



4th and Hewitt Project

Environmental Case: ENV-2017-470-EIR
State Clearinghouse No.: 2017091054

Project Location: 900, 902, 904, 906-910, and 926 East 4th Street; 406, 408, and 414 Colyton Street; 405, 407, 411, 417, and 423 South Hewitt Street, Los Angeles, California 90013

Community Plan Area: Central City North

Council District: 14 — De León

Project Description: The 4th and Hewitt Project (Project) would involve the demolition of an existing office building, two storage/garage buildings, and surface parking lots, and the construction of an 18-story office building (Office Building). The Project would total approximately 343,925 square feet of gross floor area, comprised of an existing 7,800-square-foot building and the new approximately 336,125-square-foot Office Building, which would include approximately 8,149 square feet of ground floor restaurant space, 311,682 square feet of commercial office space, and 16,294 square feet of office exterior common areas. The Project would also include a landscaped outdoor courtyard on Colyton Street. The ground floor would include 112 bicycle parking spaces (40 short-term spaces and 72 long-term spaces), as well as amenities, such as showers and a bicycle repair area. Vehicle parking spaces would be provided within three subterranean levels and on the 2nd through 5th floors of the Office Building. Office space would comprise the 6th through 17th floors, and office and mechanical equipment would comprise the 18th floor and rooftop level. In addition to the ground floor courtyard and passageway, outdoor amenity spaces, including balconies, and/or decks, would be provided on the 6th through 16th floors for commercial tenants. The Office Building would have a maximum height of 292 feet to the top of the parapet. The Project's proposed floor area ratio would be approximately 6:1.

PREPARED FOR:

The City of Los Angeles
Department of City Planning

PREPARED BY:

Envicom Corporation

APPLICANT:

LIG – 900, 910 and 926 E. 4th St., 405-411 S. Hewitt St., LLC

Volume I – Draft EIR

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I. Introduction and Executive Summary

I. Introduction and Executive Summary

1. Purpose

The purpose of an Environmental Impact Report (EIR) is to provide an informational document that will inform decision-makers and the general public of the environmental impacts resulting from a project, identify possible ways to minimize any significant impacts, and consider reasonable project alternatives that would eliminate or reduce any potential significant impacts. The purpose of this Draft EIR is to describe the characteristics of the 4th and Hewitt Project (Project) located at the southwest intersection of East 4th Street and South Hewitt Street (Project Site), as proposed by LIG – 900, 910 and 926 E. 4th St., 405-411 S. Hewitt St., LLC (Applicant), evaluate the potential environmental impacts associated with the Project's development, present mitigation measures that would avoid or reduce the severity of its identified impacts, and set forth feasible alternatives to the Project. This Draft EIR is prepared in accordance with the California Environmental Quality Act (or CEQA, incorporated in Public Resources Code [PRC] 21000-21189), State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387) (CEQA Guidelines), and the 2006 L.A. CEQA Thresholds Guide: Your Resource for Preparing CEQA Analyses in Los Angeles (L.A. CEQA Thresholds Guide). This introductory chapter orients the reader to CEQA and the environmental review process, provides a brief outline to this Draft EIR, and includes a summary of the Project and environmental analysis that are explored in greater detail throughout this document.

a) Statutory Authority

In accordance with CEQA Guidelines Section 15367, the City of Los Angeles (City) is the designated Lead Agency for this Project. In this capacity, the City has the principle responsibility for conducting the environmental review of discretionary projects in the City and for approving such projects. Based on preliminary review of the Project, the Lead Agency has determined that the Project is subject to the requirements of CEQA and the State CEQA Guidelines, because its implementation requires the approval of several discretionary actions by the City, and carrying out the Project may result in substantial direct and/or indirect physical changes to the environment. The Lead Agency has determined that an EIR is the appropriate CEQA document to adequately evaluate these

changes. Section 15151 of the State CEQA Guidelines defines the standards of EIR adequacy in the following manner:

“An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information that enables them to make a decision that intelligently takes account of environmental consequences. An evaluation of the environmental effects of a project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR would summarize the main points of disagreement among the experts. The courts have looked not for perfection; but for adequacy, completeness, and a good faith effort at full disclosure.”

Therefore, this Draft EIR is an informational disclosure document that will be used by decision-makers and the general public as they consider whether to approve the Project (State CEQA Guidelines Section 15121).

