HVAC) systems, which would include, but not be limited to, low flow/efficient water fixtures, rainwater capture systems, drought-tolerant/California native plant species selection, landscape contouring to minimize precipitation runoff, irrigation system efficiency, smart irrigation systems (e.g., weather-based controls), and water-saving pool equipment; reduction of the Project's transportation fuel usage by 35 percent compared to the Project without trip reduction features; and increased density on an infill site within a TPA and HQTA in proximity to transit, existing off-site retail, restaurant, entertainment, commercial, and job destinations. As such, the Project would minimize construction and operational energy and transportation fuel demand to the extent feasible and would not substantially impact energy resources. Therefore, Project construction and operation would not cause wasteful, inefficient, and unnecessary consumption of energy and would not conflict or obstruct renewable energy or energy efficiency plans. Additionally, as stated on pages IV.C-52 through IV.C-58 of the Draft EIR, the Project's contribution to cumulative impacts related to conflicting with or obstruction of a State or local plan for renewable energy or energy efficiency would not be cumulatively considerable. As such, Project-level and cumulative impacts related to energy would be less than significant.

Geology and Soils (Not Including Paleontological Resources)

Impact Summary

The Project would not have a significant impact related to earthquake faults, seismic shaking, seismic-related ground failure, landslides, loss of topsoil, expansive soils, or septic systems. The Project Site is not within a State-designated Alquist-Priolo Earthquake Fault Zone, and no active

or potentially active faults with the potential for surface fault rupture are known to pass directly beneath the Project Site. The Project Site is located in the seismically active region of Southern California and could be subject to strong seismic ground shaking. However, the Project's design and construction would comply with all applicable regulatory requirements, including applicable provisions of the Los Angeles Building Code relating to seismic safety, and accepted and proven construction engineering practices would be implemented, including the Project-specific geotechnical design recommendations set forth in the final geotechnical report(s) prepared for the Project (included in Appendices B-1, B-2, and B-3 of the Initial Study prepared for the Project).

The Project Site is not located within an area identified as having a potential for liquefaction and is not designated as being susceptible to landslides, nor is it in proximity to any hillsides or cuts that could result in off-site landslides.

The Project would comply with all applicable regulations regarding topsoil erosions including the City's grading requirements and SCAQMD Rule 403 to reduce fugitive dust during construction, and the Project Site does not include expansive soils. Additionally, as stated on page IV.D-11 in Section IV.D, Geology and Soils, of the Draft EIR, the Project Site does not contain any prominent geologic or topographic features and, thus, the Project would not destroy, permanently cover, or materially and adversely modify any distinct and prominent geologic or topographic features (Appendix A.2, Initial Study, of the Draft EIR, pages 73 through 78). As such, the Project's contribution to cumulative impacts related to soils and geology, other than paleontological resources, would not be cumulatively considerable. Therefore, Project-level and cumulative impacts would be less than significant.

Greenhouse Gas Emissions

Impact Summary

There is no applicable adopted or accepted numerical threshold for assessing the Project's GHG emissions impacts, which are assessed based on consistency with applicable climate change plans. Compliance with applicable GHG emissions reduction plans would result in a less-than-significant Project and cumulative impact. The Project would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs, including the 2022 Scoping Plan Update, the 2020–2045 RTP/SCS, the City's Green New Deal, and the City's Green Building Code. the Project would include energy-saving measures, in part through implementation of Project Design Feature GHG-PDF-1 (Green Building Features); the Project's contribution to employment would be consistent with SCAG employment projections for the City; the Project would implement WS-PDF-1 (Water Conservation Features) which would reduce operation GHG emissions; the Project would comply with Title 24 Standards and would implement measures to reduce overall energy usage compared to baseline conditions; and, the Project would reduce the Project's GHG emissions by 31 percent compared to the Project without implementation of the Project's GHG reduction characteristics, features, and measures. The Project also includes Project Design Feature GHG-PDF-1 and to further reduce GHG emissions. Accordingly, since the Project would not conflict with applicable plans, regulations or goals adopted for the purpose of reducing GHG emissions, the Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and the Project's GHG impacts would not be cumulatively considerable. Therefore, Project-level and cumulative impacts related to GHG emissions would be less than significant (Section IV.E, Greenhouse Gas Emissions, of the Draft EIR, pages IV.E-63 through IV.E-105, and in Section III,

Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, pages III-63 through III-105).

Project Design Features

Project Design Feature GHG-PDF-1: Green Building Features. The Project would include the following green building features:

- The Project's buildings will be designed to achieve the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Gold Certification or equivalent and will be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and the City of Los Angeles Green Building Code.
- The Project will promote alternatives to conventionally fueled automobiles by designating a minimum of eight percent of on-site non-residential parking for carpool and/or alternative-fueled vehicles and shall pre-wire, or install conduit and panel capacity for a minimum of 30 percent of the LAMC-required electric vehicle parking spaces, with 10 percent of the LAMC-required spaces further improved with electric vehicle charging stations.

Hazards and Hazardous Materials

Impact Summary

Construction and operation of the Project would involve the routine use of small quantities of potentially hazardous materials typical of those used on construction sites. All hazardous materials would be acquired, handled, used, stored, and disposed of in accordance with all applicable federal, state, and local requirements. Impacts would be less than significant. (Appendix A.2, Initial Study, of the Draft EIR pages 79 through 87).

As further discussed in the Initial Study, and the Phase I Environmental Site Assessment (ESA) prepared for the Project, as with most developed sites in industrial areas, there could be the potential to encounter contaminated soils; such soils would be handled, disposed, and/or treated in accordance with applicable regulatory requirements, including SCAQMD Rule 1166. If any previously unknown underground storage tanks are uncovered or if any asbestos, lead paint or polychlorinated biphenyls (PCBs) are encountered, they would be removed and disposed of in accordance with all applicable federal, State, and local regulations. No oil or natural gas wells are located on the Project Site, but if any undocumented abandoned wells or other undocumented wells are encountered during excavations, they would be abandoned in accordance with then current standards and regulations. While the Project Site is located in a methane zone, the Project would comply with all applicable building regulations for construction in such a zone; the Project Site was not on the Cortese database nor any other database which would indicate releases of hazardous substances or petroleum products. Thus, adherence to standard construction practices and compliance with existing regulations would ensure that Project construction and operation activities would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment (Initial Study pages 81 through 85).

The Project Site is located within approximately 0.15 miles from the Lumbini Child Development Center. However, as noted above, the Project is not expected to involve hazardous emissions or handle acutely hazardous materials, substances, or waste. Impacts would be less than significant (Initial Study page 85). Furthermore, if lane closures are necessary during construction, the remaining travel lanes would be maintained in accordance with standard construction management plans that would be implemented to ensure adequate circulation and emergency access. Additionally, the Project would comply with LAFD access requirements and would not impede emergency access within the Project vicinity. Impacts would be less than significant (Initial Study pages 86 through 87). Therefore, Project-level and cumulative hazards and hazardous material impacts would be less than significant.

Additionally, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area because the Project Site is not within an airport land use plan, nor within two miles of a public airport or public use airport. Nor would the Project expose people or structures to wildland fire risks since no wildlands are present on the Project Site or surrounding area and the Project Site is not within a City-designated wildfire hazard area nor within a City-designated Very High Fire Severity Zone. As such, the Project would not contribute to a cumulative impact. Therefore, the Project would not have a Project-level or cumulative impact related to excessive noise resulting from an airport or risks related to wildland fires.

Hydrology and Water Quality

Impact Summary

The Project would be required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit that requires site-specific stormwater treatment and comply with all permitting requirements including the preparation and implementation of a site-specific Storm Water Pollution Prevention Plan (SWPPP) and use of Best Management Practices (BMPs). Any contaminated soils encountered as a result of former Project Site uses would be removed from the Project Site and remediated at an approved disposal facility in accordance with applicable regulatory requirements. The Project would comply with all applicable regulations regarding dewatering if ground water is encountered during construction, and it would also comply with applicable regulations that require measures, plans, and inspections to reduce sedimentation and erosion. The SWPPP will ensure that construction would not create or contribute to runoff which would exceed the capacity of existing stormwater drainage systems, and operation of the Project would result in a net reduction of pollutants compared to existing conditions as the Project Site would implement a capture and reuse system for managing stormwater runoff in accordance with the City's Low Impact Development (LID) Ordinance requirements. The Project would decrease the 50-year peak flow rate from the entire Project Site, thus reducing the peak flow of the stormwater discharged to the public infrastructure. The Project would not impede or redirect flood flows, as the Project Site is located in an urbanized area and there are no rivers, streams, or other water bodies (natural or urban) that could flood flow on or through the Project Site. Further, the Project Site is not located within a 100-year flood hazard area as designated by FEMA; although the Los Angeles River (River) is located approximately 0.5 miles east of the Project Site, the River in this area is located within a sunken concrete-lined channel at several feet below the ground elevation of the Project Site, and any seiches that could potentially develop within this stretch of the River during an earthquake would not have the potential to inundate the Project Site. The Project Site is located approximately 14 miles inland from the Pacific Ocean, and therefore would not be subject to a tsunami. Finally, the Project's

compliance with the LID Ordinance would ensure runoff discharged from the Project Site during operation would not exceed the capacity of the stormwater infrastructure. Therefore, the Project would not result in significant hydrology or water quality impacts (Appendix A.2, Initial Study, of the Draft EIR, pages 87 through 97).

Additionally, as stated on pages 96 through 97, the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan since the Project would implement an on-site drainage system that would meet regulatory requirements of the applicable plans for the protection of water resources, including installation of a capture and reuse system in compliance with the City's LID requirements. As such the Project's impacts related to hydrology and water quality would be less than significant and, thus, the Project's contribution to cumulative impacts related to hydrology and water quality would not be cumulatively considerable. Therefore, Project-level and cumulative impacts related to hydrology and water quality would be less than significant.

Land Use and Planning

Impact Summary

As stated on page 98 in Appendix A.2, Initial Study, of the Draft EIR, and page IV.F-23 in Section IV.F, Land Use and Planning, of the Draft EIR, The Project consists of an infill mixed-use project which is consistent with the recent development in the surrounding area, and which would not constitute a physical barrier separating an established community. As such, the Project's contribution to a cumulative impact would not be cumulatively considerable. Therefore, Project-level and cumulative impacts related to physically dividing an established community would be less than significant (Appendix A.2, Initial Study, of the Draft EIR, page 98, and Draft EIR page IV.F-23).

The requested entitlements for the Project include, among others, a General Plan Amendment to change the existing designation for the Project Site from Light Industrial to a Regional Commercial land use designation. The requested entitlements also include a Vesting Zone Change and Height District Change to change the existing zoning to the proposed (T)(Q)C2-3D.

The Project and associated amendments to the General Plan designation and zoning for the Project Site are consistent with the policies and objectives provided in the applicable land use plans that were adopted for the purpose of avoiding or mitigating an environmental effect, including the City's General Plan (i.e., Framework Element, Open Space Element, Conservation Element, Housing Element, Health and Wellness Element, Transportation Element [Mobility Plan 2035], and the Community Plan), the LAMC, the Citywide Design Guidelines, the Central Industrial District Redevelopment Plan, the Adaptive Reuse Ordinance, and SCAG's 2020–2045 RTP/SCS. Under applicable State law, a project is consistent with the applicable land use plan if it is compatible with the objectives, policies, general land uses, and programs specified in the applicable plan, meaning that the project is in agreement or harmony with the applicable land use plan. As demonstrated in the EIR (including Appendix F to the Draft EIR), the Project will not conflict with the relevant policies in the applicable land use plans. Therefore, the Project would not conflict with the goals, policies, and objectives in local and regional plans that were adopted for the purpose of avoiding or mitigating an environmental effect. Moreover, as stated on pages IV.F-39 through IV.F-40, the Project's contribution to a cumulative impact would not be cumulatively considerable Accordingly, impacts Project-level and cumulative impacts related to

conflicts with applicable plans, policies, and regulations would be less than significant (Draft EIR pages IV.F-23 through IV.F-38).

Mineral Resources

Impact Summary

While the Project Site is located in an area containing mineral deposits related to existing, adjacent oil fields, no oil or gas wells occur on the Project Site, and no historic or current oil extraction operations have occurred or currently occur on the Project Site. No change in oil extraction would occur compared to existing and past conditions on the Project Site, and access to oil within the greater Union Station Oil Field and under the Project would not be precluded by the Project. Therefore, the Project would result in a less than significant impact (in Appendix A.2, Initial Study, of the Draft EIR, pages 99 through 100).

Noise (On-Site Construction and On- and Off-Site Operational Noise; On-Site Construction Vibration Structural Damage; On and Off-Site Operation Vibration Structural Damage; On- and Off-Site Construction and Operation Vibration Human Annoyance; Cumulative On- and Off-Site Operation Noise and Vibration; and Airport Noise)

Impact Summary

As stated on pages IV.G-37 through IV.G-38 in Section IV.G, Noise, of the Draft EIR, and shown in Appendix G, Noise and Vibration Worksheets, of the Draft EIR, and Appendix FEIR-E, Modified Project Noise Worksheets, of the Final EIR, while noise from on-site Project construction activities would create noise levels that exceed the ambient noise levels thresholds of significance at noise sensitive receptor locations R2 through R6, the noise at receptor location R1, the church located along Central Avenue, approximately 380 feet north of the Project Site, would experience an increase which is below the level of significance. While the ambient noise level at receptor location R1 is 67.7 A-weighted decibels (dBA), the maximum construction noise level would be 68.2 dBA prior to mitigation, which is below the 72.7 dBA threshold of significance for this receptor location. Therefore, the Project's on-site construction noise impacts on receptor location R1 would be less than significant without mitigation.

As to Project operation noise impacts, as stated on pages IV.G-44 through IV.G-61 and IV.G-67 through IV.G-68 in Section IV.G, Noise, of the Draft EIR, and as revised on pages III-108 through III-114 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, while Project operation would generate noise, on-site noise impacts to sensitive receptors, other than impacts to receptor location R2, and off-site traffic noise at all road segments, would be less than significant, in part because: the Project's composite noise impacts resulting from fixed mechanical equipment, outdoor spaces, special events, parking, and composite sources would not exceed the 5 dBA threshold of significance at all the sensitive receptor locations (other than receptor location R2), off-site traffic noise would not exceed the threshold of significance at any of the relevant road segments, and the off-site traffic noise increases would be below the significance thresholds. Therefore, the Project-level on-site operation noise impacts, other than at receptor location R2, and cumulative on- and off-site operation noise impacts would be less than significant.

Further, as stated on pages IV.G-68 through IV.G-75 and IV-79 through IV-86 in Section IV.G, Noise, of the Draft EIR, and as revised on pages III-114 through III-120 in Section III, Revisions,

Clarifications and Corrections to the Draft EIR, in the Final EIR, while Project construction and operation would generate groundbourne vibration impacts, construction generated vibration impacts associated with structural damage and human annoyance at all receptor locations, except V3, and operation generated vibration impacts associated with structural damage and human annoyance at all receptor locations would be less than significant, in part because: the estimated vibration levels due to on-site construction equipment would be below the significance threshold for structural damage at all locations (other than receptor location V3), and the vibration levels would be below the threshold of significance for human annoyance at all off-site receptor locations, vibration levels generated by the Project's construction trucks travelling along the anticipated haul routes would be below the 72 decibel notation (VdB) significance criteria for residential uses, the vibration levels from Project construction trucks would be similar to the existing conditions, potential vibration levels from all Project operational sources at the closest sensitive receptor locations would be less than the significance threshold for potential Category III building damage, and, due to the rapid attenuation characteristics of groundborne vibration and distance from the Project Site to the sensitive receptors, there is no potential for operational impacts to exceed the threshold of significance for structural damage or human annoyance from groundborne vibration. As such Project-level impacts related to structural damage, other than to receptor location V3, and human annoyance associated with construction and operation groundborne vibrations would be less than significant.

As further stated therein, the Project's cumulative operational noise impacts would be less than significant, in part because: each Related Project would be subject to compliance with the applicable noise regulations of the LAMC, on-site noise generated by each Related Project would be sufficiently low and sufficiently distant from the Project Site, noise from other on-site sources would be limited to areas in the immediate vicinity of each Related Project, and, due to noise attenuation, each Related Project's potential impact to an adjacent sensitive use would be localized to that specific area and would not contribute to cumulative noise conditions at or adjacent to the Project Site. As such, the Project's contribution to on-site operational noise would not be cumulatively considerable. Therefore, the Project's cumulative operational noise levels would be less than significant.

Vibrations from the Project's operation would not exceed the thresholds for structural damage or human annoyance, and there is no potential for cumulative operational impacts with respect to groundborne vibration. As such, operation of the Project, when considered together with Related Projects, would not result in a cumulatively considerable contribution. Therefore, the Project's cumulative impacts related to groundborne vibrations would be less than significant.

Additionally, as stated on page 101 in Appendix A.2, Initial Study of the Draft EIR, and page IV.E-76 in Section IV.G, Noise, of the Draft EIR, the Project Site is not located within the vicinity of a private airstrip and the Project Site is not located within two miles of an airport or within an area subject to an airport land use plan. No impact would occur.

Project Design Features

Project Design Feature NOI-PDF-1 (Impact Pile Drivers Prohibited): The Project will not require or allow the use of impact pile drivers. Lower noise- and vibration-generating augured, drilled, or vibratory piles are permitted.

Project Design Feature NOI-PDF-2 (Construction Equipment Maintenance): During plan check for each phase of the Project, the contractor will provide a

statement to the City indicating their powered construction equipment (including combustion engines), fixed or mobile, will be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

Project Design Feature NOI-PDF-3 (Mechanical Equipment Noise): All outdoor mounted building mechanical equipment and/or ventilation systems not fully enclosed will be designed to not exceed sound level limits of the noise level requirements of the City of Los Angeles through the use of quiet fans, duct silencers, parapets, enclosures, mufflers, or similar noise attenuation methods.

Project Design Feature NOI-PDF-4 (Loading Dock Screening): All loading docks will be acoustically screened from off-site noise-sensitive receptors. Acoustical screening of loading docks will be achieved through the use of physical barriers (i.e., walls, buildings or other structures that fully block the line-of-sight between the loading dock and offsite noise-sensitive receptors), or with loading dock seals installed between the truck and loading dock. Acoustical screening may also be achieved by requiring loading activities to be conducted fully inside buildings, or by similar methods.

Population and Housing

Impact Summary

The Project would not induce substantial direct or indirect unplanned population growth in the area, either directly or indirectly, in part because: construction workers are unlikely to relocate their households as a result of their employment and the Project's projected operational population, household, and employment growth would be within the SCAG projections identified in the 2020–2045 RTP/SCS for the City. As such, the Project's impacts related to population and housing growth would be less than significant (Draft EIR pages IV.H-17 through IV.H-24, and Section III, Revisions, Clarification and Corrections to the Draft EIR, of the Final EIR, pages III-121 through III-125).

Growth associated with the Project and the Related Projects would fall within regional forecasts and would contribute to infill growth patterns, including concentrated growth within TPAs/HQTAs, as encouraged locally in City plans and in SCAG's regional plans. The Project's contribution to a cumulative impact related to inducing population or housing growth would not be cumulatively considerable. Therefore, Project-level and cumulative impacts associated with population, housing and employment growth would be less than significant.

There are no dwelling units currently located on the Project Site, the Project would not displace a substantial number of people or housing and, therefore, the construction of replacement housing elsewhere would not be necessary. As such, the Project would not contribute to a cumulative impact regarding displacement of people or housing, and there would be no Project-level and cumulative impacts related to displacement of people or housing (Appendix A.2, Initial Study, of the Draft EIR, page 102, and Draft EIR page IV.H-24).

Public Services

Impact Summary

Fire Protection (Except Fire Hydrant Flow During Project Operation)

Project construction and operation could cause the need for increased LAFD protection services. However, this potential increase would be reduced as a result of the Project's compliance with the Occupational Safety and Health Administration (OSHA) and applicable City Building and Fire Code requirements, LAFD requirements regarding life/safety systems, applicable regulations related to the maintenance of mechanical equipment, handling and storage of flammable materials, and cleanup of spills of flammable materials, training of construction personnel in fire prevention and emergency response, and maintenance of on-site fire suppression equipment. Additionally, as further stated therein, while Project construction activities could potentially affect emergency response times and emergency access to the Project Site, the Project would implement a construction traffic management plan (CMP) through Project Design Feature TRAF-PDF-1 which would minimize disruptions to traffic flow and maintain emergency vehicle access to the Project Site and neighboring land uses at all times, and the Project would not include the installation of barriers that could impede emergency vehicle access. As such, Project construction and operation would not result in substantial adverse physical impacts associated with the provision of new or physically altered facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection (Draft EIR pages IV.I.1-19 through IV.I.1-24).

Furthermore, while the Project and the Related Projects would result in increased demand on the LAFD, the Project's compliance with all applicable regulations and fire/safety requirements during construction and implementation of the CMP would ensure that the Project's contribution to a cumulative impact regarding fire protection services would not be cumulatively considerable. As such, Project construction's contribution to cumulative impacts associated with the provision of new or physically altered fire facilities, the construction of which would result in substantial adverse environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection would not be cumulatively considerable. Therefore, Project-level and cumulative construction and operation impacts associated with fire protection services, other than fire hydrant flow, would be less than significant (Draft EIR pages IV.I.1-24 through IV.I.1-29).

Police Protection

Project construction and operation can result in demand for Los Angeles Police Department (LAPD) services, particularly for theft or vandalism. However, construction and operation of the Project would not generate a demand for additional police protection services that could exceed the LAPD's capacity, in part because the Project would implement the security features contained in Project Design Feature POL-PDF-1 (Security Features During Construction) and POL-PDF-2 (Security Features During Operation). The Project would also maintain emergency access through Project Design Feature TRAF-PDF-1 (CMP) and Project construction activities would be temporary and intermittent. The Project's increase in residential population from approximately 40,000 to 43,576 in the LAPD Central Community Station service area would increase the resident to officer ratio from 129.8:1 to 141:1 which is below the Citywide average of one officer per 423.7 residents; As such, Project construction and operation would not result in substantial adverse physical impacts associated with the provision of a new or physically altered police

facility, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection and impacts would be less than significant (Draft EIR pages IV.I.2-12 through IV.I.2-19, and as revised on pages III-125 through III-126 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR).

Furthermore, while the Project and the Related Projects would result in increased demand on the LAPD, similar to the Project, each Related Project would be required to implement a construction management plan to ensure that adequate emergency access to the property and neighboring properties is maintained, implement similar security measures as under the Project to limit access to construction areas, provide operational security measures as required on a case-by-case evaluation, and comply with all applicable regulations and requirements related to fire/safety and emergency access. As such, the Project's contribution to cumulative impacts associated with the provision of new or physically altered police facilities, the construction of which would result in substantial adverse environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection would not be cumulatively considerable. Therefore, the Project's cumulative impacts related to police services would be less than significant.

Project Design Features

Project Design Feature POL-PDF-1: Security Features During Construction. Private security personnel will monitor vehicle and pedestrian access to the construction areas and patrol the Project Site, construction fencing with gated and locked entry will be installed around the perimeter of the construction site, and security lighting will be provided in and around the construction site.

Project Design Feature POL-PDF-2: Security Features During Operation. The Project will incorporate a security program to ensure the safety of its residents, employees, and visitors. Design strategies within the Project design would include, but not be limited to, the following:

- Hallways and corridors would be straight forward with no dark corners, as possible;
- Outdoor areas would be exposed to windows and allow for natural surveillance;
- Clear transitional zones would be provided between public, semi-public and private spaces;
- Access key cards and cameras would be used, as necessary; and
- Interior and exterior spaces would be well lit with proper signage to direct the flow of people and decrease opportunities for crime.

In addition, the following security measures would be implemented by the Project:

- Installing and utilizing a security camera network throughout the Project Site.

- Controlled access to all building elevators, residences, and resident-only common areas through electronic access control equipment specific to each user, as possible.
- Training employees on appropriate security policies for the Project's buildings. Duties of the staff would include, but would not be limited to, assisting residents and visitors with site access, monitoring entrances and exits of buildings, managing and monitoring fire/life/safety systems, and monitoring the Project Site.
- Providing a security program for the ground level open space areas.
- Access to commercial uses would be unrestricted during business hours, with public access discontinued after businesses, such as retail and restaurant uses, have closed.

Schools

Although the Project would result in approximately 970 new students within the Los Angeles Unified School District (LAUSD), which would be dispersed throughout LAUSD elementary, middle and high schools, the Project would not result in the need for a new or physically altered LAUSD facilities, the construction of which would result in substantial adverse environmental impacts, in order to maintain acceptable service ratios or other performance objectives. Given the mobility and temporary durations of work at a particular site, and a large construction labor pool that can be drawn upon in the region, construction employees would not be expected to relocate residences, and, therefore, not increase the student population. As such, while the Project could result in an impact related to the capacity in some of the nearby LAUSD schools, the location and operational characteristics of any new or expanded school facilities have not yet been identified by LAUSD to specifically serve the Project and the Related Projects, such that it would be speculative to determine how school capacity shortages would be addressed by the LAUSD. As such, the Project's contribution to school related impacts would not be cumulatively considerable. Therefore, Project-level and cumulative impacts related to school services would be less than significant (Draft EIR pages IV.I.3-10 through IV.I.3-17, and as revised on pages III-127 through III-130 in Section III, Revision, Clarifications and Corrections to the Draft EIR, of the Final EIR).

Parks and Recreation

While the Project could result in an increased use of parks and recreational facilities, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the need for new or physically altered governmental facilities, nor would it increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. While a small number of construction workers may visit the parks near the Project Site construction workers are temporary with high turnover associated with the various phases of construction, so such park use would be rare and short-term. The Project would provide 90,113 sf (2.07 acres) of publicly-accessible open space and, overall, 170,275 sf of usable open space. The Project would exceed the LAMC common open space requirement, which requires at least 50 percent of the total open space to be provided as common open space. As further discussed therein, the Related Projects would also be required

to comply with the applicable provisions of the LAMC including the on-site open space and payment of in-lieu fees requirements. As such, the Project's contribution to impacts related to parks and recreation would not be cumulatively considerable. Therefore, Project-level and cumulative impacts on park and recreational facilities would be less than significant (Draft EIR pages IV.I.4-15 through IV.I.4-21, and as revised on pages III-130 through III-131 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR).

Libraries

The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities, the need for new or physically altered library facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives for libraries, in part because construction workers would be drawn from an existing regional labor pool whose workers move between construction projects on a short-term basis without requiring relocation, and there are no public libraries in the immediate vicinity of the Project Site which would be impacted by construction traffic. Although the Little Tokyo Library is not adequately sized to accommodate the number of people residing in its service area, and thus, the use of this library by Project residents would further constrain the ability of the library to serve local demand, the Project residents would not increase the service population for the library above the 90,000 population figure threshold for building a new branch library. The potential Project impacts to the Little Tokyo and Chinatown Branch Libraries would be reduced by the proximity of the Project to the Central Library, which is within 0.9 mile of the Project Site. The Project would generate revenue for the City's general fund (in the form of property taxes, sales tax, and business tax etc.) that could be used for the provision of public services such as library facilities. While the Related Projects would further increase the population to be serviced by the nearby libraries, like the Project, the Related Projects would generate revenues to the City's General Fund that could be applied to enhancing library services in the Community Plan area, as deemed appropriate by the City. As such, the Project's contribution to cumulative impacts related to libraries would not be cumulatively considerable. Therefore, Project-level and cumulative impacts related to the need for new or physically altered libraries would be less than significant (Draft EIR pages IV.I.5-8 through IV.I.5-14, and as revised on page III-131 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, in the Final EIR).

Roads

Project residents, employees and guests would use the existing road network, without the need for new roadways to serve the Project Site and the Project's increase in vehicle trips would not be excessive and would not necessitate the upkeep of such facilities beyond normal maintenance requirements. As such, the Project's contribution to a cumulative impact on public roads would not be cumulatively considerable. Therefore, Project-level and cumulative impacts on public roads would be less than significant (Appendix A.2, Initial Study, of the Draft EIR, page 105).

Transportation

Impact Summary

The Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, including the Mobility Plan

2035, the LAMC sections related to Bicycle Parking and the transportation demand management (TDM) Ordinance, the Community Plan, the Vision Zero Corridor Plans, the Plan for a Healthy Los Angeles, and the Citywide Design Guidelines, would not exceed the area's average VMT, would not cause a hazard due to geometry design or use, and would not result in inadequate emergency access.

The Project is an infill development within a TPA, in close proximity to public transit, employment, entertainment and restaurant uses and within walking distance to public transit routes including bus lines and Metro's Little Tokyo Regional Connector Station (an underground rail line) at 1st and Central Streets. The Project would provide street and sidewalk dedications and improvements to meet the Mobility Plan standards along all Project frontages, and public sidewalks along Central Avenue, 4th Street, Alameda Avenue, and Gladys Avenue would be removed and replaced with upgraded and tree lined sidewalks. Therefore, the Project would create both a pedestrian-oriented and a transit-oriented community organized around a network of publicly-accessible plazas, pocket parks, pedestrian throughways, and open-air pedestrian pathways between buildings on each Site with activated street frontages that create a high-quality pedestrian experience. The Project would provide bicycle improvements to serve the Project, as well as the surrounding Arts District, Fashion District, and Little Tokyo communities. The Project would include Project Design Feature TRAF-PDF-1 (CMP), and would comply with the City's TDM ordinance as well as LAMC requirements for vehicular and bicycle spaces. The Project would generate a residential VMT of 3.8 compared to the area's average of 6.0 and daily employee VMT 6.4 compared to the area's average of 7.6, and, thus, the Project would generate lower VMT per capita for residents and employees than the areawide average. All Project buildings and driveways would be designed to meet applicable City standards for setbacks, and the Project's proposed uses are consistent with the types of uses already present in the surrounding area. Emergency vehicular access to the Project Site would be maintained from all roadways surrounding the Project, and if lane closures are necessary during Project construction activities, both directions of travel would continue to be maintained in accordance with the CMP. The Project's driveways and internal circulation would be designed to meet all applicable City Building Code and Fire Code requirements regarding site access, including providing adequate emergency vehicle access both during construction and operation (Appendix A.2, Initial Study, of the Draft EIR, pages 107 through 108, Draft EIR, pages IV.J-29 through IV.J-40, and as revised on pages III-132 through III-134 in Section III, Revisions, Clarifications and Corrections to the Draft EIR of the Final EIR).

The Project's contribution to a cumulative impact related to transportation would not be cumulatively considerable, because similar to the Project, the Related Projects would be expected to support, include and/or enhance pedestrian, bicycle, and/or other alternative transportation facilities, thus, increasing access to the City's multi-modal transportation network and therefore not preclude the City's ability to serve transportation needs as defined by the City's transportation policy framework. Each Related Project would be reviewed by the City to ensure compliance with the City's requirements relative to the provision of safe access for vehicles, pedestrian, and bicyclists and to ensure that there are no hazardous design or uses or inadequate emergency access. Therefore, Project-level and cumulative impacts related to transportation would be less than significant.

Project Design Features

Project Design Feature TRAF-PDF-1: Construction Management Plan. Prior to the

issuance of a demolition permit or building permit for the Project, a detailed Construction Management Plan, including haul routes and a staging plan, will be prepared and submitted to the City for review and approval. The Construction Management Plan will formalize how construction will be carried out and identify specific actions that will be required to reduce effects on the surrounding community. The Construction Management Plan will be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and will include, but not be limited to, the following elements, as appropriate:

- Advance, bilingual notification of adjacent property owners and occupants of upcoming construction activities, including durations and daily hours of operation;
- Prohibition of construction worker or equipment parking on adjacent streets;
- Prohibition of haul truck staging on any streets adjacent to the Project, unless specifically approved as a condition of an approved haul route;
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding Arterial Streets;
- Containment of construction activity within the Project Site boundaries;
- Implementation of safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers;
- Scheduling of construction-related deliveries, haul trips, etc., to occur outside the commuter peak hours;
- Spacing of trucks so as to discourage a convoy effect;
- Sufficient dampening of the construction area to control dust caused by grading and hauling and reasonable control at all times of dust caused by wind;
- Maintenance of a log, available on the job site at all times, documenting the dates of hauling and the number of trips (i.e., trucks) per day; and
- Identification of a construction manager and provision of a telephone number for any inquiries or complaints from residents regarding construction activities posted at the site readily visible to any interested party during site preparation, grading, and construction.

Utilities and Service Systems

Impact Summary

Water Supply (Except Water Infrastructure During Operation)

The Project would increase the use of the water infrastructure and supplies. However, Project construction activities would result in a temporary an intermittent demand that can be accommodated by existing water infrastructure and supply, and construction impacts associated with the water distribution would primarily involve trenching in order to place the water distribution

lines below the surface and would be limited to on-site water distribution and minor off-site work associated with connections from the Project buildings to the public mains. New service connections required by the Project would be subject to LADWP's review and approval of final design. The LADWP determined in the approved WSA, and as shown in Appendix FEIR-G, Modified Project Utility Information, that there are adequate water supplies available from existing LADWP entitlements and supplies to meet the Project's and reasonably foreseeable future developments' projected water demand during normal, dry, and multiple-dry years. Project Design Feature WS-PDF-1 (Water Conservation Features) would reduce Project water consumption. As such, the Project's impacts on water supply and infrastructure, except water infrastructure during Project operation, would be less than significant (Draft EIR pages IV.L1-27 through IV.L.1-28, and IV.L.1-30 through IV.M.1-33, and as revised on page III-134 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and in Appendix L-1, Water, Wastewater and Energy Report (Infrastructure Report) and Appendix L-2, Water Supply Assessment Report (WSA), of the Draft EIR, and in Appendix FEIR-G, Modified Project Utility Information, of the Final EIR).

Moreover, as stated on pages IV.L.1-35 to IV.L,1-38 in Section IV.L.1, Utilities and Service Systems, Water, of the Draft EIR, the Project's contribution to cumulative impacts related to water supply infrastructure, other than during Project operation, and water supply would not be cumulatively considerable, because compliance by the Project and the Related Projects with regulatory requirements that promote water conservation and the LAMC would ensure that cumulative water demands are reduced compared to what could occur without such measures. Further, Project Design Feature WS-PDF-1 contains water conservation features above code requirements. For each Related Project, LADWP would be required to determine whether or not it could provide a highly reliable water supply to its customers, and each Related Project would be subject to City review to assure that the existing public utility facilities would be adequate to meet the domestic and fire water demands of each project. LADWP expects to have a reliable supply of up to 724,900 acre feet of water in 2045 under a multiple dry years scenario which would be sufficient to accommodate the cumulative demand of the Related Projects and the Project of 3,389 acre feet per year of water. As such, the Project's contribution to impacts related to water infrastructure, except during operation, and water supply would not be cumulatively considerable. Therefore, the Project's cumulative impacts on water infrastructure, other than during operation, and water supply would be less than significant (Draft EIR pages IV.L.1-27 through IV.L.1-33, and as revised on page III-134 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR).

