

Executive Summary

This Draft Environmental Impact Report (Draft EIR) has been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA, Public Resources Code sections 21000 et. seq.) in accordance with CEQA Guidelines §15123. This chapter of the Draft EIR includes (1) a brief description of the Project; (2) issues raised during the Notice of Preparation (NOP) process, including areas of controversy known to the lead agency; (3) identification of potentially significant impacts and proposed mitigation measures or alternatives that would reduce or avoid those impacts; and (4) issues to be resolved, including the choice among alternatives and whether and how to mitigate the potential significant impacts.

1. Project Description

RCS VE, LLC (the Applicant) proposes to construct a new mixed-use development totaling up to 1,792,103 square feet of floor area (the Project) on approximately 5.45 acres of land at 670 Mesquit Street (Project Site), along the southeastern edge of the Artists-in-Residence District within the Central City North Community Plan area of the City of Los Angeles (City).¹

The Project would have a floor area ratio (FAR) of up to 7.5:1,² and would consist of the following primary components:

- Creative office space totaling up to 944,055 square feet;
- A 236-room hotel;
- 308 multi-family residential housing units;
- An Arts District Central Market (food hall), a grocery store, and general retail uses totaling up to 136,152 square feet;
- Restaurants totaling up to 89,577 square feet;
- Studio/event/gallery space and a potential museum totaling up to 93,617 square feet; and,
- A maximum 62,148-square-foot gym.

¹ Project floor area is calculated in accordance with Los Angeles Municipal Code (LAMC) Section 12.03, unless otherwise noted.

² With the proposed lot merger and vacation of portions of Mesquit Street, the Project Site area would be approximately 5.45 acres or 237,714 net square feet, an increase over the existing Project Site's gross area of 4.62 acres or 201,151 square feet. The FAR may be as low as 4.96:1 if the buildable lot area of the Project Site includes the Deck Concept and the proposed Mesquit Street vacation (361,185 square feet), or as high as 8.9:1 if the lot area includes only the parcels currently under Applicant ownership and does not include the proposed Mesquit Street vacation.

The Project would provide a minimum of 2,000 traditional vehicle parking spaces, with parking for a total of up to 3,500 vehicles using a combination of automated parking systems, valet parking, or other efficiency parking methods. Parking would be provided in below-grade, at-grade, and above-grade structured parking spanning the Project Site. A rooftop heliport would be located on Building 5 for emergency and occasional private use.

The Project would provide a total of approximately 141,876 square feet of open space for use by Project residents, hotel guests, employees, and visitors. Proposed open space features include at-grade landscaped areas, pedestrian passageways and walkways, balconies offering views of the Los Angeles River, and above-grade landscaped terraces and pool amenity decks. In addition, the Project may include a Deck Concept (Project with the Deck Concept) that would involve construction of a 132,000 square foot Deck that would extend over a portion of the freight and passenger rail lines and rail yards (Railway Properties) east of the Project Site.

Pursuant to Section 11.5.7 of the Los Angeles Municipal Code (LAMC), the Project includes the proposed Mesquit Specific Plan (Specific Plan) to establish the land use regulations for the Project Site (including, but not limited to, standards such as densities, heights, uses, parking, signage, open space, and landscape requirements). These regulations would be in addition to those set forth in the planning and zoning provisions of the LAMC, and where they differ from what would be allowed under the LAMC, the Specific Plan would supersede and prevail.

Additionally, the Project includes a proposed Sign District with specific regulations for the Project Site.

Project implementation would require the removal of all existing on-site uses, including existing freezer, cold storage, and dry storage warehouses and associated office space totaling approximately 205,393 gross square feet of floor area, as well as existing surface parking.

2. Issues Raised During Notice of Preparation Process

The following summarizes the key potential environmental issues and areas of controversy raised in response to the NOP and during the public scoping meeting (the reference in parenthesis is the EIR chapter/section in which the analysis is provided). The comments on the Initial Study as part of the NOP process are contained in Appendix A of this EIR.

- Project consistency with adjacent and nearby existing and planned rail alignments and operations, including appropriate setbacks and consideration of easements (Refer to Chapter II, *Project Description*, of this Draft EIR.)
- Cumulative impacts from related projects (Refer to Chapter III, *Environmental Setting*, and Sections IV.A to IV.N of this Draft EIR.)

- Concern regarding the impacts of construction and operational air emissions on air quality (Refer to Section IV.B, *Air Quality*, of this EIR.)
- Project consistency with the Southern California Association of Governments Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) (Refer to Section IV.B, *Air Quality*, Section IV.E, *Greenhouse Gas Emissions*, Section IV.H, *Land Use and Planning*, and IV.J, *Population and Housing*, of this EIR.)
- Concern regarding impacts to historic resources, including the 7th Street Bridge, nearby historic buildings and the Arts District itself (Refer to Section IV.B, *Cultural Resources*, of this Draft EIR).
- Concern regarding contaminated soils and groundwater conditions (Refer to Section IV.F, *Hazards and Hazardous Materials*, and Section IV.G, *Hydrology and Water Quality*, of this Draft EIR)
- Concern that the Project could physically divide an established community (Refer to Section IV.H, *Land Use and Planning*, of this EIR.)
- Concern regarding land use impacts related to potential conflicts with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect (Refer to Section IV.H, *Land Use and Planning*, of this EIR.)
- Concern regarding the displacement of the existing industrial uses and impacts on housing (Refer to Appendix A-2, *Initial Study*, Section IV.H, *Land Use and Planning*, and Section IV.J, *Population and Housing*, of this Draft EIR.)
- Concern regarding the Project's consistency with alternative transportation facilities, including bus facilities, as well as planned bicycle facilities along the Los Angeles River (Refer to Section, IV.L, *Transportation*, of this Draft EIR.)
- Concern regarding impacts from Project traffic on local roadways intersections, as well as freeway ramps and segments (Refer to Section, IV.L, *Transportation*, of this Draft EIR.)
- Concern regarding impacts to tribal cultural resources (Refer to Section IV.M, *Tribal Cultural Resources*, of this EIR.)
- Concern regarding shading impacts on the Los Angeles River and residential uses (Refer to Appendix A-2, *Initial Study*, of this Draft EIR.)
- Concern regarding impacts on "other public facilities", such as roadways (Refer to Appendix A-2, *Initial Study*, of this Draft EIR.)

3. Significant and Unavoidable Environmental Impacts

Based on the analysis contained in Chapter IV, *Environmental Impact Analysis*, of this Draft EIR, the Project would result in a significant and unavoidable construction noise impacts to nearby noise sensitive receptors.

Construction Air Quality (Regional NO_x Emissions): As analyzed in Section IV.A, *Air Quality*, construction of the Project or the Project with the Deck Concept would result in emissions that exceed the South Coast Air Quality Management District's (SCAQMD) nitrous oxides (NO_x) regional threshold. Implementation of Mitigation Measure AQ-MM-1, which requires construction features to minimize emissions, would reduce short-term and temporary NO_x emissions during the grading/excavation activities and the concrete pours required for the Project building foundations, parking garage, and building construction. However, with implementation of feasible mitigation, regional emissions from construction would remain above the regional significance threshold for NO_x. Therefore, short-term and temporary Project-level and cumulative impacts under both the Project and project with the Deck Concept related to regional NO_x construction emissions would be significant and unavoidable after implementation of feasible mitigation measures.

Operational Air Quality (Regional VOC Emissions): As analyzed in Section IV.A, *Air Quality*, operation of the Project or the Project with the Deck Concept would result in emissions that exceed the SCAQMD's volatile organic compound (VOC) regional threshold. Implementation of Mitigation Measures AQ-MM-2, AQ-MM-3, and TRAF-MM-1, which are measures that are able to be quantified in the mitigated emissions, would minimize regional VOC emissions from operations. Mitigation Measure AQ-MM-2 requires the uses of generators that utilize SCAQMD Certified Internal Combustion (ICE) engine emergency generators that meet or exceed the California Air Resources Board (CARB) and United States Environmental Protection Agency (USEPA) Tier 4 Final emissions standards. Mitigation Measure AQ-MM-2 requires that routine maintenance and testing of the emergency generators installed on the Project Site occur on different days. Implementation of Mitigation Measure TRAF-MM-1 is required to address the contribution to significant operational emissions from mobile sources. Mitigation Measure TRAF-MM-1 would reduce regional VOC emissions from operations from mobile sources via implementation of a TDM Program (See Section IV.L, *Transportation*, for more details). The TDM Program would be aimed at discouraging single-occupancy vehicle trips and encouraging alternative modes of transportation, such as carpooling, taking transit, walking, and biking, which would reduce Project-related VMT and therefore would reduce regional VOC emissions from operations from mobile sources. With implementation of feasible mitigation, regional emissions from operation would remain above the regional significance threshold for VOC. Therefore, Project-level and cumulative regional VOC operation emissions under both the Project and Project with the Deck Concept would remain significant and unavoidable after implementation of feasible mitigation measures.

Construction Noise: As analyzed in Section IV.I, *Noise and Vibration*, construction activities for the Project and the Project with the Deck Concept would exceed noise thresholds even with implementation of all feasible mitigation measures. Mitigation Measure NOISE-MM-1 would provide at least a 15 dBA noise reduction at the ground- and second-level at sensitive receptor location R1 (the three-story multi-family residential use to the west of the Project Site at 2101 E. 7th Street) and at R4 (the future 6th Street PARC to the north of the Project Site) if R4 is constructed and operational while Project construction occurs. Implementation of Mitigation Measure NOISE-MM-2 requires that

construction equipment be equipped with noise mufflers. Absorptive mufflers are generally considered commercially available, state-of-the-art noise reduction for heavy duty equipment.³ Mitigation Measure NOISE-MM-2 requires that muffler systems provide a minimum reduction of 8 dBA compared to the same equipment without an installed muffler system.⁴ Implementation of these measures would reduce impacts at all receptors and would reduce impacts at R2 (Multi-family residential uses to the south of the Project Site at 2135 E 7th Place) and R3 (AMP Lofts, one block west of the Project Site, bound by Santa Fe Avenue on the east, Imperial Street on the West, Jesse Street to the north, and 7th Street to the south) to less than significant levels. However, these measures would not reduce noise levels to less-than-significant levels at the ground and second floors of R1 due to the proximity of R1 to the Project Site and would not be effective at reducing noise at the third floor of noise sensitive receptor R1 because the line-of-sight between construction equipment and the third floor receptors would not be blocked. Implementation of Mitigation Measures NOISE-MM-1 and NOISE-MM-2 would not reduce the construction noise impacts to a less than significant level at R1 (on any floor) or at R4 (if R4 is constructed and operational during Project construction). There are no additional feasible measures that would reduce on-site construction noise impacts to less than significant and no technically feasible measures as defined in Section 112.05 of the LAMC. Therefore, the Project's and Project with the Deck Concept's on-site construction noise impacts, although temporary, would be significant and unavoidable at R1 and R4 during daytime and nighttime periods on weekdays and weekends.