2. Environmental Review Process

a) Notice of Preparation, Initial Study, and Scoping Meeting

A Notice of Preparation (NOP) concerning the Draft EIR for the Project was circulated for a 30-day review period that began on September 20, 2017 and closed on October 20, 2017. An Initial Study (IS) was also prepared to identify the environmental issues to be analyzed in the Draft EIR. Copies of the NOP and IS were made available during the review period. The comment letters submitted in response to the IS are also included in this document. Refer to Appendix A1, Notice of Preparation; Appendix A2, Initial Study; and Appendix A3, Initial Study and Scoping Meeting Comments.

A public scoping meeting was held, pursuant to State and City requirements as follows:

Architecture and Design (A+D) Museum
900 East 4th Street
Los Angeles, CA 90013
October 10, 2017
5:00 p.m. – 7:00 p.m.

The following agencies, organizations, and individuals provided written comments during the NOP comment period or at the scoping meeting:

(1) Agencies and Organizations

1. Department of Toxic Substances Control (DTSC)
2. City of Los Angeles Fire Department (LAFD), Bureau of Fire Prevention and Public Safety
3. Native American Heritage Commission (NAHC)
4. City of Los Angeles Bureau of Sanitation (LASAN), Wastewater Engineering Services Division
5. Southern California Association of Governments (SCAG)
6. South Coast Air Quality Management District (SCAQMD)
7. State of California, Governor's Office of Planning and Research (OPR), State Clearinghouse (SCH) and Planning Unit

(2) Individuals

Four individuals provided comments in writing on the Project. Refer to Appendix A3, Initial Study and Scoping Meeting Comments, for all comments received.

Based on the public comments received by the Lead Agency in response to the NOP and IS and at the scoping meeting, and on the findings of the IS, this Draft EIR includes an analysis of the Project's potential impacts to the resources listed below.

- Air Quality
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing

- Public Services – Fire Protection Services
- Public Services – Police Protection Services
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems – Solid Waste
- Utilities and Service Systems – Wastewater
- Utilities and Service Systems – Water Supply and Infrastructure
- Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Infrastructure

At the time the NOP and IS were published and circulated for public review in 2017, the methodology of the City of Los Angeles Department of City Planning (Department of City Planning) was to include an analysis of potential Project effects related to aesthetics for **informational purposes only**, despite the fact that the urban infill Project Site is located in a Transit Priority Area (TPA) within 0.5 mile of the Los Angeles County Metropolitan Transportation Authority (Metro) L (Gold) Line Little Tokyo Station, the Project represents an employment center, and under Senate Bill (SB) 743 (PRC Section 210099[d]) the Project is exempt from such analysis. (Refer to Chapter II, Project Description, for additional information regarding this exemption and its applicability to the Project.) However, since 2017, the Department of City Planning has revised its methodology and now strictly applies the guidance of SB 743 and PRC Section 210099(d). As the Project meets the criteria for the exemption from a finding of significance for aesthetics impacts, an analysis of aesthetics is not warranted and is not included in this Draft EIR.

b) Draft and Final EIR Review Process

This Draft EIR is being circulated to the general public, agencies, organizations, and other interested parties for 45 days. The public review period for this Draft EIR began on May 26, 2022 and will close on July 11, 2022. Comments should be sent by 4:00 p.m. on the closing date to:

Courtney Shum, City Planner
221 North Figueroa Street, Room 1350
Los Angeles, California, 90012

Following receipt of the comments, the City will provide responses to comments that are relevant to the Draft EIR. These comments will be incorporated into the Final EIR for the

Project, and the text of the Draft EIR will be revised, if necessary, as a result of comments received. The written comments will be attached in an appendix to the Final EIR. The City will make the Final EIR available to agencies and the general public prior to considering certification of the Final EIR and approval of the Project. Notice of the time and location will be published prior to the public hearing date.

3. Organization and Content of the EIR

The content of this Draft EIR was determined by CEQA, the State CEQA Guidelines, and the City's policies and procedures, including the CEQA processes of early consultation and public review and comment. The organization of this Draft EIR is as follows:

Chapter I, Introduction and Executive Summary (this chapter), includes information related to the purpose and scope of the EIR, environmental review process, and the organization and content of the Draft EIR. This chapter also provides a summary of the Project, identified significant impacts of the Project, and mitigation measures. Alternatives that were considered to avoid significant effects of the Project are identified. In addition, the Executive Summary identifies areas of controversy known to the City, including issues raised by agencies and the public. The Executive Summary includes a list of the issues to be resolved, and a summary of the Project alternatives.