Project Design Features

Project Design Feature WS-PDF-1: Water Conservation Features. The Project will provide the following specific water efficiency features:

- Fixtures for the entire Project
  - ENERGY STAR Certified Commercial Clothes Washers – utilizing less than a Water Factor of "4" and a max capacity of "6" cubic feet
  - ENERGY STAR Certified Residential Clothes Washers – Front-loading or Top-loading with Integrated Water Factor and capacity as follows:

        - Front-loading with capacity greater than “2.5” cubic feet: Integrated Water Factor of less than “3.2”
        - Top-loading with capacity greater than “2.5” cubic feet: Integrated Water Factor of less than “4.3” or less
        - Either front- or top-loading with capacity of less than or equal to “2.5” cubic feet: Integrated Water Factor of “4.0” or less
    - ENERGY STAR Certified Residential Dishwashers – standard with 3.2 gallons/cycle or less or compact with less than “3.1” gallons/cycle
    - Hybrid Waterless Urinals with a flush volume of 1 gallon per 72 hours, (WaterSense labels are not available for hybrid or waterless urinals)
    - WaterSense-labeled High Efficiency Toilets with a flush volume of “1.1” gallons per flush, or less
    - WaterSense-labeled Showerheads with a flow rate of 1.5 gallons per minute, or less in all residential unit
- Landscape and irrigation
    - California Friendly® plants or native plants
    - Drip/Subsurface Irrigation (Micro-Irrigation)
    - Irrigation Controls programmed to real-time weather conditions
    - Leak Detection System for irrigation
    - Micro-Spray
    - Design and use where feasible water-efficient flowing/recirculating water features such as fountains in ways to reduce evaporation and makeup water
    - Proper Hydro-zoning/Zoned Irrigation (groups plants with similar water requirements together)
    - Rainwater Harvesting and Grey Water Use/Storage where and when feasible and if space is available for the system (e.g., tanks, pumps, and filtration systems). Greywater sources may include bathroom faucets, showers, clothes washers, and mechanical cooling condensate, among other allowable sources.
    - Xeriscaping (landscaping that reduces or eliminates the need for irrigation), while still ensuring that heat island effects are mitigated
- Pool
    - Install a meter on the pool make-up line so water use can be monitored, and leaks can be identified and repaired
    - Pool splash troughs around the perimeter that drain back into the pool – Pool/Spa recirculating filtration equipment
    - Reuse pool backwash water for irrigation
    - Water-Saving Pool Filter
- Utilities
    - Individual metering and billing for water use for every commercial unit
    - Individual meters for water supply and water subsystems to analyze water demand and identify additional water savings by tracking water consumption

- Allocate space and clearance to support non-potable water (purple pipe) infrastructure with a connecting port for future connection to a municipal recycled water system when made available.

Wastewater

During Project construction, a negligible amount of wastewater would be generated by construction workers, any such wastewater generation would be temporary, and portable toilets would be provided that would dispose of the wastewater off-site. Installation of wastewater infrastructure would be limited to on-site wastewater distribution, and minor off-site work associated with connections to the public sewer main. During operation, the Project's wastewater would be treated at Hyperion Water Reclamation Plant (HWRP), and the Project's net increase in average daily wastewater flow of 0.615 million gallons per day (mgd) would represent 0.35 percent of the estimated future 2030 remaining available capacity of 175 mgd at the HWRP. The sewer main lines serving the Project have adequate capacity to accommodate the Project and, the Project would obtain approval from the Los Angeles Bureau of Sanitation (LASAN) to discharge the Project's proposed wastewater flows to the existing sewer systems. Additionally, cumulative impacts would be less than significant, in part because the combined wastewater that would be generated by the Project and the Related Projects could be accommodated at the HWRP, as it would only represent approximately 1.69 percent of the estimated future 2030 remaining available capacity at the HWRP. As with the Project, the Related Projects would be required to coordinate with LASAN to determine adequate sewer capacity and to obtain approval of a sewer permit prior to connection to the sewer system. Furthermore, each Related Project would be required to comply with applicable water conservation programs which would also serve to reduce wastewater flows. As such, the Project's contribution to an impact related to wastewater would not be cumulatively considerable. Therefore, Project-level and cumulative impacts related to wastewater infrastructure and capacity would be less than significant (Draft EIR pages IV.L.2-9 through IV.L.2-18, and as revised on pages III-135 through III-139 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR).

Solid Waste

While the Project would generate construction debris, a minimum of 75 percent of the construction and demolition (C&D) waste would be recycled. The Project's C&D waste, which could be disposed of at Azusa Land Reclamation Facility, would represent approximately 0.38 percent of the estimated remaining capacity of the Facility, and there are other sites within the County and out-of-County that could potentially be utilized for disposing Project C&D waste. Assuming all the solid waste would be disposed of at the Sunshine Canyon Landfill, the Project's solid waste after diversion would represent approximately 0.4 percent of the remaining capacity at the Landfill. The Project would comply with all applicable regulations regarding solid waste and achieve at least a 75 percent solid waste diversion rate through source reduction, recycling, composting and other methods which would promote source reduction and recycling, consistent with AB 939 and the City's Solid Waste Integrated Resources Plan, the General Plan Framework Element, and RENEW LA Plan.

The Related Projects would be required to comply with applicable regulations related to solid waste, including those pertaining to waste reduction, recycling, and diversion during construction and operation. The combined solid waste generation of the Project and the Related Projects

would represent approximately 0.009 percent of the available countywide landfill capacity and 1.0 percent of the available capacity at the Sunshine Canyon Landfill. As such, the Project's contribution to impacts related to solid waste would not be cumulatively considerable. Therefore, Project-level and cumulative impacts related to solid waste would be less than significant (Draft EIR pages IV.L.3-13 through IV.L.3-24, and as revised on pages III-140 through III-143 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR).

Stormwater Infrastructure

The Project Site would consist of four drainage areas that would convey stormwater via building roof drains, area drains, and surface flow to the proposed BMPs. The Project BMPs, in conformance with the City's LID Ordinance, would improve current conditions by capturing and treating the 85th percentile stormwater, and thus reducing the peak flow of the stormwater discharged to the public infrastructure; The Project would not cause flooding, would not create runoff volumes that could exceed the capacity of existing infrastructure, or require the construction of new stormwater infrastructure to accommodate post-Project hydrology conditions in either normal or peak stormwater scenarios. As such, the Project's contribution to a cumulative impact related to stormwater infrastructure capacity would not be cumulatively considerable. Therefore, Project-level and cumulative impacts related to stormwater infrastructure would be less than significant (Appendix A.2, Initial Study, of the Draft EIR, pages 93 through 94 and 111).

Energy and Natural Gas

Construction activities at the Project Site would require limited and minor quantities of electricity for watering, lighting, power tools and other support equipment, and construction electricity demand would be within the supply and infrastructure capabilities of LADWP. Connection to public infrastructure would primarily involve minor trenching in order to place the lines below the surface and/or connections to such existing infrastructure which would be limited in extent and temporary. With respect to Project operation, Project-related increase in annual electricity consumption would represent 0.07 percent of LADWP's projected sales in 2030 and would be within LADWP's projected electricity supplies. The estimated power requirement for the Project is part of the total load growth forecast for the City and has been taken into account in the planned growth of the City's power system. Further, the Project's buildings would be an all-electric design and would not have natural gas infrastructure;

Related Projects would also be required to evaluate electricity demands and coordinate with LADWP and SoCalGas for providing adequate service, in accordance with future projected supplies, to each of the Related Project sites. The Related Projects are generally infill projects in a highly urbanized area already served by existing facilities, and are generally residential, mixed-use, and commercial projects and not high-energy demand facilities. As such, the Project's contribution to impacts related to electric power and natural gas would not be cumulatively considerable. Therefore, Project-level and cumulative impacts related to electrical power and natural gas would be less than significant. (Draft EIR pages IV.L.4-9 through IV.L.4-14, and as revised on pages III-143 through III-144 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR).

Telecommunications

While the Project would require construction of new on-site telecommunications infrastructure to serve new buildings and potentially upgrade and/or relocate existing telecommunications

infrastructure, installation of new telecommunications infrastructure would be limited to on-site telecommunications distribution and minor off-site work associated with connections to the public system, and as such, the construction impact would be temporary. As such, the Project's contribution to impacts on telecommunication infrastructure would not be cumulative considerable. Therefore, Project-level and cumulative impacts related to telecommunications infrastructure would be less than significant (Appendix A.2, Initial Study, of the Draft EIR, page 111).

Wildfire

Impact Summary

The Project Site is located in an urbanized area with no natural vegetation and there are no State responsibility areas or lands classified as Very High Fire Hazard Severity Zones on or near the Project Site. As such, the Project would not contribute to a cumulative impact related to wildfire. Therefore, there would be no Project-level or cumulative impacts associated with wildfires (Appendix A.2, Initial Study, of the Draft EIR, page 113).

VI. Less than Significant Impacts with Mitigation

The EIR determined that the Project has potentially significant environmental impacts in the areas discussed below. The EIR identified feasible mitigation measures to avoid or substantially reduce the environmental impacts in these areas to a level of less than significant. Based on the information and analysis set forth in the EIR, the Project would not have any significant environmental impacts in these areas, as long as all identified feasible mitigation measures are incorporated into the Project. The City again ratifies, adopts, and incorporates the full analysis, explanation, findings, responses to comments, and conclusions of the EIR.

Air Quality (Air Quality Plans [criterion 1])

Impact Summary

As stated on pages IV.A-44 through IV.A-46 and IV.A-63 through IV.A-65 in Section IV.A, Air Quality, of the Draft EIR, and as revised on pages III-41 through III-42 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, the Project could increase the frequency or severity of an existing violation or cause or contribute to new violations because the Project's emissions of volatile organic compounds (VOC), nitric oxides (NOx), particulate matter (PM10), and particulate matter (PM2.5) would exceed thresholds of significance. As the Project could potentially exceed State and federal standards, the Project could potentially delay timely attainment of air quality standards or interim emission reductions specified in the AQMP and, as such, could potentially result in a cumulative impact related to conflicts with the AQMP.

Project Design Features

Project Design Feature AQ-PDF-1: Construction Power Pole Usage. The Project contractor(s) will use electricity from power poles (where available) and/or solar-powered generators rather than temporary diesel or gasoline generators during construction.

Mitigation Measures

Mitigation Measure AQ-MM-1: Construction Equipment Features: The Applicant shall

implement the following construction equipment features for equipment operating at the Project Site. These features shall be included in applicable bid documents, and successful contractor(s) must demonstrate the ability to supply such equipment. Construction features shall include the following:

- The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and United States Environmental Protection Agency (USEPA) Tier 4 Final off-road emissions standards or equivalent for equipment rated at 25 horsepower (hp) or greater during Project construction where available within the Los Angeles region. Such equipment shall be outfitted with Best Available Control Technology (BACT) which means a CARB certified Level 3 Diesel Particulate Filter or equivalent.

- Contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. All construction equipment must be properly tuned and maintained in accordance with the manufacturer's specifications. The contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications. Tampering with construction equipment to increase horsepower or to defeat emission control devices shall be prohibited.

- Contractors shall ensure that all air compressors, cement and mortar mixers, concrete/industrial saws, plate compactors, rollers, signal boards, skid-steer loaders, sweepers/scrubbers and welders used during construction activities are electric powered. Additionally, contractors shall ensure one piece of the following types of equipment from each construction activity that uses them would be electric powered: tractor/loader/backhoes, generator sets, graders, pumps and rough terrain forklifts. In addition, where commercially available for the Project Site, construction equipment shall meet Tier 5 requirements when standards are adopted by CARB. For the purposes of this mitigation measure, "commercially available" is defined as equipment built by the original manufacturer and available for lease or hire within 20 miles of the City of Los Angeles and available in a similar timeframe to fossil-fueled options. If Tier 5 engine equipment is not commercially available, the contractor must show proof that the equipment is not commercially available by providing letters from at least two independent rental companies, each of which must own or operate a construction equipment fleet with total maximum horsepower of greater than 2,500 horsepower, for each piece of off-road equipment where the Tier 5 engine equipment is not available. This requirement shall be incorporated into applicable bid documents, purchase orders, and contracts with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities. A copy of each unit's certified tier specification or model year specification shall be available upon request at the time of mobilization of each applicable unit of equipment.

Mitigation Measure AQ-MM-2: Concrete Truck Features: The Applicant shall implement the following measures to reduce the emissions of air pollutants generated by concrete trucks:

- The contractor shall use concrete trucks with an average capacity of 10 cubic yards to minimize the number of concrete truck trips;
- The contractor shall use local concrete suppliers with concrete supplied by one or more facilities located within a driving distance of approximately 10 miles per one-way trip (approximately 20 miles per round trip).
- The contractor shall be required to ensure that trucks used to deliver concrete are made by CNG-fueled concrete trucks or trucks that achieve the same or lower NOx emissions as CNG-fueled concrete trucks.
- During plan check, the Project representative shall make available to the lead agency and SCAQMD a comprehensive inventory of all concrete trucks that will be used during the days of concrete pouring. The inventory shall include the concrete truck capacity, fuel specification, and NOx emissions rating. A copy of each such unit's certified emissions rating shall be provided on-site at the time of mobilization of each applicable unit of equipment to allow the Construction Monitor to compare the on-site equipment with the inventory and certified emissions specification.

Mitigation Measure AQ-MM-3: Emergency Generator Maintenance & Testing: The Project representative shall schedule routine maintenance and testing of the emergency generators installed on the Project Site on different days. Prior to the installation of emergency generators, the Project representative shall supply documentation to the City that emergency generator testing by contractors, service providers, or maintenance crews will be conducted in accordance with the specified requirements. The Project representative shall maintain records of emergency generator testing, including testing dates, which shall be made available to the City upon request.

Mitigation Measure AQ-MM-4: Electric Landscaping Equipment: The Project representative shall only allow for electric landscaping equipment to be used at the Project Site. If electric landscaping equipment for specific types of equipment are not commercially available from landscaping contractors then up to two pieces of landscaping equipment per day may be gasoline-fueled. The Project representative shall require that landscaping contract documents include the requirement to use electric landscaping equipment for all future operational landscaping activities.

Mitigation Measure AQ-MM-5: Use of Super-Compliant VOC Paints: The Project representative shall only allow "Super-Compliant" architectural coating paints to be used at the Project Site as defined by SCAQMD to be less than 10 grams per liter VOC for all future operational on-going maintenance coating and painting activities (does not apply to coating activities for future new construction, tenant improvements, and

additions). The Project representative shall require that all tenant and lease contract documents include the requirement to use "Super-Compliant" architectural coating paints for all future operational coating and painting activities.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the potential significant effects on the environment.

Rationale for Finding

As stated above, Project construction, overlapping construction and interim operation, and full operation would result in emissions of pollutants which would exceed SCAQMD levels of significance. Specifically, the Project's maximum daily regional emissions would result in exceeding the threshold of significance for VOC, NOx and CO. The NOx and CO emissions would result primarily from heavy-duty trucks required for on-road soil hauling and from concrete trucks delivering concrete to the Project Site from concrete suppliers. The VOC emissions would result primarily from the architectural coating phases where painting of interior and exteriors of the buildings would occur. Therefore, the Project's temporary impact related to regional VOC, NOx and CO construction emissions would be potentially significant leading to a possible increase in the frequency or severity of an existing violation or causing or contributing to a new violation which is the basis of the criterion 1 evaluation of potential conflicts with applicable land use plans. However, as further stated therein, Mitigation Measure AQ-MM-1 and AQ-MM-2 would reduce NOx emissions during construction. However, NOx and CO emissions would remain above the thresholds with mitigation. Nonetheless, CEQA criteria pollutants significance thresholds are not intended to be indicative of any localized human health impact that a project may have. As shown in Appendix FEIR-B, Health Risk Assessment (HRA), of the Final EIR, the Project's impact on health would be less than significant. As explained in the Draft EIR, although localized maximum daily Project construction emissions would exceed SCAQMD localized construction emissions thresholds for NOx and PM2.5, as shown in Tables IV.A-27 through IV.A-31, as revised in on pages III-69 through III-80 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, the increases in localized emissions of NOx, CO, PM10, and PM2.5 during construction would not exceed the localized significance thresholds, with implementation of AQ-MM-1 and AQ-MM-2.

Similarly, Project operation, including interim operation, would result in NOx and VOC emissions associated with emergency generators, landscaping equipment and paints. However, the Project would include Mitigation Measure AQ-MM-1 and AQ-MM-2 which would reduce NOx emission during construction, and, as shown on Table IV.A-19, *Estimated Maximum Mitigated Regional Interim Operational Emissions and Concurrent Construction of the Remaining Buildings*, as revised on pages III-63 through III-64,of the Final EIR, and Table IV.A-20, *Estimated Maximum Mitigated Regional Operational Emissions – Prcject,* as revised on page III-65 of the Final EIR, Mitigation Measure AQ-MM-3, would reduce regional NOx emissions associated with the testing of the emergency generators, Mitigation Measure AQ-MM-4 would reduce NOx emissions from landscaping equipment, and Mitigation Measure AQ-MM-5 would reduce VOC emissions associated with paints used during Project operation. Also, as shown in Table IV.A-32, *Estimated Maximum Mitigated Localized Operational Emissions – Prcject (Pounds Per Day)*, the increases

in long-term localized emissions of NOx, CO, PM10, and PM2.5 emissions during operation of the Project would not exceed the SCAQMD-recommended localized significance thresholds at sensitive receptors in proximity to the Project Site with the implementation of AQ-MM-3 and AQ-MM-4.

Therefore, implementation of Mitigation Measures AQ-MM-1, AQ-MM-2, AQ-MM-3, AQ-MM-4, and AQ-MM-5 would reduce the amount of criteria pollutant emissions from construction and operations and would ensure the Project would not increase the frequency or severity of an existing violation or cause or contribute to new violations for these pollutants. As the Project would not exceed any of the State and federal standards with implementation of mitigation measures, the Project would also not delay timely attainment of air quality standards or interim emission reductions specified in the AQMP. As such, the Project's impacts related to air quality under criterion 1 would be less than significant after mitigation.

Further, as stated on pages IV.A-109 through IV.A-113, in Section IV.A, Air Quality, of the Draft EIR, as revised on pages III-80 through III-82 of the Final EIR, while there are 39 Related Projects, only 11 are located within 1,000 feet of the Project Site, resulting in the greatest potential to combine with the Project to create cumulative air quality impacts. However, since both the specific timing and the sequencing of the construction of the Related Projects are unknown, any quantitative analysis to ascertain daily construction emissions that assumes multiple, concurrent construction projects would be speculative. Accordingly, potential cumulative impacts are determined based on either a project's consistency with the AQMP or on a project's specific air quality impacts to have the potential to create cumulative impacts to regional air quality. With regards to consistency with the AQMP, with implementation of Mitigation Measures AQ-MM-1 through AQ-MM-5, the Project would not conflict with the AQMP, or the City's Air Quality Element under either criterion 1 or 2. That is, with mitigation, the Project would not increase the frequency or severity of an existing violation or cause or contribute to new violations for ozone. Therefore, the Project would be consistent with and would not conflict with or obstruct implementation of the AQMP. Accordingly, Project air quality impacts related to conflicts with the AQMP would not be cumulatively considerable and cumulative impacts would be less than significant with mitigation.

Reference

See Section IV.A, Air Quality, and Appendix B, Air Quality/Greenhouse Gas Technical Documentation, of the Draft EIR, for a complete discussion of air quality impacts, thresholds, and evaluations of methods conducted for the Project. See also Section III, Revisions, Clarifications and Corrections to the Draft EIR, Appendix FEIR-B, Health Risk Assessment (HRA), and Appendix FEIR-C, Modified Project Air Quality and Greenhouse Gas Emissions Technical Data, of the Final EIR.

Air Quality (Increase in Criteria Pollutants [Operations Only])

Impact Summary

As stated on pages IV.A-72 through IV.A-77 and 84 through IV.A-88 in Section IV.A, Air Quality, of the Draft EIR, and as revised on pages III-46 through III-65 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and Appendix FEIR-C, Modified Project Air Quality and Greenhouse Gas Emissions Technical Data, of the Final EIR, the Project's net operations-related daily emissions would exceed the SCAQMD thresholds of significance for VOC mainly from the use of emergency generators and consumer products such as paints used

during operations and, as such, could potentially result in cumulative impact related to increases in criteria pollutants.

Mitigation Measures

Mitigation Measure AQ-MM-3: Emergency Generator Maintenance & Testing: The Project representative shall schedule routine maintenance and testing of the emergency generators installed on the Project Site on different days. Prior to the installation of emergency generators, the Project representative shall supply documentation to the City that emergency generator testing by contractors, service providers, or maintenance crews will be conducted in accordance with the specified requirements. The Project representative shall maintain records of emergency generator testing, including testing dates, which shall be made available to the City upon request.

Mitigation Measure AQ-MM-4: Electric Landscaping Equipment: The Project representative shall only allow for electric landscaping equipment to be used at the Project Site. If electric landscaping equipment for specific types of equipment are not commercially available from landscaping contractors, then up to two pieces of landscaping equipment per day may be gasoline-fueled. The Project representative shall require that landscaping contract documents include the requirement to use electric landscaping equipment for all future operational landscaping activities.

Mitigation Measure AQ-MM-5: Use of Super-Compliant VOC Paints: The Project representative shall only allow "Super-Compliant" architectural coating paints to be used at the Project Site as defined by SCAQMD to be less than 10 grams per liter VOC for all future operational on-going maintenance coating and painting activities (does not apply to coating activities for future new construction, tenant improvements, and additions). The Project representative shall require that all tenant and lease contract documents include the requirement to use "Super-Compliant" architectural coating paints for all future operational coating and painting activities.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the potential significant effects on the environment.

Rationale for Finding

As stated above, at full operation, the Project's net operations-related daily emissions has the potential to exceed the SCAQMD thresholds of significance for VOC mainly from the use of emergency generators and consumer products such as paints used during operations. However, these emissions would be reduced through implementation of mitigation measures. Specifically, the Project would include one emergency generator in Building 2 on the North Site, two emergency generators shared between Buildings 3, 4 and 5 on the South Site, two emergency generators shared between Buildings 6, 7, 8 and 9 on the South Site, and one emergency generator in Building 10 on the West Site, which would provide emergency power primarily for

lighting and other emergency building systems. The emergency generators would result in emissions during maintenance and testing operations. Generally, emergency generators are permitted by the SCAQMD and regulated under SCAQMD Rule 1470 which permits maintenance and testing to occur up to 50 hours per year. In addition to compliance with applicable regulations, the Project would reduce VOC emissions through Mitigation Measure AQ-MM-3 which requires, in part, that routine maintenance and testing of the emergency generators be conducted on different days and that records of emergency generator testing, including testing dates, be kept and made available to the City upon request. The Project would further reduce VOC emissions through Mitigation Measures AQ-MM-4, which would require the use the electric landscaping equipment, and AQ-MM-5 which would require the use of "Super-Compliant" low-VOC paints. As shown on Table IV.A-20, as revised on page III-65 the Final EIR, with implementation of these mitigation measures, regional VOC emissions from operations would be reduced to below the SCAQMD regional significance threshold. As such, operation VOC emissions would be less than significant with mitigation.

Further, as stated on pages IV.A-109 through IV.A-113, in Section IV.A, Air Quality, of the Draft EIR, as revised on pages III-80 through III-82 of the Final EIR, as to Project-specific impacts, the cumulative analysis of air quality impacts in the Draft EIR follows SCAQMD's guidance such that construction or operational Project emissions would be considered cumulatively considerable only if Project-specific emissions exceed an applicable SCAQMD recommended significance threshold. With implementation of Mitigation Measures AQ-MM-3, AQ-MM-4 and AQ-MM-5, Project-specific impacts related to regional emissions during operation would be less than significant. As such, the Project's contribution would not be cumulatively considerable. Therefore, cumulative impacts associated with operation impacts related to increase in criteria pollutants would be less than significant with mitigation.

Reference

See Section IV.A, Air Quality, and Appendix B, Air Quality/Greenhouse Gas Technical Documentation, of the Draft EIR, for a complete discussion of air quality impacts, thresholds, and evaluations of methods conducted for the Project. See also Section III, Revisions, Clarifications and Corrections to the Draft EIR, Appendix FEIR-B, Health Risk Assessment (HRA), and Appendix FEIR-C, Modified Project Air Quality and Greenhouse Gas Emissions Technical Data, of the Final EIR.

Air Quality (Exposure to Sensitive Receptors)

Impact Summary

As stated on pages IV.A-89 through IV.A-108, as revised on pages III-67 through III-80 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, Project construction and operation has the potential to expose sensitive receptors to localized pollutant concentrations and toxic air contaminants (TACs) that exceed the thresholds of significance. Both Project construction and operation would result in localized emissions that exceed the SCAQMD localized significance threshold for NOx and construction will also exceed the threshold for PM2.5. As to TACs, construction TAC emissions associated with heavy construction equipment would occur, although emissions would be temporary (during the approximately 56 months of construction), and therefore would not result in a long-term exposure to sensitive receptors. As such, the Project has the potential to result in cumulative impacts related to exposure to sensitive receptors. As further discussed therein, Project operation activities that would generate TAC emissions include

charbroiling activities associated with the restaurant uses and consumer products associated with re-applying architectural coatings. Additionally, as stated in Appendix FEIR-B, Health Risk Assessment, of the Final EIR, the quantitative health risk assessment (HRA) of the Project's construction and operational toxic air emissions showed that the health risk impacts from construction and operation of the Project would be below the applicable significance threshold of cancer risk of 10 in one million and the chronic health risk threshold of 1.0.

Project Design Features

Project Design Feature AQ-PDF-1: Construction Power Pole Usage. The Project contractor(s) will use electricity from power poles (where available) and/or solar-powered generators rather than temporary diesel or gasoline generators during construction.

Mitigation Measures

Mitigation Measure AQ-MM-1: Construction Equipment Features: The Applicant shall implement the following construction equipment features for equipment operating at the Project Site. These features shall be included in applicable bid documents, and successful contractor(s) must demonstrate the ability to supply such equipment. Construction features shall include the following:

- The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and United States Environmental Protection Agency (USEPA) Tier 4 Final off-road emissions standards or equivalent for equipment rated at 25 horsepower (hp) or greater during Project construction where available within the Los Angeles region. Such equipment shall be outfitted with Best Available Control Technology (BACT) which means a CARB certified Level 3 Diesel Particulate Filter or equivalent.

- Contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. All construction equipment must be properly tuned and maintained in accordance with the manufacturer's specifications. The contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications. Tampering with construction equipment to increase horsepower or to defeat emission control devices shall be prohibited.

- Contractors shall ensure that all air compressors, cement and mortar mixers, concrete/industrial saws, plate compactors, rollers, signal boards, skid-steer loaders, sweepers/scrubbers and welders used during construction activities are electric powered. Additionally, contractors shall ensure one piece of the following types of equipment from each construction activity that uses them would be electric powered: tractor/loader/backhoes, generator sets, graders, pumps and rough terrain forklifts. In addition, where commercially available for the Project Site, construction equipment shall meet Tier 5 requirements when standards are adopted by CARB. For the purposes of this mitigation measure, "commercially available" is

defined as equipment built by the original manufacturer and available for lease or hire within 20 miles of the City of Los Angeles and available in a similar timeframe to fossil-fueled options. If Tier 5 engine equipment is not commercially available, the contractor must show proof that the equipment is not commercially available by providing letters from at least two independent rental companies, each of which must own or operate a construction equipment fleet with total maximum horsepower of greater than 2,500 horsepower, for each piece of off-road equipment where the Tier 5 engine equipment is not available. This requirement shall be incorporated into applicable bid documents, purchase orders, and contracts with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities. A copy of each unit's certified tier specification or model year specification shall be available upon request at the time of mobilization of each applicable unit of equipment.

Mitigation Measure AQ-MM-2: Concrete Truck Features: The Applicant shall implement the following measures to reduce the emissions of air pollutants generated by concrete trucks:

- The contractor shall use concrete trucks with an average capacity of 10 cubic yards to minimize the number of concrete truck trips;
- The contractor shall use local concrete suppliers with concrete supplied by one or more facilities located within a driving distance of approximately 10 miles per one-way trip (approximately 20 miles per round trip).
- The contractor shall be required to ensure that trucks used to deliver concrete are made by CNG-fueled concrete trucks or trucks that achieve the same or lower NOx emissions as CNG-fueled concrete trucks.
- During plan check, the Project representative shall make available to the lead agency and SCAQMD a comprehensive inventory of all concrete trucks that will be used during the days of concrete pouring. The inventory shall include the concrete truck capacity, fuel specification, and NOx emissions rating. A copy of each such unit's certified emissions rating shall be provided on-site at the time of mobilization of each applicable unit of equipment to allow the Construction Monitor to compare the on-site equipment with the inventory and certified emissions specification.

Mitigation Measure AQ-MM-3: Emergency Generator Maintenance & Testing: The Project representative shall schedule routine maintenance and testing of the emergency generators installed on the Project Site on different days. Prior to the installation of emergency generators, the Project representative shall supply documentation to the City that emergency generator testing by contractors, service providers, or maintenance crews will be conducted in accordance with the specified requirements. The Project representative shall maintain records of emergency generator testing, including testing dates, which shall be made available

to the City upon request.

Mitigation Measure AQ-MM-4: Electric Landscaping Equipment: The Project representative shall only allow for electric landscaping equipment to be used at the Project Site. If electric landscaping equipment for specific types of equipment are not commercially available from landscaping contractors then up to two pieces of landscaping equipment per day may be gasoline-fueled. The Project representative shall require that landscaping contract documents include the requirement to use electric landscaping equipment for all future operational landscaping activities.

Mitigation Measure AQ-MM-5: Use of Super-Compliant VOC Paints: The Project representative shall only allow "Super-Compliant" architectural coating paints to be used at the Project Site as defined by SCAQMD to be less than 10 grams per liter VOC for all future operational on-going maintenance coating and painting activities (does not apply to coating activities for future new construction, tenant improvements, and additions). The Project representative shall require that all tenant and lease contract documents include the requirement to use "Super-Compliant" architectural coating paints for all future operational coating and painting activities.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the potential significant effects on the environment.

Rationale for Finding

As stated above, Project construction and operation has the potential to expose sensitive receptors to localized pollutant concentrations and TACs that exceed the thresholds of significance. Specifically, as to localized emissions, both construction and operation have the potential to result in localized emissions that exceed the SCAQMD localized significance threshold for NOx and construction could also exceed the threshold for PM2.5. However, the Project would be required to implement Mitigation Measures AQ-MM-1 and AQ-MM-2; which would, in part: require the use of off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and United States Environmental Protection Agency (USEPA) Tier 4 Final off-road emissions standards or equivalent for equipment rated at 25 horsepower (hp) and/or to Tier 5 once available; require that such equipment shall be outfitted with Best Available Control Technology (BACT); require maintenance and operation of construction equipment so as to minimize exhaust emissions; and, that required equipment used during construction activities be electric powered. The Project would also implement Mitigation Measure AQ-MM-2 which requires implementation of specific measures to reduce the emissions of air pollutants generated by concrete trucks. Thus, as shown in Tables IV.A-27 through IV.A-31, as revised in the Final EIR, with implementation of AQ-MM-1 and AQ-MM-2, impacts regarding the exposure of substantial pollutant concentrations on sensitive receptors during construction resulting from NOx and PM2.5 emissions would be reduced to less than significant. Additionally, the Project would be required to implement Mitigation Measures AQ-MM-3 and AQ-MM-4, which would reduce NOx emissions, as well as AQ-MM-5, which would further reduce VOC emissions. As such, impacts regarding the exposure of substantial pollutant concentrations on sensitive

receptors during operation would be reduced to less than significant with implementation of these mitigation measures.

As further explained therein, with regards to construction and operational emission of TACs, construction TAC emissions associated with heavy construction equipment would occur, although emissions would be temporary (during the approximately 56 months of construction), and therefore not result in a long-term exposure to sensitive receptors. Nonetheless, Mitigation Measures AQ-MM-1 and AQ-MM-2 would be implemented to reduce regional NOx emissions and would have the co-benefits of reducing emissions of PM10 and PM2.5 from heavy-duty diesel construction equipment, further reducing the TAC emissions during construction activities.

As to Project operation, the Project would be required to implement Mitigation Measure AQ-MM-3 which would ensure that the TAC emissions from the emergency generators would not cause or contribute to adverse health impacts at nearby sensitive receptors. The Project would also implement Mitigation Measures AQ-MM-4 requiring the use of electric landscaping equipment and AQ-MM-5 requiring the use of super-compliant low VOC paint, both of which would reduce TAC emissions related to VOCs. Moreover, as shown in Appendix FEIR-B, Health Risk Assessment (HRA), of the Final EIR, the quantitative construction and operational HRA assessing the potential health risk impacts showed that the health risk impacts from construction and operation of the Project with implementation of the Project's Mitigation Measures would be below the applicable significance threshold of significance; that is, the Project would not produce carcinogenic or TACs that result in impacts that exceed the maximum individual cancer risk of 10 in one million or the chronic health risk threshold of 1.0. As such, the net construction and operation TAC emissions would be less than significant with mitigation.

Therefore, since localized emissions and TAC emissions would be below the thresholds of significance with implementation of Mitigation Measures AQ-MM-1 through AQ-MM-5, Project construction and operation would result in less than significant impacts related to the exposure of substantial pollutant concentrations on sensitive receptors.

Further, as stated on pages IV.A-109 through IV.A-113, in Section IV.A, Air Quality, of the Draft EIR, as revised on pages III-80 through III-82 of the Final EIR, as to Project-specific impacts, the cumulative analysis of air quality impacts in the Draft EIR follows SCAQMD's guidance such that construction or operational Project emissions would be considered cumulatively considerable only if Project-specific emissions exceed an applicable SCAQMD recommended significance threshold. With implementation of Mitigation Measures AQ-MM-1 through AQ-MM-5, Project-specific impacts related localized emissions during construction and operations, and TAC emissions during construction and operation would be less than significant. As such, the Project's contribution would not be cumulatively considerable. Therefore, cumulative impacts related to exposing sensitive receptors to localized pollution concentrations and to TACs would be less than significant with mitigation.

Reference

See Section IV.A, Air Quality, and Appendix B, Air Quality/Greenhouse Gas Technical Documentation, of the Draft EIR, for a complete discussion of air quality impacts, thresholds, and evaluations of methods conducted for the Project. See also Section III, Revisions, Clarifications and Corrections to the Draft EIR, Appendix FEIR-B, Health Risk Assessment (HRA), and Appendix FEIR-C, Modified Project Air Quality and Greenhouse Gas Emissions Technical Data, of the Final EIR.