In addition, if construction of one or more of these related projects were to overlap with construction, the Project's or Project with the Deck Concept's contribution to cumulative construction noise from on-site equipment would be cumulatively considerable and would represent a significant and unavoidable cumulative impact at Receptor Locations R1, R2 (Multi-family residential uses to the south of the Project Site at 2135 E 7th Place) and R4.

With implementation of Mitigation Measure NOISE-MM-3, Project-level off-site construction noise impacts would be reduced to less-than-significant levels. However, the Project has no control over the number of trucks that related projects would require and which routes they would take. There are no feasible mitigation measures to reduce the cumulative off-site construction noise and cumulative impacts would be significant and unavoidable at eight roadways segments in local vicinity under both the Project and the Project with the Deck Concept.

Construction Vibration (Structural): As analyzed in Section IV.I, *Noise and Vibration*, regarding impacts due to structural damage under both the Project and the Project with the Deck Concept, Mitigation Measure NOISE-MM-6 prohibits the use of vibratory construction equipment at distances that would result in significant impacts to the V1 (Multi-family

³ United Muffler Corp, <https://www.unitedmuffler.com/>; Auto-jet Muffler Corp, <https://www.auto-jet.com/off-road>. Accessed July 16, 2021.

⁴ According to FHWA, use of adequate mufflers systems can achieve reductions in noise levels of up to 10 dBA. Federal Highway Administration. *Special Report – Measurement, Prediction, and Mitigation*. Chapter 4 Mitigation. https://www.fhwa.dot.gov/Environment/noise/construction_noise/special_report/hcn04.cfm. Accessed July 16, 2021.

residential uses to the west of the Project site at 2101 E. 7th Street) and V6 (The 7th Street Bridge) with the exception of temporary shoring activities and shoring infrastructure. Shoring will require the use of a drill rig and is required to provide adequate physical support for subterranean excavation. As a result, although the installation of the required support infrastructure to protect surrounding structures during excavation would generate levels of vibration that would exceed applicable thresholds, the support is needed to provide adequate support during grading activities. With implementation of Mitigation Measure NOISE-MM-6, potential structural vibration impacts on receptor V1 and V6 would be mitigated to less than significant for the majority of construction activities, except for temporary shoring activities and installation of shoring infrastructure. Because shoring is needed to provide adequate support for the bridge, there is no feasible mitigation that could reduce vibration velocities due to shoring below the applicable threshold.

To further address potentially significant structural vibration impacts due to shoring activities, Mitigation Measure NOISE-MM-7 is proposed and requires that shoring systems be designed in accordance with all current code requirements, industry best practices, and recommendations of the Project Geotechnical Engineer. Deflection limits would be implemented in consideration of protecting adjacent older structures (receptor location V1) and the historic 7th Street bridge (receptor location V6). Although it may not be feasible to maintain vibration velocities for shoring activities below the vibration standard, if vibration levels do exceed standards, it may not result in structural damage. However, in the event structural damage does occur, it would be required to be repaired pursuant to Mitigation Measure NOISE-MM-8. Mitigation Measure NOISE-MM-8 requires that the physical condition of V1 and V6 be documented prior to the commencement of construction activity and that daily inspections of V1 and V6 occur when construction activities involving vibration-generating equipment such as bulldozers, jackhammers, loaded trucks, and drill rigs are used within 21 feet of V1 and within 8 feet of V6. In the event that construction-related vibration occurs, the contractor shall arrange for inspection and repair as necessary. With implementation of Mitigation Measures NOISE-MM-7 and NOISE-MM-8, impacts with regard to structural damage for the 7th Street bridge (receptor V6) would be mitigated to less than significant. Similarly, with implementation of Mitigation Measures NOISE-MM-7 and NOISE-MM-8, if construction due to shoring activities causes damage to receptor V1, such damage could be repaired by the Project contractor, and if so, potentially significant structural vibration impacts to receptor V1 would be reduced to a less than significant level. However, because receptor V1 is a privately-owned structure, inspections and repair pursuant to Mitigation Measure NOISE-MM-8 would require the consent of the property owner, who may not agree. Thus, impacts to receptor V1 would be significant and unavoidable should consent for inspections and repairs not be granted.

Overall, under both the Project and the Project with the Deck Concept, short term construction groundborne vibration impacts associated with structural damage would be less than significant with mitigation incorporated for the majority of on-site construction activities, but would be significant and unavoidable for temporary shoring activities and installation of shoring infrastructure for receptor V1 as consent for inspections and repair on receptor V1 may not be granted.

Construction Vibration (Human Annoyance): As analyzed in Section IV.I, *Noise and Vibration*, under both the Project and the Project with the Deck Concept, with implementation of Mitigation Measures NOISE-MM-6 through NOISE-MM-9, construction vibration impacts related to human annoyance would remain significant and unavoidable with respect to exceedance of applicable thresholds at receptor V1 (Multi-family residential uses to the west of the Project site at 2101 E. 7th Street). Mitigation Measure NOISE-MM-10 requires the designation of a construction relations officer to address potential vibration impacts related to human annoyance. Requiring a construction relations officer to serve as a liaison to the community regarding construction vibration would provide the community with an avenue for expressing concerns and an opportunity for the Project to alter its construction programming (use of equipment) to address potential vibration human annoyance concerns. Potential additional mitigation measures that were considered to reduce vibration impacts from on-site construction activities with respect to human annoyance include the installation of a wave barrier, which is typically a trench or a thin wall made of sheet piles installed in the ground (essentially a subterranean sound barrier to reduce vibration). However, wave barriers must be very deep and long to be effective and are not considered feasible for temporary applications, such as the Project construction.⁵ Per Caltrans, the wave barrier would need to be at least two-thirds of the seismic wavelength and that the length of the barrier must be at least one wavelength (typical wavelength can be up to 500 feet). In addition, constructing a wave barrier to reduce the Project's construction-related vibration impacts would, in and of itself, generate groundborne vibration from the excavation equipment. Thus, it is concluded that there are no feasible mitigation measures that could be implemented to reduce the temporary vibration impacts from on-site construction associated with human annoyance. Therefore, under both the Project and the Project with the Deck Concept, short term construction groundborne vibration and groundborne noise impacts associated with human annoyance would be significant and unavoidable.

Regional Serving Retail VMT: The retail components of the Project and the Project with the Deck Concept are greater than 50,000 square feet and were, therefore, evaluated using the City's travel demand forecasting model. The City's model estimated a total daily VMT of 96,898,000 miles within a 12-mile radius of the Project traffic analysis zone (TAZ) with all retail uses included. This is a net increase of 32,000 daily miles, or a 0.03 percent increase from the network before the retail was added. This increase in VMT is considered to be a significant impact, due to the significance criteria identifying an impact when any increase in VMT due to regional-serving retail occurs. As such, Project-generated VMT would exceed the City's regional-serving retail VMT threshold and the Project or the Project with the Deck Concept would result in a significant regional-serving retail VMT impact. Elements of Mitigation Measure TRAF-MM-1 related to pedestrian, bicycle, and transit amenities would help to reduce retail trip making and would partially offset the increase in VMT projected for the Project's retail uses. The Transportation Assessment is conservative in that it does not quantify the partial reduction in regional-serving retail VMT that is expected from the TDM measures because there is insufficient research to do so.

⁵ Caltrans, *Transportation and Construction Vibration Guidance Manual*, September 2013.

There are no additional feasible mitigation measures that would further reduce the retail VMT impact for the Project or the Project with the Deck Concept. With implementation of Mitigation Measure TRAF-MM-1, the Project or the Project with the Deck Concept-generated regional-serving retail VMT impact would be significant and unavoidable.

Geometric Hazards – Freeway Safety: Traffic generated by the Project or the Project with the Deck Concept would increase the traffic overflow onto the freeway mainline lanes by more than two cars at the US-101 Southbound Off-ramp to 7th Street. Caltrans Performance Measurement System (PeMS) data regarding traffic speed indicated that the average mainline speed on US-101 Southbound freeway near the 7th Street Off-ramp is 57 miles per hour. Assuming that the traffic queued on the ramp is traveling at zero miles per hour since the vehicles extend past the ramp length, this constitutes a potential safety issue at the US-101 Southbound Off-ramp to 7th Street. Therefore, the Project would potentially substantially increase geometric hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses and impacts on freeway safety would be potentially significant. With implementation of Mitigation Measure TRAF-MM-2, which would include the installation of a signal at the intersection of the US-101 Southbound Off-ramp and 7th Street, operational impacts related to freeway safety for both the Project and the Project with the Deck Concept would be reduced to a less than significant level. With the inclusion of the signal, the off-ramp queue would be sufficiently reduced and would not extend onto the freeway mainline and therefore, no further corrective actions per the interim guidance would be deemed necessary. However, since the intersection of the US-101 southbound Off-ramp and 7th Street is within the jurisdiction of another public agency (Caltrans), and the improvement would involve a decision by Caltrans, the City cannot guarantee that Caltrans will agree with implementation of this mitigation measure. Therefore, it is conservatively concluded that the Project-level and cumulative impacts related to freeway safety would remain significant and unavoidable under both the Project and the Project with the Deck Concept.