Chapter II, Project Description, provides the location and boundaries of the Project, statement of objectives, and a description of the characteristics of the Project. The chapter also identifies the intended uses of the Draft EIR, a list of the related discretionary actions (permits and approvals) required to implement the Project, and a list of related environmental review and consultation requirements required by federal, State, or local laws, regulations, or policies.

Chapter III, Environmental Setting, includes an overview of the existing environmental conditions present at the Project Site and immediate vicinity. A list of Related Projects, with which cumulative impacts are evaluated in the Draft EIR, is also provided in this chapter. Appendix A4, Related Projects, includes details regarding the Related Projects that are used in the cumulative impacts analyses throughout Chapter IV, Environmental Impact Analysis.

Chapter IV, Environmental Impact Analysis, includes, for each environmental resource, discussions of the existing conditions, regulatory setting, significance thresholds, impacts, mitigation measures, residual impacts (i.e., the level of significance after implementation of mitigation measures), and cumulative impact analysis. This portion of the Draft EIR is organized by the applicable environmental topics resulting from the analysis undertaken in the IS.

Chapter V, Other CEQA Considerations, addresses several CEQA-required elements: including, “Significant Unavoidable Environmental Impacts;” “Reasons Why the Project is being Proposed, Notwithstanding Significant Unavoidable Impacts;” “Significant Irreversible Environmental Changes;” “Growth-Inducing Impacts of the Project;” Potential Secondary Effects of Mitigation Measures;” and Impact Found Not to be Significant.”

Chapter VI, Alternatives, describes and evaluates a range of reasonable alternatives to the Project or to the location of the Project, including an evaluation if the No Project alternative. CEQA requires that the EIR explore feasible alternatives that would avoid or substantially lessen the significant effects of the Project, as well as identify the Environmentally Superior Alternative, which are explored in this chapter.

Chapter VII, List of Preparers, provides a list of City and other governmental agencies and organizations consulted during preparation of this Draft EIR and provides a list of key personnel writing, managing, and providing technical analysis in support of this EIR.

Chapter VIII, References, includes a list of references that includes sources, communications, and correspondence used in the preparation of this Draft EIR.

Chapter IX, Acronyms and Abbreviations, provides a consolidated list and definitions of the acronyms and abbreviations utilized throughout this Draft EIR.

Appendices to this Draft EIR include the NOP, IS, and comments received on those documents during the NOP public circulation process, as well as detailed data and technical studies that support the Draft EIR analyses.

4. Revisions to State CEQA Guidelines Appendix G

The OPR amended the State CEQA Guidelines in 2019. These updates revised the issues of analysis and/or thresholds questions for aesthetics, air quality, cultural resources, energy,¹ geology and soils, hydrology and water quality, land use and planning, noise, population and housing, transportation, utilities and service systems, and wildfires. Although the IS was prepared and circulated prior to these updates, the updated State CEQA Guidelines are addressed throughout this Draft EIR where applicable. For issues and threshold questions for which the Project would not result in significant impacts, these topics are addressed in Chapter V, Other CEQA Considerations and/or in Appendix A2, Initial Study.

¹ Pursuant to Appendix F, Energy Conservation, of the State CEQA Guidelines, EIRs were already required to include an evaluation of the Project’s potential cumulative impacts related to the inefficient, wasteful, and unnecessary energy consumption, and this was reflected in the Project IS. However, the addition of Energy to the State CEQA Guidelines Appendix G Environmental Checklist questions in 2019 reinforced this requirement.

5. Revisions to City of Los Angeles Adopted Thresholds of Significance

The significance thresholds included in each section of Chapter IV present the State CEQA Guidelines Appendix G, Environmental Checklist, questions, followed by the screening criteria and thresholds from the L.A. CEQA Thresholds Guide, where applicable. The issues that were found to not warrant further EIR analysis based on the Initial Study, and the associated thresholds, are identified in each section but are further addressed in the Chapter V, Other CEQA Considerations, or Appendix A2, Initial Study.