Cultural Resources (Archaeological Resources)

Impact Summary

As discussed on pages IV.B-48 through IV.B-51 and IV.B-58 through IV.B-59 in Section IV.B, Cultural Resources, of the Draft EIR, and in Appendix C-2, Archaeological Resources Assessment, of the Draft EIR, while no prehistoric or historic archaeological resources have been previously recorded within the Project Site, since one archaeological resource was previously recorded within a quarter-mile radius and a branch of the zanja conduit system (Zanja No. 3) once followed a north-south trend through the West Site, there is a potential that the Project Site contains archeological resources. Additionally, the Project Site has a higher sensitivity for prehistoric archaeological resources within fine-grained Holocene-aged alluvium that underlies the fill soils. As such, the Project has the potential to encounter archaeological resources during construction and has the potential to result in cumulative impacts related to archaeological resources.

Project Design Features: No specific Project Design Features are proposed with regard to Cultural Resources

Mitigation Measures

Mitigation Measure CUL-MM-9: Prior to the issuance of a demolition permit, the Applicant shall retain a qualified Archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for professional archaeology (qualified Archaeologist) to carry out and ensure proper implementation of mitigation measures that address archaeological resources. The Applicant shall submit a letter of retention to the City of Los Angeles Department of City Planning (City) before construction activities commence to demonstrate to the City that the Applicant has retained a qualified Archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards. The letter shall include a resume for the qualified Archaeologist.

The qualified Archaeologist shall oversee an archaeological monitor who has a bachelor's degree in a relevant field of study and either two months of archaeological construction monitoring experience or two months of supervised training with prehistoric or historic archaeological materials in a field or laboratory setting. The archaeological monitor shall be present during construction activities on the Project Site deemed by the qualified Archaeologist to have the potential for encountering archeological resources, such as demolition, pavement removal, clearing/grubbing, drilling/auguring, potholing, grading, trenching, excavation, tree removal, or other ground disturbing activity associated with the Project. The activities to be monitored may also include off-site improvements in the vicinity of the Project Site, such as utilities, sidewalks, or road improvements. The archaeological monitor shall have the authority to reasonably direct the pace of construction equipment activity in areas reasonably expected to be of higher

sensitivity and to temporarily divert, redirect or halt ground disturbance activities to allow identification, evaluation, and potential recovery of archaeological resources in coordination with the qualified Archaeologist. Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined appropriate by the qualified Archaeologist.

Mitigation Measure CUL-MM-10: Prior to commencement of construction activities, a Sensitivity Training shall be given by the qualified Archaeologist for construction personnel. The training shall focus on how to identify archaeological resources that may be encountered during construction activities, and the procedures to be followed in such an event. Within five days of completing the training, a list of those in attendance shall be provided by the qualified Archaeologist to the Applicant. The Applicant shall maintain the documentation of this training, including the list of attendees, for inspection by the City upon its reasonable request.

Mitigation Measure CUL-MM-11: In the event that historic (e.g., bottles, foundations, refuse dumps/privies, railroads, etc.) or prehistoric (e.g., hearths, stone tools, shell and faunal bone remains, etc.) archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. An appropriate buffer area shall be established by the archaeological monitor in accordance with industry standards, reasonable assumptions regarding the potential for additional discoveries in the vicinity, and safety considerations for those making an evaluation and potential recovery of the discovery. This buffer area shall be established around the find where construction activities shall not be allowed to continue until the evaluation is completed. Work shall be allowed to continue outside of the buffer area.

All resources unearthed by Project construction activities shall be evaluated by the qualified Archaeologist. If a resource is determined by the qualified Archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or a “unique archaeological resource” pursuant to Public Resources Code Section 21083.2(g), the qualified Archaeologist shall coordinate with the Applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resource. The treatment plan established for the resource shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If in coordination with the City, it is determined that preservation in place is not feasible, appropriate treatment of the resource shall be developed by the qualified Archaeologist in coordination with the City and may include

implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any archaeological material collected shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school, Tribe, or historical society in the area for educational purposes.

Mitigation Measure CUL-MM-12: Within 14 days of concluding the archaeological monitoring, the qualified Archaeologist shall prepare a memorandum stating that the archaeological monitoring requirement of the mitigation measure has been fulfilled and summarize the results of any archaeological finds. The memorandum shall be submitted to the Applicant and City. Following submittal of the memorandum, the qualified Archaeologist shall prepare a technical report that follows the format and content guidelines provided in California Office of Historic Preservation's Archaeological Resource Management Reports (ARMR). The technical report shall include a description of resources unearthed, if any, treatment of the resources, results of the artifact processing, analysis, and research, and evaluation of the resources with respect to the California Register of Historical Resources and CEQA. Appropriate California Department of Parks and Recreation Site Forms (Site Forms) shall also be prepared and provided in an appendix to the report. The technical report shall be submitted to the City within 150 days of completion of the monitoring. The final draft of the report shall be submitted to the South Central Coastal Information Center.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the potential significant effects on the environment.

Rationale for Finding

As stated above, construction grading and excavation activities can result in disturbing archaeological resources. An archival search and archaeological resources survey conducted for the Project determined that no prehistoric or historic archaeological resources have been previously recorded within the Project Site. However, the research indicates that there is a potential that the Project Site contains previously undisturbed archaeological resources. As further explained therein, this potential is based, in part, of the following: (i) one historic period archaeological resource, consisting of 63 historic period refuse deposits and five structure features, was recorded within 900 feet of the Project Site on property that had a similar development and land use history as the Project Site; (ii) the records search yielded positive results for the potential for the Project Site to contain tribal resources; (iii) as shown on early maps of the region, a branch of the zanja conduit system (Zanja No. 3) once followed a north-south trend through the West Site; and, the Project Site contains fine-grained Holocene-aged alluvium that underlies the fill soils which have a high sensitivity for prehistoric archaeological resources

due to the proximity to fresh water and riparian resources offered by channel levees that could have attracted prehistoric inhabitants for subsistence, if not necessarily sustained occupation. As a result of these findings, Project excavations, which are anticipated to reach depths of 22 to 64 feet below ground surface (bgs), have a high potential for encountering buried historic and prehistoric archaeological resources. Therefore, the Project could potentially cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 and impacts would be potentially significant.

As further explained therein; in order to reduce the potentially significant Project construction impacts related to archaeological resources, mitigation measures are necessary to protect any encountered archaeological resources. The Project would implement Mitigation Measures CUL-MM-9 through CUL-MM-12 to ensure the proper treatment of any such encountered resources. In summary, CUL-MM-9 requires the retention of a qualified Archaeologist to carry out and ensure proper implementation of these mitigation measures that address archaeological resources and an archaeological monitor with the authority to temporarily divert, redirect, or halt ground disturbance activities to allow identification, evaluation, and potential recovery of archaeological resources in coordination with the qualified archaeologist; CUL-MM-10 requires training of construction personnel on identification and treatment of archeological resources; CUL-MM-11 sets forth the procedures to be followed in case an archaeological resource is encountered; and, CUL-MM-12 sets forth the requirements for recording and reporting on encountered archaeological resources. Together, these four mitigation measures would ensure that, if any archaeological resources are encountered during Project construction, such resources would be properly identified, handled, and recorded, thereby reducing the Project's impacts. Thus, monitoring of the Project Site during ground disturbing activities will result in the identification and assessment of significant or unique archaeological resources, as well as the implementation of appropriate measures in accordance with CEQA for avoidance of the resource, or, if the resource cannot be avoided (left in place), measures for data recovery, assessment and analysis, curation, and commemoration will be implemented. As such, with implementation of Mitigation Measures CUL-MM-9 through CUL-MM-12, Project construction impacts related to archaeological resources would be less than significant.

Further, as stated pages IV.B-58 through IV.B-59 in Section IV.B, Cultural Resources, of the Draft EIR, However, each of the Related Projects would be required to conduct environmental review and adopt any mitigation measures that, similar to the Project, would reduce the potential for a significant impact on archaeological resources. Compliance with regulatory requirements and implementation of required mitigation measures for each individual development project would ensure that impacts to archaeological resources remain less than significant and reduce the potential for the individual related projects to contribute to cumulative impacts. As the Project's impacts on archaeological resources would be less than significant with implementation of Mitigation Measures CUL-MM-9 through CUL-MM-12, Project impacts to archaeological resources would not be cumulatively considerable with mitigation. Therefore, Project cumulative impacts related to archaeological resources would be less than significant with mitigation.

Reference

For a complete discussion of archaeological resources, please see Section IV.B, Cultural Resources, and Appendix C-2, Archaeological Resources Assessment, of the Draft EIR.

Geology and Soils (Paleontological Resources)

Impact Summary

As stated on pages IV.D-4 through IV.D-5, IV.D-7, and IV.D-11 through IV.D-14 in Section IV.D, Geology and Soils, of the Draft EIR, and Appendix E, Paleontological Resources Assessment Report, of the Draft EIR, the Project has the potential to encounter paleontological resources during construction. Although no known fossils are located on the Project Site, Project construction would require excavation at planned depths of up to 64 feet bgs. As such, Project excavation would encounter older alluvium sediments that have a high potential to contain fossils and could potentially result in cumulative impacts related to paleontological resources.

Project Design Features: No specific Project Design Features are proposed with regard to paleontological resources.

Mitigation Measures

Mitigation Measure PALEO-MM-1: Prior to the issuance of demolition permits, the Applicant shall retain a Qualified Paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards. The Qualified Paleontologist shall provide technical and compliance oversight of all work as it relates to paleontological resources, shall attend the Project kick-off meeting to go over the monitoring requirements, and shall be responsible for monitoring and overseeing paleontological monitors (meeting SVP standards) that will observe grading and excavation activities.

Mitigation Measure PALEO-MM-2: Paleontological monitoring shall be conducted during construction excavations into undisturbed older alluvial sediments that exceed 10 feet in depth. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains. The frequency of monitoring inspections shall be determined by the Qualified Paleontologist and shall be based on the rate of excavation and grading activities, the materials being excavated, and the depth of excavation, and if found, the abundance and type of fossils encountered. Full-time monitoring can be reduced to part-time inspections, or ceased entirely, if determined adequate by the Qualified Paleontologist. If a potential fossil is found, the paleontological monitor shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation of the discovery. An appropriate buffer area shall be established by the Qualified Paleontologist around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. At the Qualified Paleontologist's discretion, and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock/sediment samples for initial processing and

evaluation. If preservation in place is not feasible, the Qualified Paleontologist shall implement a paleontological salvage program to remove the resources from their location. Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are submitted to their final repository. Any fossils collected shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County, if such an institution agrees to accept the fossils. If no institution accepts the fossil collection, they shall be donated to a local school or historical society in the area for educational purposes.

Mitigation Measure PALEO-MM-3: Any significant fossils recovered during Project-related excavations shall be prepared to the point of identification and curated into an accredited repository. The Qualified Paleontologist shall prepare a final report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the Applicant to the City and the Natural History Museum of Los Angeles County to signify the satisfactory completion of the Project and required mitigation measures.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the potential significant effects on the environment.

Rationale for Finding

As stated above, the Project would involve construction excavation activities which would reach an approximate depth of 64 bgs. While a search of the Natural History Museum of Los Angeles County (LACM) for records of fossil localities in and around the Project Site indicated that there are no known fossil localities within Project Site, it did disclose a number of fossil localities which were previously recovered from the Puente Formation, the Fernando Formation, and unknown Pleistocene-age formations in the vicinity of the Project Site. Per the LACM search results, these paleontological resources were located within 0.6 miles and two miles from the Project Site at depths between 20 to 43 feet bgs and unknown depths. Therefore, the potential to encounter paleontological resources in older alluvium underlying the Project Site is between low and high with the potential increasing with depth. As such, impacts to paleontological resources would be potentially significant without mitigation.

As the loss of any identifiable fossil or the loss of information associated with the paleontological resource would be a significant impact requiring mitigation, the Project would incorporate three mitigation measures to ensure that construction impacts are reduced to a less-than-significant level. In summary, PALEO-MM-1 requires that a Qualified Paleontologist, as defined in the mitigation measure, be retained to provide technical and compliance oversight of all work as it relates to paleontological resources; PALEO-MM-2 sets forth the procedures for identification and treatment of paleontological resources including temporarily diverting or redirecting grading and

excavation activities in the area of the exposed fossil to facilitate evaluation of the discovery; and PALEO-MM-3 sets forth the process for identification and curation of paleontological resources. The implementation of these measures would protect the paleontological resources through the collection and identification of significant resources and by making the significant resources available for future study. As a result, with implementation of these three mitigation measures, Project construction impacts to previously unknown paleontological resources would be less than significant with mitigation.

Further, as stated on pages IV.D-13 through IV.D-14 in Section IV.D, Geology and Soils, of the Draft EIR, there are 39 Related Projects that are planned or are under construction in the Project study area. These Related Projects would include ground-disturbing activities including construction excavation on parcels that have been disturbed or are already developed, as well as on open space parcels, and, therefore, would have the potential to encounter paleontological resources. Similar to the Project, the Related Projects that require substantial excavation would be subject to environmental review under CEQA and, if there is a potential to impact paleontological resources, would require mitigation. Thus, the cumulative impacts on paleontological resources could be potentially significant. However, the Related Projects that require substantial excavation would be subject to environmental review under CEQA and, if there is a potential to impact paleontological resources, would require mitigation. Because the Project's impacts to paleontological resources would be less than significant with implementation of Mitigation Measures PALEO-MM-1 through PALEO-MM-3, the Project's contribution to a cumulatively considerable impact on paleontological resources would be less than significant. As such, the Project's cumulative impacts on paleontological resources associated with Project construction would be less than significant with mitigation.

Reference

For a complete discussion of geology and soils, including paleontological impacts, please see Section IV.D, Geology and Soils, and Appendix E, Paleontological Resources Assessment Report, of the Draft EIR.

Noise (On-Site Construction Noise at First Floor of Receptor Locations R2 through R6)

Impact Summary

As stated on pages IV.G-37 through IV.G-38 and IV.G-65 through IV.G-66 in Section IV.G, Noise, of the Draft EIR, and shown in Appendix G, Noise and Vibration Worksheets, of the Draft EIR, the Project's on-site construction equipment would generate noise from activities which would generally include demolition, site grading and excavation, and building construction. As shown in Table IV.G-9, *Estimate Of Construction Noise Levels (Leq) At Off-Site Sensitive Receptors*, the Project's estimated construction noise levels would exceed the significance thresholds at off-site noise receptor locations R2 through R6, prior to implementation of mitigation measures.

Project Design Features

Project Design Feature NOI-PDF-1 (Impact Pile Drivers Prohibited): The Project will not require or allow the use of impact pile drivers. Lower noise- and vibration-generating augured, drilled, or vibratory piles are permitted.

Project Design Feature NOI-PDF-2 (Construction Equipment Maintenance): During plan check for each phase of the Project, the contractor will provide a statement

to the City indicating their powered construction equipment (including combustion engines), fixed or mobile, will be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

Mitigation Measures

Mitigation Measure NOI-MM-1: Temporary Noise Barriers. Temporary noise barriers shall be used along the western, northern, southern, and eastern property boundaries to block the line-of-sight between the construction equipment and the noise-sensitive uses.

- Temporary noise barriers shall be placed along the Project's North site eastern property line. The noise barrier shall be a minimum of 8 feet in height and provide a minimum 3-dBA noise reduction at the ground-level for the residences to the east (receptor location R2).

- Temporary noise barriers shall be placed along the Project's Upper South site and West site northern property lines. The noise barriers shall be a minimum of 12 feet in height and provide a minimum 12-dBA noise reduction at the ground-level for the hotel uses to the north/northwest of the Upper South site and West site (receptor locations R5 and R6) and to the residential uses to the east of the Upper South site (receptor location R2).

- Temporary noise barriers shall be placed along the Project's Upper South site and Lower South site eastern property line. The noise barriers shall be a minimum of 12 feet in height and provide a minimum 12-dBA noise reduction at the ground-level for the residences to the east of the Upper South site and Lower South site (receptor location R2).

- Temporary noise barriers shall be placed along the Project's North site, Upper South site, Lower South site, and West site western property lines. The noise barriers shall be a minimum of 12 feet in height and provide a minimum 13-dBA noise reduction at the ground-level for the residences and hotel uses to the west (receptor locations R3 through R6).

- Temporary noise barriers shall be placed along the Project's West site and Lower South site southern property line. The noise barrier shall be a minimum of 12 feet in height and provide a minimum 13-dBA noise reduction at the ground-level for the residential and hotel uses to the south of the West site and Lower South site (receptor locations R3 and R4).

These noise barriers shall be in-place during early Project construction phases (remain up to the start of building framing) and during paving when heavy equipment is used. Temporary barriers shall provide acoustically sealed gate access as needed for construction activities, deliveries, and site access by construction personnel.

Mitigation Measure NOI-MM-2: Compressors and Generators. Construction equipment whose specific location on the Project Site may be flexible (e.g., compressors and generators) shall be located at least 100 feet away from the nearest off-site sensitive land uses, or barriers (e.g., intervening construction trailers, walls, enclosures, etc.) shall be used to screen propagation of noise from such equipment towards these land uses.

Mitigation Measure NOI-MM-3: Construction Equipment Muffling and Shielding Devices. The Project contractor shall use power construction equipment with properly operating and maintained noise shielding and muffling devices, consistent with manufacturers' standards. Flexible sound control curtains shall be placed around all stationary compressors and generators, drilling apparatuses, drill rigs, and jackhammers when in use. The flexible sound control curtains shall have a minimum Sound Transmission Class (STC) rating of 25.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the potential significant effects on the environment.

Rationale for Finding

As stated above, while the Project would comply with all relevant LAMC regulations regarding noise from a construction site, Project construction would result in noise impacts that exceed the threshold of significance at receptor locations R2 (multi-family residential uses at the along 4th Street, approximately 250 feet east of the Project Site), R3 (hotel uses along Ceres Avenue, approximately 560 feet southwest of the Project Site), R4 (multi-family residential uses at the corner of 5th Street and Stanford Avenue, approximately 120 feet southwest of the Project Site), R5 (multi-family residential use along 4th Street, approximately 175 feet west of the Project Site), and R6 (multi-family residential uses along 4th Street, approximately 470 feet west of the Project Site). The noise levels at these locations would be a function of the noise generated by construction equipment, the type and location of the equipment, the timing and duration of the noise-generating construction activities, and the relative distance to noise-sensitive receptors. The Project would implement Project Design Feature NOI-PDF-1, which would prohibit the use of pile drivers, and NOI-PDF-2, which would ensure proper maintenance of construction equipment. However, as shown in Table IV.G-9, *Estimate Of Construction Noise Levels (Leq) at Off-Site Sensitive Receptors*, the Project's estimated construction noise levels would exceed the significance thresholds at off-site noise receptor locations R2 through R6 prior to implementation of mitigation measures. Thus, while the estimated noise levels at the receptor locations is a conservative estimate which assumes that all pieces of construction equipment would be operating simultaneously and located at the construction area nearest to the affected receptor, the Project will be required to implement Mitigation Measures NOI-MM-1 (Temporary Noise Barriers), NOI-MM-2 (Compressors and Generators) and NOI-MM-3 (Construction Equipment Muffling and Shielding Devices) to reduce the noise level at the ground floor levels of receptor locations R2 through R6 to less than significant.

With implementation of Mitigation Measures NOI-MM-1, NOI-MM-2, and NOI-MM-3, the Project's on-site construction noise impacts at the off-site ground-level noise sensitive receptors would be reduced to the extent technically feasible. As shown in Table IV.G-19, *On-Site Construction Noise Impacts – With Mitigation (Ground-level Receptors),* these mitigation measures would reduce the ground-level construction noise levels by a minimum of 12.1 dBA at receptor location R2, 7.8 dBA at receptor location R3, 11.7 dBA at receptor location R4, 17.4 dBA at receptor location R5, and 8.1 dBA at receptor location R6, which would reduce the construction noise impacts at receptor locations R2 through R6 to less-than-significant levels at the ground level. Therefore, ground-level construction noise impacts associated with on-site noise sources at receptor locations R2 through R6 would be less than significant with mitigation.

Noise (Off-Site Construction Noise [Project-Level])

Impact Summary

As stated on pages IV.39 through IV.44 in Section IV.G, Noise, of the Draft EIR, and as shown in Appendix G, Noise and Vibration Worksheets, of the Draft EIR, Project construction would create noise from off-site traffic from trucks and construction worker vehicles accessing the Project Site. As shown in Table IV.G-10, *Estimate of Off-Site Construction Traffic Noise Impacts*, the Project's construction truck trips and worker vehicle trips would increase existing traffic noise levels along Central Avenue between 1st Street and 2nd Street, Central Avenue between 2nd Street and 3rd Street, and 4th Street between Alameda Street and Hewitt Street, where noise-sensitive residential uses are located, by more than the 3 dBA threshold for the "normally unacceptable" or "clearly unacceptable" categories or by more than 5 dBA for the "normally acceptable" or "conditionally acceptable" categories.

Mitigation Measures

Mitigation Measure NOI-MM-4: (Loading Dock Screening): All loading docks will be acoustically screened from off-site noise-sensitive receptors. Acoustical screening of loading docks will be achieved through the use of physical barriers (i.e., walls, buildings or other structures that fully block the line-of-sight between the loading dock and off-site noise-sensitive receptors), or with loading dock seals installed between the truck and loading dock. Acoustical screening may also be achieved by requiring loading activities to be conducted fully inside buildings, or by similar methods.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the potential significant effects on the environment.

Rationale for Finding

As stated above, Project construction would also create noise from off-site traffic from trucks and construction worker vehicles accessing the Project Site. Typically, construction trucks generate higher noise levels than construction worker vehicles with haul trucks and concrete pour trucks being the loudest contributors. Haul trucks used for demolition material and soil hauling would travel between the Project Site and the Sunshine Canyon Landfill in the Sylmar neighborhood of

the City, or potentially to locations in Irwindale, via two predetermined haul routes. As explained therein, the Draft EIR analysis conservatively assumed that there would be a total of 1,220 haul truck trips and 240 worker trips per day over an 8-hour timespan (equal to approximately 153 haul truck trips and 30 worker trips per hour) assuming that grading and excavation activities for the Upper South, Lower South, North and West sites would be occurring at the same time. As shown in Table IV.G-10, *Estimate of Off-Site Construction Traffic Noise Impacts*, even with this conservative analysis, the Project's haul trips and worker vehicle trips along the haul routes would not increase existing traffic noise levels above the threshold of significance. However, concrete trucks are not required to use the predetermined haul routes. Therefore, during the foundations concrete pour stage, which represents the worst-case day with the most off-site construction traffic, concrete trucks could travel along a variety of roadway segments which would be expected to include the primary routes to nearby freeways including Central Avenue, Alameda Street, 1st Street, 4th Street, 6th Street, and 7th Street. As further explained therein, the peak period of construction with the highest number of construction trucks would occur during the foundations and concrete pour phases for the South Site, building construction of Buildings 3 through 10, architectural coating for the North Site, and paving for the West Site. During these potential overlapping phases, there would be an estimated maximum of up to 2,016 concrete trucks into and out of the Project Site per day over a continuous 24-hour timespan (equal to 84 trips per hour). In addition, during these phases there would be a total of 360 haul trucks, 732 vendor trucks, and 3,458 worker trips per day over an 8-hour timespan (equal to approximately 45 haul trucks, 92 vendor trucks, and 433 worker trips per hour). As shown in Table IV.G-10, on the roadway segments that would be anticipated to accommodate concrete trucks traveling to and from the Project Site to off-site concrete vendor locations, combined with the worker vehicle trips on those roads, would increase existing traffic noise levels by 3 dBA or more where residential uses are located: Central Avenue between 1st Street and 2nd Street, Central Avenue between 2nd Street and 3rd Street, and 4th Street between Alameda Street and Hewitt Street. As such, the increase in noise along these roadway segments would exceed the threshold of significance for noise-sensitive uses. Therefore, the Project would result in the generation of a substantial temporary increase in ambient noise levels in the vicinity of the Project in excess of thresholds of significance established by the City.

Accordingly, in order to reduce the noise level at these impacted road segments, the Project would be required to implement Mitigation Measure NOI-MM-4 which prohibits concrete trucks used during the foundation pouring phase of construction from traveling on Central Avenue between 1st Street and 2nd Street, on Central Avenue between 2nd Street and 3rd Street, and on 4th Street between Alameda Street and Hewitt Street during the Project's foundation concrete pouring duration. In addition, the mitigation measure requires contractors to provide a flag person near the identified road segment to ensure that concrete trucks do not travel along those roadway segments. As such, the additional noise which would be caused by the concrete trucks on those three road segments would not occur. Thus, with implementation of Mitigation Measure NOI-MM-4, impacts related to off-site construction traffic would be reduced to less than significant along the impacted segments. Therefore, Project-level noise impacts related to off-site construction traffic would be less than significant with mitigation.

Noise (Operational Noise [Receptor Location R2 only])

Impact Summary

As shown on pages IV.G-44 through IV.G-67 in Section IV.G, Noise, of the Draft EIR, as revised

on pages III-108 through III-114 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and in Appendix G, Noise and Vibration Impacts, of the Draft EIR, as revised in Appendix FEIR-E, Modified Project Noise Worksheets, of the Final EIR, while fixed mechanical equipment and parking noise would be less than significant without mitigation, the combined open space and special event noise levels and the composite noise levels (comprised of all Project-related noise sources plus existing ambient noise levels), during Project operation would exceed the 5 dBA noise level of significance at receptor location R2.

Project Design Features

Project Design Feature NOI-PDF-3 (Mechanical Equipment Noise): All outdoor mounted building mechanical equipment and/or ventilation systems not fully enclosed will be designed to not exceed sound level limits of the noise level requirements of the City of Los Angeles through the use of quiet fans, duct silencers, parapets, enclosures, mufflers, or similar noise attenuation methods.

Project Design Feature NOI-PDF-4 (Loading Dock Screening): All loading docks will be acoustically screened from off-site noise-sensitive receptors. Acoustical screening of loading docks will be achieved through the use of physical barriers (i.e., walls, buildings or other structures that fully block the line-of-sight between the loading dock and off-site noise-sensitive receptors), or with loading dock seals installed between the truck and loading dock. Acoustical screening may also be achieved by requiring loading activities to be conducted fully inside buildings, or by similar methods.

Mitigation Measures

Mitigation Measure NOI-MM-5: Amplified Speakers – Special Events. Outdoor amplified sound systems, if any, will be limited to a sound level equivalent to 90 dBA (Leq-1hr) measured at a distance of 25 feet from the amplified speaker sound system during special events occurring at the Central Courtyard or Pop-Up Plaza. A qualified noise consultant shall provide written documentation that the design of the system complies with the maximum noise level. Compliance will be ensured through preperformance noise tests/measurements for performances or ambient music speakers with potential to exceed the sound level, along with any necessary adjustments to the location and nature of proposed performances or ambient music speakers. Speakers will be downward or inward facing and shielded from off-site sensitive uses. The Applicant or Operator shall prepare standard operating procedures for the use of amplified speakers at this location consistent with this requirement. The standard operating procedures shall be provided to the City and the Los Angeles Police Department (LAPD) prior to the issuance of a special event permit for the Project and posted on-site in the event of LAPD response to noise complaints.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the potential significant effects

on the environment.

Rationale for Finding

As shown above, while fixed mechanical equipment, open space, and parking noise would be less than significant without mitigation, the combined open space and special event noise levels and the composite noise levels (comprised of all Project-related noise sources plus existing ambient noise levels), during Project operation would exceed the 5 dBA noise level of significance at receptor location R2.

As explained therein, the Project would implement (i) Project Design Features NOI-PDF-3, which states that all outdoor mounted building mechanical equipment and/or ventilation systems that are not fully enclosed, would be designed so as to not exceed the existing ambient noise levels by 5 dBA, as required by the LAMC, through the use of quiet fans, duct silencers, parapets, enclosures, mufflers, or similar noise attenuation methods; and (ii) NOI-PDF-4 which states that all loading docks would be acoustically screened from off-site noise-sensitive receptors through the use of physical barriers that fully block the line-of-sight between the loading dock and off-site noise-sensitive receptors, or with loading dock seals installed between the truck and loading dock, or through requiring loading activities to be conducted fully inside buildings. Additionally, equipment such as emergency generators, would be located within enclosed mechanical rooms, which would shield the noise at off-site noise sensitive uses so as to avoid land use noise conflicts with adjacent uses and minimize audible increases in exterior noise levels at off-site noise sensitive uses. Thus, as shown on Table IV.G-11, *Mechanical Equipment Noise Levels*, the estimated noise levels at all off-site receptor locations would be below the significance threshold of 5 dBA. Similarly, as to noise generated from the parking facilities, noise generated within the underground parking structure would be effectively shielded from off-site sensitive receptor locations, as the structure would be fully enclosed on all sides while, as shown on Table IV.G-15, *On-Site Parking Noise Levels*, the estimated noise levels from the Project's surface parking lot would be well below existing ambient noise levels. As for the Project's outdoor open space, as shown on Table IV.G-12, *Estimated Daytime Outdoor Open Space Noise Levels (Leq)*, the use of the Project's numerous publicly accessible open space areas would not cause an exceedance in the noise level above the threshold of significance. Similarly, as shown in Table IV.G-13, *Public Special Events Noise Levels*, when considering special events to be held at the Project's Central Courtyard or the Pop-Up Plaza, alone, the noise levels would not exceed the threshold of significance at any of the receptor locations. However, as shown in Table IV.G-14, *Estimated Combined Outdoor Open Space And Event Noise Levels (Leq)*, when special events' noise is combined with the noise from the other outdoor open space uses, the estimated combined noise levels from the Project outdoor open spaces and events would result in an increase of 5 dBA at receptor location R2. That is, the noise level at receptor location R2, with an existing ambient noise level of 64.8 dBA, would be increased to the significance threshold of 69.8 dBA, thus resulting in a potentially significant impact.

Accordingly, the Project would be required to implement Mitigation Measure NOI-MM-5, which would limit all amplified sound systems used for special events to sound levels equivalent to 90 dBA measured at a distance of 25 feet from the amplified speaker sound system. As shown in Table IV.G-20, *Mitigated Daytime Combined Outdoor Open Space Event-Related Noise Levels (Leq)*, with implementation of Mitigation Measure NOI-MM-5, Project noise from human conversation, applause, and amplified music during special events and combined operation of Project open spaces during daytime and evening hours would not exceed the significance

threshold of 5 dBA at any of the receptor locations, including R2. As such, as shown in Table IV.G-21, *Mitigated Composite Noise Impacts*, with implementation of Mitigation Measure NOI-MM-5, noise impacts at receptor location R2 would be less than significant with mitigation.

Similarly, as indicated on Table IV.G-18, *Composite Noise Impacts*, all Project-related noise sources (including mechanical equipment, open space, parking facilities, and occasional special events), and the noise associated with maximum daily operation of the Project plus existing ambient noise levels would result in an increase at receptor location R2 in excess of the 5 dBA threshold of significance. However, as shown in Table IV.G-21, *Mitigated Composite Noise Impacts*, with implementation of Mitigation Measure NOI-MM-5, the noise level associated with composite Project noise at receptor location R2 would be reduced to 69.3 dBA which is below the threshold of significance of 69.8 dBA. Therefore, with implementation of Mitigation Measure NOI-MM-5, impacts related to composite noise at receptor location R2 would be less than significant with mitigation.

Reference

For a complete discussion on noise and vibration impacts, please see Section IV.G, Noise, and Appendix G, Noise and Vibration Worksheets, of the Draft EIR and Section III, Revisions, Clarifications and Corrections to the Draft EIR, and Appendix-E, Modified Project Noise Worksheets, of the Final EIR.

Public Services – Fire Protection (Fire Hydrant Flow during Project Operation Only)

Impact Summary

As stated on pages IV.I.1-17 and IV.I.1-20 through IV.I.1-24 in Section IV.I.1, Public Services – Fire Protection, of the Draft EIR, and in Appendix I-1, Public Service Provider Correspondence, of the Draft EIR, and in Appendix L-1, Infrastructure Report, there are eight existing public fire hydrants in the immediate vicinity of the Project Site, with two hydrants located along Central Avenue, and three hydrants along each of 4th Street and Alameda Street. LAMC Section 57.507.3 requires that fire hydrant flow of 12,000 gallons per minute (gpm) be available to any block from hydrants flowing simultaneously with a residual pressure of 20 pounds per square inch. The Information of Fire Flow Availability Request (IFFAR) included in the Infrastructure Report shows that flow from the eight existing hydrants is 11,750 gpm combined. Thus, the Project Site currently does not have adequate fire hydrant flow available to demonstrate compliance with the LAMC. Accordingly, the existing shortage of fire hydrant flow during Project operation required for the Project is a potentially significant impact associated with the provision of, or need for, new or altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives and could potentially result in cumulative impacts related to fire hydrant flow.

Mitigation Measures

Mitigation Measure PS-MM-1: Prior to building occupancy, the Project shall implement the following improvements as shown in Exhibit 2 of the Infrastructure Report prepared for the Project by KPFF Consulting Engineers, dated May 2023: 1) upgrade approximately 110 linear feet of the existing 6-inch line in 4th Street to an 8-inch line; 2) Relocate the hydrant (FH 16418) to the north due to the proposed 4th Street dedication and reconnect it to the upsized 8-inch line; and

3) Reconnect the hydrant (FH 9377) on the south to the upsized 8-inch line.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the potential significant effects on the environment.

Rationale for Finding

As stated above, there are eight existing public fire hydrants in the immediate vicinity of the Project Site, with two hydrants located along Central Avenue, and three hydrants along each of 4th Street and Alameda Street. LAMC Section 57.507.3 requires that fire hydrant flow of 12,000 gpm be available to any block from hydrants flowing simultaneously with a residual pressure of 20 pounds per square inch. The IFFAR included in the Infrastructure Report shows that the combined flow from the eight existing hydrants is 11,750 gpm which is below the required 12,000 gpm threshold. Thus, the Project Site currently does not have adequate fire hydrant flow available to demonstrate compliance with the LAMC. Accordingly, the existing shortage of fire hydrant flow required for the Project is a potentially significant impact associated with the provision of, or need for, new or altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable performance objectives.

As further stated therein, the Project would be required to implement Mitigation Measure PS-MM-1 which requires that the Project: upgrade approximately 110 linear feet of the existing 6-inch line in 4th Street to an 8-inch line; relocate the hydrant located along 4th Street and reconnect it to the upsized 8-inch line; and, reconnect the hydrant on the south to the upsized 8-inch line. With implementation of this mitigation measure, the Project would increase the capacity in the existing 6-inch line in 4th Street to allow for adequate fire hydrant flow to the Project Site. Thus, the Project's impact related to fire hydrant flow during Project operation would be less than significant with mitigation.

Further, as stated on pages IV.I.1-27 through IV.I.1-29 in Section IV.I.1, Public Services – Fire Protection, of the Draft EIR, and in Appendix I-1, Public Service Provider Correspondence, of the Draft EIR, and in Appendix L-1, Infrastructure Report, the Related Project would increase the demand for fire protection services including for fire hydrant flows. However, similar to the Project, each Related Project would be required to comply with all applicable LAMC provisions including those which require that the fire hydrants serving the individual projects have adequate fire flow for that project. Although the Project currently does not have adequate fire hydrant flow, with implementation of Mitigation Measure PS-MM-1, which would ensure adequate fire hydrant flow, the Project's impacts on fire protection services with regard to adequacy of fire hydrant flows would be less than significant. As such, with implementation of Mitigation Measure PS-MM-1, the Project's contribution to a cumulative impact related to fire hydrant flow would not be cumulatively considerable. Therefore, the Project's cumulative impacts on fire protection services associated with inadequate fire flow would be less than significant with mitigation.