4. Alternatives that Would Reduce or Avoid Significant Impacts

a) Alternative 1: No Project/No Build Alternative

Pursuant to CEQA Guidelines Section 15126.6(e), Alternative 1 assumes that no new development would occur within the Project Site. The existing use of the Project Site, including the operation of a one- to four-story freezer and cold and dry storage warehouses with associated office space, loading docks, and surface parking, would continue as under existing conditions.

b) Alternative 2: Reduced Retail and Increased Office with Charter School Alternative

Alternative 2 would have the same floor area (1,792,103 square feet) and FAR (7.5:1) as the Project, but would substantially reduce retail floor area from 136,152 square feet to

11,664 square feet; restaurant floor area would decrease from the Project's 89,577 square feet to 59,700 square feet; studio/event/gallery/potential floor area would decrease from the Project's 93,617 square feet to 44,069 square feet; and gym floor area would decrease from the Project's 62,148 square feet to 44,069 square feet. Conversely, residential units would increase from the Project's 308 units to 420 units. Alternative 2 would increase the Project's office floor area from 944,055 square feet to 1,000,666 square feet. Alternative 2 would also incorporate a charter elementary school comprising 32,150 square feet. Alternative 2 would increase the Project's hotel floor area from 158,647 square feet to 209,560 square feet (still including 236 rooms as under the Project). The Project's deck would be reduced from 132,000 square feet to 75,000 square feet.

c) Alternative 3: Reduced Retail and Increased Office and Gym Use Alternative

Alternative 3 would have the same floor area (1,792,103 square feet) and FAR (7.5:1) as the Project, but would substantially reduce retail floor area from 136,152 square feet to 14,208 square feet; restaurant floor area would decrease from the Project's 89,577 square feet to 66,000 square feet; studio/event/gallery/potential floor area would decrease from the Project's 93,617 square feet to 60,100 square feet. Conversely, residential units would increase from the Project's 308 units to 420 units. Alternative 3 would increase the Project's office floor area from 944,055 square feet to 973,153 square feet; increase the Project's hotel floor area from 158,647 square feet to 228,670 square feet (still including 236 rooms as under the Project); and increase the Project's gym floor area from 62,148 square feet to 68,102 square feet. The Project's deck would be reduced from 132,000 square feet to 75,000 square feet.

d) Alternative 4: No Residential/ Reduced Intensity Alternative

Alternative 4 would reduce the Project's floor area from 1,792,103 square feet to 1,149,820 square feet, and reduce the Project's FAR from 7.5:1 to 4.8:1. However Alternative 4 would not provide any residential units or hotel use. Alternative 4 would maintain the same office floor area (944,055 square feet) as under the Project. Alternative 4 would also maintain the same studio/event/gallery/potential museum floor area (93,617 square feet) and gym floor area (62,148 square feet) as under the Project. Alternative 4 would substantially reduce retail floor area from 136,152 square feet to 10,000 square feet, and restaurant floor area would decrease from the Project's 89,577 square feet to 40,000 square feet. The Project's deck would be eliminated due to the changed nature of uses (i.e., elimination of residential and hotel uses) and overall reduction in the Project's size and density.

e) Environmentally Superior Alternative

Section 15126.6(e)(2) of the State *CEQA Guidelines* indicates that an analysis of alternatives to a proposed Project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR and that if the "no Project" alternative is the

environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives. With respect to identifying an Environmentally Superior Alternative among those analyzed in this Draft EIR, the range of feasible Alternatives includes (1) the No Project/No Build Alternative, (2) the Reduced Retail with Charter School Alternative, (3) the Reduced Retail and Increased Office and Gym Use Alternative, and (4) the No Residential/Reduced Intensity Alternative.

A comparative summary of the environmental impacts anticipated under each Alternative to the environmental impacts associated with the Project and the Project with the Deck Concept is provided in **Table V-22, Comparison of Impacts Associated with the Alternatives and the Project/Project with the Deck Concept**, in Chapter V, *Alternatives*, of this Draft EIR. As indicated in Table V-22, the No Project/No Build Alternative would have no direct impacts on the environment and, as such compared to the Project and other Alternatives would not result in any environmental impacts. Further, the No Project/No Build Alternative would avoid the Project's significant and unavoidable cumulative increase of construction and operation criteria pollutants; construction noise and vibration impacts; inconsistency with CEQA Section 15064.3 related to regional retail VMT; and roadway design hazards (freeway safety). Therefore, the No Project/No Build Alternative is considered the overall environmentally superior Alternative. However, Alternative 1 would not provide the beneficial effects of the Project and other Alternatives. As shown in **Table V-23, Ability of Alternatives to Meet Project Objectives**, in Chapter V, *Alternatives*, of this Draft EIR, the No Project/No Build Alternative would not meet any of the objectives of the Project.

The State *CEQA Guidelines* require that the EIR identify an environmentally superior Alternative other than the No Project/No Build Alternative. Because Alternative 4 would avoid the Project's significant and unavoidable impact with respect to CEQA Guidelines Section 15064.3 (reduction in regional retail VMT to below the threshold level) without the need for mitigation, and would reduce the range of impacts to the greatest extent listed in Table V-22, it is deemed the Environmentally Superior Alternative. However, Alternative 4 would not meet the majority of the Project's Objectives in full or in part. Alternatives 2 and 3 would be environmentally superior compared to the Project from a long-term operational perspective and environmentally superior from both an operational and temporary construction perspective compared to the Project with Deck Concept and both would meet the majority of the Project's Objectives.

5. Summary of Environmental Impacts

This section summarizes the environmental impacts of the Project and Project with the Deck Concept as evaluated in Chapter IV, *Environmental Impact Analysis*, of this Draft EIR. The summary is provided by environmental issue area below in **Table ES-1, Summary of Project and Project with the Deck Concept Impacts, Project Design Features and Mitigation Measures**. Following Table ES-1, the proposed Project Design Features (PDFs) and required mitigation measures are listed.

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
IV.A AIR QUALITY			
CONSISTENCY WITH APPLICABLE AIR QUALITY PLAN			
Project			
<i>Construction</i>	Not applicable	None required.	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
CUMULATIVELY CONSIDERABLE INCREASE OF CRITERIA POLLUTANT IN NONATTAINMENT AREA: REGIONAL EMISSIONS			
Project			
<i>Construction</i>	Not applicable	See Mitigation Measure AQ-MM-1 (Construction Equipment Features), below.	Significant and Unavoidable with Mitigation
<i>Operation</i>	See Project Design Feature AQ-PDF-1 (exclusion of natural gas-fueled fireplaces), below.	See Mitigation Measures AQ-MM-2 (Emergency Generator Maintenance & Testing, AQ-MM-3 (Emergency Generators), and TRAF-MM-1 (Transportation Demand Management (TDM) Program), below.	Significant and Unavoidable with Mitigation

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
Project with the Deck Concept			
<i>Construction</i>	Not applicable	See Mitigation Measure AQ-MM-1 (Construction Equipment Features), below.	Significant and Unavoidable with Mitigation
<i>Operation</i>	See Project Design Feature AQ-PDF-1 (exclusion of natural gas-fueled fireplaces), below.	See Mitigation Measures AQ-MM-2 (Emergency Generator Maintenance & Testing, AQ-MM-3 (Emergency Generators), and TRAF-MM1 (TDM Program), below.	Significant and Unavoidable with Mitigation
SENSITIVE RECEPTOR EXPOSURE TO POLLUTANT CONCENTRATIONS: LOCALIZED EMISSIONS			
Project			
<i>Construction</i>	Not applicable	See Mitigation Measure AQ-MM-1 (Construction Equipment Features), below.	Less Than Significant with Mitigation
<i>Operation</i>	See Project Design Feature AQ-PDF-1 (exclusion of gas fireplaces), below.	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	See Mitigation Measure AQ-MM-1 (Construction Equipment Features), below.	Less Than Significant with Mitigation

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
<i>Operation</i>	See Project Design Feature AQ-PDF-1 (exclusion of gas fireplaces), below.	None required	Less Than Significant
SENSITIVE RECEPTOR EXPOSURE TO OTHER EMISSIONS SUCH AS ODORS			
Project			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
IV.D CULTURAL RESOURCES			
HISTORICAL RESOURCES			
Project	Not applicable	See Mitigation Measures CUL-MM-1 (Standards Conformance Plan Review for 7 th Street Bridge), CUL-MM-2 (Reproduction of Bridge Railings), CUL-MM-3 (Construction Monitoring for the 7 th Street Bridge), and CUL-MM-4 (Historic Structure Report), below.	Less Than Significant with Mitigation

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
Project with the Deck Concept	Not applicable	See Mitigation Measures CUL-MM-1 (Standards Conformance Plan Review for 7 th Street Bridge), CUL-MM-2 (Reproduction of Bridge Railings), CUL-MM-3 (Construction Monitoring for the 7 th Street Bridge), and CUL-MM-4 (Historic Structure Report), below.	Less Than Significant with Mitigation
ARCHAEOLOGICAL RESOURCES			
Project	Not applicable	See Mitigation Measures CUL-MM-5 through CUL-MM-8, below.	Less Than Significant with Mitigation
Project with the Deck Concept	Not applicable	See Mitigation Measures CUL-MM-5 through CUL-MM-8, below.	Less Than Significant with Mitigation
HUMAN REMAINS			
Project	Not applicable	None required	Less Than Significant
Project with the Deck Concept	Not applicable	None required	Less Than Significant

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
IV.C. ENERGY			
WASTEFUL, INEFFICIENT, AND UNNECESSARY CONSUMPTION OF ENERGY RESOURCES			
Project	See Project Design Features GHG-PDF-1 (Green Building Features) and Project Design Feature WS-PDF-1 (Water Conservation Features), below.	None required	Less Than Significant
Project with the Deck Concept	See Project Design Features GHG-PDF-1 (Green Building Features) and Project Design Feature WS-PDF-1 (Water Conservation Features), below.	None required	Less Than Significant
CONFLICT OR OBSTRUCT A STATE OR LOCAL PLAN FOR RENEWABLE ENERGY OR ENERGY EFFICIENCY			
Project	See Project Design Features GHG-PDF-1 (Green Building Features) and Project Design Feature WS-PDF-1 (Water Conservation Features), below.	None required	Less Than Significant