The analyses and impact conclusions are primarily based on the State CEQA Guidelines Appendix G questions, which the City adopted as its thresholds of significance on May 2, 2019. Pursuant to Section 15064.7(b) of the State CEQA Guidelines: “Each public agency is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. Thresholds of Significance to be adopted for general use as part of the lead agency’s environmental review process must be adopted by ordinance, resolution, rule, or regulation, and developed through a public review process and be supported by substantial evidence.” The City’s action to adopt the State CEQA Guidelines Appendix G questions as its thresholds of significance was supported by a public review process (including noticed public workshops and hearings on November 28 and 29, 2018, and on December 4 and 6, 2018, and a City Planning Commission hearing on February 28, 2019) and by City Charter 506, which grants the Director of Planning rulemaking authority to take such action.²

For some topical areas, such as Air Quality, additional thresholds of significance from relevant agencies are set forth for analysis, as directed by the State and City guidance. Pursuant to Section 15064.7(b) of the State CEQA Guidelines: “Lead agencies may also use thresholds on a case-by-case basis...” and Section 15064.7(c): “...a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence.”

6. Summary of the Project

a) Description of the Project Site

The Project Site is located in the Arts District area of the City of Los Angeles (City), within the Central City North Community Plan (Community Plan) area, located in Downtown Los Angeles (DTLA) and bounded by the Los Angeles River to the east; the City of Vernon to

² Director of City Planning Executive Office. 2019. Advisory Memo on the Department of City Planning 2019 California Environmental Quality Act (CEQA) Thresholds. From the Director of Planning, Vincent P. Bertoni, to Department of City Planning Staff. May 2.

the south; Alameda Street, Cesar Chavez Avenue, Sunset Boulevard, and Marview Avenue to the west; and Stadium Way, Lilac Terrace, and North Broadway to the north. The Community Plan area is surrounded by the communities of Silver Lake-Echo Park-Elysian Valley, Central City, Boyle Heights, and Northeast Los Angeles.³ As defined by the Historic Core Neighborhood Council, the Arts District is generally bounded by 1st Street to the north, Alameda Street to the west, the Los Angeles River to the east, and 7th Place/Violet Street to the south.^{4,5}

The Project Site is 1.31 acres in size and is generally bounded by Colyton Street to the west, East 4th Street to the north, South Hewitt Street to the east, and various industrial and commercial uses to the south. The Project Site is currently occupied by an existing 7,800-square-foot building formerly occupied by the A+D Museum at the southeast corner of Colyton Street and East 4th Street, which is currently vacant.⁶ This building would remain in place with the Project. A storage space for the 7,800-square-foot building (located southeast of the in a separate 1,000-square foot structure), a one-story office structure that fronts South Hewitt Street and related garage/storage space (6,030 square feet combined), and associated surface parking lots (approximately 39,751 square feet) are also located on the Project Site but would be demolished as part of the Project.

The Project Site is located on the south side of East 4th Street, which is an industrial and commercial corridor. The surrounding uses consist of a mix of low intensity industrial warehouses, an array of commercial uses of varied intensities, and live/work and residential uses. Over the past two decades, the subareas of the Community Plan area, within which the Property is located, have been transforming from a predominantly industrial area to one that is “primarily made up of old warehouses now converted to artists’ lofts and studios,” as indicated in the Community Plan.⁷ In addition, with the advent of the City’s Adaptive Reuse Ordinance, the converted buildings now operate as live/work and commercial uses; thus, there is a growing residential population and commercial-oriented uses within the Community Plan area.

³ City of Los Angeles Department of City Planning. 2000. Central City North Community Plan Update. Adopted December 15.

⁴ Los Angeles River Artist and Business Association. Arts District Boundary Map. Available at: <http://laraba.org/arts-district-boundary-map/>. Accessed on April 22, 2021.

⁵ Los Angeles River Artist and Business Association. Arts District History. Available at: <https://laraba.org/arts-district-history/>. Accessed on April 22, 2021.