Reference

For a complete discussion fire protection services, please see Section IV.I.1, Public Services, and Appendix I-1, Public Service Providers Correspondence, and Appendix L, Infrastructure Report, of the Draft EIR.

Tribal Cultural Resources

Impact Summary

As stated on pages IV.K-10 through IV.K-12 in Section IV.K, Tribal Cultural Resources, of the Draft EIR, and Appendix K, Tribal Cultural Resources Assessment Report, of the Draft EIR, although no prehistoric archaeological or tribal historic resources have been previously recorded within the Project Site itself or within a 0.25-mile radius of the Project Site, a search for potential tribal resources determined that the results were positive, although no information about the nature and location of the resource(s) were provided. Additionally, the documentation provided by the Gabrieleño Tribe indicates that the village of Yangna, old/ancient roads, and the Los Angeles River are in close proximity to the Project Site. Based on these findings, it appears that the Project Site has a high potential for encountering tribal cultural resources during construction since construction would require excavation into soils that have a potential to contain tribal cultural resources and the Project could potentially result in cumulative impacts related to tribal cultural resources.

Mitigation Measures

Mitigation Measure TCR-MM-1: Prior to the issuance of a demolition permit, the Applicant shall retain a Native American Monitor from the Gabrieleño Band of Mission Indians – Kizh Nation (Kizh Nation or Tribe) who shall be present during construction activities deemed by the Native American Monitor to have the potential for encountering tribal cultural resources, such as demolition, pavement removal, clearing/grubbing, drilling/augering, potholing, grading, trenching, excavation, tree removal or other ground disturbing activity associated with the Project. The activities to be monitored may also include off-site improvements in the vicinity of the Project Site, such as utilities, sidewalks, or road improvements. A monitoring agreement between the Applicant and Kizh Nation shall be prepared that outlines the roles and responsibilities of the Native American Monitor and shall be submitted to the City prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity. A qualified Archaeologist, along with a Native American Monitor (if available), shall also provide Sensitivity Training to construction personnel as required by Mitigation Measure CUL-MM-10.

The Native American Monitor, in coordination with the qualified Archaeologist and archaeological monitor as identified in Mitigation Measure CUL-MM-9, shall have the authority to direct the pace of construction equipment activity in areas of higher sensitivity and to temporarily divert, redirect or halt ground disturbance activities to allow identification, evaluation, and potential recovery of tribal cultural resources. Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined appropriate by the Native American Monitor in the event there appears to be little to no potential for impacting tribal cultural resources. Native American monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh Nation from a designated point of contact for the Applicant or Lead Agency that all ground-disturbing activities and phases that may involve ground-disturbing activities

on the Project Site or in connection with the Project are complete; or (2) a determination and written notification by the Kizh Nation to the Project Applicant/Lead Agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact tribal cultural resources.

Mitigation Measure TCR-MM-2: The Native American Monitor shall complete daily monitoring logs that provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Gabrieleño Tribe. Monitor logs shall identify and describe any discovered tribal cultural resources, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the Project Applicant/Lead Agency upon written request to the Gabrieleño Tribe. The Applicant shall not be deemed to be out of compliance with this measure if the Native American Monitor fails to complete or submit any such monitoring logs.

Mitigation Measure TCR-MM-3: In the event that prehistoric/Native American (e.g., hearths, stone tools, shell and faunal bone remains, etc.) archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. An appropriate buffer area shall be established by the Native American Monitor and archaeological monitor in accordance with industry standards, reasonable assumptions regarding the potential for additional discoveries in the vicinity, and safety considerations for those making and evaluation and potential recovery of the discovery. This buffer area shall be established around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area.

Within three (3) business days of such discovery, a meeting shall take place between the Applicant, the qualified Archaeologist, the Gabrieleño Tribe, and the City to discuss the significance of the find and whether it qualifies as a tribal cultural resource pursuant to Public Resources Code Section 21074(a). If, as a result of the meeting and after consultation with the Tribe, the Applicant, and the Qualified Archaeologist, the City of Los Angeles determines, based on substantial evidence, that the resource is in fact a tribal cultural resource, a treatment plan shall be developed by the Gabrieleño Tribe, with input from the qualified Archaeologist as necessary, and with the concurrence of the City's Planning Director. The treatment measures in the treatment plan shall be implemented prior to construction work continuing in the buffer around the find. The preferred treatment is avoidance, but if not feasible may include, but would not be limited to, capping in place, excavation and removal of the resource and follow-up laboratory processing and analysis, interpretive displays, sensitive area signage, or other mutually agreed upon measures. The treatment plan shall also include measures regarding the curation of the recovered resources.

The recovered prehistoric or Native American resources may be placed in the custody of the Gabrieleño Tribe who may choose to use them for their educational purposes or they may be curated at a public, non-profit institution with a research interest in the materials. If neither the Gabrieleño Tribe nor institution accepts the resources, they may be donated to a local school or historical society in the area for educational purposes.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the potential significant effects on the environment.

Rationale for Finding

As stated above, no prehistoric archaeological resources have been previously recorded within the Project Site itself or within a 0.25-mile radius of the Project Site. As explained therein, while a search conducted by the California Native American Heritage Commission (NAHC), indicated that the results were positive, although no information about the nature and location of the resource(s) were provided, and consultation with the Gabrieleño Tribe indicated their position that the Project Site is sensitive for the presence of potential tribal cultural resources, no substantial evidence of the presence of a tribal cultural resource on the Project Site has been presented. Nevertheless, the potential to encounter tribal cultural resources at depth during construction exists due to the Project Site's location: (i) in the general vicinity of a known Native American village (Yangna) and where recent discoveries during other construction projects have been made; (ii) in an area where prehistoric trading routes had once existed: and, (iii) in proximity to the Los Angeles River, all of which would have attracted prehistoric inhabitants to the Project Site and vicinity. Additionally, there are still areas of the Project Site that likely are comprised of native soils that retain the potential to preserve tribal cultural resources. As a result, the Project could cause a substantial adverse change in the significance of a tribal cultural resource.

The Project would implement Mitigation Measures TCR-MM-1 through TCR-MM-3 to ensure that in the event an unknown trial cultural resource is unearthed, the resources would be treated properly. Specifically, these mitigation measures would protect tribal cultural resources in that they would, in part, do the following: (i) TCR-MM-1: requires retention of a Native American Monitor from the Gabrieleño Band of Mission Indians – Kizh Nation who would be present during construction activities deemed by the Native American Monitor to have the potential for encountering tribal cultural resources, requires that a qualified Archaeologist, along with a Native American Monitor (if available), provide Sensitivity Training to construction personnel as required by Mitigation Measure CUL-MM-10, and authorizes the Native American Monitor to direct the pace of construction equipment activity in areas of higher sensitivity and to temporarily divert, redirect or halt ground disturbance activities to allow identification, evaluation, and potential recovery of tribal cultural resources; (ii) TCR-MM-2: requires the Native American Monitor to keep logs of any encountered tribal cultural resources; and, (iii) TCR-MM-3: sets forth specific procedures to implement in the event that tribal resources are unearthed, including, without limitation, haling or diverting ground-disturbing activities so that the find can be evaluated and developing and implementing a treatment plan which can include avoidance of the resource, if feasible, or, if not feasible, excavation, removal and curation of the resource. As such, these mitigation measures would ensure that Project construction would not cause a substantial

adverse change in the significant of a tribal cultural resource. Therefore, with implementation of these mitigation measures, the Project's construction impacts would be less than significant with mitigation.

Further as stated on pages IV.K-13 through IV.K-14 in Section IV.K, Tribal Cultural Resources, of the Draft EIR, and Appendix K, Tribal Cultural Resources Assessment Report, of the Draft EIR, the 39 Related Projects, including those in the Project Site vicinity, would be expected to require grading and excavation that have the potential to encounter tribal cultural resources. Since prior to mitigation, the Project could have a significant impact on tribal cultural resources even though there are no resources listed or determined eligible for listing on the Project Site, the Project combined with the Related Projects have the potential to cumulatively impact tribal cultural resources. However, as with the Project, each Related Project would also be required conduct appropriate research for the presence of tribal cultural resources and to engage in AB 52 consultation with Native American tribes in order to identify any tribal cultural resources that could potentially be impacted by that Related Project and to implement mitigation measures to mitigate significant impacts, if any are identified or if the Related Project is in an area of heightened sensitivity similar to the Project Site. If no tribal resources are identified, or if the Related Project is not in an area of heightened sensitivity, the Related Project would be required to comply with the City's standard condition of approval for the treatment of inadvertent tribal cultural resource discoveries. As further explained therein, the City's standard condition of approval provides for the treatment and recovery, as applicable, of previously unknown tribal resources should they be encountered during construction activities. Moreover, with implementation of Mitigation Measures TRC-MM-1 through TRC-MM-3, the Project's impacts would be less than significant, and, therefore, the Project's contribution to cumulative impacts to tribal resources would be less than significant. As such, with mitigation, Project impacts to tribal cultural resources would not be cumulatively considerable. Therefore, the Project, considered together with the Related Projects, would not cause a cumulatively significant substantial adverse change in the significance of a tribal cultural resource and impacts would be less than significant with mitigation.

Reference

For a complete discussion of tribal cultural resources, please see Section IV.K, Tribal Cultural Resources, and Appendix K, Tribal Cultural Resources Assessment Report, of the Draft EIR.

Utilities and Service Systems – Water Supply (Infrastructure)

Impact Summary

As stated on pages IV.L.1-28 through IV.L-30 in Section IV.L.1, Utilities and Services Systems – Water Supply, of the Draft EIR, and in Appendix L-1, Infrastructure Report, of the Draft EIR, during Project operation the water infrastructure servicing the Project Site is sufficient to accommodate the estimated domestic water demand for the Project but is insufficient to meet the LAMC code requirements for fire hydrants. Specifically, pursuant to the LAMC, high density projects, such as the Project, have a required fire flow of 12,000 gpm available to any block from hydrants flowing simultaneously with a residual pressure of 20 pounds per square inch. As shown in Exhibit 1 of the Infrastructure Report, the closest eight hydrants to the Project Site can only provide 11,750 gpm. Thus, the Project Site currently does not have adequate fire hydrant flow available to demonstrate compliance with the LAMC fire hydrant flow standards. Accordingly, the existing shortage of fire hydrant flow required for the Project would be a significant impact and potentially could result in a cumulative impact related to water infrastructure.

Mitigation Measures

Mitigation Measure PS-MM-1: Prior to building occupancy, the Project shall implement the following improvements as shown in Exhibit 2 of the Infrastructure Report prepared for the Project by KPFF Consulting Engineers, dated May 2023: 1) upgrade approximately 110 linear feet of the existing six-inch line in 4th Street to an eight-inch line; 2) Relocate the hydrant (FH 16418) to the north due to the proposed 4th Street dedication and reconnect it to the upsized eight-inch line; and 3) Reconnect the hydrant (FH 9377) on the south to the upsized eight-inch line.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the potential significant effects on the environment.

Rationale for Finding

As stated above, domestic water service is available in the vicinity of the Project Site via LADWP water lines within the adjacent streets. Impacts to the water supply infrastructure are determined on the ability of water infrastructure to meet a project's domestic demand and fire hydrant flow. As discussed in Appendix L-1, there are five water lines and eight hydrants that could serve the Project Site. As further explained therein, the Project's fire flow demands have a much greater instantaneous impact on infrastructure than domestic demand, and therefore are the primary means for analyzing infrastructure capacity. Based on a conservative analysis for both fire suppression and domestic water flows, LADWP determined that they can meet the Project needs for domestic water demand based on the existing infrastructure. See Exhibit 3 of the Infrastructure Report for the results of the Service Advisory Requests (SARs) for the eight-inch Central Avenue main, eight-inch 4th Street main and the eight-inch Alameda Street main.

However, as shown in the Information of Fire Flow Availability Request (IFFAR) contained in Instructure Report (Appendix L-1) the fire hydrants were determined to have insufficient fire flow to meet the LAMC requirements for high density development. Specifically, based on fire flow standards set forth in LAMC Section 57.507.3, the Project needs to have a fire flow of 12,000 gallons per minute (gpm) available to any block from hydrants flowing simultaneously with a residual pressure of 20 pounds per square inch. As shown in the IFFAR, the closest eight hydrants to the Project Site can provide 11,750 gpm. Thus, the Project Site currently does not have adequate fire hydrant flow available to demonstrate compliance with the LAMC fire flow standards and, therefore, the Project impacts related to water supply infrastructure would be significant without mitigation.

The Project will implement Mitigation Measure PS-MM-1 which requires the Project to make the following water infrastructure improvements, (1) upgrading approximately 110 linear feet of the existing six-inch line in 4th Street to an eight-inch line; (2) relocate the hydrant (FH 16418 located at the northeastern corner of 4th Street and Central Avenue) to the north due to the proposed 4th Street dedication and reconnect it to the upsized eight-inch line; and (3) reconnect the hydrant (FH 9377 located at the southeastern corner of 4th Street and Central Avenue) on the south to the upsized eight-inch line. These improvements would increase the capacity in the existing six-inch line in 4th Street to allow for adequate fire hydrant flow to the Project Site and would ensure

the that the combined fire hydrant flow to the Project Site meets the 12,000 gpm minimum flow required by the LAMC. Therefore, with implementation of Mitigation Measure PS-MM-1, Project-level impact to the water supply infrastructure during Project operation would be less than significant with mitigation.

Further, as stated on pages IV.L.1-35 through IV.L-36 in Section IV.L.1, Utilities and Service Systems, Water Supply, of the Draft EIR, and in Appendix L-1, Infrastructure Report, of the Draft EIR, development of the Project, in conjunction with the Related Projects, would cumulatively increase service demand on the existing water infrastructure system. However, similar to the Project, each Related Project would be subject to City review to assure that the existing public utility facilities would be adequate to meet the domestic and fire water demands of each project, and thus required to obtain a SAR and an IFFAR, based on flow testing of facilities, to verify that there is available service. Furthermore, LADWP, together with the City's Department of Public Works, conducts ongoing evaluations to ensure facilities are adequate and requires infrastructure system improvements as needed. As Project-level impacts related to water supply infrastructure during Project operation would be less than significant with implementation of Mitigation Measure PS-MM-1, the Project's contribution to a cumulative impact would not be considerable with mitigation. Therefore, the Project's cumulative impacts on water supply infrastructure during Project-operation would be less than significant with mitigation.

Reference

For a complete discussion of water supply, including water supply infrastructure, please see Section IV.L.1, Utilities and Services Systems – Water Supply, and Appendix L-1, Infrastructure Report, of the Draft EIR.

VII. Significant and Unavoidable Impacts

The Final EIR determined that the environmental impacts set forth below are significant and unavoidable. In order to approve the Project with significant unmitigated impacts, the City is required to adopt a Statement of Overriding Considerations, which is set forth in Section XIII below. No additional environmental impacts other than those identified below will have a significant effect or result in a substantial or potentially substantial adverse effect on the environment as a result of the construction or operation of the Project. The City finds and determines that:

a) All significant environmental impacts that can be feasibly avoided have been eliminated, or substantially lessened through implementation of the project design features and/or mitigation measures; and

b) Based on the Final EIR, the Statement of Overriding Considerations set forth below, and other documents and information in the record with respect to the construction and operation of the Project, all remaining unavoidable significant impacts, as set forth in these findings, are overridden by the benefits of the Project as described in the Statement of Overriding Considerations for the construction and operation of the Project and implementing actions.

Air Quality (Cumulatively Considerable Increase in Regional Criteria Pollutants NOx and CO)

Impact Summary

As stated on pages IV.A-65 through IV.A-72 and IV.A-76 through IV.A-88, in Section IV.A, Air Quality, of the Draft EIR, as revised on page III-46 of the Final EIR, and Appendix B, Air Quality and Greenhouse Gas Technical Documentation, of the Draft EIR, and Appendix FEIR-C, Modified Project Air Quality and Greenhouse Gas Emissions Technical Data, of the Final EIR, construction of the Project would generate air quality emissions through the use of construction equipment and vehicles, including heavy-duty equipment, haul trucks and concrete pour trucks. These emissions would exceed the VOC, NOx, and CO regional thresholds, and, therefore, Project construction impacts would be potentially significant prior to mitigation and could potentially result in a cumulative impact related to an increase in regional criteria pollutants.

Project Design Features

Project Design Feature AQ-PDF-1: Construction Power Pole Usage. The Project contractor(s) will use electricity from power poles (where available) and/or solar-powered generators rather than temporary diesel or gasoline generators during construction.

Mitigation Measures

AQ-MM-1: Construction Equipment Features: The Applicant shall implement the following construction equipment features for equipment operating at the Project Site. These features shall be included in applicable bid documents, and successful contractor(s) must demonstrate the ability to supply such equipment. Construction features shall include the following:

- The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and United States Environmental Protection Agency (USEPA) Tier 4 Final off-road emissions standards or equivalent for equipment rated at 25 horsepower (hp) or greater during Project construction where available within the Los Angeles region. Such equipment shall be outfitted with Best Available Control Technology (BACT) which means a CARB certified Level 3 Diesel Particulate Filter or equivalent.

- Contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. All construction equipment must be properly tuned and maintained in accordance with the manufacturer's specifications. The contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications. Tampering with construction equipment to increase horsepower or to defeat emission control devices shall be prohibited.

- Contractors shall ensure that all air compressors, cement and mortar mixers, concrete/industrial saws, plate compactors, rollers, signal boards, skid-steer loaders, sweepers/scrubbers and welders used during construction activities are electric powered. Additionally, contractors shall ensure one piece of the following types of equipment from each construction activity that uses them would be electric powered: tractor/loader/backhoes, generator sets, graders, pumps and rough terrain forklifts. In addition, where commercially available for the Project Site, construction equipment shall meet Tier 5 requirements when standards are

adopted by CARB. For the purposes of this mitigation measure, "commercially available" is defined as equipment built by the original manufacturer and available for lease or hire within 20 miles of the City of Los Angeles and available in a similar timeframe to fossil-fueled options. If Tier 5 engine equipment is not commercially available, the contractor must show proof that the equipment is not commercially available by providing letters from at least two independent rental companies, each of which must own or operate a construction equipment fleet with total maximum horsepower of greater than 2,500 horsepower, for each piece of off-road equipment where the Tier 5 engine equipment is not available. This requirement shall be incorporated into applicable bid documents, purchase orders, and contracts with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities. A copy of each unit's certified tier specification or model year specification shall be available upon request at the time of mobilization of each applicable unit of equipment.

AQ-MM-2: Concrete Truck Features: The Applicant shall implement the following measures to reduce the emissions of air pollutants generated by concrete trucks:

- The contractor shall use concrete trucks with an average capacity of 10 cubic yards to minimize the number of concrete truck trips;

- The contractor shall use local concrete suppliers with concrete supplied by one or more facilities located within a driving distance of approximately 10 miles per one-way trip (approximately 20 miles per round trip).

- The contractor shall be required to ensure that trucks used to deliver concrete are made by CNG-fueled concrete trucks or trucks that achieve the same or lower NOx emissions as CNG-fueled concrete trucks.

- During plan check, the Project representative shall make available to the lead agency and SCAQMD a comprehensive inventory of all concrete trucks that will be used during the days of concrete pouring. The inventory shall include the concrete truck capacity, fuel specification, and NOx emissions rating. A copy of each such unit's certified emissions rating shall be provided on-site at the time of mobilization of each applicable unit of equipment to allow the Construction Monitor to compare the on-site equipment with the inventory and certified emissions specification.

AQ-MM-3: Emergency Generator Maintenance & Testing: The Project representative shall schedule routine maintenance and testing of the emergency generators installed on the Project Site on different days. Prior to the installation of emergency generators, the Project representative shall supply documentation to the City that emergency generator testing by contractors, service providers, or maintenance crews will be conducted in accordance with the specified requirements. The Project representative shall maintain records of emergency generator testing, including testing dates, which shall be made available to the

City upon request.

AQ-MM-4: Electric Landscaping Equipment: The Project representative shall only allow for electric landscaping equipment to be used at the Project Site. If electric landscaping equipment for specific types of equipment are not commercially available from landscaping contractors then up to two pieces of landscaping equipment per day may be gasoline-fueled. The Project representative shall require that landscaping contract documents include the requirement to use electric landscaping equipment for all future operational landscaping activities.

AQ-MM-5: Use of Super-Compliant VOC Paints: The Project representative shall only allow "Super-Compliant" architectural coating paints to be used at the Project Site as defined by SCAQMD to be less than 10 grams per liter VOC for all future operational on-going maintenance coating and painting activities (does not apply to coating activities for future new construction, tenant improvements, and additions). The Project representative shall require that all tenant and lease contract documents include the requirement to use "Super-Compliant" architectural coating paints for all future operational coating and painting activities.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the significant effects on the environment. However, these effects have not been reduced to a less than significant level.

Pursuant to PRC Section 21081(a)(3), the City finds that 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.

Rationale for Findings

As stated above, Project construction has the potential to generate temporary regional criteria pollutant emissions through the use of heavy-duty construction equipment, such as excavators and forklifts, and through vehicle trips generated by workers and haul trucks traveling to and from the Project Site. Mobile source emissions, primarily NOx, would result from the use of construction equipment, such as bulldozers and loaders. Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of construction activity, and prevailing weather conditions. However, to determine whether a project exceeds a regional threshold of emission of a criteria pollutant, the maximum daily emissions are calculated. As shown in the aforementioned appendices, Project construction emissions were quantified for construction of each of the Project's North, South, and West Sites and each Site's associated land uses. Maximum daily construction emissions were calculated by combining overlapping phases within construction of each Site and the maximum simultaneous/overlapping construction across the Project's North, South, and West Sites. The results of the detailed emissions calculations provided in Appendix B and Appendix FEIR-C and shown in Table IV.A-7, *Estimated Maximum Regional Construction Emissions for the North Site*, Table IV.A-8, *Estimated Maximum Regional Construction Emissions for the South Site - Upper South*, Table IV.A-9, *Estimated Maximum Regional Construction Emissions for the South Site – Lower South*, Table IV.A-10, *Estimated Maximum Regional Construction Emissions for the West Site*, and Table IV.A-11,

Estimated Maximum Regional Construction Emissions for Maximum Overlapping of Construction. As shown in these tables, construction-related daily emissions of VOC, NOx, and CO would exceed the SCAQMD thresholds of significance. Emissions of other criteria pollutants would be below SCAQMD thresholds.

As further explained therein, the Project's NOx and CO emissions would result primarily from heavy-duty trucks required for on-road soil hauling and from concrete trucks delivering concrete to the Project Site from concrete suppliers. The VOC emissions would result primarily from the architectural coating phases where painting of interior and exteriors of the buildings would occur. Therefore, the Project's temporary impact related to regional VOC, NOx and CO construction emissions would be potentially significant. To reduce these emissions, the Project would implement Implementation of Mitigation Measures AQ-MM-1 and AQ-MM-2. Specifically, AQ-MM-1 would reduce emissions from construction equipment, in part by requiring: the use of Tier 4 Final off-road emissions standards or equivalent for equipment rated at 25 horsepower (hp) or greater and the use of Tier 5 equipment when available; the outfitting of equipment with Best Available Control Technology; maintenance of equipment so as to minimize exhaust; and, use of electric powered equipment. AQ-MM-2 would reduce emissions from concrete trucks, in part by requiring: the use of concrete trucks with an average capacity of 10 cubic yards to minimize the number of concrete truck trips; the use of local concrete suppliers; and, the use of CNG-fuel concrete trucks. These mitigation measures would reduce short-term and temporary VOC and NOx emissions, including from heavy-duty equipment and concrete trucks during the Project building foundations, parking garage construction, and building construction activities, as shown in Table IV.A-14, *Estimated Maximum Mitigated Regional Construction Emissions for the North Site*, Table IV.A-15, *Estimated Maximum Mitigated Regional Construction Emissions for the South Site - Lower South*, Table IV.A-16, *Estimated Maximum Mitigated Regional Construction Emissions for the South Site – Upper South*, Table IV.A-17, *Estimated Maximum Mitigated Regional Construction Emissions for the West Site*, and Table IV.A-18, *Estimated Maximum Mitigated Regional Construction Emissions for Maximum Overlapping of Construction,* as revised on pages III-51 through III-62 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR. As indicated in Table IV.A-18, with implementation of Mitigation Measures AQ-MM-1 and AQ-MM-2, short-term construction VOC emissions would be reduced below the threshold of significance, and NOx and CO emissions would also be reduced but not below the levels of significance. Thus, even with implementation of Mitigation Measures AQ-MM-1 and AQ-MM-2, short-term construction NOx and CO emissions would exceed the applicable regional emission thresholds. As further explained therein, it is not possible to reduce the number of concrete trucks needed to complete the concrete pouring activities without compromising the integrity of the building foundations and building structural needs nor is it possible to avoid the need for grading/excavation activities and haul trucks to transport excavated soil to appropriate regional disposal sites and there are no feasible mitigation measures that would reduce the NOX and CO emissions from the haul trucks to below the regional significance threshold. Therefore, impacts related to regional NOx and CO construction emissions would be temporarily significant primarily because of the concrete pours required for the Project building foundations, parking garage construction, and building construction, and the hauling required to transport and dispose of excavated soil. Accordingly, with implementation of all feasible mitigation measures, the Project's construction impacts related to exceeding NOx and CO regional emissions thresholds would remain significant and unavoidable.

Further, as stated on pages IV.A-109 through IV.A-112 in Section IV.A, Air Quality, of the Draft

EIR, as revised on page III-80 of the Final EIR, pursuant to SCAQMD recommendation, the City evaluates the cumulative impacts for individual projects based on whether the project exceeds the SCAQMD's recommended daily thresholds for those pollutants for which the Air Basin is in non-attainment. As such, Project emissions would be considered cumulatively considerable if Project-specific emissions exceed an applicable SCAQMD recommended significance threshold. As shown in Tables IV.A-14 through Table IV.A-18, as revised, which indicate the maximum levels of emissions for Project construction for each of the Project areas (North, South, and West Sites) and for overlapping construction activities, with implementation of Mitigation Measures AQ-MM-1 and AQ-MM-2, while VOCs would be reduced to below the threshold of significance, regional emissions of NOx and CO would still exceed the thresholds of significance. Since even after implementation of Mitigation Measures AQ-MM-1 and AQ-MM-2 the Project's short-term construction impacts would be significant and unavoidable, Project construction-related NOx and CO emissions combined with emissions from construction of the Related Projects could also exceed the applicable regional NOx and CO emissions significance thresholds. As such, the Project's contribution to air quality impacts related to NOx and CO during construction would be cumulatively considerable. Therefore, with implementation of all feasible mitigation measures, the Project's cumulative impacts related to exceeding regional thresholds for NOx and CO would be significant and unavoidable.

Reference

For a complete discussion of air quality impacts, including regional criteria emissions, see Section IV.A, Air Quality, and Appendix B, Air Quality and Greenhouse Gas Technical Documentation, of the Draft EIR, and Section III, Revisions, Clarifications and Corrections to the Draft EIR, and Appendix FEIR-C, Modified Project Air Quality and Greenhouse Gas Emissions Technical Data, of the Final EIR.

Cultural Resources (Historical Resources – On-Site Only)

Impact Summary

As stated on pages IV.B-34 through IV.B-37 and IV.B-43 through IV.B-48 in Section IV.B, Cultural Resources, of the Draft EIR, and in Appendix C-1 Historical Resources Technical Report, of the Draft EIR, the Project Site contains a historical resource, the Los Angeles Cold Storage (LACS) Building, which is composed of the East and West Volumes, and is located on the North Site. The Project includes the preservation and adaptive reuse the West Volume portion of the LACS Building, if physically possible. However, as a cold storage facility, the LACS Building has been "frozen" for over 100 years which may affect its structural integrity after it is "unfrozen" for Project construction. In order to reduce that impact, the Project would be required to implement mitigation measures. If it is confirmed that the West Volume of the LACS Building would remain substantially intact and structurally sound following the thawing process, and therefore would be retained, rehabilitated, and adaptively reused as part of the Project, the West Volume would represent a remnant of a significant industrial building in the original industrial core of Los Angeles. However, as the historical resource is the whole LACS Building, the demolition of the East Volume would result in a significant loss of integrity of design, materials, and workmanship to the LACS Building. Therefore, whether the LACS Building is demolished in whole or in part, the Project would result in a significant and unavoidable adverse impact to a historical resource on the Project Site that cannot be mitigated to a less-than-significant level.

The Project demolition of the LACS Building, would represent a significant adverse impact to a

historical resource that cannot be mitigated to a less-than-significant level. If the West Volume of the LACS Building can be retained, the proposed residential tower would be located immediately north of the West Volume, separated by a paseo approximately 15 feet wide. Following construction of the residential tower, the West Volume would continue to read as a distinct building, it would remain visible in its historic location and would maintain its relationship to Central Avenue, and the physical features of its original Industrial Vernacular and Neoclassical design would not be altered or obscured. However, the Project would add significant height and density to the Project Site and would introduce 10 contemporary buildings in varying heights and sizes to an area that historically was developed with low density industrial buildings. In particular, the contemporary design of the residential tower is not compatible with the early 20th century physical characteristics of the LACS Building and would change the industrial character of the Project Site and surrounding area resulting in substantially changing the industrial character of the Project Site. As such, the Project would cause a sufficient loss of integrity of setting. Thus, indirect historical impacts to the West Volume would be potentially significant.

Mitigation Measures

CUL-MM-1: Documentation. In order to document the LACS Building and its contribution to the early industrial history of Los Angeles, prior to the issuance of demolition permits, or any abatement or demolition work on the North Site, the LACS Building shall be documented according to Historic American Building Survey (HABS) Level III standards, appropriate for a building that has not been formally designated but which has been identified as significant in a historic resources survey. The Project would result in a cumulative impact to the cold storage property type; therefore, the documentation shall provide information to future researchers on an increasingly rare property type that played a crucial role in the industrial development of the City in the early 20th century. The HABS Level III documentation shall be prepared by a historian or architectural historian who meets the Secretary of the Interior's Historic Preservation Professional Standards in the relevant discipline. The documentation shall be reviewed and approved by the Department of City Planning, Office of Historic Resources. Digital copies of the documentation shall be offered to the following repositories: the Los Angeles Public Library; Department of City Planning, Office of Historic Resources; and the Los Angeles Conservancy.

CUL-MM-2: Interpretation. The Applicant shall develop an interpretive program describing the history of the LACS Building and Los Angeles Cold Storage. The interpretive program shall be made accessible to the public and may include historic photographs or other ephemeral materials documenting the history of the Los Angeles Cold Storage, the development of the Industrial core of Los Angeles, the history of the Project Site as an early ice production and cold storage facility, and other relevant themes as determined. The format and location of the interpretive program shall be reviewed and approved by the Department of City Planning, Office of Historic Resources.

CUL-MM-3: Thawing Plan. Once the LACS Building is no longer in operation as a cold storage facility, a thawing process shall be undertaken prior to conducting any testing to determine the condition of the structural elements and other historic features. In order to minimize potential damage to the LACS Building resulting

from thawing a building that has been used for cold storage for over 100 years, the Applicant shall retain a qualified structural engineer who meets the Secretary of the Interior's Historic Preservation Professional Standards in Engineering to prepare a "Thawing Plan." The Thawing Plan shall be prepared prior to the issuance of any demolition permits for the North Site, and shall be reviewed and approved by the Department of City Planning, Office of Historic Resources.

CUL-MM-4: Structural Analysis. Once the thawing process of the LACS Building is complete, and prior to the issuance of any demolition permits for the North Site, the Applicant shall retain a qualified structural engineer to conduct the appropriate "Structural Analysis" to determine whether the West Volume of the LACS Building can be retained, rehabilitated, and adaptively reused as part of the Project. The structural engineer shall meet the Secretary of the Interior's Historic Preservation Professional Standards in Engineering and shall have specific expertise in the evaluation of historical resources. The methodology for the Structural Analysis shall be reviewed and approved by the Department of City Planning, Office of Historic Resources, and is to include the following tests:

- Compressive Strength of Concrete Test. The compressive strength of the structural concrete must be a minimum of 2,000 pounds per square inch (psi). A lower number might indicate damaged concrete due to freeze and thaw and increases the unreliability of the quality of concrete to support future loads for the new lifespan of the Project.

- Yield/Tensile Strength of Reinforcing Steel Test. The yield/tensile strength of the rebar must be a minimum 20,000 psi. A lower number might indicate excessive rusting of the reinforcing steel and increases the unreliability of the reinforcing steel to support future loads for the new lifespan of the Project.

- Foundation/Soil Sampling. The soil bearing capacity must be a minimum of 1,500 pounds per square foot (psf). A lower number might indicate erosion of the soil due to freeze and thaw and would be unsuitable to support future loads for the new lifespan of the Project due to excessive settlement.

The results of the Structural Analysis shall be submitted for review and approval by the Department of City Planning, Office of Historic Resources and the Los Angeles Department of Building and Safety. A qualified structural engineer shall make a determination on the potential for the West Volume of the LACS Building to be retained and rehabilitated based on the results of the Structural Analysis testing. If, as determined by a qualified structural engineer, the Structural Analysis demonstrates that the strength of concrete, strength of reinforcing steel, or the foundation/soil sampling tests do not meet the required thresholds as outlined above and therefore the West Volume of the LACS Building would be unreliable to support future loads for the lifespan of the Project; or, if it is determined that the West Volume of the LACS Building meets the definition of a "Hazardous Building" as specified in LAMC Division 89,

Section 91.8902, the Applicant may apply for and receive a demolition permit for the West Volume of the LACS Building. If the Structural Analysis, as approved by the Department of City Planning, Office of Historic Resources and the Los Angeles Department of Building and Safety, demonstrates that the West Volume of the LACS Building is structurally sound for human occupancy, it shall be retained, rehabilitated, and adaptively reused as part of the Project.

The following recommended mitigation measures would apply only if the West Volume of the LACS Building is to be retained:

CUL-MM-5: Historic Architect. If the West Volume is retained and rehabilitated as part of the Project per Mitigation Measure CUL-MM-4, the Applicant shall retain a historic architect who meets the Secretary of the Interior's Historic Preservation Professional Standards in Historic Architecture. The historic architect shall prepare he Historic Structure Report and Mothballing Plan as specified; shall review the proposed plans for the rehabilitation and adaptive reuse of the West Volume of the LACS Building to ensure the appropriate treatment of the significant character-defining features of the West Volume of the LACS Building; and shall be responsible for overseeing the implementation of the proposed plans for the rehabilitation and adaptive reuse related to historical resources on behalf of the Applicant.