TABLE ES-1**SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES**

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
Project with the Deck Concept	See Project Design Features GHG-PDF-1 (Green Building Features) and Project Design Feature WS-PDF-1 (Water Conservation Features), below.	None required	Less Than Significant
IV.D GEOLOGY AND SOILS			
HAZARDOUS GEOLOGIC CONDITIONS			
Project	Not applicable	None required	Less Than Significant
Project with the Deck Concept	Not applicable	None required	Less Than Significant
SOIL EROSION OR LOSS OF TOPSOIL			
Project	Not applicable	None required	Less Than Significant
Project with the Deck Concept	Not applicable	None required	Less Than Significant
UNSTABLE GEOLOGIC UNIT OR SOILS			
Project	Not applicable	None required	Less Than Significant
Project with the Deck Concept	Not applicable	None required	Less Than Significant
EXPANSIVE SOILS			
Project	Not applicable	None required	Less Than Significant
Project with the Deck Concept	Not applicable	None required	Less Than Significant
PALEONTOLOGICAL RESOURCES			
Project	Not applicable	See GEO-MM-1 through GEO-MM-4, below	Less Than Significant with Mitigation

TABLE ES-1**SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES**

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
Project with the Deck Concept	Not applicable	See GEO-MM-1 through GEO-MM-4, below	Less Than Significant with Mitigation
IV.E GREENHOUSE GAS EMISSIONS			
GREENHOUSE GAS EMISSIONS GENERATION; CONFLICT WITH ANY APPLICABLE PLAN, POLICY OR REGULATION ADOPTED FOR THE PURPOSE OF REDUCING THE EMISSIONS OF GHGS			
Project	See Project Design Feature AQ-PDF-1 (exclusion of natural gas-fueled fireplaces); Project Design Feature GHG-PDF-1 (Green Building Features); and Project Design Feature WS-PDF-1 (Water Conservation Features), below.	None Required	Less Than Significant
Project with the Deck Concept	See Project Design Feature AQ-PDF-1 (exclusion of natural gas-fueled fireplaces); Project Design Feature GHG-PDF-1 (Green Building Features); and Project Design Feature WS-PDF-1 (Water Conservation Features), below..	None Required	Less Than Significant

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
IV.F HAZARDS AND HAZARDOUS MATERIALS			
SIGNIFICANT HAZARD THROUGH THE ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS			
Project			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
SIGNIFICANT HAZARD THROUGH REASONABLY FORESEEABLE UPSET AND ACCIDENT CONDITIONS			
Project			
<i>Construction</i>	Not applicable	See Mitigation Measures HAZ-MM-1 (Health & Safety Plan) and HAZ-MM-2 (Soil and Groundwater Management Plan), below.	Less Than Significant with Mitigation
<i>Operation</i>	Not applicable	None required	Less Than Significant

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
Project with the Deck Concept			
<i>Construction</i>	Not applicable	See Mitigation Measures HAZ-MM-1 (Health & Safety Plan), HAZ-MM-2 (Soil and Groundwater Management Plan), and HAZ-MM-3 (Soil Sampling Assessment), below.	Less Than Significant with Mitigation
<i>Operation</i>	Not applicable	None required	Less Than Significant
HAZARDOUS CONDITIONS WITHIN ONE-QUARTER MILE OF AN EXISTING OR PROPOSED SCHOOL			
Project			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
HAZARDOUS MATERIALS SITES			
Project	Not applicable	None required	Less Than Significant
Project with the Deck Concept	Not applicable	None required	Less Than Significant

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
EMERGENCY RESPONSE PLAN			
Project			
<i>Construction</i>	See Project Design Feature TRAF-PDF-1 (Construction Management Plan), below.	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	See Project Design Feature TRAF-PDF-1 (Construction Management Plan), below.	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
IV.G HYDROLOGY AND WATER QUALITY			
CONSISTENCY WITH WATER QUALITY STANDARDS AND WASTE DISCHARGE REQUIREMENTS			
Project			
<i>Construction</i>	Not applicable	See Mitigation Measure HAZ-MM-2 (Soil and Groundwater Management Plan), below.	Less Than Significant with Mitigation
<i>Operation</i>	Not applicable	None required	Less Than Significant

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
Project with the Deck Concept			
<i>Construction</i>	Not applicable	See Mitigation Measure HAZ-MM-2 (Soil and Groundwater Management Plan), below.	Less Than Significant with Mitigation
<i>Operation</i>	Not applicable	None required	Less Than Significant
GROUNDWATER SUPPLIES AND RECHARGE			
Project			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
ALTERATION OF DRAINAGE PATTERNS, EROSION, EXCEEDANCE OF STORMWATER DRAINAGE SYSTEM, OR IMPEDED FLOOD FLOWS			
Project			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	None required	Less Than Significant

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
<i>Operation</i>	Not applicable	None required	Less Than Significant
RELEASE OF POLLUTANTS DUE TO PROJECT INUNDATION BY FLOODING, TSUNAMI, OR SEICHE			
Project	Not applicable	None required	Less Than Significant
Project with the Deck Concept	Not applicable	None required	Less Than Significant
CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF A WATER QUALITY CONTROL PLAN OR SUSTAINABLE GROUNDWATER MANAGEMENT PLAN			
Project	Not applicable	See Mitigation Measure HAZ-MM-2 (Soil and Groundwater Management Plan), below.	Less Than Significant with Mitigation
Project with the Deck Concept	Not applicable	See Mitigation Measure HAZ-MM-2 (Soil and Groundwater Management Plan), below.	Less Than Significant with Mitigation
IV.H LAND USE AND PLANNING			
DIVISION OF AN ESTABLISHED COMMUNITY			
Project	Not applicable	None required	Less Than Significant
Project with the Deck Concept	Not applicable	None required	Less Than Significant

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
SIGNIFICANT ENVIRONMENTAL IMPACT DUE TO A CONFLICT WITH ANY APPLICABLE LAND USE PLAN, POLICY, OR REGULATION ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL EFFECT			
Project	Not applicable	None required	Less Than Significant
Project with the Deck Concept	Not applicable	None required	Less Than Significant
IV.I NOISE AND VIBRATION			
SUBSTANTIAL TEMPORARY OR PERMANENT INCREASE IN AMBIENT NOISE LEVELS			
Project			
<i>Construction</i>	See Project Design Feature NOISE-PDF-1 (No Impact Pile Drivers or Blasting), below	See Mitigation Measures NOISE-MM-1 (Noise Barriers), NOISE-MM-2 (Construction Equipment Noise Shields and Muffling), and NOISE-MM-3 (Truck Deliveries), below.	Significant and Unavoidable with Mitigation (on-site Project-level construction noise; cumulative on-site and off-site construction noise) Less Than Significant with Mitigation (Project-level off-site construction noise)

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
<i>Operation</i>	See Project Design Feature NOISE-PDF-2 (Mechanical Equipment), below.	See Mitigation Measures NOISE-MM-4 (Amplified Noise – All Outdoor Spaces) NOISE-MM-5 (Amplified Noise- River Balcony North), below	Less Than Significant with Mitigation
Project with the Deck Concept			
<i>Construction</i>	See Project Design Feature NOISE-PDF-1 (No Impact Pile Drivers or Blasting), below	See Mitigation Measures NOISE-MM-1 (Noise Barriers), NOISE-MM-2 (Construction Equipment Noise Shields and Muffling), and NOISE-MM-3 (Truck Deliveries), below.	Significant and Unavoidable with Mitigation (on-site Project-level construction noise; cumulative on-site and off-site construction noise) Less Than Significant with Mitigation (Project-level off-site construction noise)
<i>Operation</i>	See Project Design Feature NOISE-PDF-2 (Mechanical Equipment), below.	See Mitigation Measures NOISE-MM-4 (Amplified Noise – All Outdoor Spaces) NOISE-MM-5 (Amplified Noise- River Balcony North), below	Less Than Significant with Mitigation

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
GROUNDBORNE VIBRATION AND GROUNDBORNE NOISE			
Project			
<i>Construction</i>	Not applicable	See Mitigation Measures NOISE-MM-6 (Construction Vibration except Shoring), NOISE-MM-7 (Construction Vibration – Shoring), NOISE-MM-8 (Inspections), and NOISE-MM-9 (Construction Vibration – Human Annoyance), below.	Significant and Unavoidable with Mitigation (structural damage and human annoyance)
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	See Mitigation Measures NOISE-MM-6 (Construction Vibration except Shoring), NOISE-MM-7 (Construction Vibration – Shoring), NOISE-MM-8 (Inspections), and NOISE-MM-9 (Construction Vibration – Human Annoyance), below.	Significant and Unavoidable with Mitigation (structural damage and human annoyance)
<i>Operation</i>	Not applicable	None required	Less Than Significant

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
IV.J POPULATION AND HOUSING			
INDUCE UNPLANNED POPULATION GROWTH			
Project			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
DISPLACE SUBSTANTIAL NUMBERS OF PEOPLE OR HOUSING			
Project	Not applicable	None required	Less Than Significant
Project with the Deck Concept	Not applicable	None required	Less Than Significant
IV.K-1 FIRE PROTECTION SERVICES			
FIRE PROTECTION			
Project			
<i>Construction</i>	See Project Design Features TRAF-PDF-1 (Construction Management Plan) and TRAF-PDF-2 (Construction Worker Parking Plan), below.	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
Project with the Deck Concept			
<i>Construction</i>	See Project Design Features TRAF-PDF-1 (Construction Management Plan) and TRAF-PDF-2 (Construction Worker Parking Plan), below.	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
IV.K-2 POLICE PROTECTION SERVICES			
POLICE PROTECTION			
Project			
<i>Construction</i>	See Project Design Features POL-PDF-1 (Security Features during Construction), TRAF-PDF-1 (Construction Management Plan), below.	None required	Less Than Significant
<i>Operation</i>	See Project Design Feature POL-PDF-2 (Security Features during Operation), below.	None required	Less Than Significant