⁶ At the time that the Notice of Preparation for the Project was issued (September 20, 2017), the CEQA baseline for this Draft EIR, the building was occupied by the A+D Museum. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. The Project’s requested discretionary approvals would not physically alter the 7,800-sf building. The Project’s proposed C2-2-RIO zoning would allow for a similar range of commercial land uses as compared to the existing M3-1-RIO zoning. The proposed change in zoning would not expand or increase the intensity of the allowable uses within the building. The zoning change of the Project would actually limit the use, as some of the currently allowed manufacturing and industrial uses would not be allowed with the proposed C2-2-RIO zoning.

⁷ Los Angeles River Artist and Business Association. Arts District History. Available at: <https://laraba.org/arts-district-history/>. Accessed on April 22, 2021.

Directly north of the Project Site and across East 4th Street are several auto repair-related businesses, the Miyako Sushi and Washoku School, and live/work lofts. Just north of East 4th Place are a variety of commercial uses, some of which are under construction. Uses include offices such as the County of Los Angeles Department of Public Social Services, as well as Art Share L.A., which includes performance space, a gallery, and artist residences. Directly east of the Project Site and across South Hewitt Street is a vacant warehouse, Resident LA (combined residential and commercial restaurant space), Arts District Dog Park, and the Southern California Institute of Architecture. Just west of the Project Site and across Colyton Street toward Alameda Street are several single-story warehouses, one of which is The Container Yard and art center. The uses are enclosed behind structures or fences that are all entirely decorated with murals. To the south of the Project Site are low-rise warehouses that are used for a variety of industrial and commercial uses, with surface parking lots that make up the remainder of the block. These land uses include a crossfit gym, retail shops, offices, and Urth Caffé. The block south of East 5th Street includes restaurants, the Los Angeles Cleantech Incubator, La Kretz Innovation Campus, and the new Arts District Park, which faces the Barker Lofts.

b) Overview of the Project

The Project includes the development of an 18-story building (Office Building) that would include office and restaurant uses at the southwest intersection of East 4th Street and South Hewitt Street, adjacent to an existing 7,800-square-foot building that was formerly occupied by the A+D Museum fronting Colyton Street on the Project Site. The Project would retain the 7,800-square-foot building, but in order to construct the Office Building, the Project would demolish the detached storage building associated with the 7,800-square-foot building, a one-story office building and associated garage/storage building that front South Hewitt Street, and surface parking lots. The Project would total approximately 343,925 square feet of gross floor area,⁸ comprised of approximately 7,800 square feet of the existing building formerly occupied by the A+D Museum, and the new approximately 336,125-square-foot Office Building, which includes approximately 8,149 square feet of ground floor restaurant space, 311,682 square feet of commercial office space, and 16,294 square feet of office exterior common areas. The Project would also include a landscaped outdoor courtyard on Colyton Street and a passageway that connects Colyton and South Hewitt Streets, as well as direct access to the 7,800-square-foot building from Colyton Street and to the Office Building from Colyton and South Hewitt Streets. The ground floor would include 112 bicycle parking spaces (40 short-term spaces

⁸ According to the Los Angeles Municipal Code (LAMC) Section 12.03, Definitions, Floor Area Ratio is a ratio establishing the relationship between a property and the amount of development permitted for that property, and it is expressed as a percentage or a ratio of the Buildable Area or Lot size. Utilized by the Project Architect for purposes of the Project, floor area is defined as area in square feet confined within the exterior walls of a building, but not including the area of the following: exterior walls, stairways, shafts, rooms housing building-operating equipment or machinery, parking areas with associated driveways and ramps, space dedicated to bicycle parking, and basement storage areas. However, the Project land use "office exterior common area" does contribute to the floor area, as it is a covered area (refer to floor plans, elevations, and cross-sections provided herein).

and 72 long-term spaces), as well as amenities such as showers and a bicycle repair area for bicyclists. Vehicle parking spaces would be provided within three subterranean levels and on the 2nd through 5th floors of the Office Building. Office space would comprise the 6th through 17th floors, and office and mechanical equipment would comprise the 18th floor and rooftop level. In addition to the ground floor courtyard and passageway, outdoor amenity spaces, including balconies, and/or decks, would be provided on the 6th through 16th floors for commercial tenants. The Office Building would have a height of 274 feet to the top of the 18th floor, 288 feet to the top of the mechanical roof, 292 feet to the top of the parapet, and a maximum height of 297 feet to the top of the elevator overrun. The Project's proposed floor area ratio (FAR) would be approximately 6:1.