CUL-MM-6: Historic Structure Report. If the West Volume is retained and rehabilitated as part of the Project per Mitigation Measure CUL-MM-4, in order to provide adequate documentation to guide the rehabilitation of the West Volume of the LACS Building, a Historic Structure Report ("HSR") shall be prepared for the West Volume of the LACS Building. The HSR shall be prepared in conformance with the National Park Service's Preservation Brief 43: The Preparation and Use of Historic Structures Reports.[1] The HSR shall provide complete documentary, graphic, and physical information about both the history and existing condition of the West Volume of the LACS Building. In addition, the report shall include appropriate methods for treatment of the West Volume, which would be retained and rehabilitated as part of the Project, outline a recommended scope of work, and provide information and recommendations for further treatment. The HSR shall be prepared by a qualified historic architect who meets the Secretary of the Interior's Historic Preservation Professional Standards in Historic Architecture. The HSR shall be reviewed and approved by the Department of City Planning, Office of Historic Resources.

CUL-MM-7: Mothballing Plan. If the West Volume is retained and rehabilitated as part of the Project per Mitigation Measure CUL-MM-4, because the Project is proposed to be undertaken in phases, in order to protect the West Volume of the LACS Building until it is rehabilitated as part of the Project, a Mothballing Plan shall be prepared and implemented for the West Volume of the LACS Building. The Mothballing Plan shall be prepared in conformance with the

[1] U.S. Department of the Interior, National Park Service. "Preservation Brief 43: The Preparation and Use of Historic Structures Reports," 2005.

National Park Service's Preservation Brief 31: Mothballing Historic Buildings.[2] The Mothballing Plan shall outline the steps required to temporarily protect the West Volume of the LACS Building from damage or deterioration and shall be updated after five years. The Mothballing Plan shall be prepared by a qualified historic architect who meets the Secretary of the Interior's Historic Preservation Professional Standards in Historic Architecture. The Mothballing Plan shall be reviewed and approved by the Department of City Planning, Office of Historic Resources.

CUL-MM-8: Protection Plan. If the West Volume is retained and rehabilitated as part of the Project per Mitigation Measure CUL-MM-4, prior to issuance of a grading permit, a structural engineer who meets the Secretary of the Interior's Historic Preservation Professional Standards in Engineering shall prepare a "Protection Plan" to ensure that the West Volume of the LACS Building is properly protected from potential damage resulting from demolition, excavation, and construction procedures on the Project Site, including an appropriate shoring plan to mitigate the possibility of settlement due to the removal of adjacent soil. The Protection Plan shall be reviewed by a historic architect who meets the Secretary of the Interior's Historic Preservation Professional Standards in Historic Architecture, and approved by the Department of City Planning, Office of Historic Resources.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the significant effects on the environment. However, these effects have not been reduced to a less than significant level.

Pursuant to PRC Section 21081(a)(3), the City finds that 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 EIR.

Rationale for Findings

As stated above, the Project Site contains a historical resource, the LACS Building, which is composed of the East and West Volumes, and is located on the North Site. The Project includes the preservation and adaptive reuse the West Volume portion of the LACS Building, if physically possible. However, as a cold storage facility, the LACS Building has been "frozen" for over 100 years which may affect its structural integrity after it is "unfrozen" for Project construction. In order to take every feasible precaution to retain the West Volume, the Project will implement Mitigation Measures CUL-MM-1 through CUL-MM-8. Specifically, the mitigation measures will require the following: CUL-MM-1 would, in part, require documentation appropriate for a building that has not been formally designated but has been identified as a historical resource; CUL-MM-2 would, in part, require the development of an interpretive program, available to the public, describing the history of the LACS Building and Los Angeles cold storage facilities; CUL-MM-3 would, in part, require a thawing plan to determine the conditions of the LACS Building in order to minimize

[2] U.S. Department of the Interior, National Park Service. "Preservation Brief 31: Mothballing Historic Buildings," 1993.

potential damage due to thawing; and, CUL-MM-4 would, in part, require a structural engineer to determine whether the LACS Building can be retained, including through the use of specified testing; and, if it is determined through CUL-MM-4 that the building can be made structurally sound for human occupancy and therefore retained, CUL-MM-5 would, in part, require that a historic architect prepare the Historic Structure Report and Mothballing Plan as specified in CUL-MM-6 and CUL-MM-7; CUL-MM-6 sets forth the requirements for the preparation of a Historic Structure Report which would be used to provide guidance for the rehabilitation of the West Volume; CUL-MM-7 would, in part, require preparation of a mothballing plan to protect the West Volume until the rehabilitation can commence; and, CUL-MM-8 would, in part, require preparation of protection plan to ensure that the West Volume is properly protected from potential damage resulting from demolition, excavation, and construction procedures on the Project Site.

As further stated therein, while these mitigation measures would protect the West Volume to the extent feasible, and would preserve the history of the LACS Building and cold storage facilities within the City, they would not reduce the Project's impact to a less-than-significant level for several reasons. First, there is no assurance that the West Volume would be structurally sound after thawing. Second, the historical resource is the entire LACS Building, not its individual parts. Thus, even if the West Volume can be retained and adaptively reused, the demolition of the East Volume would remove nearly 50% of the historic fabric of the LACS Building. As such, there would be a significant loss of integrity of design, materials, and workmanship to the LACS Building with the demolition of the East Volume. Third, for the purposes of CEQA analysis, since the West Volume is not considered a historical resource on its own, the loss of the East Volume would result in a significant adverse impact to a historical resource. However, there is historical value in the potential retention of the West Volume of the LACS Building. If retained, the West Volume would still represent one of the earliest surviving examples of reinforced concrete construction in the City, would remain in its original location, would retain its historic relationship along Central Avenue, and would reflect the early industrial development of Los Angeles. Therefore, although the retention of the West Volume would not mitigate Project impacts to a less-than-significant level, it would preserve a physical remnant of Los Angeles' industrial history from the first decade of the 20th century. Nonetheless, while of some benefit, retention of the West Volume would not be sufficient to reduce the impact of the LACS Building to a less-than-significant level. Therefore, even with implementation of Mitigation Measures CUL-MM-1 through CUL-MM-8, the Project's direct impacts to the LACS Building would remain significant and unavoidable.

Further, regarding the indirect impacts, as stated above, the Project would result in the whole or partial demolition of the LACS Building, which would represent a significant adverse impact to a historical resource that cannot be mitigated to a less-than-significant level. If the LACS Building is completely demolished, there would be no remaining historical resources on the Project Site, and therefore there would be no potential for indirect impacts to historical resources resulting from the Project. However, if the West Volume of the LACS Building can be retained, the Project would cause an indirect impact on the historical resource. The proposed residential tower which would replace the East Volume of the LACS Building would be located immediately north of the West Volume, separated by a paseo approximately 15 feet wide, creating a separation between the old and new construction on the primary, street-fronting façades of the West Volume and the residential tower. Thus, following construction of the residential tower, the West Volume would continue to read as a distinct building, it would remain visible in its historic location and would maintain its relationship to Central Avenue, and the physical features of its original Industrial Vernacular and Neoclassical design would not be altered or obscured. Additionally, the proposed

new parking structure on the North Site would be constructed to the rear of the West Volume and would abut the West Volume on its east façade, which is currently an interior wall. Therefore, the parking structure would be subordinate to the West Volume of the LACS Building in size and scale and would be compatible in massing. As such, the primary, street-fronting south, west, and north façades of the West Volume would remain intact and visible, and the physical features of those façades that convey the aesthetic and historic sense of an early 20th century reinforced concrete industrial building would not be altered or obscured by the parking structure.

Nonetheless, the Project would add significant height and density to the Project Site and would introduce 10 contemporary buildings in varying heights and sizes to an area that historically was developed with low density industrial buildings. The contemporary design of the residential tower would not be compatible with the early 20th century industrial uses or physical characteristics that characterize the Project Site in general, and the LACS Building specifically. Therefore, the immediate environs of the West Volume of the LACS Building, if it is retained, would be significantly altered. The Project would add significant new construction to the area overall, substantially changing the industrial character of the surrounding area resulting in a loss of integrity of setting. While loss of integrity alone is generally not considered a significant impact, the Draft EIR conservatively concluded that the loss of integrity of setting would create a potentially significant indirect impact on the LACS Building.

As further stated therein, through Mitigation Measures CUL-MM-5 through CUL-MM-8, which would be affective if the West Volume can be retained, the West Volume would be protected in place during construction, including the development of a shoring plan to prevent damage resulting from demolition, excavation, and construction. If the West Volume is retained, the exterior would be rehabilitated, and significant exterior character-defining Industrial Vernacular and Neoclassical features of its north, west, and south façades would be retained, including its reinforced concrete construction, rectangular plan with rounded corners, simple massing, symmetrical composition, flat roof with parapet and blind balustrade, flush and recessed bays framed by piers, string courses, frieze, cornice, decorative corbels, and oculus windows. Therefore, if the West Volume of the LACS Building is retained and rehabilitated as part of the Project, it would retain important physical features of its original 1907 construction and would continue to convey its association with the early industrial history of Los Angeles. Nonetheless, the Project would continue to impact the integrity of the setting of the LACS Building and surrounding area, and, therefore, impacts would be significant and unavoidable after mitigation. As a result, even if it is determined that the West Volume can be retained and rehabilitated as specified in the mitigation measures, impacts to historical resources would be lessened but would not be reduced to a less-than-significant level. Therefore, whether the LACS Building is demolished in whole or in part, the Project's indirect impact on the on-site historical resource would remain significant and unavoidable.

Further, as stated on pages IV.B-52 through IV.B-53 and IV.B-57 through IV.B-59 in Section IV.B, Cultural Resources, of the Draft EIR, and in Appendix C-1 Historical Resources Technical Report, of the Draft EIR, the Project and the Related Projects can affect historical resources if such projects adversely alter and/or demolish historical resources that may be interrelated, such as historical resources that are significant within the same historic context. As further stated therein, while the Project would not result in direct or indirect impacts to the two potential historic districts in the Study Area, the Project would demolish, in whole or in part, the LACS Building. The LACS Building has been identified by SurveyLA as historically significant as an "excellent example of an

early 20th century cold storage warehouse in Downtown Los Angeles" that "played an important role in the distribution of agricultural goods and locally-sourced food products." At the height of cold storage and ice production, there were approximately five cold storage facilities built in the industrial core of the City in the early 20th century. Of the five, one has been so altered as to no longer convey its historical significance and three have been demolished. Only the LACS Building is extant, retains sufficient integrity to convey its significance, and was identified as eligible for historic designation by SurveyLA. Therefore, the Draft EIR considered the potential cumulative impacts to the cold storage property type in Los Angeles resulting from the demolition of the LACS Building. Even with implementation of Mitigation Measures CUL-MM-1 through CUL-MM-8, the loss of the East Volume of the LACS Building would still constitute a significant impact to a historical resource associated with the context of an early 20th century cold storage property type.

As further explained therein, while the Project would implement mitigation measures to lessen the Project's impacts on the LACS Building, there are no other feasible mitigation measures that would reduce the impact to a less-than-significant level. Therefore, because the LACS Building would be demolished in whole or in part as part of the Project, the impacts to the cold storage warehouse property type resulting from the Project would be cumulatively considerable. As such, even with implementation of Mitigation Measures CUL-MM-1 through CUL-MM-8, as the Project's impacts to the LACS Building would be significant and unavoidable, and the other examples of 20th century cold storage facilities in the City have been demolished or significantly altered, the Project's contribution to cumulative impacts would be cumulatively considerable, and, therefore, the Project's cumulative impacts to the cold storage property type would be significant and unavoidable.

Reference

For a complete discussion of impact to cultural recourses, including historical resources, please see Section IV.B, Cultural Resources, and Appendix C, Cultural Resources Documentation, of the Draft EIR.

Noise (On-Site Construction Noise [upper levels of receptor locations R2 through R6 and cumulative at all levels of receptor locations R2 through R6])

Impact Summary

As stated on pages IV.G-37 through IV.G-38 and IV.G-65 through IV.G-66 IV.G, in Section IV.G, Noise, of the Draft EIR, and shown in Appendix G, Noise and Vibration Worksheet, of the Draft EIR, and Appendix FEIR-E, Modified Project Noise Worksheets, of the Final EIR, the Project's on-site construction equipment would generate noise from activities which would generally include demolition, site grading and excavation, and building construction. As shown in Table IV.G-9, *Estimate Of Construction Noise Levels (Leq) At Off-Site Sensitive Receptors*, the Project's estimated construction noise levels would exceed the significance thresholds at off-site noise receptor locations R2 through R6, prior to implementation of mitigation measures. As further stated therein, there are no feasible mitigation measures that could reduce the noise levels at the upper levels of receptor location structures. As such, sensitive receptors located at the upper levels of receptor locations R2 through R6 would experience temporary construction noise in excess of thresholds of significance for these receptors. Therefore, while ground-level construction noise impacts associated with on-site construction noise would be less than significant with mitigation incorporated, construction noise impacts associated with on-site noise sources at elevated noise-sensitive receptor locations located on the upper floors of receptor

locations R2 through R6 would be significant and unavoidable and could result in a significant cumulative impact on all levels of R2 through R6.

Project Design Features

Project Design Feature NOI-PDF-1 (Impact Pile Drivers Prohibited): The Project will not require or allow the use of impact pile drivers. Lower noise- and vibration-generating augured, drilled, or vibratory piles are permitted.

Project Design Feature NOI-PDF-2 (Construction Equipment Maintenance): During plan check for each phase of the Project, the contractor will provide a statement to the City indicating their powered construction equipment (including combustion engines), fixed or mobile, will be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

Mitigation Measures

Mitigation Measure NOI-MM-1: Temporary Noise Barriers. Temporary noise barriers shall be used along the western, northern, southern, and eastern property boundaries to block the line-of-sight between the construction equipment and the noise-sensitive uses.

- Temporary noise barriers shall be placed along the Project's North site eastern property line. The noise barrier shall be a minimum of 8 feet in height and provide a minimum 3-dBA noise reduction at the ground-level for the residences to the east (receptor location R2).

- Temporary noise barriers shall be placed along the Project's Upper South site and West site northern property lines. The noise barriers shall be a minimum of 12 feet in height and provide a minimum 12-dBA noise reduction at the ground-level for the hotel uses to the north/northwest of the Upper South site and West site (receptor locations R5 and R6) and to the residential uses to the east of the Upper South site (receptor location R2).

- Temporary noise barriers shall be placed along the Project's Upper South site and Lower South site eastern property line. The noise barriers shall be a minimum of 12 feet in height and provide a minimum 12-dBA noise reduction at the ground-level for the residences to the east of the Upper South site and Lower South site (receptor location R2).

- Temporary noise barriers shall be placed along the Project's North site, Upper South site, Lower South site, and West site western property lines. The noise barriers shall be a minimum of 12 feet in height and provide a minimum 13-dBA noise reduction at the ground-level for the residences and hotel uses to the west (receptor locations R3 through R6).

- Temporary noise barriers shall be placed along the Project's West site and Lower South site southern property line. The noise barrier shall be a

minimum of 12 feet in height and provide a minimum 13-dBA noise reduction at the ground-level for the residential and hotel uses to the south of the West site and Lower South site (receptor locations R3 and R4).

These noise barriers shall be in-place during early Project construction phases (remain up to the start of building framing) and during paving when heavy equipment is used. Temporary barriers shall provide acoustically sealed gate access as needed for construction activities, deliveries, and site access by construction personnel.

Mitigation Measure NOI-MM-2: Compressors and Generators. Construction equipment whose specific location on the Project Site may be flexible (e.g., compressors and generators) shall be located at least 100 feet away from the nearest off-site sensitive land uses, or barriers (e.g., intervening construction trailers, walls, enclosures, etc.) shall be used to screen propagation of noise from such equipment towards these land uses.

Mitigation Measure NOI-MM-3: Construction Equipment Muffling and Shielding Devices. The Project contractor shall use power construction equipment with properly operating and maintained noise shielding and muffling devices, consistent with manufacturers' standards. Flexible sound control curtains shall be placed around all stationary compressors and generators, drilling apparatuses, drill rigs, and jackhammers when in use. The flexible sound control curtains shall have a minimum Sound Transmission Class (STC) rating of 25.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the significant effects on the environment. However, these effects have not been reduced to a less than significant level.

Pursuant to PRC Section 21081(a)(3), the City finds that 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.

Rationale for Findings

As stated above, the Project's on-site construction equipment would generate noise from activities which would generally include demolition, site grading and excavation, and building construction. While the Project would comply with all relevant LAMC regulations regarding noise from a construction site, Project construction would result in noise impacts that exceed the threshold of significance at receptor locations R2 (multi-family residential uses at the along 4th Street, approximately 250 feet east of the Project Site), R3 (hotel uses along Ceres Avenue, approximately 560 feet southwest of the Project Site), R4 (multi-family residential uses at the corner of 5th Street and Stanford Avenue, approximately 120 feet southwest of the Project Site), R5 (multi-family residential use along 4th Street, approximately 175 feet west of the Project Site), and R6 (multi-family residential uses along 4th Street, approximately 470 feet west of the Project Site). The noise levels at these locations would be a function of the noise generated by construction equipment, the type and location of the equipment, the timing and duration of the

noise-generating construction activities, and the relative distance to noise-sensitive receptors.

The Project would implement Project Design Features NOI-PDF-1, which would prohibit the use of impact pile drivers, and NOI-PDF-2, which would ensure proper maintenance of construction equipment. However, as shown in Table IV.G-9, *Estimate Of Construction Noise Levels (Leq) at Off-Site Sensitive Receptors*, the Project's estimated construction noise levels would exceed the significance thresholds at off-site noise receptor locations R2 through R6 prior to implementation of mitigation measures. As such, while the estimated noise levels at the receptor locations is a conservative estimate which assumes that all pieces of construction equipment would be operating simultaneously and located at the construction area nearest to the affected receptor, the Project will be required to implement Mitigation Measures NOI-MM-1, NOI-MM-2, and NOI-MM-3 to reduce the on-site construction noise levels at these locations.

Generally, as stated therein, the Mitigation Measures require the following: NOI-MM-1 requires the use of temporary noise barriers along the western, northern, southern, and eastern property boundaries to block the line-of-sight between the construction equipment and the noise-sensitive uses, in heights varying from 8 to 12 feet, which provide a minimum 3-dBA to 13-dBA noise reduction at the ground-level of the receptor locations (with the height and noise reduction minimum specific to each of the four boundaries); NOI-MM-2 requires that construction equipment whose specific location on the Project Site may be flexible, be located at least 100 feet away from the nearest off-site sensitive land uses, or the use of barriers such as intervening construction trailers, walls, or enclosures to screen propagation of noise from such equipment towards the sensitive receptor location; and, NOI-MM-3 requires that construction equipment be properly operating and maintained with noise shielding and muffling devices, consistent with manufacturers' standards, and that flexible sound control curtains be placed around all stationary compressors and generators, drilling apparatuses, drill rigs, and jackhammers when in use. With implementation of Mitigation Measures NOI-MM-1, NOI-MM-2, and NOI-MM-3, the Project's on-site construction noise impacts at the off-site ground-level noise sensitive receptors would be reduced to the extent technically feasible. As shown in Table IV.G-19, *On-Site Construction Noise Impacts – With Mitigation (Ground-level Receptors),* these mitigation measures would reduce the ground-level construction noise levels by a minimum of 12.1 dBA at receptor location R2, 7.8 dBA at receptor location R3, 11.7 dBA at receptor location R4, 17.4 dBA at receptor location R5, and 8.1 dBA at receptor location R6, which would reduce the construction noise impacts at receptor locations R2 through R6 to less-than-significant levels at the ground level. While these mitigation measures would be effective to reduce the noise levels at the ground levels of the receptor locations, noise barriers are not capable of blocking noise at noise-sensitive receptors that are elevated above a construction work site, such as residential units and hotel rooms located on the upper levels of a mid-rise or high-rise building. As further explained therein, it is not feasible to install noise barriers with height sufficient to block the line-of-sight for all noise-sensitive receptors located on the upper levels of receptor locations R2 through R6 due to barrier foundation and wind load restrictions. There are no other feasible mitigation measures available to reduce the noise level at the upper levels of these receptor locations. Therefore, because there could be receptors elevated above the construction work sites throughout the Project area within the upper levels of the buildings at receptor locations R2 through R6, construction noise would result in a temporary noise increase in excess of thresholds of significance for these receptors. As such, construction noise impacts associated with on-site noise sources at elevated noise-sensitive receptor locations located on the upper floors of the buildings at receptor locations R2 through R6 would be significant and unavoidable.

Further, as stated on pages IV.G-76 through IV.G-78 and IV.G-84 in Section IV.G, Noise, of the Draft EIR and as shown in Appendix G, Noise and Vibration Worksheets, of the Draft EIR, and Appendix FEIR-E, Modified Project Noise Worksheets, of the Final EIR, while construction noise impacts are typically localized, noise from construction activities for two projects within 1,000 feet of each other can contribute to a cumulative noise impact for receptors located midway between the two construction sites. As indicated in Table IV.G-26, *Related Prcjects within 1,000 Feet of the Prcject Site*, 11 of the 39 Related Projects are located within 1,000 feet of the Project Site. The Project would implement Mitigation Measures NOI-MM-1, NOI-MM-2, and NOI-MM-3 which would reduce the noise levels at the ground level of receptor location R2 through R6 to a less-than-significant level. However, since receptor R2 has a direct line-of-sight to Related Project No. 24 (located at 400 S. Alameda Street approximately 95 feet from the Project Site), construction-related noise from this Related Project could contribute to cumulative noise impacts at receptor location R2's ground level. Furthermore, because noise barriers are not capable of blocking noise at noise-sensitive receptors that are elevated above a construction work site nor is it feasible to install noise barriers with height sufficient block the line-of-sight for all noise-sensitive receptors located on the upper levels due to barrier foundation and wind load restrictions, and since no other feasible mitigation measures exist to reduce the noise at the upper levels, in the event of concurrent construction, the on-site construction noise from the Project and the Related Projects would combine to exceed the threshold of significance on all levels of receptor location R2 as well as the upper levels of receptor locations R3 through R6. As such, even with implementation of mitigation measures, the Project's contribution to cumulative noise impacts associated with on-site construction activities would be cumulatively considerable. Therefore, the Project's cumulative on-site construction noise impacts at the ground level of receptor location R2 and the upper levels of receptor locations R2 through R6 would be significant and unavoidable.

Reference

For a complete discussion of noise impacts please see Section IV.G, Noise, and Appendix G, Noise and Vibration Worksheets, of the Draft EIR, and Section III, Revisions, Clarifications and Corrections, and Appendix FEIR-E, Modified Project Noise and Vibration Worksheets, of the Final EIR.

Noise (Off-Site Construction Noise [Cumulative])

Impact Summary

As stated on pages IV.G-78 through IV.G-79 and IV.G-83 through IV.G-85 in Section IV.G, Noise, of the Draft EIR, as revised page III-120 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and as shown in Appendix G, Noise and Vibration Worksheets, of the Draft EIR, and Appendix J, Transportation Assessment, of the Draft EIR, the Project's off-site traffic noise would be mitigated to a less-than-significant level with implementation of Mitigation Measure NOI-MM-4 which prohibits the use of three road segments by these trucks during the foundation pour phase of construction. Nonetheless, the cumulative construction noise impacts associated with off-site construction truck traffic from multiple Related Projects could potentially overlap with the Project construction trips on some days and generate noise in excess of the significance thresholds on the three road segments. If the Related Projects contribute an additional 130 trips per hour along 1st Street east of Alameda Street, 137 truck trips per hour along Central Avenue between 1st Street and 2nd Street, 122 trips per hour along Central Avenue between 2nd Street and 3rd Street, 171 trips per hour along 4th Street between Hewitt Street and

Merrick/Molino Street, and 112 trips per hour along 4th Street between Alameda Street and Hewitt Street when combined with the Project's vendor and worker trips, the impact would be cumulatively significant. There are no feasible mitigation measures to protect the sensitive receptors along the haul route. Therefore, the Project's cumulative impacts related to cumulative off-site traffic would be significant and unavoidable.

Mitigation Measures

Mitigation Measure NOI-MM-4: Foundation Concrete Trucks. Contractors shall include in all concrete truck contracts used during the foundation pouring phase of construction a requirement for trucks traveling to and from the Project Site to prohibit travel on Central Avenue between 1st Street and 2nd Street, Central Avenue between 2nd Street and 3rd Street, and 4th Street between Alameda Street and Hewitt Street during the Project's foundation concrete pouring duration. The construction contractor shall provide a flag person along the segments identified above to ensure that all concrete trucks do not travel along the identified segments.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the significant effects on the environment. However, these effects have not been reduced to a less than significant level.

Pursuant to PRC Section 21081(a)(3), the City finds that 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.

Rationale for Findings

As stated above, while the Project's off-site traffic impacts would be less than significant with implementation of Mitigation Measure NOI-MM-4, which prohibits all concrete truck contracts from traveling on three roadway segments during the Project's foundation concrete pouring duration, if construction of the Related Projects overlap with Project construction and the construction trucks utilize the same roadway network as the Project, cumulative off-site construction noise level increases could occur in the Project area. As stated on page IV.G-39 in Section IV.G, Noise, of the Draft EIR, and shown in Table IV.G-10, *Estimate Of Off-Site Construction Traffic Noise Levels,* the Project would result in potentially significant off-site construction noise impacts due to noise from foundation concrete pour truck trips. The roadways in the vicinity of the Project Site that would have off-site construction noise levels from Project construction haul trucks and foundation concrete pour trucks that would exceed the significance threshold would be Central Avenue between 1st Street and 2nd Street, Central Avenue between 2nd Street and 3rd Street and 4th Street between Alameda Street and Hewitt Street. Related Projects contributing any additional truck trips on the same roadway segments at the same time as the Project would generate a cumulative noise impact along these same roadway segments. However, while the Project would implement NOI-MM-4 to reduce the impact to these three roadway segments to less than significant with mitigation, and noise associated with cumulative construction activities would be reduced to the degree reasonably and technically feasible through proposed mitigation measures for each individual Related Project, there is potential for cumulative off-site construction

noise impacts even with mitigation measures. As such, cumulative noise impacts from construction would be potentially significant.

As further stated therein, cumulative impacts related to off-site construction traffic noise levels could also occur if the Related Projects contribute any additional truck trips along other segments of the Project's haul route. Specifically, if the Related Projects were to add an additional 130 trips per hour along 1st Street east of Alameda Street, 137 truck trips per hour along Central Avenue between 1st Street and 2nd Street, 122 trips per hour along Central Avenue between 2nd Street and 3rd Street, 171 trips per hour along 4th Street between Hewitt Street and Merrick/Molino Street, and 112 trips per hour along 4th Street between Alameda Street and Hewitt Street when combined with the Project's vendor and worker trips, the impact would be cumulatively significant. Residential land uses comprise the majority of existing noise-sensitive uses within the Project Site area that could be impacted by the increase in cumulative traffic generated noise levels. Construction of sound barriers are infeasible for residential land uses that face the roadway as they would be impractical due to their placement on street frontages, and would create aesthetic and access concerns. Thus, there are no feasible mitigation measures that could be implemented to reduce the temporary cumulative off-site construction traffic noise impacts. Therefore, even with implementation of Mitigation Measure NOI-MM-4, the Project's cumulative impacts related to off-site construction traffic noise would remain significant and unavoidable.

Reference

For a complete discussion of noise impacts please see Section IV.G, Noise, and Appendix G, Noise and Vibration Worksheets, of the Draft EIR, and Section III, Revisions, Clarifications and Corrections, and Appendix FEIR-E, Modified Project Noise and Vibration Worksheets, of the Final EIR.

Noise (Groundborne Construction Vibration [structural damage at Receptor V3 only])

As stated on pages IV.G-68 through IV.G-70 and IV.G-73 through IV.G-75 in Section IV.G, Noise, of the Draft EIR, as revised on page III-115 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and as shown in Appendix G, Noise and Vibration Worksheets, of the Draft EIR, and Appendix FEIR-E, Modified Project Noise Impacts, of the Final EIR, the Project would generate groundborne construction vibration forces during building demolition and site excavation/grading activities when heavy construction equipment, such as large bulldozers, drill rigs, and loaded trucks would be used. Although, pursuant to Project Design Feature NOI-PDF-1 (Impact Pile Drivers Prohibited), the Project will not require or allow the use of impact pile drivers, as shown in Table IV.G-23, *Construction Vibration Impacts – Building Damage*, as revised on page III-115 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, the estimated vibration velocity levels from all construction equipment would be below the building damage significance criteria at all off-site building structures except for receptor location V3 (the commercial buildings located 10 feet to the south, west, and southwest of Project's West Site) which would experience vibration levels greater than the Category III threshold for non-engineered timber and masonry buildings. Therefore, the Project could result in the generation of excessive groundborne vibration, resulting in structural damage to receptor V3. Receptor V3 includes privately-owned structures, and inspections and repairs pursuant to Mitigation Measure NOI-MM-7 would require the consent of the property owner, who may not agree to allow the mitigation to take place on their property. Thus, Project-construction vibration impacts resulting in potential structural damage to receptor V3 would be significant and

unavoidable and, as such, would result in a significant and unavoidable cumulative impact to receptor V3.

Project Design Features

Project Design Feature NOI-PDF-1 (Impact Pile Drivers Prohibited): The Project will not require or allow the use of impact pile drivers. Lower noise- and vibration-generating augured, drilled, or vibratory piles are permitted.

Mitigation Measures

Mitigation Measure NOI-MM-6: Construction Vibration (Except Shoring). The operation of construction equipment that generates high levels of vibration, such as large bulldozers, loaded trucks, jackhammers, and small bulldozers shall be prohibited within 15 feet, 14 feet, eight feet, and two feet, respectively, of receptor V3 (commercial buildings to the south, west, and southwest of Project's West site). The contractor(s) shall require and document compliance with the minimum allowable setbacks in a construction vibration management plan, which shall be provided to the City prior to issuance of a demolition permit. The construction vibration management plan shall detail the specific types of equipment to be used during demolition, grading, and building construction, estimated vibration velocities, and distance to vibration receptor V3. Equipment and or alternative construction techniques to be used within the required setbacks for large bulldozers, loaded trucks, jackhammers, and small bulldozers shall be identified to ensure that vibration velocities will not exceed thresholds for potential structural damage. This measure does not apply to temporary shoring activities and shoring infrastructure that must be installed to provide adequate physical support for subterranean excavation.

Mitigation Measure NOI-MM-7: Inspections. Prior to the issuance of a demolition or building permit, the Applicant shall retain the services of a third-party licensed building inspector or structural engineer to inspect and document (video and/or photographic) vibration receptor V3 (Commercial buildings to the south, west, and southwest of Project's West site) for the physical condition of the building's readily-visible features. Daily inspections shall occur when construction activities involving vibration-generating equipment such as bulldozers, jackhammers, loaded trucks, and drill rigs are used at 15 feet, 14 feet, eight feet, and two feet, respectively of V3. In the event that unanticipated or unexpected damage occurs due to construction vibration at receptor location V3's older structure based on assessment by the third-party inspector or engineer, the Applicant/or the Applicants designated representative, shall arrange for repairs during the construction phase. Such repairs, if needed shall be undertaken by a contractor licensed by the State of California to conduct commercial building repairs.

Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid the significant effects on the environment. However, these effects have not been reduced to a less than significant level.

Pursuant to PRC Section 21081(a)(3), the City finds that 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.

Rationale for Findings

As stated above, the Project would generate groundborne construction vibration forces during building demolition and site excavation/grading activities when heavy construction equipment, such as large bulldozers, drill rigs, and loaded trucks, would be used. Although, pursuant to Project Design Feature NOI-PDF-1, the Project will not require or allow the use of impact pile drivers, as shown in Table IV.G-23, *Construction Vibration Impacts – Building Damage*, as revised on page III-115 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, the estimated vibration velocity levels from all construction equipment would be below the building damage significance criteria at all off-site building structures except for receptor location V3 (the commercial buildings located approximately 10 feet from the south, west, and southwest of Project's West Site). Receptor V3 would experience vibration levels greater than the Category III threshold for non-engineered timber and masonry buildings. Therefore, the Project could result in the generation of excessive groundborne vibration resulting in structural damage to receptor V3.

As further stated therein, the Project would implement Mitigation Measure NOI-MM-6 which prohibits the use of vibratory construction equipment at distances that would result in significant impacts to vibration receptor V3 and other buildings in the area. As shown on Table IV.G-25, *Mitigated Construction Vibration Impacts (Except Shoring) - Building Damage*, with implementation of Mitigation Measure NOI-MM-6, potential structural vibration impacts at receptor V3 would be mitigated to a less than significant level. The Project would also implement Mitigation Measure NOI-MM-7 (Inspections) which provides additional protections by requiring that the physical condition of vibration receptor V3 be documented prior to the commencement of construction activity and that daily inspections of receptor V3 occur when construction activities involving vibration-generating equipment such as bulldozers, jackhammers, loaded trucks, and drill rigs are used within 15 feet of receptor V3 and further provides that, in the event that construction-related vibration or structural damage occurs, the damage would be repaired. With implementation of Mitigation Measures NOI-MM-6 and NOI-MM-7, impacts with regard to structural damage for receptor V3 would be mitigated to less than significant. However, because receptor V3 includes privately-owned structures, inspections and repairs pursuant to Mitigation Measure NOI-MM-7 would require the consent of the property owner, who may not agree to permit this mitigation to occur on their property. Thus, impacts to receptor V3 would be significant and unavoidable since the mitigation measure could not be implemented. Therefore, short term construction groundborne vibration impacts associated with structural damage would be significant and unavoidable for receptor V3.

Further, as stated on pages IV.G-83 and IV.G-85 through IV.G-86 in Section IV.G, Noise, of the Draft EIR, as revised on pages III-119 through III-120 and as shown in Appendix G, Noise and Vibration Worksheets, due to rapid attenuation characteristics of groundborne vibration, only Related Projects located adjacent to the same sensitive receptors would result in cumulatively considerable vibration impacts. As shown in Table IV.G-26, *Related Prcjects Within 1,000 Feet Of The Prcject Site,* of the 39 total Related Projects, 11 are located within 1000 feet of the Project Site. Of those 11 Related Projects, only Related Project Nos. 9 (located at 719 E 5th Street

approximately 275 feet from the Project Site), 18 (located at 713 E 5th Street approximately 320 feet from the Project Site), and 29 (located at 803 E. 5th Street approximately 105 feet from the Project Site) are adjacent to sensitive receptor V3. As such, if Related Project Nos. 9, 18 or 29 had overlapping construction activities with the Project's construction activities, the combined vibration levels could result in cumulatively considerable vibration levels at receptor location V3. Additionally, although the Project would implement Mitigation Measures NOI-MM-6 and NOI-MM-7, which could mitigate the potential structural damage to receptor V3 from Project groundborne construction vibrations, and implement Project Design Feature NOI-PDF-1 which prohibits use of impact pile drivers, the Project's contribution to a cumulative impact at receptor V3 would be cumulatively considerable because Mitigation Measure NOI-MM-7 requires the consent of private property owners who may not agree to allow the mitigation to take place on their property. Therefore, while the Related Projects would be expected to implement their own mitigation measures to reduce construction vibration impacts, if there are overlapping construction activities at the Project Site and the Related Project sites closest to receptor V3, the impacts at receptor V3 would be significant. As such, the Project's cumulative impacts related to structural damage from construction groundborne vibrations would be significant and unavoidable.