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
Project with the Deck Concept			
<i>Construction</i>	See Project Design Features POL-PDF-1 (Security Features during Construction), TRAF-PDF-1 (Construction Management Plan), below.	None required	Less Than Significant
<i>Operation</i>	See Project Design Feature POL-PDF-2 (Security Features during Operation), below.	None required	Less Than Significant
IV.K.3 SCHOOLS			
SCHOOL SERVICES			
Project			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
IV.K.4 PARKS AND RECREATION			
CONSTRUCTION OF PARKS AND RECREATION FACILITIES			
Project	Not applicable	None required	Less Than Significant
Project with the Deck Concept	Not applicable	None required	Less Than Significant

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
DETERIORATION OF PARK FACILITIES			
Project			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
EFFECTS OF PROJECT-RELATED RECREATIONAL FACILITIES			
Project	Not applicable	None required	Less Than Significant
Project with Deck Concept	Not applicable	None required	Less Than Significant
IV.K.5 LIBRARIES			
LIBRARY SERVICES			
Project			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
IV.L.TRANSPORTATION AND TRAFFIC			
CONFLICT WITH A PROGRAM, PLAN, ORDINANCE OR POLICY ADDRESSING THE CIRCULATION SYSTEM, INCLUDING TRANSIT, ROADWAY, BICYCLE AND PEDESTRIAN FACILITIES			
Project	Not applicable	None required	Less Than Significant
Project with the Deck Concept	Not applicable	None required	Less Than Significant
CONFLICT OR BE INCONSISTENT WITH CEQA GUIDELINES SECTION 15064.3, SUBDIVISION (B) - VEHICLE MILES TRAVELED (VMT)			
Project	Not applicable	See Mitigation Measure TRAF-MM-1 (TDM Program), below	Significant and Unavoidable with Mitigation
Project with the Deck Concept	Not applicable	See Mitigation Measure TRAF-MM-1 (TDM Program), below	Significant and Unavoidable with Mitigation
GEOMETRIC HAZARDS			
Project	Not applicable	See Mitigation Measure TRAF-MM-2 (Southbound Off-ramp/7 th Street), below	Significant and Unavoidable with Mitigation
Project with the Deck Concept	Not applicable	See Mitigation Measure TRAF-MM-2 (Southbound Off-ramp/7 th Street), below	Significant and Unavoidable with Mitigation

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
EMERGENCY ACCESS			
Project			
<i>Construction</i>	See Project Design Features PDF-TRAF-1 (Construction Traffic Management Plan), below.	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	See Project Design Features PDF-TRAF-1 (Construction Traffic Management Plan), below.	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
IV.M TRIBAL CULTURAL RESOURCES			
TRIBAL CULTURAL RESOURCES			
Project	Not applicable	See Mitigation Measures TCR-MM-1 TCR-MM-2, and TCR-MM-3, below	Less Than Significant with Mitigation
Project with the Deck Concept	Not applicable	See Mitigation Measures TCR-MM-1, TCR-MM-2, and TCR-MM-3, below	Less Than Significant with Mitigation

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
IV.N.1 UTILITIES AND SERVICE SYSTEMS - WASTEWATER			
WASTEWATER INFRASTRUCTURE			
Project			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	See Project Design Feature WS-PDF-1 (Water Conservation Features), below.	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	See Project Design Feature WS-PDF-1 (Water Conservation Features), below.	None required	Less Than Significant
WASTEWATER TREATMENT CAPACITY			
Project			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
IV.N.2 UTILITIES AND SERVICE SYSTEMS – WATER SUPPLY			
WATER INFRASTRUCTURE			
Project			
<i>Construction</i>	See Project Design Feature TRAF-PDF-1 (Construction Management Plan), below	None required	Less than Significant
<i>Operation</i>	Not applicable	None required	Less than Significant
Project with the Deck Concept			
<i>Construction</i>	See Project Design Feature TRAF-PDF-1 (Construction Management Plan), below	None required	Less than Significant
<i>Operation</i>	Not applicable	None required	Less than Significant
SUFFICIENCY OF WATE SUPPLY			
Project			
<i>Construction</i>	Not applicable	None required	Less than Significant
<i>Operation</i>	See Project Design Feature WS-PDF-1 (Water Conservation Features), below.	None required	Less than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	None required	Less than Significant

TABLE ES-1

SUMMARY OF PROJECT AND PROJECT WITH THE DECK CONCEPT IMPACTS, PROJECT DESIGN FEATURES, AND MITIGATION MEASURES

Environmental Impact	Project Design Features (PDF)	Mitigation Measures (MM)	Project Impact Determination
<i>Operation</i>	See Project Design Feature WS-PDF-1 (Water Conservation Features), below.	None required	Less than Significant
IV.N.3 UTILITIES AND SERVICE SYSTEMS - SOLID WASTE			
SOLID WASTE GENERATION			
Project			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
CONSISTENCY WITH STATE AND LOCAL SOLID WASTE STATUTES			
Project			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant
Project with the Deck Concept			
<i>Construction</i>	Not applicable	None required	Less Than Significant
<i>Operation</i>	Not applicable	None required	Less Than Significant

SOURCE: ESA, 2021.

a) Project Design Features

(1) Air Quality

AQ-PDF-1: Fireplace Exclusion: The residential units within the Project will not include the installation of natural gas-fueled fireplaces.

(2) Greenhouse Gas Emissions

GHG-PDF-1: Green Building Features. The Project will be designed to achieve the equivalent of the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Silver Certification level for new buildings. The Project will demonstrate compliance with the LEED Silver Certification or equivalent green building standards by providing architectural and engineering documentation, building energy modeling simulations, and other supporting evidence consistent with USGBC accepted documentation standards. Pre-construction documentation that indicates the Project is designed to achieve the number of points required for LEED Silver Certification will be provided to the City prior to building permit issuance. Post-construction documentation that indicates the Project operates within the expected parameters to achieve the number of points required for LEED Silver Certification will be provided to the City after completion of the required LEED commissioning activities. As part of the Project's LEED Silver Certification or equivalent green building standards, the Project will optimize building energy performance and achieve a minimum of four points in the Energy and Atmosphere Credit 2 category (LEED version 4), which means a 12 percent reduction from the LEED baseline, which is based on the ASHRAE 90.1-2010 standard in LEED version 4.⁶ The Project will reduce water usage and achieve a minimum of one point in the Water Efficiency Credit 1 category (LEED version 4), which means a 50 percent reduction in outdoor water use for irrigation from the LEED baseline, and a minimum of five points in the Water Efficiency Credit 2 category (LEED version 4), which means a 45 percent reduction in indoor water use from the LEED baseline.

(3) Noise and Vibration

NOISE-PDF-1: No Impact Pile Drivers or Blasting. The Project will not require or allow the use of impact pile drivers and will not require or allow blasting during construction activities.

NOISE-PDF-2: Mechanical Equipment. All outdoor mounted mechanical equipment will be enclosed or screened from off-site noise sensitive receptors and be designed with standard noise control devices, such as sound attenuators or acoustics louvers.

⁶ The Project's building energy is modeled based on compliance with the 2019 Title 24 Building Energy Standards. It is not known exactly the extent to which the Project's energy improvements achieved through LEED Silver Certification or equivalent green building standards process would exceed the 2019 Title 24 Building Energy Standards at the time of buildout. Therefore, the Project's building energy-related emissions may be lower than analyzed in this Draft EIR and the analysis provided herein is a conservative estimate.

(4) Police Services

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.

POL-PDF-2: Security Features During Operation. The following security features will be implemented during Project operation:

- Controlled access of the multifamily residential uses, office uses, hotel units, and the residential and hotel common open space areas.
- Access to commercial and restaurant uses and publicly-accessible open space areas will be unrestricted during business hours, but public access will be discontinued after businesses have closed.
- Facility operations will include staff training and building access/design to assist in crime prevention efforts and to reduce the demand for police protection services.
- Project Site security will include provision of 24-hour video surveillance and full-time security personnel.
- Duties of the security personnel will include, but would not be limited to, assisting residents and visitors with Project Site access; monitoring entrances and exits of buildings; managing and monitoring fire/life/safety systems; and patrolling the property.
- Project design will include lighting of entryways, publicly-accessible areas, and common building and open space residential areas for security purposes.
- Public amenity areas, including the Mesquit Paseo, Elevated Pedestrian Walkway and River Balconies, Entry Plazas, Northern Landscaped Area, and the Deck (under the Project with the Deck Concept) will be generally open to the public from 6 A.M. to 11 P.M., and will otherwise have restricted access through fencing and gates designed in compliance with LAMC and RIO design standards. These areas will be well lit at night and regularly patrolled by security personnel.

(5) Transportation

TRAF-PDF-1: Construction Traffic Management Plan. Prior to the issuance of a demolition permit or building permit for the Project, a detailed Construction Management Plan will be prepared and submitted to the City for review and approval. The Construction Management Plan will include, but not be limited to, the following elements as appropriate:

- As traffic lane, parking lane and/or sidewalk closures are anticipated, worksite traffic control plan(s), approved by the City of Los Angeles, will be developed and

implemented to route vehicular traffic, bicyclists, and pedestrians around any such closures.

- Ensure that access will be maintained for land uses in proximity to the Project Site during project construction.
- Coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring businesses and residences.
- Provide off-site truck staging in a legal area furnished by the construction truck contractor.
- Schedule deliveries and pick-ups of construction materials during non-peak travel periods to the extent possible and coordinate to reduce the potential of trucks waiting to load or unload for protracted periods.
- Describe the haul truck routes and avoid haul truck routes that travel past Los Angeles Unified School District facilities.