The Applicant is requesting a General Plan Amendment, Vesting Zone Change, and Height District Change to construct and operate the Project. The General Plan Amendment would change the current land use designation from Heavy Industrial, as identified in the Community Plan, to Regional Center Commercial, which would permit a variety of commercial and residential uses. The Vesting Zone Change would change the current Zone from Manufacturing (M) M3 to Commercial (C) C2, which would allow for the proposed range of commercial uses. The Height District Change would change the current Zone from Manufacturing (M) M3 to Commercial (C) C2, which would allow for the proposed range of commercial uses. The Height District Change from Height District No. 1 to Height District No. 2 would increase the maximum permitted FAR from 1.5:1 to 6:1. In addition, the Applicant is requesting a Main Conditional Use Permit for the sale and dispensing of a full line of alcoholic beverages for on-site consumption for up to six establishments within the Project Site; Site Plan Review approval for a development that results in an increase of 50,000 gross square feet of non-residential floor area; a Vesting Tentative Tract Map No. 74745 for the merger of the existing lots with portions of the previously approved public right-of-way dedications, subdivision into 13 lots, including one master lot and 12 airspace lots, a waiver of dedications along East 4th, South Hewitt, and Colyton Streets, and a waiver of standard improvements to provide modified street standards (including sidewalk and travel lane dimensions) and to maintain the existing street grade and drainage system along South Hewitt and Colyton Streets; and a haul route.

Please refer to Chapter II, Project Description, for additional Project details.

7. Areas of Controversy

Section 15123(b)(2) of the State CEQA Guidelines requires that an EIR identify the areas of controversy raised by the public or agencies and known to the Lead Agency. Areas of controversy were identified through comments received during the NOP and IS review period and at the scoping meeting and are provided in Appendix A3, Initial Study and Scoping Meeting Comments, to this Draft EIR. The issues that are known to be of concern include aesthetics (height and visual character), air quality and greenhouse gas (GHG) emissions, hazards and hazardous materials, noise, fire protection services,

transportation (vehicle trips, parking, construction vehicle and equipment staging, and vehicle and pedestrian access), tribal cultural resources and Assembly Bill (AB) 52 consultation, and utilities and service systems – wastewater. Refer to Appendix A3 for copies of the comments received during the IS review process and Scoping Meeting.

8. Issues to be Resolved

Section 15123(b)(3) of the State CEQA Guidelines requires that an EIR identify the issues to be resolved, including the choices among alternatives and whether or how to mitigate the significant impacts of a project. Therefore, the key issues to be resolved by the City regarding the Project include:

- A determination of whether the Draft EIR adequately describes the impacts of the Project and provides mitigation measures, where feasible, to reduce or avoid such impacts;
- Whether mitigation measures for the Project should be revised or adopted as set forth in the Draft EIR and/or whether additional mitigation measures not specified in the Draft EIR should be applied to further reduce or avoid the impacts of the Project or one of the Project Alternatives; and
- Selection of the Project or one of the Project Alternatives.

9. Summary of Environmental Impacts

Table I-1, Summary of Environmental Impacts, provides a synopsis of the Project's impacts. Complete impact analyses are provided in Chapter IV, Environmental Impact Analysis. The Project would result in significant and unavoidable impacts relative to specific noise impacts, including, off-road construction equipment noise, composite construction noise levels, off-road construction activity vibration (building damage), on-road construction vehicle vibration (human annoyance), cumulative off-road construction equipment noise, cumulative composite construction noise levels, and cumulative on-road construction vehicle vibration (human annoyance).

Table I-1

Summary of Environmental Impacts

Environmental Issue^a	Project Impact
Air Quality	
Air Quality Plan Consistency	Less than Significant
Regional Emissions	
Construction	Less than Significant
Operation	Less than Significant
Sensitive Receptors	