Reference

For a complete discussion of noise impacts please see Section IV.G, Noise, and Appendix G, Noise and Vibration Worksheets, of the Draft EIR, and Section III, Revisions, Clarifications and Corrections, and Appendix FEIR-E, Modified Project Noise and Vibration Worksheets, of the Final EIR.

VIII. Alternatives

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting the project's basic objectives. An EIR must identify ways to substantially reduce or avoid the significant effects that a project may have on the environment (PRC Section 21002.1). Accordingly, the discussion of alternatives shall focus on alternatives to a project or its location which are capable of avoiding or substantially reducing any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. The alternative analysis included in the Draft EIR, therefore, identified a reasonable range of Project alternatives focused on avoiding or substantially reducing the Project's significant impacts.

Summary of Findings

Based upon the following analysis, the City finds, pursuant to CEQA Guidelines Section 15096(g)(2), that no feasible alternative or mitigation measure will substantially lessen any significant effect of the Project, reduce the significant unavoidable impacts of the Project to a level that is less than significant, or avoid any significant effect the Project would have on the environment.

Project Objectives

CEQA Guidelines Section 15124(b) states that a project description shall contain "a statement of the objectives sought by the proposed project," and further states that "the statement of objectives should include the underlying purpose of the project." An important consideration in the analysis of alternatives to the Project is the degree to which such alternatives would achieve the objectives

of the Project.

As set forth on pages II-11 through II-12 in Chapter II, Project Description, of the Draft EIR, as revised on pages II-11 to II-12 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and pages V-2 through V-3 in Chapter V, Alternatives, of the Draft EIR, as revised on pages III-144 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, the underlying purpose of the Project is to redevelop the underutilized Project Site with a high-quality mixed-use development that includes new multi-family housing at varying income levels, office, retail, and restaurant uses, as well as publicly-accessible open spaces, to revitalize the Project Site and the surrounding neighborhood, promote walkability and use of public transit, and enhance the City's economic base.

To achieve this underlying purpose, the Project's specific Project Objectives are as follows:

1. Provide a mixed-use development that introduces an array of new residential, office, and commercial opportunities to the neighborhood.

2. Create a significant new source of much-needed housing by providing a diverse range of housing options that includes a mix of different unit types at varying sizes and affordability levels.

3. Improve the physical identity of the Community Plan area by redeveloping an underutilized industrial site with an integrated mix of uses to promote revitalization of the surrounding urban context.

4. Provide a variety of new job-producing uses on the Project Site to further strengthen the commercial viability of the neighborhood.

5. Design a project that embodies diversity in height, size and architecture that blends the development into the existing urban fabric.

6. Enhance the overall pedestrian experience in the area by creating new pedestrian connections and expansive publicly-accessible open spaces to transform the Project Site into a walkable part of the neighborhood.

7. Create a pedestrian friendly project by providing a variety of ground-floor commercial uses that create an inviting and active experience for visitors and pedestrians.

8. Support local and regional mobility objectives and reduce vehicle miles traveled by redeveloping an infill site near a growing hub of urban activity with a mix of uses in close proximity to major public transit infrastructure.

9. Construct a sustainably designed project that is consistent with smart growth principles and promotes resource conservation by providing LEED-Gold equivalent or better buildings and placing additional housing and job opportunities within proximity to transit.

10. Develop an economically feasible project that supports and grows the City's economic base through construction of a development that attracts a diverse range of residents, commercial tenants and visitors, which will generate local tax revenue and create construction and permanent jobs.

Alternatives Analyzed

Alternative 1 – No Project/No Build Alternative

Description of Alternative

As stated on page V-12 in Chapter V, Alternatives, of the Draft EIR, in accordance with CEQA Guidelines Section 15126.6(e), the No Project/No Build Alternative (Alternative 1) assumes that no new development associated with the Project would occur within the Project Site. The existing warehouses, warehouse offices, surface parking, loading docks, and historic LACS Building would remain as under the existing uses and condition. No street dedications or sidewalk improvements would be implemented.

Impact Summary

As stated above, as Alternative 1 would maintain current uses on the Project Site. Alternative 1 would have no new impacts and less than significant or similar impacts to the Project's no impacts, less-than-significant impacts, less-than-significant-with-mitigation impacts, and significant and unavoidable impacts other than exposure of sensitive receptors to TACs during operation, which would be greater than the Project.

Finding

Pursuant to PRC Section 21081(a)(3), the City finds that the specific economic, legal, social, technological, or other considerations, including consideration of the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

Rationale for Finding

As stated on pages V-12 through V-23 in Chapter V, Alternatives, of the Draft EIR, as revised on page III-148 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and shown in Table V-13, *Comparison of Impacts Associated with the Alternatives and the Prcject*, of the Draft EIR, as revised on pages III-174 to III-176 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, Alternative 1 would result in no impacts or less than significant impacts on the environment, with the exception of operational related TAC emissions. As such, Alternative 1 would result in fewer environmental impacts than under the Project or other Alternatives. Further, Alternative 1 would avoid the Project's significant and unavoidable impacts on the historic LACS Building and short-term significant and unavoidable air quality and construction noise and vibration impacts. However, as explained on pages V-14 through V-15, since Alternative 1 would retain the North Site in its existing condition that includes cold storage and distribution activities involving diesel fueled trucks, Alternative 1 would continue to generate TAC emissions from mobile source diesel emissions (DPM). As a result, while Alternative 1 would result in no impacts since there would be no changes from existing conditions, since the Project would remove the existing sources of DPM associated with the trucking activities, impacts related to TAC emissions would be greater under Alternative 1

than the Project's less-than-significant-impacts-with-mitigation. Additionally, as Alternative 1 would not include any new development, Alternative 1 would not meet the Project's underlying purpose of redevelopment of the underutilized Project Site with a high-quality mixed-use development that includes new multi-family housing at varying income levels, office, retail, and restaurant uses, as well as publicly-accessible open spaces, that would revitalize the Project Site and the surrounding neighborhood, promote walkability and use of public transit, and enhance the City's economic base, or meet any of the specific Project Objectives.

Reference

For a complete discussion of impacts associated with Alternative 1, refer to Chapter V, Alternatives, of the Draft EIR, and Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR.

Alternative 2 – Above Grade Parking Alternative

Description of Alternative

As stated on pages V-23 through V-24 in Chapter V, Alternatives, of the Draft EIR, as revised on pages III-148 through III-149 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and as shown on Table V-2, *Alternative 2 Uses Compared to the Prcject*, of the Draft EIR, as revised on page III-149 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, the Above Grade Parking Alternative (Alternative 2) would provide the same number of buildings, the same building configuration (layouts and location), the same number of residential units (1,589 units), and the same restaurant, retail, and office area as under the Project, but would eliminate the Project's subterranean garages and locate all parking in above-grade parking podiums within the building footprints. The overall floor area (2,318,534 sf) and FAR (7.05:1) would be the same as under the Project. Alternative 2 would also provide the same publicly-accessible open space, including 90,113 sf of plazas, paseos, and parks as under the Project. However, Alternative 2 would include 990 parking spaces which is a reduction of 60 percent from the Project's 2,444 spaces. As Alternative 2 would remove the subterranean garages, it would substantially reduce the Project's excavation volumes and soils that would need to be exported from 651,00 CY to 36,286 CY.

Impact Summary

As stated above, while Alternative 2 would have the same mix of uses as the Project and incorporate the same Project Design Features and Mitigation Measures, it would eliminate the subterranean garages resulting in a total excavation volume of 36,286 CY compared to 651,000 CY under the Project, thereby reducing the volume of excavated soils that would need to be excavated and hauled by approximately 94 percent and reducing the number of days with haul truck trips. Additionally, Alternative 2 would reduce the duration of overlapping emissions scenarios that include grading/excavation activities due to the reduced number of grading/excavation days. Nonetheless, while Alternative 2 would reduce the number of days of maximum construction emissions and noise impacts, due to the scale of development and concrete pours for building podiums and foundations, including overlapping construction/operation phases, Alternative 2 would not reduce construction air quality, noise, and vibration impacts to less than significant levels, although the durations of the significant and unavoidable impacts would be reduced compared to the Project. Moreover, Alternative 2 would include the North Site in the scope of development and, therefore, would not reduce the Project's

significant and unavoidable impact on the historic LACS Building. As Alternative 2 would have the same development program as the Project in terms of residential units, office and commercial uses, the number of residents and employees would be the same as under the Project, and, therefore, Alternative 2 would have similar impacts on other environmental considerations such as public services, VMT, and utilities and services systems. Accordingly, Alternative 2 would have less than or similar impacts to the Project's less-than-significant, less-than-significant-with-mitigation, and significant and unavoidable impacts, but would not eliminate the Project's significant and unavoidable impacts (with mitigation).

Finding

Pursuant to PRC Section 21081(a)(3), the City finds that the specific economic, legal, social, technological, or other considerations, including consideration of the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

Rationale for Finding

As stated on pages V-23 through V-53 in Chapter V, Alternatives, of the Draft EIR, as revised on pages III-148 through III-159 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and shown in Table V-13, *Comparison of Impacts Associated with the Alternatives and the Prcject,* of the Draft EIR, as revised on pages III-174 through III-176 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, while Alternative 2 would have the same mix of uses as the Project, it would eliminate the subterranean garages resulting in a total excavation volume of 36,286 CY compared to 651,000 CY under the Project, thereby reducing the volume of excavated soils that would need to be excavated and hauled by approximately 94 percent and the number of days with haul truck trips would be reduced from approximately 379 days to approximately 24 days. Since Alternative 2 would greatly reduce the total number of truck trips required to haul excavated material and shorten the number of days with haul truck trips, the Alternative 2 duration of emissions during the grading/excavation phase would be substantially reduced. Additionally, Alternative 2 would reduce the duration of overlapping emissions scenarios that include grading/excavation activities due to the reduced number of grading/excavation days. However, similar to the Project, Alternative 2's construction would still exceed the SCAQMD daily thresholds of significance for criteria pollutants. As such, Alternative 2's impacts on air quality would remain significant and unavoidable and similar to the Project's significant and unavoidable impact (with mitigation).

As further discussed therein, due to the scale of development and concrete pours for building podiums and foundations, including overlapping construction/operation phases, Alternative 2 would not reduce construction noise emissions to less than significant levels since the maximum daily grading/excavation activities and haul truck trips would be similar to the Project; although the durations of the significant and unavoidable impacts would be reduced compared to the Project. Similar to the Project, even with implementation of Mitigation Measures NOI-MM-1 (temporary noise barriers), NOI-MM-2 (location of compressors and generators 100 feet from sensitive land uses) and NOI-MM-3 (construction equipment muffling and shielding devices), as applicable, to reduce on-site construction noise levels, Alternative 2's maximum daily construction noise impacts would continue to exceed threshold levels at upper levels (stories) at residential receptor locations R2 through R6. As to off-site construction noise, during the peak construction period with the highest number of construction trucks (the foundations and concrete pour phases

for the South Site, building construction of buildings 3 through 9, architectural coating for the North Site, and paving for the West Site), similar to the Project, Alternative 2's foundations concrete pour truck trips and worker vehicle trips would increase existing traffic noise levels above the level of significance and, therefore, would be significant and unavoidable. Also, as to structural damage due to construction groundborne vibration impacts, similar to the Project, Alternative 2's estimated vibration velocity levels from all construction equipment would exceed the building damage significance criteria at receptor location V3 (commercial buildings to the south, west, and southwest of Project's West Site). While Alternative 2 would incorporate Mitigation Measure NOI-MM-6 which would limit use of equipment, such as large bulldozer, caisson drills and loaded trucks, that generate high levels of vibration to specified distances from vibration location V3, and Mitigation Measure NOI-MM-7, which would require inspection of vibration receptor V3 and repair if any damage is found to have occurred, impacts would remain significant since implementation of Mitigation Measure NOI-MM-7 would require the consent of the property owner, who may not agree. Thus, if damage to receptor V3 were to occur, and consent to repair is not given, impacts would be significant and unavoidable and similar for both the Project and Alternative 2.

Moreover, Alternative 2 would include the North Site in the scope of development and, therefore, would not reduce the Project's significant and unavoidable impact on the historic LACS Building. As further discussed therein, although Alternative 2 would eliminate the subterranean garages, it would still require excavation for some foundational features, such as pilings, which could involve excavation into native soils (beneath the upper fill soils) which has the potential to expose previously undiscovered subsurface archaeological, paleontological and tribal resources. As such, Alternative 2 would incorporate all the same mitigation measures as the Project for the protection of such resources to ensure, similar to the Project, that impacts are reduced to less than significant.

As Alternative 2 would have the same development program as the Project in terms of residential units, office, and commercial uses, the number of residents and employees would be the same as under the Project and would include the same project design features and mitigation measures; and, therefore, Alternative 2 would have similar impacts on all other environmental areas. Accordingly, Alternative 2 would have less than or similar impacts to the Project's no impacts, less-than-significant impacts, less-than-significant-with-mitigation impacts, and significant and unavoidable impacts. Additionally, although Alternative 2 would have less vehicle parking than the Project and all parking would be located in above-grade podium structures within the footprint of the respective 10 buildings (which would increase the heights of the buildings), these changes would not affect the Project's underlying purpose or the specific Project Objectives. Moreover, as shown in Table V-14, Ability Of Alternatives To Meet Project Objectives, of the Draft EIR, as revised on page III-177 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, Alternative 2 would fully or substantially meet all the Project's Objectives.

Reference

For a complete discussion of impacts associated with Alternative 2, refer to Chapter V, Alternatives, of the Draft EIR, of the Draft EIR, Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and Appendix FEIR-H, Updated Alternative 2 VMT Analysis.

Alternative 3 – Historic Preservation/Reduced Density Alternative

Description of Alternative

As stated on pages V-53 through V-55 in Chapter V, Alternatives, of the Draft EIR, as revised on pages III-159 through III-160 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and as shown in Table V-6, *Alternative 3 Uses Compared to the Prcject,* of the Draft EIR, as revised on page III-160 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, the Historic Preservation/Reduced Density Alternative (Alternative 3) would reduce the overall scale of the Project and preserve the historical LACS Building. Alternative 3 would leave the North Site in its existing condition and function, develop a 44 story, 506-foot-high mixed-use tower on the South Site in the approximate location of the Project's designated Building 2, and, to accommodate the higher floor area on the South Site, the building heights, floor areas, and uses for the South and West Site's other eight buildings would be adjusted compared to the Project. Overall, under Alternative 3 residential units would be reduced from a total of 1,589 units under the Project to 1,049 units (a 34 percent reduction); office floor area would be reduced from a total of 411,113 sf under the Project to a total of 282,005 sf (a 31 percent reduction); and restaurant/retail floor area would be reduced from a total of 145,748 sf under the Project to a total of 84,167 sf (including 9,174 sf of outdoor restaurant seating.) Alterative 3 would also reduce vehicle parking from a total of 2,444 under the Project to 990 spaces (a 60 percent reduction). FAR would be reduced from 7.05:1 under the Project to 5.9:1 (new development only) and 6.51:1 (all development across the Project Site including industrial uses to remain). Additionally, under Alternative 3, a two-level below grade parking structure would be developed on the South Site and a one-level below grade parking structure would be developed on the West Site. Alternative 3 would have a total of 81,146 sf of publicly-accessible open space, and would retain the Project's paseos and have similar public and private amenities with the exception of the Project's amenities on the North Site which would be eliminated. Alternative 3 would retain the LACS Building with its 167,596 sf of industrial uses.

Impact Summary

As stated above, as Alternative 3 would retain the LACS Building, Alternative 3 would eliminate the Project's significant and unavoidable impact on this historical resource. Additionally, through the approximately 30 percent reduction in the scope of development, including the scale of the subterranean structures, Alternative 3 would reduce overall excavation, grading, and hauling of soils from 651,000 CY under the Project to 321,364 CY (an approximately 51 percent reduction). However, as air quality, noise, and vibration impacts are determined based on the maximum daily impacts and since the maximum number, type and use of construction equipment would be similar to the Project, Alternative 3 would not reduce the maximum daily significant and unavoidable construction related air quality, noise and vibration impacts; although, there would be a reduction in the duration of these significant and unavoidable construction impacts.

As further stated therein, Alternative 3 would have less than significant but greater impacts than the Project's less-than-significant impacts related to exposure to sensitive receptors of TACs, land use and transportation in part because: (i) Alternative 3 would generate site emissions on the North Site from the use of the cold storage facilities and diesel truck traffic which would be eliminated under the Project; (ii) Alternative 3 would not facilitate several applicable land use plans and policies to the same extent as the Project because Alternative 3 would reduce residential housing uses and, therefore, not further policies related to higher density housing in a TPA or

high-density, mixed use, in-fill developments in the Downtown area to the same extent as the Project; and, (iii) Alternative 3 would result in heavier truck traffic due to the retention of the industrial use on the North Site and, therefore, would have a greater potential impact to pedestrian and bicycle traffic than the Project. However, as Alternative 3 would implement all the same Project Design Features and Mitigation Measures as the Project, and the overall development, residential units and parking spaces would be reduced, all other impacts under Alternative 3 would be less than or similar to the Project's no impacts, less-than-significant impacts, and less-than-significant-with-mitigation impacts.

Finding

Pursuant to PRC Section 21081(a)(3), the City finds that the specific economic, legal, social, technological, or other considerations, including consideration of the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

Rationale for Finding

As stated on pages V-53 through V-86 in Chapter V, Alternatives, of the Draft EIR, as revised on pages III-160 through III-167 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and shown in Table V-13, *Comparison of Impacts Associated with the Alternatives and the Prcject,* of the Draft EIR, as revised on pages III-174 through III-176 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, Alternative 3 would preserve the historic LACS Building in its existing condition and the existing industrial (cold storage) use would continue. Accordingly, Alternative 3 would eliminate the Project's Building 2 and other new uses on the North Site. As such, by preserving the historic LACS Building and not constructing any new features or structures on the North Site, Alternative 3 would avoid the Project's significant and unavoidable impact to historical resources. Thus, Alternative 3's impacts to historical resources would be less than significant and less than the Project's significant and unavoidable impact (with mitigation).

As further stated therein, Alternative 3 would also reduce the scale of development and duration of construction activities including not providing any new development on the North Site and reducing overall Project floor area by 30 percent, parking by 60 percent, and excavation for subterranean garages by 51 percent. As the North Site would not be developed, Alternative 3 would eliminate approximately 53 days of haul truck trips, reducing the number of days with haul truck trips from approximately 307 days to approximately 214 days. As such, Alternative 3's duration of grading/excavation phase emissions would be substantially reduced compared to the Project. Additionally, Alternative 3 would reduce the duration of overlapping emissions scenarios that include grading/excavation activities on the South and West Sites due to the reduced number of grading/excavation days. Alternative 3 would implement Mitigation Measures AQ-MM-1 and AQ-MM-2 which would reduce short-term and temporary VOC and NOx emissions, similar to the Project. However, as with the Project, with implementation of Mitigation Measures AQ-MM-1 and AQ-MM-2, Alternative 3's construction NOx and CO emissions could exceed SCAQMD significance thresholds since the maximum number, type and use of construction equipment would be similar to the Project. However, because Alternative 3 would reduce overall construction activities, including reduced overlapping construction, Alternative 3's construction air quality impacts would be less than the Project's significant and unavoidable emissions impact but would remain significant and unavoidable with mitigation.

As further stated therein; by retaining the existing LACS Building and cold storage warehouses and loading docks under their existing use and condition, operation of Alternative 3 would generate site emissions on the North Site including the existing cold storage facilities and the DPM emissions from approximately 50 trucks and equipped transportation refrigeration units (TRUs) on a daily basis which would be eliminated under the Project. With compliance with existing regulations and implementation of Mitigation Measure AQ-MM-3, operation of either the Project or Alternative 3 would not be a substantial source of DPM or other TACs, and TAC emissions would be less than significant. However, because Alternative 3 would retain existing diesel truck activity at the North Site, Alternative 3's less-than-significant air quality impacts related to exposure to sensitive receptors would be greater than the Project's less-than-significant impact (with mitigation). Nonetheless, as stated on pages V-56 through V-60, as revised on pages III-160 through III-161 with regards to other air quality emissions during operation, because Alternative 3 would reduce the scale of the development, operational emissions, other than TACs, would be less than significant and less with mitigation than the Project's less-than-significant-with-mitigation impacts.

As to noise and vibration impacts, as stated on pages V-66 through V-69 in Chapter V, Alternatives, of the Draft EIR, construction noise levels under both the Project and Alternative 3 would be a function of the noise generated by construction equipment, the type and location of the equipment, the timing and duration of the noise-generating construction activities, and the relative distance to noise-sensitive receptors. Similar to the Project, Alternative 3 would implement Mitigation Measures NOI-MM-1, NOI-MM-2 and NOI-MM-3, as applicable, to reduce on-site construction noise levels in excess of ambient noise standards. Even so, with implementation of all feasible mitigation measures, Alternative 3's maximum daily construction noise impacts would continue to exceed threshold levels at upper levels (stories) at residential receptor locations R2 through R6 and, therefore, Alternative 3's construction noise impacts would be significant and unavoidable. However, because the scale of excavation and hauling activities would be reduced under Alternative 3 compared to the Project, the duration of high noise level construction activities (which include excavation and hauling) would be reduced. Similarly, as further stated therein, construction vibration impacts under Alternative 3 would remain significant and unavoidable with mitigation because the estimated vibration velocity levels from all construction equipment would exceed the building damage significance criteria at receptor location V3 (commercial buildings to the south, west, and southwest of the Project's West Site). Similar to the Project, Alternative 3's implementation of Mitigation Measure NOI-MM-6, which would limit use of equipment, such as large bulldozers, caisson drills and loaded trucks, that generate high levels of vibration to specified distances from vibration location V3, and Mitigation Measure NOI-MM-7, which would require inspection of vibration receptor V3 and repair if any damage is found to have occurred, could reduce the impact to a less-than-significant level. However, inspections and repair pursuant to Mitigation Measure NOI-MM-7 would require the consent of the property owner, who may not agree. As such, if damage to receptor V3 were to occur, and consent to repair is not given, impact from construction groundborne vibrations would be significant and unavoidable and similar for both the Project and Alternative 3. Therefore, Alternative 3's construction noise and vibration impacts would be less than the Project's impacts but would remain significant and unavoidable with mitigation.

As further stated therein with regards to archaeological, paleontological, and tribal resources, Alternative 3 would reduce the Project's construction activities, including eliminating the development of the North Site and reducing excavation depths for subterranean garage on the

South. As with the Project, Alternative 3's excavation activities into native soils (beneath the upper fill soils) have the potential to encounter previously unknown buried archeological, paleontological, and tribal cultural resources. Both the Project and Alternative 3 would implement Mitigation Measures CUL-MM-9, CUL-MM-10, CUL-MM-11, CUL-MM-12, PALEO-MM-1, PALEO-MM-2, PALEO-MM-3, TCR-MM-1, TCR-MM-2, and TCR-MM-3. With implementation of these mitigation measures, construction activities would not cause a substantial adverse change in the significance of an archaeological, paleontological, or tribal resource and impacts would be less than significant under both the Project and Alternative 3. However, because construction of Alternative 3 would reduce the Project's depth and extent of excavation, impacts to archaeological, paleontological, and tribal resources would be less than the Project's less-than-significant-with-mitigation impact.

As further stated therein as to land use impacts, as Alternative 3 would reduce the scale of development by 30 percent and the amount of housing units by 34 percent, Alternative 3 would not facilitate the implementation of the applicable land use policies to the same extent as the Project, including, without limitation, the Housing Element and the 2020-2045 RTP/SCS policies to co-locate housing, jobs, and transit to the same extent as under the Project. Overall, while Alternative 3 would not result in a substantial conflict with applicable land use plans, policies, or regulations, because Alternative 3 would not meet housing policies to the same extent as the Project, impacts would be less than significant but greater than the Project's less-than-significant land use impacts.

As further stated therein as to transportation policies, Alternative 3 would not conflict with the applicable policies related to transportation including, without limitation, the City's Mobility Plan 2035, Bicycle Parking Ordinance, TDM Ordinance, Community Plan, Vision Zero, Plan for a Healthy Los Angeles, and Citywide Design Guidelines, since Alternative 3 would be pedestrian-oriented and include a mix of uses that support alternative transportation use near transit facilities, include street and sidewalk dedications to widen sidewalks, and provide carpool/vanpool loading areas and bicycle parking. However, Alternative 3's inclusion of industrial uses and delivery trucks entering and exiting the North Site on 4th Street would have a greater potential to impact pedestrian and bicycle traffic along 4th Street than under the Project. Therefore, Alternative 3's transportation impacts with respect to conflicts with applicable transportation plans and programs would be less than significant but would be greater than the Project's less-than-significant impacts.

As further stated therein, and as summarized on Table V-13, *Comparison of Impacts Associated with the Alternatives and the Prcject,* of the Draft EIR, as revised on pages III-174 through III-176 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and on Table V-14, *Ability of Alternatives to Meet Prcject Objectives*, as revised on page III-177 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, as Alternative 3 would reduce the number of residential units and parking spaces, Alternative 3's other environmental impacts would be less than, or similar to, the Project's no impacts, less-than-significant impacts, and less-than-significant-with-mitigation impacts. Moreover, although Alternative 3 would not develop the North Site, and would reduce the overall floor area and occupancy by approximately 30 percent, Alternative 3 would still meet the overall intent of the Project with respect to diverse uses, jobs, housing, open space, and upgrade of the Project Site. However, because of the reduction in residential units and elimination of new uses on the North Site, Alternative 3 would substantially, but to a lesser extent than under the Project, meet Project

Objectives 1, 2, 4, 8, 9, and 10. Also, as further stated therein, the retention of the industrial uses at the North Site, the elimination of the 4th Street Plaza at the north side of 4th Street, the loss of other open space amenities on the North Site, and the active loading docks and trucks moving in and out of the North Site directly across from the South Site's section of the 4th Street Plaza would interfere with the visual and pedestrian connection between the North and South Sites, remove the cohesive visual connection between landscaped parks along both sides of 4th Street, and remove the proposed bicycle mobility hub that connected the whole Project Site to the 4th Street bike paths. In addition, the interfacing of older industrial uses would potentially reduce pedestrian use of both sides of 4th Street and, with the retention of the industrial use, would not blend the whole development into the existing urban environment to the same extent as the Project. As such, Alternative 3 would only partially meet Project Objectives 3, 5, 6 and 7.

Reference

For a complete discussion of impacts associated with Alternative 3, refer to Chapter V, Alternatives, of the Draft EIR, and in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR.

Alternative 4 – Historic Preservation/Office Use Alternative

Description of Alternative

As stated on pages V-87 through V-89 in Chapter V, Alternatives, of the Draft EIR, as revised on pages III-167 through III-168 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and as shown in Table V-10, *Alternative 4 Uses Compared to the Prcject,* of the Draft EIR, as revised on page III-168 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, the Historic Preservation/Office Use Alternative (Alternative 4), would develop office uses as provided under the existing M2-2D zoning designation for the Project Site and retain the North Site as is with 167,596 sf of existing cold storage warehouse space. All existing industrial uses on the South and West Sites would be removed and replaced by three office buildings on the South Site (Buildings 1, 2, and 3) and one office building on the West Site (Building 4). Buildings 1, 2, and 3 would be nine stories (135 feet) in height and Building 4 would be three stories and have a height of 45 feet. Buildings 1, 2, and 3 would provide a total floor area of 1,125,207 sf and Building 4 on the West Site would provide a floor area of 34,060 sf, for a total floor area of new development of 1,159,267 sf (a 50 percent reduction in floor area compared to the Project) with an FAR of 4.22:1 (new development only) and 4.8:1 (all development across the Project Site including the current industrial uses on the North Site). Alternative 4's office floor area would generate approximately 4,637 new employees compared to 2,073 new employees under the Project. Alternative 4 would not provide any residential, restaurant, or retail uses and would not generate any new residential population or restaurant/retail employees. Alternative 4 would also incorporate a six-level, above-grade parking structure to accommodate 928 vehicles (a reduction of 62 percent from the Project). With the above-grade development, the total excavation volume would be 40,532 CY compared to 651,000 CY under the Project (a reduction of approximately 94 percent in grading volume). Although open space is not required under the LAMC for non-residential uses, Alternative 4 would be designed as an office park in which employees would have access to outdoor space throughout the Project Site.

Impact Summary

As stated on pages V-87 through V-117 in Chapter V, Alternatives, of the Draft EIR, as revised

on pages III-168 through III-171 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and shown in Table V-13, *Comparison of Impacts Associated with the Alternatives and the Prcject,* of the Draft EIR, as revised on pages III-174 through III-176 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, Alternative 4 would eliminate the Project's significant and unavoidable impact to the historic LACS Building since it would retain the building and its industrial uses and not construct any of the Project's improvements on the North Site. Alternative 4 would develop an above-grade parking structure accommodating 928 vehicles on the South Site. The reduction in parking and the location of parking within an above-grade structure would eliminate the need for subterranean parking structures on the South and West Sites and no construction activity on the North Site would eliminate any need for grading and excavation on the North Site. With the above-grade development, excavation depths on the South and West Sites would be approximately 5 feet bgs and the total excavation volume would be 40,532 CY compared to 651,000 CY under the Project (a reduction of 94 percent in grading volume). The lower grading volume and export of excavated soils would substantially reduce the scale of grading, excavation, and hauling activity compared to the Project. However, as air quality, noise and vibration impacts are determined based on the maximum daily impacts and since the maximum number, type and use of construction equipment would be similar to the Project, Alternative 4 would not reduce the maximum daily significant and unavoidable construction related air quality, noise and vibration impacts; although, there would be a reduction in the duration of these significant and unavoidable construction impacts. As such, Alternative 4's construction air quality, noise and structural damage related to groundbourne vibrations would be less than the Project's significant and unavoidable impacts (with mitigation), but would remain significant and unavoidable with mitigation.

As further stated therein, while Alternative 4 would eliminate the majority of the excavation required for the Project, it would still require excavation for construction activities such as building foundations. Therefore, Alternative 4 would have the potential to encounter archaeological, paleontological and tribal cultural resources. However, Alternative 4 would implement the same mitigation measures as the Project to protect these resources. With implementation of these mitigation measures, construction activities would not cause a substantial adverse change in the significance of an archaeological, paleontological or tribal resource and impacts would be less than significant under both the Project and Alternative 4. However, because construction of Alternative 4 would reduce the Project's depth and extent of excavation, impacts to archaeological, paleontological, and tribal resources would be less than the Project's less-than-significant-with-mitigation impact.

Additionally, Alternative 4 would have less than significant but greater impacts than the Project's less-than-significant impacts related to exposure to sensitive receptors of TACs, conflicts with land use and transportation plans and policies, and wastewater generation in part because: (i) Alternative 4's operation would generate site emissions on the North Site from the use of the cold storage facilities which would be eliminated under the Project; (ii) Alternative 4 would not facilitate several applicable land use plans and policies to the same extent as the Project because Alternative 4 would eliminate all housing uses and, therefore, not further policies related to higher density housing in a TPA or high-density, mixed use, in-fill developments in the Downtown area; (iii) Alternative 4 would result in heavier truck traffic due to the retention of the industrial use on the North Site and, therefore, would have a greater potential impact to pedestrian and bicycle traffic than the Project; and (iv) Alternative 4's office uses and higher employee numbers would generate more solid waste than under the Project. However, as further stated therein, as

Alternative 4 would implement all the same Project Design Features and Mitigation Measures as the Project, and the overall development would be reduced, all other impacts under Alternative 4 would be less than or similar to the Project's no impacts, less-than-significant impacts, and less-than-significant-with-mitigation impacts.

Finding

Pursuant to PRC Section 21081(a)(3), the City finds that the specific economic, legal, social, technological, or other considerations, including consideration of the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

Rationale for Finding

As stated on pages V-87 through V-117 in Chapter V, Alternatives, of the Draft EIR, as revised on pages III-168 through III-171 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and shown in Table V-13, *Comparison of Impacts Associated with the Alternatives and the Prcject,* of the Draft EIR, as revised on pages III-174 through III-176 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, overall, Alternative 4 would reduce the scale of development and reduce the Project's construction activities by not providing any new development on the North Site, eliminating subterranean parking, and reducing overall floor area. Alternative 4 would reduce the Project's overall excavation from 651,000 CY under the Project to approximately 40,532 CY (an approximately 94 percent reduction) and the number of days with haul truck trips from the Project's approximately 327 days to approximately 27 days (with a resulting shortening of the duration of emissions during the grading/excavation phase). Additionally, Alternative 4 would reduce the duration of overlapping emissions scenarios that include grading/excavation activities due to the reduced number of grading/excavation days. As with the Project, construction activities for Alternative 4 have the potential to generate temporary regional criteria pollutant emissions through the use of heavy-duty construction equipment, such as excavators and forklifts, through vehicle trips generated by workers and haul trucks traveling to and from the Project Site, and through building activities, such as the application of paint and other surface coatings. Although Alternative 4 would substantially reduce the number of emission days, it would still exceed the SCAQMD daily thresholds of significance since the maximum number, type and use of construction equipment would be similar to the Project. Additionally, with the elimination of construction on the North Site, and the reduction in total buildings and building heights, Alternative 4 would reduce the duration of overlapping emissions scenarios as compared to the Project. Under both the Project and Alternative 4, implementation of Mitigation Measures AQ-MM-1 and AQ-MM-2 would reduce short-term and temporary VOC and NOx emissions. However, as with the Project, even with implementation of Mitigation Measures AQ-MM-1 and AQ-MM-2, Alternative 4's construction NOx and CO emissions could exceed SCAQMD significance thresholds. However, because Alternative 4 would substantially reduce overall construction activities, it would contribute fewer days of maximum construction emissions and reduce overlapping construction emissions. Therefore, Alternative 4's construction emission impacts would be less than the Project's significant and unavoidable emissions impact (with mitigation), but would remain significant and unavoidable.

Further, as to exposure to sensitive receptors of TACs, although Alternative 4's impacts would be less than significant with mitigation, it would be greater than the Project's less than significant

impact with mitigation in part because the LACS Building would generate operation site emissions from operation of the cold storage facilities and DPM emissions from approximately 50 trucks and equipped transportation refrigeration units (TRUs) that would visit the North Site on a daily basis, both of which would be eliminated under the Project. Therefore, even with compliance with applicable regulatory provisions to minimize and reduce emissions and implementation of Mitigation Measure AQ-MM-3, Alternative 4's operation air quality emission associated with exposure to sensitive receptors would be less than significant but greater than under the Project's less-than-significant-with-mitigation impacts.