TRAF-PDF-2: Construction Worker Parking Plan. The Project Applicant will prepare a Construction Worker Parking Plan prior to issuance of a demolition permit or building permit to identify and enforce parking location requirements for construction workers. The Construction Worker Parking Plan will include, but not be limited to, the following elements as appropriate:

- During construction activities when construction worker parking cannot be accommodated on the Project Site, the plan shall identify alternate parking location(s) for construction workers and the method of transportation to and from the Project Site (if beyond walking distance) for approval by the City 30 days prior to commencement of construction.
- Construction workers will not be permitted to park on the street with the exception of Mesquit Street and Jesse Street east of Santa Fe Avenue.
- Provide all construction contractors with written information on where their workers and their subcontractors are permitted to park and provide clear consequences to violators for failure to follow these regulations.

(6) Water Supply

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

- High Efficiency Toilets with a flush volume of 1.06 gallons of water per flush, or less;
- Domestic water heating system located in close proximity to point(s) of use, where feasible;
- Leak detection system for swimming pools and Jacuzzis;

- Drip/subsurface irrigation (Micro-Irrigation);
- Proper hydro-zoning/zoned irrigation (group plants with similar water requirements together);
- Drought-tolerant plants – 62 percent of total landscaping
- Water conserving turf – 3 percent of total landscaping with a 0.6 Plant Factor being committed;
- Automated pool chemical delivery system; and
- Installation of thermal pool covers on all outdoor pools/spas.

b) Mitigation Measures

(1) Air Quality

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 will 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 50 horsepower (hp) or greater during Project construction. Such equipment shall be outfitted with Best Available Control Technology (BACT) which means a CARB certified Level 3 Diesel Particulate Filter or equivalent.
- During plan check, the Project's representative shall make available to the lead agency and South Coast Air Quality Management District (SCAQMD) a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used during any of the construction phases. The inventory shall include the horsepower rating, engine production year, and certification of the specified Tier standard. A copy of each such unit's certified tier specification, best available control technology (BACT) documentation, and CARB or SCAQMD operating permit shall be maintained on-site at the time of mobilization of each applicable unit of equipment.
- Alternative-fueled generators shall be used when commercial models that have the power supply requirements to meet the construction needs of the Project are commercially available from local suppliers/vendors.
- 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.

- Construction activities shall be discontinued during second-stage smog alerts. A record of any second-stage smog alerts and of discontinued construction activities as applicable shall be maintained by the Contractor on-site.

AQ-MM-2: Emergency Generator Maintenance & Testing: The Project shall utilize SCAQMD Certified Internal Combustion (ICE) engine emergency generators that meet or exceed the California Air Resources Board (CARB) and United States Environmental Protection Agency (USEPA) Tier 4 Final emissions standards. Each emergency generator will normally be limited to one hour in a day for routine maintenance and testing purposes.

AQ-MM-3: Emergency Generators: 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.

(2) Cultural Resources

CUL-MM-1: Standards Conformance Plan Review for 7th Street Bridge. The Project proposes new vehicular/pedestrian ramps that would connect to the 7th Street Bridge and would result in removal of character-defining features and materials. To reduce potential impacts, the Applicant shall retain a qualified preservation consultant, meeting the Secretary of the Interior's Professional Qualifications Standards for History, Architectural History, or Architecture, pursuant to 36 CFR 61 and who has at least 10 years of experience in design review and collaboration applying the Standards (Qualified Preservation Professional) to review the draft and final plans for the Project, to ensure conformance with the Secretary of the Interior's Standards for Rehabilitation (Standards).

- Where the Project could impact the physical materials of the 7th Street Bridge, the Qualified Preservation Professional shall provide recommendations for appropriate protective measures and preservation treatment (repair or in-kind replacement) of the affected historic bridge fabric to be retained, to ensure that historic features, materials and finishes are protected, and that the 7th Street Viaduct Plaque and the light post shall be protected during removal, storage, and relocation.
- The Qualified Preservation Professional shall prepare a Plan Review Report, documenting conformance with the Standards, which shall be submitted as a draft to the City's Department of City Planning Office of Historic Resources, within 30 days of completion of the final design plans, and shall make any recommendations

necessary to bring the Project design for the alterations and additions to the 7th Street Bridge into conformance with the Standards.

- Once the Project plans have been revised and are ready to be finalized, the Qualified Preservation Professional shall review the 90 percent construction plans and prepare a final report documenting conformance with the Standards, which shall be submitted to the City's Department of City Planning Office of Historic Resources, for final approval.

CUL-MM-2: Reproduction of the 7th Street Bridge Railings. The 7th Street Bridge's existing concrete railings are not original but are reproductions of the originals. Prior to their removal, the Applicant shall prepare molds for the 7th Street Bridge's concrete railings. The molds shall be securely stored on-site, ensuring that the railings could be reinstalled in the future if necessary and that the 7th Street Bridge can be returned to its current condition.

CUL-MM-3: Construction Monitoring for the 7th Street Bridge. Prior to any demolition or construction activities that would affect the historic fabric of the 7th Street Bridge, including removal of steps, fencing, or other existing materials attached to or part of the bridge, removal of the bridge's concrete railings or light post, or alteration of structural features such as bents, a Qualified Preservation Professional shall be retained to document existing conditions and provide preservation treatment recommendations including protective measures and treatment recommendations.

- Prior to commencement of construction activities, the Qualified Preservation Professional shall document existing conditions at Project locations where alterations are to be made and meet with and provide preservation guidelines and instructions to the construction manager and team.
- During construction, the Qualified Preservation Professional shall monitor and document the Project, including demolition monitoring, preservation treatment oversight, and construction monitoring for Project components that would affect the character-defining features of the bridge such as any structural alterations of the 7th Street Bridge, removal/construction of pedestrian stairs, construction of vehicular ramps/intersections, removal of railings, relocation of the 7th Street Viaduct Plaque and light post and fixture, installation of new street signals, and if included, construction of the Deck. The Qualified Preservation Professional shall provide oversight and monitoring for the preparation of molds of the 7th Street Bridge's existing concrete railings (see CUL-MM-2) and shall also provide preservation oversight and monitoring for the removal and relocation of the 7th Street Viaduct Plaque and the historic light post on the bridge's railings that would be removed and relocated. The Qualified Preservation Professional shall document the existing conditions of the railing, 7th Street Viaduct Plaque and light post prior to their removal; monitor the railing mold-making process and appropriate storage of the molds for potential future use; monitor the process of removal of the 7th Street Viaduct Plaque and light post; review and document procedures for temporary storage of the 7th Street Viaduct Plaque and light post; monitor the 7th Street Viaduct Plaque and light post relocation and reinstallation

process; and provide preservation treatment recommendations for repair of the 7th Street Viaduct Plaque and light post in conformance with the Standards. Monitoring intervals are to be determined based upon construction schedule and timing of Project activities that will affect the 7th Street Bridge. The monitoring visits shall be documented in a monitoring report for each visit. Once the majority of the construction activities affecting the 7th Street Bridge are completed, the Qualified Preservation Professional shall document the Project's conformance with the Standards in a Substantial Completion Report that shall be submitted to the City's Department of City Planning Office of Historic Resources for review and approval.

CUL-MM-4: Historic Structure Report for the 7th Street Bridge. The 7th Street Bridge was previously documented in a Historic American Engineering Record report that summarized the history of the bridge and included copies of the historic bridge plans. The existing bridge exhibits several alterations from its original design, and under the Project will undergo additional alterations. To provide a baseline for the current Project and protect the integrity of the bridge under the current and future projects, a Historic Structures Report (HSR) shall be prepared by a Qualified Preservation Professional in accordance with guidelines set forth by the National Park Service in Preservation Brief No. 43: "The Preparation and Use of Historic Structure Reports" by Deborah Slaton (Slaton, 2005: 1). The HSR shall provide a summary of the bridge's history and existing condition through available historic plans, current plans, and physical information. The HSR shall act as a guidance document for the current project and any future projects on the 7th Street Bridge. The HSR shall include guidelines for the most appropriate approach to treatment for any currently proposed work, including, but not limited to, protective measures, rehabilitation, repair, in-kind replacement, preservation treatment of materials/features, and maintenance. The HSR shall follow the three-part format and organization as outlined in Preservation Brief No. 43, including the following: Part 1 – the bridge's history, chronology, physical description, significance, and existing condition assessment; Part 2 – Treatment and Work Recommendations for the Project; and Part 3 – Supplemental Record of Work Performed including planning or technical studies or other investigations, records of physical work, construction documents, annotated drawings, construction monitoring logs, photographs, the Project plans showing the proposed alterations to the 7th Street Bridge, the Substantial Completion Report, and any other pertinent technical data or documentation. This report shall be reviewed by the City's Office of Historic Resources and Bureau of Engineering, to ensure that that the HSR meets the City's requirements. Once the Project is completed, the Applicant shall file the HSR with the City's Department of City Planning Office of Historic Resources and Bureau of Engineering, and the South Central Coastal Information Center (SCCIC).

CUL-MM-5: 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) no fewer than 15 days 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 letter shall also demonstrate that a Native American Monitor from the Gabrieleño Band of Mission Indians – Kizh Nation has been retained as required by Mitigation Measure TCR-MM-1.

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 Archeologist 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 archeological monitor and Native American Monitor 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 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 after consulting with Native American Monitor.

CUL-MM-6: Prior to commencement of construction activities, a Sensitivity Training shall be given by the qualified Archaeologist and Native American Monitor for construction personnel. The training shall focus on how to identify archaeological resources and tribal cultural resources that may be encountered during construction activities, and the procedures to be followed in such an event. Within 5 days of completing the training, a list of those in attendance shall be provided by the qualified Archaeologist to the Applicant. Applicant shall maintain the documentation of this training, including the list of attendees, for inspection by the City upon its reasonable request.

CUL-MM-7: 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 and the Native American Monitor (in the case of prehistoric resources) 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. 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.

In the event encountered resources appear to qualify as tribal cultural resource, a meeting between the City, the qualified Archeologist, Native American Monitor, and the Applicant shall be held 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 the resource is determined to be a tribal cultural resource, appropriate treatment shall be determined per the procedures outlined in Mitigation Measure TCR-MM-2.

CUL-MM-8: 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 prepared under the supervision of the qualified Archaeologist and 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.