Environmental Issue^a	Project Impact
Construction	
Localized Significance Thresholds	Less than Significant
Toxic Air Contaminants	Less than Significant
Operation	
Localized Significance Thresholds	Less than Significant
Micro-Scale Impacts (Carbon Monoxide Hot Spots)	Less than Significant
Toxic Air Contaminants	Less than Significant
Cumulative Air Quality Impacts	Less than Significant
Cultural Resources	
Historical Resources	
Construction	Less than Significant
Operation	Less than Significant
Archaeological Resources	Less than Significant with Mitigation
Human Remains	Less than Significant
Cumulative Cultural Resources Impacts	
Historical Resources	Less than Significant
Archaeological Resources	Less than Significant
Human Remains	Less than Significant
Energy	
Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources – Construction	
Electricity, Natural Gas, Transportation Fuels	Less than Significant
Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources – Operation	
Electricity, Natural Gas, Transportation Fuels	Less than Significant
Plan for Renewable Energy or Energy Efficiency Consistency	Less than Significant
Cumulative Energy Impacts	
Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources – Electricity, Natural Gas, Transportation Fuels	Less than Significant
Plan for Renewable Energy or Energy Efficiency Consistency	Less than Significant
Geology and Soils	
Risk of Loss, Injury, or Death Involving:	
Rupture of a Known Earthquake Fault	Less than Significant
Seismic Ground Shaking	Less than Significant
Seismic-Related Ground Failure (including Liquefaction)	Less than Significant
Soil Erosion or Loss of Topsoil	
Construction	Less than Significant
Operation	Less than Significant
Unstable Geologic Unit or Soils	
Construction	Less than Significant
Operation	No Impact
Expansive Soils	
Construction	Less than Significant
Operation	No Impact

Environmental Issue^a	Project Impact
Paleontological Resources	Less than Significant
Cumulative Geology and Soils	
Geology and Soils	Less than Significant
Paleontological Resources	Less than Significant
Greenhouse Gas Emissions	
Project Consistency with Applicable Plans and Policies	Less than Significant
GHG Emissions Quantification	
Construction	Less than Significant
Operation	Less than Significant
Cumulative Greenhouse Gas Emissions Impacts	Less than Significant
Hazards and Hazardous Materials	
Transport, Use, or Disposal of Hazardous Materials	
Construction	Less than Significant
Operation	Less than Significant
Upset and Accident Conditions – Methane	
Methane	Less than Significant
Soil Conditions	Less than Significant with Mitigation
Hazardous Building Materials	Less than Significant
Emissions or Handling of Hazardous Materials within One-Quarter Mile of a School	No Impact
Section 65962.5 List of Sites	No Impact
Impairment of Emergency Response Plan or Emergency Evacuation Plan	Less than Significant
Cumulative Hazards and Hazardous Materials Impacts	
Routine Handling of Hazardous Materials	Less than Significant
Risk of Upset and Accident Conditions	Less than Significant
Hazards to Schools in the Project Vicinity	No Impact
Hazards Associated with Designated Hazardous Sites	Less than Significant
Hazards and Hazardous Materials Emergency Plan Consistency	Less than Significant
Hydrology and Water Quality	
Water Quality Standards, Waste Discharge Requirements, and Surface or Groundwater Quality Degradation	
Construction	Less than Significant with Mitigation (refer to Hazards and Hazardous Materials Mitigation)
Operation	Less than Significant
Groundwater Supply and Recharge	
Construction	Less than Significant
Operation	Less than Significant
Drainage Pattern Alteration	
Erosion or Siltation	
Construction	Less than Significant
Operation	Less than Significant
Runoff Rate and On- and Off-Site Flooding	
Construction	Less than Significant
Operation	Less than Significant
Runoff and Stormwater Drainage System Capacity	
Construction	Less than Significant