As further stated therein, with regards to construction noise impacts, similar to the Project, Alternative 4's construction noise levels would be a function of the noise generated by construction equipment, the type and location of the equipment, the timing and duration of the noise-generating construction activities, and the relative distance to noise-sensitive receptors. Similar to the Project, Alternative 4 would implement Mitigation Measures NOI-MM-1, NOI-MM-2, and NOI-MM-3, as applicable, to reduce on-site construction noise levels in excess of ambient noise standards. However, even with the implementation of these Mitigation Measures, and the reduction in construction activities and duration of construction activities, Alternative 4's construction noise impacts would continue to exceed threshold levels at upper levels (stories) at residential receptor locations R2 through R6 and impacts would be significant and unavoidable, although the duration of the impacts would be lessened. As such, Alternative 4's maximum daily on-site construction noise impacts would be less than the Project's significant and unavoidable impact (with mitigation) but would remain significant and unavoidable with mitigation.

As further stated therein with regards to construction structural damage impacts associated with construction groundborne vibration impacts, similar to the Project, Alternative 4 would generate groundborne construction vibration forces during building demolition and excavation/grading activities when heavy construction equipment, such as large bulldozers, drill rigs, and loaded trucks, would be used. Even though excavation and hauling for subterranean garage construction and concrete foundations for the North Site would be eliminated, Alternative 4 would require the construction of concrete foundations for the buildings on the South and West Sites. As such, the estimated vibration velocity levels from all construction equipment would exceed the building damage significance criteria at receptor location V3 (commercial buildings to the south, west, and southwest of Project's West Site). Even with implementation of Mitigation Measure NOI-MM-6, which would limit use of equipment, such as large bulldozers, caisson drills and loaded trucks, that generate high levels of vibration to specified distances from vibration location V3, and Mitigation Measure NOI-MM-7 which would require inspection of vibration receptor V3 and repair if any damage is found to have occurred, because receptor V3 includes privately-owned structures, inspections and repair pursuant to Mitigation Measure NOI-MM-7 would require the consent of the property owner, who may not agree. Thus, if damage to receptor V3 were to occur, and consent to repair is not given, impacts would be significant and unavoidable and similar for both the Project and Alternative 4.

As further stated therein with regards to archaeological, paleontological, and tribal resources, Alternative 4 would provide no occupied or parking levels below grade and would, thus, eliminate the Project's construction activities required for excavation of subterranean garages. However, some foundational features, such as pilings, could involve excavation activities into native soils (beneath the upper fill soils) and, therefore, Alternative 4 would have the potential to encounter previously undiscovered subsurface archaeological, paleontological and tribal resources. Both

the Project and Alternative 4 would implement Mitigation Measures CUL-MM-9, CUL-MM-10, CUL-MM-11, CUL-MM-12, PALEO-MM-2, PALEO-MM-3, TCR-MM-1, TCR-MM-2, and TCR-MM-3. With implementation of these mitigation measures, construction activities would not cause a substantial adverse change in the significance of an archaeological, paleontological, or tribal resource, and impacts would be less than significant under both the Project and Alternative 4. However, because construction of Alternative 4 would reduce the Project's depth and extent of excavation, impacts to archaeological, paleontological, and tribal resources would be less than the Project's less-than-significant-with-mitigation impact.

As further stated therein with regards to potential conflicts with relevant land use and transportation plans and policies, similar to the Project, Alternative 4 would not conflict with the relevant policies but would not be consistent with those policies to the same extent as the Project. As to land use policies, Alternative 4 would eliminate the Project's North Site component from the scope of the Project, reduce the Project's floor area by 50 percent and eliminate the Project's proposed residential uses. As such, Alternative 4 would not facilitate achievement of the goals of the following plans: the Adaptive Reuse Ordinance (to revitalize and facilitate the development of a "24-hour city" and to encourage mixed commercial and residential uses that improve air quality and reduce vehicle trips and vehicle miles traveled by locating residents, jobs and transit services near each other), the General Plan Housing Chapter, the Housing Element, or the designated Greater Downtown Housing Incentive Area (to increase housing opportunities in proximity to transit or in the Downtown); the Redevelopment Plan for the Central Industrial Redevelopment Project (to provide affordable residences and open space that are accessible to public transportation); or the 2020-2045 RTP/SCS (to co-locate housing, jobs, and transit). Therefore, because Alternative 4 would not facilitate policies related to higher density housing in a TPA or high-density mixed use in the Downtown area, land use impacts would be greater than the Project's less than significant impact.

As to transportation policies, Alternative 4, as with the Project, would not conflict with any programs, plans, ordinances or policies addressing the circulation system, transit, roadways, bicycle and pedestrian facilities, including those of Mobility Plan 2035, the Community Plan, Vision Zero, the LAMC, the Plan for a Healthy Los Angeles, and the Citywide Design Guidelines since Alternative 4 would support multimodal transportation options and a reduction in VMT, as well as promote transportation-related safety in the Project area, and would also provide for access and pedestrian improvements, including multiple pedestrian and vehicle access points throughout the Project Site. However, the continuation of industrial uses and delivery trucks entering and exiting the North Site on 4th Street have a greater potential to impact pedestrian and bicycle traffic along 4th Street than under the Project. Therefore, because of the heavier truck traffic under Alternative 4, impacts with respect to conflicts with transportation plans and polices would be less than significant, but would be greater than the Project's less than significant impact.

With regards to solid waste generation during operation as shown in Table V-12, *Alternative 4 Operational Solid Waste Generation*, of the Draft EIR, Alternative 4 would generate approximately 3,104 net tons of solid waste per year or 17,003 pounds per day compared to the Project's 1,779 net tons of solid waste per year or 9,748 pounds per day. While Alternative 4's estimated annual solid waste generation would represent a fraction of one percent of the remaining landfill capacity in 2030, as Alternative 4 would develop office uses which would result in more employees than the Project, and because solid waste generation rates per office employee are relatively high compared to other uses, Alternative 4 would result in greater demand on solid waste disposal

facilities. Since the landfills that would accept the solid waste generated by Alternative 4 have adequate capacity, Alternative 4's impacts related to solid waste generated during operation would be less than significant. However, since Alternative 4 would generate more solid waste requiring landfill disposal, Alternative 4's less-than-significant impacts would be greater than under the Project's less-than-significant impacts.

As further stated therein and as summarized on Table V-13, *Comparison of Impacts Associated with the Alternatives and the Project,* of the Draft EIR, as revised on pages III-174 through III-176 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and on Table V-14, *Ability of Alternatives to Meet Project Objectives*, as revised on page III-177 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, as Alternative 4 would incorporate all the same relevant Project Design Features and Mitigation Measures as the Project, would not develop the North Site, would reduce development by approximately 50 percent, would eliminate subterranean parking, and would develop office uses consistent with the existing Light Industrial zoning designation of the Project Site, Alternative 4 would have less than or similar environmental impacts as the Project's no impacts, less-than-significant impacts, and less-than-significant-with-mitigation impacts. However, because of the elimination of residential units and retail and restaurant uses, Alternative 4 would not meet the majority of the Project's Objectives, particularly regarding mixed uses and housing. Specifically, while Alternative 4 would fully meet Project Objective 4 (regarding strengthening the commercial viability of the neighborhood), it would not meet Project Objectives 1, 2, 3, 5, 6 and 7, and would only partially meet Project Objectives 8, 9 and 10 (particularly as related to reduced VMT, LEED-gold standard development, and jobs).

Reference

For a complete discussion of impacts associated with Alternative 4, refer to Chapter V, Alternatives, of the Draft EIR, and Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR.

Alternatives Rejected as Infeasible

As set forth in CEQA Guidelines Section 15126.6(c), an EIR should identify any alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. According to the CEQA Guidelines, among the factors that may be used to eliminate an alternative from detailed consideration are the alternative's failure to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. Alternatives to the Project that were considered and rejected as infeasible include the following:

> **Alternative Design or Construction Duration to Reduce the Project's Significant and Unavoidable Construction-related Impacts:** As discussed on pages V-6 and V-8 through V-9 in Chapter V, Alternatives, of the Draft EIR, as revised on pages III-148 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, this alterative was considered to address the Project's significant and unavoidable air quality emissions, noise, and vibration impacts during the Project's construction phase. As stated therein with regards to impacts related to NOx and CO emissions during construction activities, there are no feasible mitigation measures that would reduce the NOx and CO emissions from the concrete trucks during foundation construction to below the regional

emissions significance threshold as it is not possible to reduce the number of concrete trucks needed to complete the concrete pouring activities without compromising the integrity of the building foundations and building structural needs. Similarly, there are no feasible mitigation measures that would reduce the NOx and CO emissions from the haul trucks to below the regional significance threshold primarily because of the concrete pours required for Project construction and the hauling required to transport and dispose of excavated soil. An alternative construction option would be to delay construction duration. Although this would reduce maximum daily emissions from haul trucks, because of time constraints on concrete hauling for foundations, a delay in construction activities would not reduce emissions of NOx and CO to less than significant levels. For this reason, the delay of construction duration to eliminate significant and unavoidable air quality impacts was considered but rejected as a feasible alternative to the Project.

As further stated therein with regards to construction noise, while on-site construction noise would not exceed ambient noise standards at off-site, ground-level sensitive receptors with incorporation of Mitigation Measures NOI-MM-1 through NOI-MM-4, the mitigation measures which, in part require erection of sound barrier, would not be effective at the upper levels of receptor locations R2 through R6 as it is not feasible to install noise barriers with sufficient height due to barrier foundation and wind load restrictions. Additionally, because the significant noise impact would be the result of the relative elevation and proximity of off-site receptors and because these locations cannot be changed or shielded, no alterations of the Project's design or construction duration would be able to reduce impacts to less than significant levels. For this reason, changes in the duration of construction or design to eliminate significant and unavoidable construction noise impacts was not considered to be a feasible alternative to the Project.

As further stated therein with regards to vibrations, an alternative to increase the duration of the construction phase would reduce the overlapping of construction activity. However, a longer duration would not reduce vibration impacts to below a level of significance since each of the primary vibration sources (large bulldozers, caisson drilling, loaded truck hauling, and jackhammer use), would exceed inch/second (PPV) threshold standards, whether these sources are used in combination or individually. In addition, Mitigation Measures NOI-MM-6 and NOI-MM-7, would reduce vibration to less than significant levels for all receptor sites, including receptor location V3. The impact issue is not the efficacy of mitigation measures, but the fact that implementation of Mitigation Measure NOI-MM-7 would not be assured because it would require the consent of the property owner, who may not agree. For this reason, an alternative that would alter construction duration or provide additional mitigation features would not reduce or avoid the significant and unavoidable construction vibration impacts and, therefore, was considered but rejected as a feasible alternative to the Project.

DTLA 2040 Compliant Alternative: As stated on page V-9 in Chapter V, Alternatives, of the Draft EIR, and as revised on page III-148 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, a DTLA 2040 Compliant Alternative was considered to evaluate compliance with the not-

yet fully adopted Downtown Community Plan (DTLA 2040). This alternative would include the same amount of retail, office, and commercial uses as the Project, but the Project would provide more residential units than the DTLA 2040 Compliant Alternative. Overall, a DTLA 2040 Compliant Alternative would be similar in scale to the Project and would result in a similar range of impacts. Because the DTLA 2040 would not reduce or avoid the Project's significant and unavoidable environmental impacts, it was considered, but rejected as a feasible alternative to the Project.

Alternative Project Site: As stated on pages V-9 through V-10 in Chapter V, Alternatives, of the Draft EIR, pursuant to CEQA Guidelines Section 15126.6(f)(2), an alternative was considered to develop the Project at an alternative site. Locating the Project at another site would be infeasible, in part, because: similar to the Project, the alternative site would need to be a flat site which would allow the development of a large number of buildings and uses, as well as providing open space, plazas, and paseos that are accessible from and seamlessly interface with surrounding streets and uses; the alternative site would need to be close to public transit; the developer does not own, control or have access to another suitable site within a TPA; and, the development of a similar site within the area would result in the same significant and unavoidable construction impacts because of similar proximity to sensitive uses and, thus, result in similar significant and unavoidable construction-related air quality and noise/vibration impacts as anticipated at the Project Site. Additionally, with regards to the Project's significant and unavoidable historical resources impact, because of the age of buildings in Central Los Angeles, the numerous individual historical resources, and the designated or potential historic districts in Central Los Angeles, there is a strong potential that other suitable, multi-acre alternative locations in the area would also include a historically sensitive structure or structures as does the Project Site and that, therefore, potential historical resource impacts could also occur. Therefore, this alternative was considered, but rejected as a feasible alternative to the Project.

Single Use (Non-Employment Center) Alternative: As stated on pages V-10 through V-11 in Chapter V, Alternatives, of the Draft EIR, a single use residential or all commercial center was considered. However, such a use would not be consistent with the State's or the City's commitment to reduce VMT by locating mixed-use housing projects within a TPA/HQTA. Specifically, single-use alternatives, such as an all-residential development or an all-commercial (retail) development that would not be large employment centers would not be consistent with SCAG's 2020-2045 RTP/SCS, which supports density increases within the Project Site's designated HQTA, or the City's General Plan Elements, including the Framework Element, which supports housing with mixed uses and development that reduces VMT. This Alternative would also not be consistent with the Transportation Element (Mobility Plan 2035) and other plans and policies calling for mixed use, open space and reduction in dependency on single occupancy vehicle use. Additionally, these uses would not provide for integration of a variety of uses and would not meet any of the Project Objectives. Therefore, this alternative was considered, but rejected as a feasible alternative to the Project.

Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a project shall identify an Environmentally Superior Alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the Environmentally Superior Alternative, the EIR shall identify another Environmentally Superior Alternative among the remaining alternatives. Pursuant to Section 15126.6(c) of the CEQA Guidelines, the analysis below addresses the ability of the alternatives to "avoid or substantially lessen one or more of the significant effects" of the Project.

As stated on pages V-117 through V-130 in Chapter V, Alternatives, of the Draft EIR, as revised on pages III-171 through III-178 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and summarized in Table V-13, *Comparison of Impacts Associated with the Alternatives and the Project*, as revised on pages III-174 through III-176 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, and on Table V-14, *Ability of Alternatives to Meet Project Objectives*, as revised on page III-177 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, Alternative 1, the No Project/No Build Alternative, would result in no impacts or less than significant impacts on the environment, with the exception operational related TAC emissions which would be greater than under the Project since Alternative 1 would retain the North Site in its existing condition that includes cold storage and distribution activities involving diesel fueled trucks. Nonetheless, Alternative 1 would avoid the Project's significant and unavoidable impacts on the historic LACS Building and short term significant and unavoidable air quality and construction noise and vibration impacts. Therefore, Alternative 1 would be the overall environmentally superior Alternative. However, as summarized in Table V-14, Alternative 1 would not meet the Project's underlying purpose or any of the Project Objectives as it would not redevelop the underutilized Project Site with a high-quality mixed-use development that includes new multi-family housing at varying income levels, office, retail, and restaurant uses, as well as provide publicly-accessible open spaces, to revitalize the Project Site and the surrounding neighborhood, promote walkability and use of public transit, or to enhance the City's economic base.

As summarized in Table V-13, all of the Project Alternatives would result in a reduction of some of the Project's environmental impacts. However, as explained therein, Alternative 2 would not be the environmentally superior alternative because it would not eliminate or reduce the Project's significant and unavoidable impacts. Alternative 2 would reduce the Project's parking by 60 percent and locate parking in above-grade podiums and, thereby, reduce excavation and hauling activities needed for subterranean structures by approximately 94 percent. However, due to the scale of development and concrete pours for building podiums and foundations, including overlapping construction/operation phases, Alternative 2 would not reduce construction emissions, noise, and vibration impacts to less than significant levels, although the durations of the significant and unavoidable impacts would be reduced compared to the Project. Moreover, Alternative 2 would include the North Site in the scope of development and it would not eliminate or reduce the Project's significant and unavoidable impact on the historic LACS Building. Thus, although Alternative 2 would meet all of the Project's objectives, since it would not eliminate any of the Project's significant and unavoidable impacts, it would not be the environmentally superior alternative.

As further stated therein, and summarized on Table V-13, Alternative 3, the Historic

Preservation/Reduced Density Alternative, would reduce the Project's floor area and occupancy by approximately 30 percent, the Project's subterranean parking by 60 percent, and the Project's excavation, grading, and resulting hauling of soils by approximately 51 percent. Alternative 3 would provide a similar mix of land uses and publicly-accessible open space as under the Project. However, Alternative 3 would not reduce the Project's maximum daily levels of construction air emissions, noise, and vibration impacts to less than significant levels, although it would reduce the duration of these short-term significant and unavoidable impacts. Alternative 3 would reduce the impacts to the historic LACS Building to a less-than-significant level since it would not develop the North Site. Nonetheless, Alternative 3 would result in an impact greater than the Project in regard to operational related TAC emissions since it would retain the North Site in its existing condition that includes cold storage and distribution activities involving diesel fueled trucks. Alternative 3 would also result in a greater, but less than significant impact with respect to land use since it would not meet the objectives of the Housing Element to the same extent as the Project and with respect to transportation because the retention of the existing industrial use and elimination of the north section of the 4th Street Plaza would reduce the pedestrian experience and not meet Project Objectives to the same extent as under Alternative 2. However, Alternative 3 would substantially meet the underlying purpose of the Project to redevelop the underutilized Project Site with a high-quality mixed-use development, provide publicly-accessible open spaces, revitalize the Project Site and the surrounding neighborhood, promote use of public transit, and enhance the City's economic base.

As further shown in Table V-13, Alternative 4, the Historic Preservation/Office Use Alternative, would broadly reduce the Project's environmental impacts by reducing the Project's floor area by 50 percent and retaining the historic LASC Building. Through reduction in the scale of the development, Alternative 4 would substantially reduce the duration of the Project's significant and unavoidable construction emissions and construction noise and vibration impacts. However, as with Alternatives 2 and 3, significant air quality, noise, and vibration impacts would not be reduced to less than significant levels. Moreover, Alternative 4 would generate more operational solid waste than under the Project and, therefore, would have less than significant impacts but greater than the Project's impacts with regards to solid waste. In addition, as a single office use development, Alternative 4 would not meet the relevant land use and transportation policies to the same extent as the Project, particularly the housing policies. Additionally, like Alternative 3, Alternative 4 would result in a greater impact than the Project in regard to operational related TAC emissions since it would retain the North Site in its existing condition that includes cold storage and distribution activities involving diesel fueled trucks. Also, as shown in Table V-14, Alternative 4 would only fully meet one of the Project's 10 specific Objectives and would not meet the Project's underlying purpose to redevelop the underutilized Project Site with a high-quality mixed-use development that includes new multi-family housing at varying income levels, office, retail, and restaurant uses, as well as publicly-accessible open spaces, to revitalize the Project Site and the surrounding neighborhood, promote walkability and use of public transit, and enhance the City's economic base.

Therefore, In accordance with the State CEQA Guidelines requirement to identify an environmentally superior Alternative other than the No Project/No Build Alternative, despite not reducing the construction duration and excavation quantity to the largest extent of the Alternatives, because Alternative 3 would reduce the highest number of the Project's significant and less than significant environmental impacts, including reducing long-term operational impacts related to air emissions, as well as avoiding the Project's significant and unavoidable impacts on

the historic LACS building, Alternative 3 would be the environmentally superior alternative.

IX. Significant Irreversible Environmental Changes

Section 15126.2(d) of the CEQA Guidelines indicates that an EIR should evaluate any significant irreversible environmental changes that would occur should the proposed project be implemented. The types and level of development associated with the Project would consume limited, slowly renewable, and non-renewable resources. This consumption would occur during construction of the Project and would continue throughout its operational lifetime. The development of the Project would require a commitment of resources that would include: (1) building materials and associated solid waste disposal effects on landfills; (2) water; and (3) energy resources (e.g., fossil fuels) for electricity, natural gas, and transportation. The Project Site contains no energy resources that would be precluded from future use through Project implementation. For the reasons set forth in Chapter VI, Other CEQA Considerations, of the Draft EIR, the Project's irreversible changes to the environment related to the consumption of nonrenewable resources would not be significant, and the limited use of nonrenewable resources is justified.

Building Materials and Solid Waste

As stated on pages VI-9 through VI-11 in Chapter VI, Other CEQA Considerations, of the Draft EIR, Project construction would require the consumption of resources that are non-replenishable or may renew so slowly as to be considered non-renewable including, without limitation: certain types of lumber and other forest products; aggregate materials used in concrete and asphalt such as sand, gravel and stone; metals such as steel, copper, and lead; petrochemical construction materials such as plastics; fuels for construction vehicles and equipment as well as the transportation of goods and people to and from the Project Site; and water. However, the use of these products would not occur in an inefficient or wasteful manner given that Project construction would adhere to the sustainability requirements of Title 24, the City's Green Building Code, and other applicable codes, as well as the sustainability features discussed in Section IV, Environmental Impacts, of the Draft EIR, including achieving the equivalent of the LEED Gold level.

As to the effect of the Project's use of building materials on solid waste disposal capacity, as stated on pages IV.L.3-13 through IV.L.3-24 in Section IV.L.3, Utilities and Service Systems – Solid Waste, of the Draft EIR, and in Appendix L-1, Infrastructure Report, of the Draft EIR, as revised on pages III-140 through III-143 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, Project construction would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, in part because: while the Project would generate construction debris, a minimum of 75 percent of the construction and demolition (C&D) waste would be recycled; the Project's C&D waste, which could be disposed of at Azusa Land Reclamation Facility, would represent only approximately 0.38 percent of the estimated remaining capacity of the Facility; and, there are other sites within the County and out-of-County that could potentially be utilized for disposing Project C&D waste. As such, the Project's C&D waste generation would not exceed available capacity nor be in excess of State and local standards. Accordingly, the Project would not result in the inefficient or wasteful use of building materials, and would not result in significant solid waste impacts.

Water

As stated on pages VI-9 through VI-11 in Chapter VI, Other CEQA Considerations, of the Draft EIR, and on pages IV.L.1-30 through IV.L.1-35 in Section IV.L.1, Utilities and Service Systems – Water, of the Draft EIR, as revised on page III-134 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, another non-renewable resource that would be utilized during construction and operation of the Project is water. During Project construction, water would be required for construction activities, such as dust control, cleaning of equipment, excavation/export, removal and re-compaction, and other related activities. However, such water use would be similar to other construction projects, and, with a conservatively estimated consumption of 10,000 gpd over the duration of the construction, would be substantially less than the Project's approved water consumption during long-term operation. As such, use of water during construction would not be inefficient or wasteful. As further stated therein, Project operation would not result in the inefficient or wasteful use of water, in part because, the Project would reduce indoor and outdoor water use through implementation of Project Design Feature WS-PDF- which contains conservation features such as, but not limited to: high efficiency toilets with a flush volume of 1.1 gallons of water per flush or less; ENERGY Star certified clothes washers and dishwashers, low-flow showerheads, California native plants, drip/surface irrigation, water-efficient irrigation practices, rainwater harvesting and grey water use/storage where and when feasible and if space is available for the system, leak detection system for swimming pools; recirculating swimming pool filtration and equipment; and individual water meters for commercial units. Further, as shown in the Project's approved WSA, LADWP has determined that there are adequate water supplies available from existing LADWP entitlements and supplies to meet the Project's projected operation water demand. Thus, while Project construction and operation would result in some irreversible consumption of water, the Project would not result in a significant impact related to water supply nor result in inefficient or wasteful use of water.

Energy Consumption

As discussed on pages VI-9 through VI-11 in Chapter VI, Other CEQA Considerations, of the Draft EIR, and in Sections IV.F, Greenhouse Gas Emissions, and IV.D, Energy, of the Draft EIR, as revised in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, Project operation would continue to expend nonrenewable energy resources that are currently consumed within the City such as electricity, petroleum-based fuels required for vehicle-trips and fossil fuels. Fossil fuels would represent the primary energy source associated with both construction and ongoing operation of the Project, and the existing, finite supplies of these natural resources would be incrementally reduced. However, natural gas is rarely used during construction and would not be supplied to support Project operational activities related to building energy. While building electrification would result in higher electricity usage, it would eliminate the use of a fossil fuel and the associated GHG emissions (i.e., natural gas combustion) from building energy demand. At the same time, through the intensification of development within a State designated HQTA and a City designated TPA, the Project would support a land use pattern that would reduce reliance on private automobiles, VMT, and the consumption of non-renewable resources. Specially, the Project would provide high density housing in an infill area containing existing commercial, restaurant, employment, and entertainment activities, and as a result would reduce per-capita VMT and related consumption of renewable resources.

Furthermore, the Project would not result in the inefficient or wasteful use of energy resources or the resulting increase in air quality impacts, in part because: the Project would comply with and exceed existing minimum energy efficiency requirements such as the applicable Title 24

standards and CALGreen Code; the Project's energy demands would not significantly affect available energy, natural gas, and transportation fuels as the Project's demands are within the forecasted supplies; the Project would incorporate energy efficient and solid waste reduction features and optimize building performance through Project Design Features such as GHG-PDF-1, which include the Project buildings achieving LEED Gold Certification, or its equivalent, to improve building energy efficiency above regulatory requirements; and, the Project would contain such features as installation of energy-efficient HVAC systems that utilize ozone-friendly refrigerants, and water sustainability features, which would include, but not limited to, low flow/efficient water fixtures, rainwater capture systems, drought-tolerant/California native plant species selection, smart irrigation systems (e.g., weather-based controls), and water-saving pool equipment, which would reduce the use of energy related to water generation facilities; the Project's transportation fuel usage would be reduced by 35 percent compared to the Project without trip reduction features contained in the Projects TDM and by virtue of the Project's location in a TPA; and, the Project's increase in density on an infill site within a TPA and HQTA in proximity to transit, existing off-site retail, restaurant, entertainment, commercial, and job destinations, and its walkable environment would achieve a reduction in VMT and associated energy consumption. As such, the Project would minimize construction and operational energy and transportation fuel demand to the extent feasible and would not substantially impact energy resources. Therefore, Project construction and operation would not cause wasteful, inefficient, and unnecessary consumption of energy and would not conflict or obstruct renewable energy or energy efficiency plans. Moreover, the Project would comply and/or not conflict with energy policies and regulations including the Los Angeles Sustainable City pLAn 2019, the Los Angeles Green Building Code, the Framework Element, the Community Plan, the CALGreen Code, the State's AB 32 GHG reduction target, and the 2020–2045 RTP/SCS. Therefore, the Project's irreversible changes to the environment related to the consumption of nonrenewable energy resources and related air quality impacts would not be significant and would not be inefficient or wasteful.

Environmental Hazards

As discussed on pages 80 through 86 in Appendix A-2, Initial Study, of the Draft EIR, and in the Phase I Environmental Site Assessment (Phase I ESA) included in Appendix C of the Initial Study, Project construction would involve the temporary use of hazardous substances such as paint, adhesives, fuels, and oils, which are typically used for construction projects. However, all these hazardous materials would be used, stored, and disposed of in accordance with applicable laws and regulations and manufacturers' instructions. Moreover, as explained in the Initial Study, although, the Phase I ESA found no records of former or existing USTs, undocumented USTs may be present on the Project Site which, if encountered during Project construction, would be removed and disposed of in accordance with all applicable regulations. In addition, given the long history and occupancy of the Project Site with warehouse and other cold storage uses, as with most developed sites in industrial areas, there could be the potential to encounter contaminated soils, ACMs, LBP and PCBs, which if encountered during demolition, grading or excavation would be handled, disposed of and/or treated in accordance with applicable regulatory requirements, including standard handling and disposal practices pursuant to OSHA regulations. As further stated therein, while no oil or natural gas wells are located on the Project Site, the Site is located within the Union Station oil field and, therefore, there is a remote possibility that undocumented abandoned wells could be encountered during excavations, which, if any are encountered, would be abandoned in accordance with current State standards and regulations. Additionally, as the Project Site is within a Methane Zone, the Project would comply with the LAMC regulations

pertaining to ventilation and methane gas detection systems which would ensure that the Project would not result in reasonably foreseeable upset or accident conditions involving the release of methane gas into the environment. As such, adherence to standard construction practices and compliance with existing regulations would ensure the Project construction activities would not create a significant hazard to the public or the environment. As further stated therein, Project operation would involve the routine storage of small quantities of potentially hazardous materials such as cleaning solvents, paints and pesticides for landscaping, similar to other residential mixed-use developments. However, all these hazardous materials would be used, stored, and disposed of in accordance with applicable laws and regulations and manufacturers' instructions. The Project's compliance with regulations and standards would serve to protect against significant and irreversible environmental change that could result from Project construction and operation. Therefore, the Project would not result in the use of non-renewable resources that would result in a significant hazard related to hazardous materials.

X. Growth-Inducing Impacts

Section 15126.2(e) of the CEQA Guidelines requires a discussion of the ways in which a proposed project could induce growth. This includes ways in which a project would foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth, or increases in the population which may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Additionally, consideration must be given to characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

As stated on pages VI-11 through VI-12 in Chapter VI, Other CEQA, of the Draft EIR, as revised on page III-181 in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, as the Project Site is currently developed with warehouse and wholesale commercial buildings and associated office space, truck loading docks, and surface parking, the Project would provide the area with new residential, office, retail and restaurant uses, as well as 90,113 square feet of publicly accessible open space including parks, paseos, outdoor cafes, and trees and other landscaping. The Project's multiple uses would support a net estimated 2,073 jobs that would be available to residents of the surrounding neighborhoods. While the Project would also generate construction jobs, due in part to the temporary nature of construction which results in construction workers regularly commuting to job sites that change many times over the course of a year, Project-related construction workers would not be likely to relocate their place of residence as a consequence of working on the Project. Therefore, Project-related construction would not generate permanent new employment that would significantly contribute to local or regional growth. Furthermore, there would be no significant housing or population impacts associated with the construction phase of the Project. As further described therein, there is adequate utility and waste disposal infrastructure to serve the Project, and, therefore, no significant impacts due to expanded infrastructure would occur. Moreover, the Project would include a mix of uses that would be compatible with adjacent uses and representative of the type of density and mixed-use development anticipated within a TPA and HQTA. The Project's increase in population (3,575 residents), housing (1,589 residential units), and employment (2,073 jobs) would continue an infill growth pattern that is encouraged locally in the City's plans and regionally by SCAG policies and

would be well within the projected growth forecasts for the City and region. As such, the potential for physical impacts on the environment due to unplanned population, housing, and employment growth would be less than significant.

As further stated therein, the Project would not have indirect effects on growth through such mechanisms as the extension of roads and infrastructure, since the infill Project is located in an urbanized area that is served by current infrastructure and the Project's off-site infrastructure improvements would consist of tie-ins to or local upgrades of the existing utility mainlines already serving the Project area. Therefore, the Project would not include the construction of off-site infrastructure that would induce substantial growth and development in new areas. In addition, the Project would not require the construction of new public services facilities that would impact the environment. Additionally, the Related Projects also represent infill development that would be served by available infrastructure and would result in growth falling within projected growth forecasts for the City and the region. As such, the Project's contribution to growth would not be cumulatively considerable. Therefore, the Project would not directly or indirectly induce growth other than that already anticipated.

XI. Energy Conservation

As stated on pages IV.C-32 through IV.C-58 in Section IV.C, Energy, of the Draft EIR, as revised on pages III-86 through III-91 in Section III, Revisions, Clarifications or Corrections to the Draft EIR, of the Final EIR, and shown in the calculations contained in Appendix D, Energy Calculation Worksheets, of the Draft EIR, and Appendix D-FEIR, Modified Project Energy Calculation Worksheets, of the Final EIR, Project construction and operation would consume electricity, natural gas and transportation energy. However, the Project would conserve energy in compliance with federal, State and local regulations and policies, and, therefore, not cause wasteful, inefficient, or unnecessary consumption of energy during construction or operation. The Project's conservation of energy, in part, is the result of: the Project's energy usage during peak and base periods remaining consistent with electricity, natural gas, and transportation fuel future projections for the region; the Project complying with and exceeding existing minimum energy efficiency requirements such as the applicable Title 24 standards and CALGreen Code; the Project incorporating energy efficient features, solid waste reduction features and optimization of building performance features through Project Design Features such as GHG-PDF-1 (Green Building Features), which include the Project buildings achieving LEED Gold Certification which would include such features as installation of energy-efficient heating, ventilation, and HVAC systems that utilize ozone-friendly refrigerants, and water sustainability features, including but not limited to, low flow/efficient water fixtures, rainwater capture systems, drought-tolerant/California native plant species selection, smart irrigation systems (e.g., weather-based controls), and water-saving pool equipment, which would reduce the use of energy related to water generation facilities; the Project's transportation fuel usage being reduced by 35 percent compared to the Project without trip reduction features; and, the Project's increase in density on an infill site within a TPA and HQTA in proximity to transit, existing off-site retail, restaurant, entertainment, commercial, and job destinations, and its walkable environment would achieve a reduction in VMT. Therefore, the Project would reduce energy consumption and, thereby, conserve energy.

XII. Statement of Overriding Considerations

The EIR identifies unavoidable significant impacts that would result from implementation of the Project. PRC Section 21081 and CEQA Guidelines Section 15093(b) provide that when a decision

of a public agency allows the occurrence of significant impacts that are identified in the EIR, but are not at least substantially mitigated to an insignificant level or eliminated, the lead agency must state in writing the reasons to support its action based on the EIR and/or other information in the record. The CEQA Guidelines require, pursuant to CEQA Guidelines Section 15093(b), that the decision-maker adopt a Statement of Overriding Considerations at the time of approval of a project if it finds that significant adverse environmental effects have been identified in the EIR that cannot be substantially mitigated to an insignificant level or be eliminated. These findings and the Statement of Overriding Considerations are based on the documents and materials that constitute the record of proceedings, including, but not limited to, the Final EIR and all technical appendices attached thereto.

Based on the analysis provided in Section IV, Environmental Impact Analysis, of the Draft EIR, as revised in Section III, Revisions, Clarifications and Corrections to the Draft EIR, of the Final EIR, implementation of the Project would result in significant impacts that cannot be feasibly mitigated with respect to: Project-level and cumulative construction air quality, historical resources, on-site Project-level and cumulative construction noise, off-site cumulative construction noise, and Project-level and cumulative structural damage due to construction vibrations.

Accordingly, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts would result from implementation of the Project. Having (i) adopted all feasible mitigation measures, (ii) rejected as infeasible the alternatives to the Project discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Project against the Project's significant and unavoidable impacts, the City hereby finds that each of the Project's benefits, as listed below, outweigh and override the significant unavoidable impacts relating to: Project-level and cumulative construction air quality; historical resources; on-site Project-level and cumulative construction noise; off-site cumulative construction noise; and, Project-level and cumulative structural damage due to construction groundborne vibrations.

The below stated reasons summarize the benefits, goals and objectives of the Project, and provide the detailed rationale for the benefits of the Project. These overriding considerations of economic, social, aesthetic, and environmental benefits for the Project justify adoption of the Project and certification of the completed EIR. Each of the listed Project benefits set forth in this Statement of Overriding Considerations provides a separate and independent ground for the City's decision to approve the Project despite the Project's identified significant and unavoidable environmental impacts. Each of the following overriding considerations separately and independently (i) outweighs the adverse environmental impacts of the Project, and (ii) justifies adoption of the Project and certification of the completed EIR. In particular, achieving the underlying purpose for the Project would be sufficient to override the significant environmental impacts of the Project.