(3) Soils and Geology

GEO-MM-1: A qualified paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards⁷ (Qualified Paleontologist) shall be retained prior to the approval of demolition or grading permits. The Qualified Paleontologist shall provide technical and compliance oversight of all ground-disturbing activities (e.g., clearing, grading and excavation) that relate to paleontological resources, shall attend the Project kick-off meeting and any construction progress meetings, and shall report to the Project Site in the event potential paleontological resources are encountered in order to assess the significance of the discovery and determine appropriate documentation and/or salvage.

GEO-MM-2: The Qualified Paleontologist shall conduct construction worker paleontological resources sensitivity training prior to the start of ground-disturbing activities (including vegetation removal, pavement removal, etc.), in accordance with SVP Standards. In the event construction crews are phased, additional trainings shall be conducted for new construction personnel. The training session shall focus on recognition of the types of paleontological resources that could be encountered within the Project Site and the procedures to be followed if they are found. Documentation shall be retained demonstrating that all construction personnel attended the training.

GEO-MM-3: Full-time paleontological resources monitoring shall be conducted for all ground-disturbing activities in previously undisturbed sediments that exceed 10 feet in depth, and are, therefore, likely to impact high-sensitivity older Alluvial sediments. The surficial Alluvium has low paleontological sensitivity, and, therefore, work in the upper 10 feet of the Project Site does not need to be monitored. The Qualified Paleontologist shall spot-check the excavation on an intermittent basis and recommend revision of the depth of required monitoring based on his/her observations. The frequency of spot-checks shall be determined based on the pace of excavations, both vertically and laterally. Paleontological resources monitoring shall be performed by a qualified paleontological monitor (meeting the standards of the SVP) under the direction of the Qualified Paleontologist. Full-time monitoring can be reduced to part-time inspections or ceased entirely if determined adequate by the qualified paleontologist. Monitors shall have the authority to temporarily halt or divert work away from exposed fossils in order to recover the fossil specimens. Any significant fossils that could yield information important to prehistory, or that embody the distinctive characteristics of a type of organism, environment, period of time, or geographic region, collected during Project-related excavations shall be prepared to the point of identification and curated into an accredited repository with retrievable storage. Monitors shall prepare daily logs detailing the types of activities and soils observed, and any discoveries. The Qualified Paleontologist shall prepare a final monitoring and mitigation report to document the results of the monitoring effort, and shall provide the final report to the Department of City Planning.

GEO-MM-4: If construction or other Project personnel discover any potential fossils during construction, regardless of the depth of work or location, work at the discovery

⁷ SVP, Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources.

location shall cease within a 50-foot radius of the discovery until the Qualified Paleontologist has assessed the discovery and made recommendations as to the appropriate treatment. If the find is deemed significant, it shall be salvaged following the standards of the SVP and curated with a certified repository. If there are significant discoveries, fossil locality information and final disposition will be included within the final report which will be submitted to the appropriate repository and the Department of City Planning.

(4) Hazards and Hazardous Materials

HAZ-MM-1: Health and Safety Plan. The construction contractor(s) shall prepare and implement site-specific Health and Safety Plans (HASP) in accordance with 29 CFR 1910.120 to protect construction workers and the public during all excavation and grading activities, due to the potential to encounter TPH diesel, TPH oil, TPH gasoline, SVOCs, and total metals during construction. This HASP shall be submitted to the LADBS for review prior to commencement of demolition and construction activities and as a condition of the grading, construction, and/or demolition permit(s). The HASP shall include, but is not limited to, the following elements:

- Designation of a trained, experienced site safety and health supervisor who has the responsibility and authority to develop and implement the site HASP;
- A summary of all potential risks to demolition and construction workers and maximum exposure limits for all known and reasonably foreseeable site chemicals;
- Specified personal protective equipment and decontamination procedures, if needed;
- Emergency procedures, including route to the nearest hospital; and

Procedures to be followed in the event that evidence of potential soil contamination (such as soil staining, noxious odors, debris or buried storage containers) is encountered. These procedures shall be in accordance with hazardous waste operations regulations and specifically include, but are not limited to, the following: immediately stopping work in the vicinity of the unknown hazardous materials release, and retaining a qualified environmental firm to perform sampling and remediation, as needed.

HAZ-MM-2: Soil and Groundwater Management Plan. In support of the HASP described above in Mitigation Measure HAZ-MM-1, the contractor(s) shall develop and implement a Soil and Groundwater Management Plan (SGMP) that includes a materials disposal plan specifying how the construction contractor(s) will remove, handle, transport, and dispose of all excavated materials and dewatering effluent in a safe, appropriate, and lawful manner. The SGMP shall include the following, at a minimum:

- Site description, including the hazardous materials that may be encountered.
- Roles and responsibilities of onsite workers, supervisors, and the regulatory agency.

- Training for site workers focused on the recognition of and response to encountering hazardous materials.
- Protocols for the materials (soil and/or dewatering effluent) testing, handling, removing, transporting, and disposing of all excavated materials and dewatering effluent in a safe, appropriate, and lawful manner.
- Confirmation sampling to verify that the remaining soil and/or groundwater at the site does not have chemical concentrations above screening levels for the applicable planned land use.
- Identification of licensed disposal sites permitted to accept the waste materials.
- Reporting requirement to the overseeing regulatory agency, documenting that site activities were conducted in accordance with the SGMP.

The SGMP shall include a groundwater dewatering control and disposal plan specifying how groundwater (dewatering effluent), if encountered, will be handled and disposed of in a safe, appropriate, and lawful manner. The groundwater portion of the SGMP shall include the following, at a minimum:

- The locations at which groundwater dewatering is likely to be required.
- Test methods to analyze groundwater for hazardous materials.
- Appropriate treatment and/or disposal methods.

This SGMP shall be submitted to the LADBS for review prior to commencement of demolition and construction activities and as a condition of the grading, construction, and/or demolition permit(s). Contract specifications shall mandate full compliance with all applicable local, state, and federal regulations related to the identification, transportation, and disposal of hazardous materials, including those encountered in excavated soil and dewatering effluent.

HAZ-MM-3 (Project with the Deck Concept Only): Prior to construction of the Deck and any associated soil disturbing activities at the Railway Properties, the construction contractor shall retain and consult a qualified environmental professional to conduct a soil sampling assessment, in accordance with applicable regulations. It is anticipated that the soil samples would be analyzed for TPH gasoline, TPH diesel, TPH oil, SVOCs, and total metals. While the Railway Properties are not within a Methane Buffer Zone, methane/soil gas testing shall also be conducted as part of the soils sampling assessment. The soil analytical results shall be compared to applicable screening levels established by the appropriate regulating agencies. In the event that methane gas is detected above the laboratory RL, construction of the Project with the Deck would occur per the provisions of the LAMC, Division 71 Methane Mitigation Standards Ordinance.

In the event elevated contaminant levels or methane gas levels are reported that exceed applicable regulatory standards, Mitigation Measures HAZ-MM-1 and HAZ-MM-2 would

be implemented for the Project Site, which would include the Railway Properties under the Project with the Deck Concept.

(5) Noise and Vibration

NOISE-MM-1: Noise Barriers. Prior to issuance of any demolition, grading or building permit, the Project shall provide temporary ground-level 20-foot-tall construction noise barriers equipped with noise blankets or equivalent noise reduction materials rated to achieve sound level reductions of at least 15 dBA between the Project Site and the ground-level and second-levels at sensitive receptor location R1 and between the Project Site and R4 (if R4, the future 6th Street PARC is constructed and operational at the time of Project construction). These temporary noise barriers shall be used to block the line-of-sight between the construction equipment and the noise-sensitive receptor(s) during the duration of construction activities. The Project applicant shall provide documentation prepared by a qualified noise consultant verifying compliance with this measure.

NOISE-MM-2: Construction Equipment Noise Shielding and Muffling Devices. Contractors shall ensure that all construction equipment, fixed or mobile, are equipped with properly operating and maintained noise shielding and muffling devices, consistent with manufacturers' standards. Prior to the issuance of demolition permits, certification of muffler installation shall be submitted to the City for review. The construction contractor shall keep documentation onsite demonstrating that the equipment has been maintained in accordance with the manufacturers' specifications. Most of the noise from construction equipment originates from the intake and exhaust portions of the engine cycle. According to FHWA, use of adequate mufflers systems can achieve reductions in noise levels of up to 10 dBA.⁸ The contractor shall use muffler systems that provide a minimum reduction of 8 dBA compared to the same equipment without an installed muffler system, reducing maximum construction noise levels. Contractors shall include the muffler requirements in contract specifications. The contractor shall also keep documentation on-site prepared by a noise consultant verifying compliance with this measure.

NOISE-MM-3: Truck Deliveries. Contractors shall include in all vendor and concrete supplier contracts a requirement for truck deliveries to and from the Project Site to prohibit travel on Jesse Street between Mateo Street and Santa Fe Avenue or on Mateo Street between 4th Place and Willow Street when traveling to or from the Project Site during Project demolition, grading and construction. The construction contractor shall provide a flag person along Jessie Street near the segment between Mateo Street and Santa Fe Avenue and along Mateo Street between 4th Place and Willow Street to ensure that all concrete and vendor trucks do not travel along both of these identified segments.

NOISE-MM-4: Amplified Speakers – All Outdoor Spaces. Outdoor amplified sound systems, if any, will be limited to a sound level equivalent to 85 dBA (L_{eq-1hr}) measured at

⁸ FHWA, *Special Report – Measurement, Prediction, and Mitigation*, Chapter 4 Mitigation, https://www.fhwa.dot.gov/Environment/noise/construction_noise/special_report/hcn04.cfm. Accessed July 16, 2021.

a distance of 25 feet from the amplified speaker sound system. 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 pre-performance 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 building permit for the Project and posted onsite in the event of LAPD response to noise complaints.

NOISE-MM-5: Amplified Speakers – River Balcony North. Amplified speaker volumes within the River Balcony North area shall be limited to a level that would not exceed 75 dBA at a distance of 25 feet from the speaker. 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 pre-performance 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 Los Angeles Police Department (LAPD) prior to the issuance of a building permit for the Project and posted onsite in the event of LAPD response to noise complaints.