1. <u>The Project Would Meet the Underlying Purpose which Supports Community Plan Objectives, Goals and Policies (Other than for Historical Buildings):</u> The Project would meet the underlying purpose of the Project by redeveloping the underutilized Project Site with a high-quality, mixed-use development that includes new multi-family housing at varying income levels, office, retail, and restaurant uses, as well as publicly-accessible open spaces, revitalizes the Project Site and the surrounding neighborhood, and promotes walkability and use of public transit and

would thereby support the Community Plan, in part because:

- The Project would support the residential policies (i) to increase the range of housing choices available to Downtown employees and residents which can accommodate a full range of incomes by developing housing, including affordable housing units; and (ii) to promote the development of neighborhood work/live housing by providing 8 live/work units within Buildings 7 and 9 which would be supported by a protected, pedestrian-only "Makers Alley" where artisans would be able to present goods manufactured on-site;

- The Project would support the commercial policies (i) to improve the area's competitiveness for offices, business, retail, and industry and support the growth of neighborhoods with small, local retail services by developing office, retail and restaurant uses; and (ii) to encourage a mix of uses which create an active, 24-hour downtown environment by providing space for restaurant and retail businesses and developing street-to-street paseos, curated publicly accessible open spaces, and dining areas that would enliven neighborhood activity beyond the standard workday and support a more active nightlife activity;

- The Project would support open space and recreation policies by developing 90,113 square feet of ground level publicly accessible open space with streetscape, landscaping, and public art; and would provide direct open space uses on the Project Site including 12 individually curated publicly accessible open space areas, including paseos passing between Central Avenue and Alameda Street, plazas, and pocket parks within the North and South Sites;

- The Project would support police services policies by including security measures that reduce demand of services by the LAPD, including, but not limited to, security camera surveillance, trained security personnel, and well-lit interior and exterior areas, and through the presence of residents, office workers, retail and restaurant workers, and visitors; and

- The Project would support transportation policies by locating a high intensity development within a TPA, implementing a TDM program which would encourage the use of rail connections and high occupancy vehicles, and providing open space which would encourage pedestrian activity and use.

2. <u>The Project Would Support Local and Regional Land Use and Environmental Goals:</u> The Project would support the relevant provisions, policies and goals of the 2020-2045 RTP/SCS, the General Plan's Framework, Housing, Open Space, Conservation and Transportation Elements, the Central Industrial District Redevelopment Plan, and other relevant plans and LAMC provisions, because the Project includes a number of characteristics that are consistent with, and contribute to, the implementation of local, regional, and State land use and mobility

objectives, in part because the Project would:

- Develop a mixed-use residential project within a HQTA and TPA which would: facilitate multimodal access to work, educational and other destinations; support policies that plan for growth near transit investments; support policies that advance implementation of first/last mile strategies including implementation of a TDM that would reduce the reliance on, and number of, solo car trips; and, support policies that prioritize infill and redevelopment of underutilized land to accommodate new growth, increase amenities and connectivity in existing neighborhoods;

- Provide 1,589 residential units, and, consistent with Measure JJJ, between 11 percent and 40 percent of the total units built will be set aside for Very Low-, Low-, or Moderate-income households which would help the City meet its housing needs established in SCAG's Regional Housing Needs Assessment;

- Encourage bicycle use through provision of 163 short-term and 629 long-term bicycle parking spaces and facilities that would be distributed throughout the Project Site and would be in proximity to various bike lanes/routes;

- Promote pedestrian activity by enhancing the pedestrian experience with publicly accessible plazas and block-to-block paseos passing through the Project Site; ground floor retail uses; outdoor dining areas, outdoor art markets; sidewalk improvements; street trees; pocket parks; and landscaping along the paseos and sidewalks including the planting of 439 new trees;

- Reduce vehicle trips, VMT, and air pollution through development of a mixed-use residential development with multiple pedestrian connections through the Project Site and within walking and biking distance to transit and bus routes, including bus lines operated by Metro and LADOT DASH and within walking distance (less than 0.4 miles) of the Metro Regional Connector Little Tokyo/Arts District station;

- Contribute to the recreation, health and safety needs of the City through provision of 90,113 square feet of publicly-accessible open space;

- Improve stormwater quality goals through collection, filtering, and storing of surface water runoff in accordance with the City's LID Ordinance; and

- Eliminate blight by redeveloping the Project Site with a mixed-use project which would provide a safe environment, improve adjacent streets and sidewalks, be consistent with all code requirements, promote land use and development standards that promote compatibility of uses, include sustainable features, and provide usable open space accessible to the public.

3. The Project Would Represent Sustainable Development: In addition to promoting smart growth by developing residential, office, retail and restaurant uses on the Project Site, which is within a TPA and HQTA, the Project would represent sustainable development, in part because:

- The Project would support policies for renewable energy and green building design as it is designed to comply with the requirements of the Los Angeles Green Building Code and the CALGreen Code;

- The Project would implement Project Design Feature GHG-PDF-1 pursuant to which Project buildings would be designed to meet LEED Gold certification or equivalent standards and Project parking would include a minimum of eight percent of on-site, non-residential parking for carpool and/or alternative fueled vehicles;

- The Project would implement a TDM program containing incentives to reduce single occupant vehicle trips;

- The Project would comply with the City's Electric Vehicle Parking Ordinance, which requires 30 percent of the Project's total parking spaces to be designated as EV spaces capable of supporting future EVSE, and 10 percent of the total number of spaces to be EVCS;

- The Project would implement Project Design Feature WS-PDF-1 which would incorporate water conservation strategies such as, but not limited to, low flow/efficient water fixtures, drought tolerant/California native plant species selection, landscape contouring to minimize precipitation runoff, irrigation system efficiency, smart irrigation systems (e.g., weather-based controls), and water-saving pool equipment;

- The Project will investigate the use of local low-carbon materials and Environmental Product Declaration (EPDs) to promote the City's green-material economy by using the "Buy Clean California Act" (AB 262) as a reference and resource;

- The Project would use tree landscaping to create passive solar shading and would use cool roof/pavement coatings to reduce an urban heat island effect;

- The Project would comply with applicable solar installation regulatory requirements;

- The Project will focus on occupant wellness by incorporating healthy materials with low-volatile organic compounds (VOCs), abundant daylight, superior interior lighting quality, and accessible thermal comfort control to prevent sick building syndrome;

- The Project's buildings, including commercial kitchen uses, heating, and cooling would be all-electric with no natural gas building infrastructure; and

- The Project would include other sustainability building features such as installation of energy-efficient HVAC systems that utilize ozone-friendly refrigerants, provision of onsite recycling areas, and incorporation of indoor air quality best practices to provide clean ventilation for improved breathing.

4. The Project Would Create Jobs and Enhance City Revenues: The Project would advance the City's goals to provide employment opportunities within a TPA, to grow the City's economic base, and to increase the City's revenues, in part, by creating jobs during both Project construction and operation of the Project and by creating commercial opportunities that could serve local employees, generate local tax revenues, and provide new permanent jobs and housing for residents in support of local businesses.

5. The Construction and Overlapping Construction and Interim Operation Air Quality and Noise and Vibration Impacts Would be Temporary Impacts: The Project's significant and unavoidable air quality and noise and vibration impacts are associated with temporary and periodic construction activities, similar to those occurring at other development sites in urban areas within infill locations. In addition, Project-level net regional operational emissions for interim and full Project operations would be mitigated to below the SCAQMD significance thresholds.

   Furthermore, with regard to regional emissions, it is expected that many future employees and visitors to the Project likely already live and travel within the Air Basin and therefore already generate mobile source emissions, in which case net new regional mobile source emissions for the Project could be less than the values shown in the Draft EIR. As such, it is likely that the actual incremental increase in regional emissions from operation of the land uses proposed under the Project could be substantially lower.

XIII. General Findings

1. The City, acting through the Department of City Planning, is the "Lead Agency" for the project evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the Project, that the Draft EIR which was circulated for public review reflected its independent judgment and that the Final EIR reflects the independent judgment of the City.

2. The EIR evaluated the following potential Project and cumulative environmental impacts: air quality, cultural resources, energy, geology and soils, greenhouse gas emissions, land use and planning, noise, population and housing, public services – fire protection, public services – police protection, public services –schools, public services –parks and recreation, public services –libraries, transportation, tribal cultural resources, utilities and service systems – water supply, utilities and service systems – wastewater, utilities and service systems – solid waste, utilities and service systems – energy and natural gas,

alternatives, and other CEQA considerations. Additionally, the EIR considered, in separate sections, Significant Irreversible Environmental Changes and Growth Inducing Impacts. The significant environmental impacts of the Project and the alternatives were identified in the EIR.

3. The City finds that the EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review periods provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review periods and responds to comments made during the public review periods.

4. Textual refinements and errata were compiled and presented to the decision-makers for review and consideration. The City staff has made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents associated with Project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require clarifications and corrections. Second, textual clarifications were necessitated to describe refinements suggested as part of the public participation process.

5. The Department of City Planning evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Department of City Planning 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 Department of City Planning reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.

6. The Final EIR documents revisions, clarification, corrections, and modifications to the Draft EIR. Having reviewed the information contained in the Draft EIR, the Final EIR, and the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there is no new significant impact, substantial increase in the severity of a previously disclosed impact, significant new information in the record of proceedings or other criteria under CEQA that would require additional recirculation of the Draft EIR, or that would require preparation of a supplemental or subsequent EIR. Specifically, the City finds that:

    - The Responses to Comments contained in Section II of the Final EIR fully considered and responded to comments claiming that the Project would have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the Project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.

    - The City has thoroughly reviewed the public comments received regarding the Project and the Final EIR as it relates to the Project to determine whether under

the requirements of CEQA, any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption and has determined that recirculation of the EIR is not required.

- None of the information submitted after publication of the Final EIR, including testimony at the public hearings on the Project, constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.
- The mitigation measures identified for the Project were included in the Draft EIR and Final EIR. The final mitigation measures for the Project are described in the Mitigation Monitoring Program (MMP). Each of the mitigation measures identified in the MMP is incorporated into the Project. The City finds that the impacts of the Project have been mitigated to the extent feasible by the mitigation measures identified in the MMP.

7. CEQA requires the Lead Agency approving a project to adopt a MMP or the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City and revised in the MMP as adopted by the City serve that function. The MMP includes all of the mitigation measures and project design features adopted by the City in connection with the approval of the Project and has been designed to ensure compliance with such measures during implementation of the Project. In accordance with CEQA, the MMP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code Section 21081.6, the City hereby adopts the MMP.

8. In accordance with the requirements of Public Resources Code Section 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Project.

9. The custodian of the documents or other materials which constitute the record of proceedings upon which the City decision is based is the City of Los Angeles, Department of City Planning, 221 N. Figueroa Street, Room 1350, Los Angeles, CA 90012.

10. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.

11. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the Project.

12. The EIR is a project EIR for purposes of environmental analysis of the Project. A project EIR examines the environmental effects of a specific project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the Project by the City and the other regulatory jurisdictions.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 82974-CN-HCA (VTTM), the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

(a) THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

Section 66411 of the Subdivision Map Act (Map Act) establishes that local agencies regulate and control the design of subdivisions. Chapter 2, Article I, of the Map Act establishes the general provisions for tentative, final, and parcel maps. The subdivision, and merger, of land is regulated pursuant to Article 7 of the LAMC. The LAMC implements the goals, objectives, and policies of the General Plan through zoning regulations, including Specific Plans. The zoning regulations contained within the LAMC regulate, but are not limited to, the maximum permitted density, height, parking, and the subdivision of land.

Pursuant to LAMC Section 17.05 C, tentative maps are to be designed in conformance with the tract map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps are to be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B.

The Project Site is located within the Downtown Community Plan, which designates the Project Site for Community Center land uses on the North and West Sites with corresponding Forms Districts of DM1, DM2, DM5, LM2, and MB2, Use Districts of CX1, CX2, and CX3, and Density District of FA; and Hybrid Industrial land uses on the South Site, with corresponding Form Districts of LB2, LM1, MB1, MB2, and MM1, Use Districts of IX3 and IX4, Density District of FA, and Special Districts of GW(CA), UC(CA), UI(CA), and UV(CA).

The Project Applicant is requesting a General Plan Amendment to the Downtown Community Plan to change the land use designation from Hybrid Industrial on the South Site to Community Center, as well as a corresponding Vesting Zone and Height District Change to regulations vested under the (T)(Q)C2-3D Zone for the entire Project Site. Additionally, the Applicant is requesting a Development Incentive under Measure JJJ to allow for averaging of FAR, parking, and open space across the Project Site, a Main Conditional Use Permit to permit the sale and dispensing of alcoholic beverages for both on- and off-site consumptions within up to ten establishments, and a Site Plan Review for an increase of 50,000 gross square feet of nonresidential floor area and 50 or more dwelling units. While the Project Site is currently zoned [DM2-G1-5][CX2-FA][CPIO-O] on the North Site; [MB2-G1-5][IX4-FA][CPIO] on the South Site; and [MB2-G1-5][CX2-FA][CPIO] on the West Site, all of which are consistent with the respective land use designations, a Vesting Zone and Height District Change from the previous zones under the Central City Community Plan were requested as part of an application that was filed was prior to the adoption of the Downtown Community Plan. Therefore, the vested application date vests the zoning regulations of the proposed C2 Zone on the Project Site.

The existing and proposed Community Center land use designation (existing on the North and West Sites, and proposed on the South Site) allows for a range of uses including

commercial, residential, institutional facilities, cultural and entertainment facilities, and neighborhood-serving uses, while the existing Hybrid Industrial land use designation on the South Site allows for light industrial, commercial, and office uses, with selectively permitted live/work uses. Community Center land uses typically permit FARs ranging from 3.0:1 to 8.5:1, and consist of similar uses as those allowed in the C2 Zone. The C2 Zone generally allows for commercial uses including but not limited to office, residential, and retail uses, and Height District 3 permits a maximum FAR of 10:1. The Project Site was not located within a specific plan area.

In conjunction with the proposed merger and re-subdivision associated with the proposed VTTM for the Project, the Project Site area would consist of approximately 333,603 net square feet of lot area or approximately eight acres. Contingent upon the approval of the Project's requested entitlements, including the Vesting Zone Change and Height District Change to (T)(Q)C2-3D, the Project proposes the development of 2,318,534 square feet of floor area, resulting in a maximum project FAR of approximately 7:1, and less than the maximum allowable 10:1 FAR under the proposed zoning, and less than the 8.5 FAR planned under the land use designation. Therefore, the proposed merger and re-subdivision to create four ground lots and 27 airspace lots and for condominium purposes for a mixed-use development would be consistent with these regulations, as the VTTM would be consistent with the use and floor area permitted by the General Plan and its associated zoning.

Pursuant to LAMC Section 17.06 B, a tentative tract map must be prepared by or under the direction of a licensed land surveyor or registered civil engineer. The tract map indicates the map number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.06 B. Additionally, LAMC Section 17.15 B requires that vesting tentative tract maps provide the proposed building envelope, height, size, and number of units, as well as the approximate location of buildings, driveways, and proposed exterior garden walls. The tract map provides the building envelope, height, and approximate location of the buildings and driveways among other required map elements. Therefore, as conditioned, the proposed VTTM demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, 17.15 B and would be consistent with the applicable General Plan.

(b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

For purposes of a subdivision, design and improvement is defined by Section 66418 of the Subdivision Map Act and LAMC Section 17.02. Section 66418 of the Subdivision Map Act defines the term "design" as follows: "Design" means: (1) street alignments, grades and widths; (2) drainage and sanitary facilities and utilities, including alignments and grades thereof; (3) location and size of all required easements and rights-of-way; (4) fire roads and firebreaks; (5) lot size and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or recreational purposes; and (9) such other specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. Further, Section 66427 of the Subdivision Map Act expressly states that the "Design and location of buildings are not part of the map review process for condominium, community apartment or stock cooperative projects."

LAMC Section 17.05 enumerates design standards for a tract map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan. LAMC Section 17.05 C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes (net area). LAMC Section 17.06 B and 17.15 lists the map requirements for a tentative tract map and vesting tentative tract map. The design and layout of the VTTM is consistent with the design standards established by the Subdivision Map Act and LAMC regulations.

LAMC Section 17.05 C requires that the tract map be designed in conformance with the zoning regulations of the Project Site. The Project Applicant is requesting a General Plan Amendment to the Downtown Community Plan to change the land use designation from Hybrid Industrial to Community Center for the South Site, as well as a corresponding Zone and Height District Change to the regulations under the vested (T)(Q)C2-3D Zone for the entire Project Site.

Community Center land uses typically permit FARs ranging from 3.0:1 to 8.5:1, and consist of similar uses as those allowed in the C2 Zone. The C2 Zone generally allows for commercial uses including but not limited to office, residential, and retail uses, and Height District 3 permits a maximum FAR of 10:1. In conjunction with the proposed mergers and dedications associated with the proposed VTTM for the Project, the Project Site area would consist of approximately 333,603 net square feet of lot area or approximately eight acres. Contingent upon the approval of the Project's requested entitlements, including the Vesting Zone Change and Height District Change to (T)(Q)C2-3D, the Project proposes the development of 2,318,534 square feet of floor area, resulting in a maximum project FAR of approximately 7:1, and less than the maximum allowable 10:1 FAR under the proposed zoning, and less than the 8.5 FAR planned under the land use designation. Therefore, the proposed merger and resubdivision to create four ground lots and 27 airspace lots and for condominium purposes for a mixed-use development would be consistent with these regulations, as the VTTM would be consistent with the use and floor area permitted by the C2 Zone.

The design and layout of the map is also consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the LAMC. The tract map was distributed to and reviewed by the various City agencies of the Subdivision Committee, including, but not limited to, the Bureau of Engineering, Department of Building and Safety, Grading Division and Zoning Division, Bureau of Street Lighting, Department of Recreation and Parks, that have the authority to make dedication, and/or improvement recommendations. Several public agencies found the subdivision design satisfactory, with imposed improvement requirements and/or conditions of approval.

Specifically, the Bureau of Engineering reviewed the tract map for compliance with the Street Design Standards and pursuant to the letter dated July 1, 2025, and revisions thereafter, has recommended improvement to the public right-of-way in accordance with Street Standards of the Mobility Plan 2035. In efforts to retain a majority of the existing curb lines along of the project site's frontages, and in compliance with Section 66005.1 of the California Government Code (Mitigation Fee Act), deviations from the Mobility Plan standards are proposed to not require street widening (except for Alameda Street). The additional public right-of-way dedications and sidewalk easement required along 4th Street would only be for the purposes of sidewalk widening and pedestrian safety. For Alameda Street, dedications are required in order to both widen the street and the sidewalk to

accommodate appropriate widths in compliance with the Mobility Plan and as necessary to preserve the health, safety, and welfare of the public, including pedestrians and cyclists. These deviations were reviewed and approved by the Bureau of Engineering. In addition, the Department of Water and Power has reviewed the water/electrical lines serving the subject tract and found no potential problems to structures or maintenance. The Department of Building and Safety – Grading Division reviewed the site grading and deemed it appropriate provided the conditions included in its Revised Map Report correspondence dated September 19, 2024, are complied with. The Department of Building and Safety – Zoning Division reviewed the subdivision map and confirmed that a clearance letter will be issued stating that no Building and Zoning Code violations exist on the subject Project Site after the recommended changes provided that conditions included in the correspondence dated September 27, 2024, have been satisfied. The Bureau of Street Lighting determined that street lighting improvements shall include the construction of five new streetlights on Alameda Street, and three new streetlights on 4th Street. If BOE requires street widening improvements, the Project shall relocate and upgrade one streetlight on Alameda Street, three streetlights on 4th Street, six streetlights on Central Avenue, and one streetlight on Gladys Avenue. The Los Angeles Fire Department also provided a set of recommendations in their letter dated October 10, 2024, and requested that plot plans be submitted for review and approval by the Fire Department prior to recordation of the VTTM. All Conditions of Approval for the design and improvement of the subdivision are required to be performed prior to the recordation of the tentative map, building permit, grading permit, or certificate of occupancy, as applicable.

Therefore, as conditioned and upon approval of the entitlement requests, the design and improvements of the proposed subdivision would be consistent with the applicable General Plan.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

The Project Site currently consists of six parcels within three distinct sites (North Site, South Site, and West Site – collectively referred to as the Project Site) totaling 333,603 square feet (approximately eight acres) of lot area, and is currently improved with existing one- to six-story freezer and cold storage warehouses, associated office space and truck loading docks totaling 360,734 square feet of floor area, and surface parking lots. The request before the Deputy Advisory Agency for the Vesting Tentative Tract Map is for the merger and re-subdivision of the Project Site into four ground lots and 27 airspace lots and for condominium purposes, and a Haul Route for the export of approximately 651,000 cubic yards of soil to allow for the Project that includes the demolition of the existing surface parking and cold storage facility and warehouse uses, with the intention of preserving and adaptively reusing a portion of the existing six-story warehouse building on the North Site, and the construction of a new mixed-use development totaling up to 2,318,534 square feet of floor area.

There are currently 20 non-Protected street trees in the public right-of-way adjacent to the Project Site, all of which would be removed as part of the Project. The Project Site does not contain any Protected trees. The Non-Protected trees would be replaced at ratio of 2:1 by the Project. The Project would provide 439 on-site trees and 40 street trees within the public right-of-way. In addition, the Project would provide 90,113 square feet of publicly-accessible, non-residential open space, 94,547 square feet of common open space, of which 23,637 square feet, or 25 percent, would be landscaped, and 75,728 square feet of private open space (including recreation rooms), for a total of 170,275 square feet of open

space for residential uses. In total, the Project would provide over 260,000 square feet (approximately six acres) of open space and amenity areas for residential and non-residential uses.

The Project Site is located within an urbanized area. The Project Site is not located in a Very High Fire Hazard Severity Zone, Alquist Priolo Zone, Fault Rupture Study Area, Flood Zone, Landslide, Tsunami Inundation Zone, or Liquefaction Zone. However, the Project Site is located within a Methane Zone. The topography of the Project Site is relatively flat throughout the entirety of the site as it has been previously developed.

As noted in the Conditions of Approval, the Los Angeles Department of Building and Safety, Grading Division, has reviewed the geology/soils reports prepared for the Project and included in its Revised Map Report correspondence dated September 19, 2024 that geology/soils reports are not required prior to planning approval of the Tract Map as the Project Site is located outside of a City of Los Angeles Hillside Area; is exempt or located outside of a State of California liquefaction, earthquake induced landslide, or fault-rupture hazard zone; and, does not require any grading or construction of an engineered retaining structure to remove potential geologic hazards. Additionally, the correspondence includes specific language to be included on the approved VTTM that will ensure the Project can be built safely and that the site will be suitable for the proposed development.

The Project Site is in a Methane Zone and would be subject to the City Methane Requirements in Division 71 Section 91.7103 of the Los Angeles Municipal Code. Based on the Phase I ESA, no further investigation of subsurface methane accumulations was recommended or warranted in the environmental analysis, and compliance with the aforementioned construction requirements would ensure that the Project would not result in reasonably foreseeable upset or accident conditions involving the release of methane gas into the environment. Therefore, related impacts were concluded to be less than significant.

In general, compliance with existing regulations, tract map conditions, and mitigation measures identified in the EIR ensure that the proposed development could be feasibly and safely constructed and operated on the Project Site. Finally, prior to the issuance of any permits, the Project would be required to be reviewed and approved by the Department of Building and Safety and the Fire Department to ensure compliance with building, fire, and safety codes. Therefore, based on the above and as conditioned, the Project Site would be physically suitable for the proposed type of development.

(d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

The General Plan identifies, through its Community and Specific Plans, geographic locations where planned and anticipated densities are permitted. Zoning standards for density are applied to sites throughout the city and are allocated based on the type of land use, physical suitability, and future population growth expected to occur. which allow for commercial uses, a wide range of housing types, office uses, as well as research and development, wholesale, and light industrial uses.

The Project Site is located within the Downtown Community Plan, which designates the Project Site for Community Center land uses on the North and West Sites with corresponding Forms Districts of DM1, DM2, DM5, LM2, and MB2, Use Districts of CX1,

CX2, and CX3, and Density District of FA; and Hybrid Industrial land uses on the South Site, with corresponding Form Districts of LB2, LM1, MB1, MB2, and MM1, Use Districts of IX3 and IX4, Density District of FA, and Special Districts of GW(CA), UC(CA), UI(CA), and UV(CA).

The Project Applicant is requesting a General Plan Amendment to the Downtown Community Plan to change the land use designation from Hybrid Industrial on the South Site to Community Center, as well as a corresponding Vesting Zone and Height District Change to regulations vested under the (T)(Q)C2-3D Zone for the entire Project Site. Additionally, the Applicant is requesting a Development Incentive under Measure JJJ to allow for averaging of FAR, parking, and open space across the Project Site, a Main Conditional Use Permit to permit the sale and dispensing of alcoholic beverages for both on- and off-site consumptions within up to ten establishments, and a Site Plan Review for an increase of 50,000 gross square feet of nonresidential floor area and 50 or more dwelling units.

The Project Site is currently zoned [DM2-G1-5][CX2-FA][CPIO-O] on the North Site; [MB2-G1-5][IX4-FA][CPIO] on the South Site; and [MB2-G1-5][CX2-FA][CPIO] on the West Site, which allow for commercial uses, a wide range of housing types, office uses, as well as research and development, wholesale, and light industrial uses, consistent with the respective land use designations. However, a Vesting Zone and Height District Change from the previous zones under the Central City Community Plan were requested as part of an application that was filed was prior to the adoption of the Downtown Community Plan; therefore, the vested application date vests the zoning regulations of the proposed C2 Zone on the Project Site.

The existing and proposed Community Center land use designation (existing on the North and West Sites, and proposed on the South Site) allows for a range of uses including commercial, residential, institutional facilities, cultural and entertainment facilities, and neighborhood-serving uses, while the existing Hybrid Industrial land use designation on the South Site allows for light industrial, commercial, and office uses, with selectively permitted live/work uses. Community Center land uses typically permit FARs ranging from 3.0:1 to 8.5:1, and consist of similar uses as those allowed in the C2 Zone.

The C2 Zone generally allows for commercial uses including but not limited to office, residential, and retail uses, and Height District 3 permits a maximum FAR of 10:1. In conjunction with the proposed merger and re-subdivision associated with the proposed VTTM for the Project, the Project Site area would consist of approximately 333,603 net square feet of lot area or approximately eight acres. Contingent upon the approval of the Project's requested entitlements, including the Vesting Zone Change and Height District Change to (T)(Q)C2-3D, the Project proposes the development of 2,318,534 square feet of floor area, resulting in a maximum project FAR of approximately 7:1, less than the allowable. As Community Center land uses typically permit FARs ranging from 3.0:1 to 8.5:1, and consist of similar uses as those allowed in the C2 Zone, the requested (T)(Q)C2-3D Zone would be consistent with the requested land use designation of Community Center.

Therefore, the proposed merger and resubdivision to create four ground lots and 27 airspace lots and for condominium purposes for a mixed-use development would be consistent with these regulations, as the VTTM would be consistent with the density of development, use, and floor area permitted by the C2 Zone.

The physical characteristics of the site and the proposed density of development are generally consistent with existing development and urban character of the surrounding Arts District neighborhood. The Project Site vicinity is characterized by a concentration of both low- to medium-density industrial uses, as well as more recently developed medium- to high-density mixed-use residential, commercial, and office uses.

To the north of the Project Site is the Little Tokyo Market Place, Little Tokyo Galleria, and commercial and office uses. These areas are designated for Community Center land uses and are within the [DM2-G1-5][CX2-FA][CPIO-O] Zone. The area south of the Project Site is occupied by a low-rise distribution center, additional warehouse uses, and a restaurant. These areas are designated for Hybrid Industrial land uses and are within the [MB2-G1-5][IX4-FA][CPIO] Zone. The areas east and west of the Project Site are also developed with commercial, warehouse, and surface parking lot uses, and are designated for Community Center land uses, and are within the [DM2-G1-5][CX2-FA][CPIO], [DM2-SH1-5][CX2-FA][CPIO], and [MB2-SH1-5][CX2-FA][CPIO] Zones. In addition, the recently redesigned 6th Street Viaduct in located southeast of the Project Site. Land uses north and northwest of the new bridge site include a mix of restaurants, bars and cafes, commercial uses, and creative and traditional office space. Overall, the area surrounding the Project Site is rapidly developing and is intended to occupy a higher density under the Downtown Community Plan.

Upon approval of the entitlement requests, and as conditioned therein, the Project's proposed density is consistent with the general provisions and area requirements of the Planning and Zoning Code. The Project's floor area, density, and massing are appropriately scaled and situated given these uses in the surrounding area. The site is a relatively flat infill lot in a developed urban area with adequate infrastructure. The area is easily accessible via improved streets and highways. Therefore, the Project Site is physically suitable for the proposed density of development.

(e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The Project Site does not contain wetlands or riparian areas, does not have significant value as a wildlife habitat, and implementation of the Project would not harm protected species. The Project Site is situated in an established, fully developed mixed industrial and commercial area, adjacent to three large boulevards, a shopping center, a distribution center, and surface parking lots. The industrially zoned Project Site is currently developed with existing one- to six-story freezer and cold storage warehouses, associated office space and truck loading docks totaling 360,734 square feet of floor area, and surface parking lots. The Project Site does not contain any natural open spaces with water courses such as streams or lakes within and/or directly adjacent to the Project Site and the Project Site and vicinity do not support any riparian or wetland habitat, as defined by Section 404 of the Clean Water Act.

Furthermore, the Project Site is not located in or adjacent to a Biological Resource Area as defined by the City. Moreover, the Project Site and immediately surrounding area are not within or near a designated Significant Ecological Area. The Project Site does not contain any natural open spaces, act as a wildlife corridor, migratory corridors, conflict with a Habitat Conservation Plan, nor possess any areas of significant biological resource

value.

Regarding trees, as discussed in the associated Tree Report, the Project Site has been operating with industrial use for decades. There are currently 20 non-Protected street trees in the public right-of-way adjacent to the Project Site, all of which would be removed as part of the Project. The Project Site does not contain any Protected trees. The Non-Protected trees would be replaced at ratio of 2:1 by the Project. The Project would provide 439 on-site trees and 40 street trees within the public right-of-way. In addition, the Project would provide 90,113 square feet of publicly-accessible, non-residential open space, 94,547 square feet of common open space, of which 23,637 square feet, or 25 percent, would be landscaped, and 75,728 square feet of private open space (including recreation rooms), for a total of 170,275 square feet of common and private open space for residential uses. In total, the Project would provide over 260,000 square feet (approximately six acres) for residential and non-residential uses. In addition, the Project vicinity is highly urbanized and does not support habitat for candidate, sensitive, or special status plant species. Therefore, no impacts to candidate, sensitive, or special status plant species would occur.

Therefore, as noted above, the Project Site is presently improved with existing one- to six-story freezer and cold storage warehouses, associated office space and truck loading docks, and surface parking lots, and does not contain any natural open spaces, act as a wildlife corridor, contain riparian habitat, wetland habitat, or migratory corridors. The Project would not conflict with any protected tree ordinance or Habitat Conservation Plan, nor possess any areas of significant biological resource value. Therefore, the design of the subdivision would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

(f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

The proposed subdivision and subsequent improvements are subject to the provisions of the LAMC (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) and the Building Code. Other health and safety related requirements as mandated by law would apply where applicable to ensure the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management).

The Project Site is located within an urbanized area. The Project Site is not located in a Very High Fire Hazard Severity Zone, Alquist Priolo Zone, Fault Rupture Study Area, Flood Zone, Landslide, Tsunami Inundation Zone, or Liquefaction Zone. However, the Project Site is located within a Methane Zone. The topography of the Project Site is relatively flat throughout the entirety of the site as it has been previously developed.

The Project Site is in a Methane Zone and would be subject to the City Methane Requirements in Division 71 Section 91.7103 of the Los Angeles Municipal Code. Based on the Phase I ESA, which revealed no evidence of potential Recognized Environmental Conditions (RECs) in connection with the various existing buildings and industrial uses located on the Project Site, no further investigation of subsurface methane accumulations was recommended or warranted in the environmental analysis. Compliance with the aforementioned construction requirements would ensure that the Project would not result in reasonably foreseeable upset or accident conditions involving the release of methane gas into the environment. Therefore, related impacts were concluded to be less than

significant. Further, the Project's Initial Study Hazards and Hazardous Materials analysis determined that development of the Project Site would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental conditions involving the release of hazardous materials into the environment.

As noted in the Conditions of Approval, the Los Angeles Department of Building and Safety, Grading Division, has reviewed the geology/soils reports prepared for the Project and included in its Revised Map Report correspondence dated September 19, 2024 that geology/soils reports are not required prior to planning approval of the Tract Map as the Project Site is located outside of a City of Los Angeles Hillside Area; is exempt or located outside of a State of California liquefaction, earthquake induced landslide, or fault-rupture hazard zone; and, does not require any grading or construction of an engineered retaining structure to remove potential geologic hazards. Additionally, the correspondence includes specific language to be included on the approved VTTM that will ensure the Project can be built safely and that the site will be suitable for the proposed development.

Regarding seismic risks, with adherence to State and City building requirements, along with the recommendations from the LADBS Revised Map Report correspondence dated September 19, 2024, the subdivision and proposed improvements would not result in serious public health problems related to seismic safety. As described above and in the EIR, the Project Site is located within a Methane Zone and would therefore require the entire Project Site to be subject to the City Methane Requirements in Division 71 Section 91.7103 of the Los Angeles Municipal Code.

The Project can be adequately served by existing utilities. The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the Hyperion Treatment Plant, which meets Statewide ocean discharge standards. The subdivision will be connected to the public sewer system and will have only a minor incremental increase on the effluent treated by the Hyperion Treatment Plant, which has adequate capacity to serve the project. Moreover, as required by LAMC Section 64.15, further detailed gauging and evaluation will be conducted as part of the required building permit process for the project, including the requirement to obtain final approval of an updated Sewer Capacity Availability Report demonstrating adequate capacity. In addition, Project-related sanitary sewer connections and on-site water and wastewater infrastructure will be designed and constructed in accordance with applicable LASAN and California Plumbing Code standards.

No adverse impacts to the public health or safety would occur as a result of the design and improvement of the site. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

(g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

There are no recorded instruments identifying easements encumbering the Project Site for the purpose of providing public access. The Project Site is surrounded by public streets and private properties that adjoin improved public streets designed and improved for the specific purpose of providing public access throughout the area. The Project Site does not adjoin or provide access to a public resource, natural habitat, public park, or any officially

recognized public recreation area. No streams or rivers cross the Project Site. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at-large for access through or use of property within the proposed subdivision.

(h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the Project Applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The topography of the Project Site has been considered in the maximization of passive or natural heating and cooling opportunities.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the Project Site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for VTTM No. 82974-CN-HCA.