NOISE-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 21 feet, 19 feet, 12 feet, and 3 feet, respectively, of receptor V1 (multi-family residential uses located at 2101 E. 7th Street). The use of large bulldozers and loaded trucks shall be prohibited within 8 feet, the use of jackhammers shall be prohibited within 5 feet, and the use of small bulldozers shall be prohibited within 1 foot of receptor V6 (the 7th Street Bridge). 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 types of equipment to be used during demolition, grading, and building construction, estimated vibration velocities, and distance to vibration receptors V1 and V6. 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.

NOISE-MM-7: Construction Vibration (Shoring). The following procedures are required for shoring system design and monitoring of excavation, grading, and shoring activities:

- Prior to the issuance of a shoring or grading permit, excavation and shoring plans for temporary shoring walls shall be prepared by a California Registered Civil Engineer experienced in the design and construction of shoring systems. The shoring systems shall be selected and designed in accordance with all current code requirements, industry best practices, and the recommendations of the Project Geotechnical Engineer. Maximum allowable lateral deflections for the Project Site are to be developed by the Project Geotechnical Engineer in consideration of adjacent structures, property, and public rights-of-way. These deflection limits shall be prepared in consideration of protecting the adjacent older structure at receptor location V1 (multi-family residential uses located at 2101 E. 7th Street) and the historic bridge at receptor location V6 (the 7th Street Bridge). The shoring engineer shall produce a shoring design, incorporating tie-backs, soldier piles, walers, or other appropriate supports that is of sufficient capacity and stiffness to meet or exceed the Project strength and deflection requirements. Calculations shall be prepared by the shoring engineer showing the anticipated lateral deflection of the shoring system and its components and demonstrating that these deflections are within the allowable limits. Where tie-back anchors shall extend across property lines or encroach into the public rights-of-way, appropriate notification and approval procedures shall be followed. The final excavation and shoring plans shall include all appropriate details, material specifications, testing and special inspection requirements and shall be reviewed by the Project Geotechnical Engineer for conformance with the design intent and submitted to LADBS for review and approval during the Grading Permit application submission. The Project Geotechnical Engineer shall provide on-site observation during the excavation and shoring work.
- Appropriate parties, including but not limited to the lead Contractor, City of Los Angeles Public Works, and Los Angeles Department of Building and Safety, shall be notified immediately and corrective steps shall be identified and implemented if maximum allowable lateral deflections for the Project Site that are developed by the Project Geotechnical Engineer are exceeded, or if new cracks, distress, or other damage are observed in adjacent structures, sidewalks, buildings, utilities, façades, etc.
- Foundation systems shall be designed in accordance with all applicable loading requirements, including seismic, wind, settlement, and hydrostatic loads, as determined by the California Building Code and in accordance with the recommendations provided by the Project Geotechnical Engineer. Foundation systems are anticipated to consist of cast-in-place concrete mat foundations supported by cast-in-place concrete drilled shaft or auger cast piles. Driven (impact) piles shall not be used.

NOISE-MM-8: 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) V1 (multi-family residential located at 2101 E. 7th Street) and V6 (7th Street Bridge) for the apparent physical condition of the building's readily-visible features. Inspection and documentation shall also be carried out by and in coordination with a qualified preservation consultant for the historic bridge at receptor location V6 (7th Street Bridge). Daily inspections shall occur when construction activities involving vibration-generating equipment such as bulldozers, jackhammers, loaded trucks, and drill rigs are used within 21 feet of V1 and within 8 feet of V6. In the event that damage occurs due to construction vibration the adjacent older structure at receptor location V1 (multi-family residential uses) or the historic bridge at receptor location V6 (the 7th Street Bridge) 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 qualified contractor. Repair of historic features on the historic bridge at receptor V6 (the 7th Street Bridge) shall be performed in consultation with a qualified preservation consultant, and, if warranted, in a manner that meets the Secretary of the interior's Standards.

Additional Requirements during Shoring. Prior to the issuance of a demolition or building permit, the general contractor shall hire a California Registered Professional Engineer or California Professional Land Surveyor to prepare an Adjacent Structures Construction Monitoring Plan, subject to review and approval by LADBS, prior to initiation of any excavation and shoring activities to ensure the protection of the adjacent older structure at receptor location V1 (multi-family residential uses) and the historic bridge at receptor location V6 (the 7th Street Bridge) from damage due to settlement during excavation and shoring. The Adjacent Structures Construction Monitoring Plan shall be carried out by a California Professional Land Surveyor and establish survey markers and document and record through any necessary means, including video, photography, survey, etc. the initial positions of and existing cracks on the adjacent structures and facades to form a baseline for determining settlement or deformation. Upon installation of soldier piles, survey monuments shall be affixed to the tops of representative piles so that deflection can be measured. The shored excavation and adjacent structures, sidewalks, buildings, utilities, facades, cracks, etc. shall be visually inspected each day. Survey monuments shall be measured at critical stages of dewatering, excavation, shoring, and construction but shall not occur less frequently than once every 30 days. Reports shall be prepared by the California Professional Land Surveyor documenting the movement monitoring results. In the event that vibration or settlement due to excavation or construction activity causes damage requiring repairs to the adjacent older structure at receptor location V1 (multi-family residential uses) or the historic bridge at receptor location V6 (the 7th Street Bridge) 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. The repair work shall be performed by a qualified contractor. Repair of historic features on the historic bridge at receptor V6 (the 7th Street Bridge) shall be performed in consultation with a qualified preservation consultant and in accordance with the

California Historical Building Code and the Secretary of the Interior's Standards, as appropriate. A log of all complaints submitted and actions taken to address those complaints shall be kept on site and shall be provided to the City prior to full build permit issuance/at the conclusion of demolition and shoring, and review by Office of Historic Resources (OHR) shall be required if any damage occurs related to the bridge.

NOISE-MM-9: Construction Vibration (Human Annoyance). Prior to the issuance of a demolition or building permit, to address potential vibration impacts regarding human annoyance, the Applicant shall designate a construction relations officer to serve as a liaison with the adjacent sensitive receptor location V1. The liaison shall be responsible for responding to concerns regarding vibration within 24 hours of receiving a complaint. The liaison shall respond to concerns by ensuring that steps are taken to reduce vibration levels at V1 (multi-family residential uses located at 2101 E. 7th Street) as deemed appropriate and safe by the on-site construction manager. Such steps could include substituting lower vibration generating equipment or activity, rescheduling of high vibration-generating construction activity, or other potential adjustments to the construction program to reduce vibration levels at the adjacent sensitive receptor location V1. A log of all complaints submitted and actions taken to address those complaints shall be kept on site and shall be provided to the City prior to full build permit issuance/at the conclusion of demolition and shoring.

(6) Transportation

TRAF-MM-1: Transportation Demand Management (TDM) Program. The Applicant shall implement a TDM Program aimed at discouraging single-occupancy vehicle trips and encouraging alternative modes of transportation, such as carpooling, taking transit, walking, and biking. The TDM Program shall detail additional program elements beyond the site design features already incorporated into the Project. The TDM Program shall be subject to review and approval by LADOT. The exact measures to be implemented shall be determined when the Program is prepared. A preliminary TDM Program shall be submitted for LADOT review prior to issuance of the first building permit for the Project, with final TDM approval by LADOT required before issuance of the first certificate of occupancy for the Project. Required strategies in the TDM Program shall include, but are not necessarily limited to:

Parking

- Parking cost unbundled from leases for office and commercial tenants, coupled with employee parking cash-out and pricing workplace parking.
- Parking costs unbundled from rent for residential tenants.

Transit

- Tenants in the office and commercial uses and residents shall be provided with the opportunity to obtain subsidized/discounted daily or monthly public transit passes to use locally/regionally. These passes can be partially or wholly subsidized by the employer and residential management company, respectively.

- Public bus stop enhancements/amenities, such as curb cuts and continental crosswalks, at bus stops nearest to Project Site:
 - Decatur Street & 7th Street: Metro Rapid 720
 - Alameda Street & 7th Street: Metro Rapid 760
 - Imperial Street & 7th Street: Metro 18, 60, 62
 - Molino Street & Palmetto Street: LADOT DASH A
- Improved first-mile/last-mile connections to nearby bus stops

Commute Trip Reductions

- Commute trip reduction program for office and commercial workers and residents including established performance standards, required implementation, monitoring, and reporting.

Shared Mobility

- A ride-sharing program shall be provided by designating a certain percentage of parking spaces for ride sharing vehicles, designing adequate passenger loading/unloading and waiting areas for ride-sharing vehicles, and providing a website or message board for coordinating rides.

Education & Encouragement

- TDM marketing and promotion (website and possible mobile app for transportation information specific to the Project).
- Mobility hub (car share, bike share, bike repair facilities, and real-time transit information).

TRAF-MM-2: US-101 Southbound Off-ramp/7th Street Intersection Signalization.

The Applicant shall work with the City of Los Angeles and Caltrans to signalize the intersection of the US-101 Southbound Off-ramp and 7th Street. This would require complying with the Caltrans project development process as a local agency-sponsored project.

(7) Tribal Cultural Resources

Refer to Mitigation Measure CUL-MM-6. The following mitigation measures are also required to address potentially significant impacts to tribal cultural resources.

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. The Native American Monitor shall also provide Sensitivity Training to construction personnel as required by Mitigation Measure CUL-MM-6.

The Native American Monitor, in coordination with the qualified Archaeologist and archaeological monitor as identified in Mitigation Measure CUL-MM-5, 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.

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 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 Tribe.

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. A meeting shall take place between the Applicant, the qualified

Archaeologist, the Gabrieleno 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 Gabrieleno Tribe and the qualified Archaeologist, a decision that the resource is in fact a tribal cultural resource, a treatment plan shall be developed by the Gabrieleno 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 of 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 Gabrieleno 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 Gabrieleno Tribe or institution accepts the resources, they may be donated to a local school or historical society in the area for educational purposes.