Environmental Issue^a	Project Impact
Operation	Less than Significant
Release of Pollutants due to Inundation	Less than Significant
Conflicts with Water Quality Control Plans or Sustainable Groundwater Management Plan	Less than Significant
Construction	Less than Significant with Mitigation (refer to Hazards and Hazardous Materials Mitigation)
Operation	Less than Significant
Cumulative Hydrology and Water Quality Impacts	
Surface Water Quality	Less than Significant
Groundwater Quality	Less than Significant
Surface Water Hydrology	Less than Significant
Groundwater Hydrology	Less than Significant
Land Use and Planning	
Land Use Plan, Policy, or Regulation Conflicts	Less than Significant
Cumulative Land Use Plan, Policy, or Regulation Conflicts	Less than Significant
Noise	
Noise in Excess of Standards	
Construction	
Off-road Construction Equipment	Significant and Unavoidable
On-road Construction Traffic	Less than Significant
Composite Construction Noise Levels	Significant and Unavoidable
Operation	
Roadway Traffic Noise	Less than Significant
Parking Structure Noise	Less than Significant
Mechanical Equipment Noise	Less than Significant
Loading Dock/Trash Collection	Less than Significant
Garage Ventilation Equipment	Less than Significant
Composite Operational Noise Levels	Less than Significant
Groundborne Vibration	
Construction	
Off-road Construction Activity (Building Damage)	Significant and Unavoidable
On-road Construction Vehicles (Human Annoyance)	Significant and Unavoidable
Operation	Less than Significant
Cumulative Noise and Vibration Impacts	
Construction Noise	
Off-road Construction Noise	Significant and Unavoidable
On-road Construction Noise	Less than Significant
Composite Construction Noise	Significant and Unavoidable
Construction Vibration	
Off-road Construction Vibration (Building Damage)	Less than Significant
On-road Construction Vibration (Human Annoyance)	Significant and Unavoidable
Operational Noise	
Traffic Noise	Less than Significant

Environmental Issue^a	Project Impact
Stationary Sources Noise	Less than Significant
Operational Vibration	Less than Significant
Population and Housing	
Substantial Unplanned Population and Housing Growth	
Construction	Less than Significant
Operation	Less than Significant
Cumulative Population and Housing Impacts	Less than Significant
Public Services – Fire Protection Services	
New or Physically Altered Facilities, Performance Objectives	
Construction	Less than Significant
Operation	Less than Significant
Cumulative Fire Protection Impacts	
Construction	Less than Significant
Operation	Less than Significant
Public Services – Police Protection Services	
New or Physically Altered Facilities, Performance Objectives	
Construction	Less than Significant
Operation	Less than Significant
Cumulative Police Protection Impacts	
Construction	Less than Significant
Operation	Less than Significant
Transportation	
Circulation Program, Plan, Ordinance, or Policy Conflicts	Less than Significant
CEQA Guidelines Section 15064.3 (Vehicle Miles Traveled [VMT]) Conflicts or Inconsistency	Less than Significant
Hazards (Geometric Design Features)	
Construction	Less than Significant
Operation	Less than Significant
Emergency Access	
Construction	Less than Significant
Operation	Less than Significant
Cumulative Transportation Impacts	
Circulation Program, Plan, Ordinance, or Policy Conflicts	Less than Significant
Vehicle Miles Traveled Analysis	Less than Significant
Geometric Design Features, Incompatible Uses Hazards, and Emergency Access	Less than Significant
Tribal Cultural Resources	
Tribal Cultural Resources – Listed or Eligible for Listing, or Determined by the Lead Agency to be Significant	Less than Significant
Cumulative Tribal Cultural Resource Impacts	Less than Significant
Utilities and Service Systems – Solid Waste	
Exceedance of Standards or of Infrastructure Capacity, or the Impairment of the Attainment of Solid Waste Reduction Goals	
Construction	Less than Significant
Operation	Less than Significant

Environmental Issue^a	Project Impact
Cumulative Solid Waste Impacts	
Construction	Less than Significant
Operation	Less than Significant
Consistency with Applicable Regulations	Less than Significant
Utilities and Service Systems – Wastewater	
New or Expanded Wastewater Facilities	
Construction	Less than Significant
Operation	Less than Significant
Wastewater System Capacity	
Construction	Less than Significant
Operation	Less than Significant
Cumulative Wastewater Impacts	
Wastewater Generation	Less than Significant
Wastewater Infrastructure	Less than Significant
Utilities and Service Systems – Water Supply and Infrastructure	
New or Expanded Water Facilities	
Construction	Less than Significant
Operation	Less than Significant
Sufficient Water Supplies	
Construction	Less than Significant
Operation	Less than Significant
Cumulative Water Supply Impacts	
Water Infrastructure	Less than Significant
Water Supply	Less than Significant
Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Infrastructure	
New or Expanded Energy (Electricity, Natural Gas, and Telecommunications) Facilities	
Construction	Less than Significant
Operation	Less than Significant
Cumulative New or Expanded Energy (Electricity, Natural Gas, and Telecommunications) Facilities	Less than Significant
^a Environmental topics that were determined to require no additional analysis in the Project's Initial Study do not appear in this summary. Refer to Chapter V, Other CEQA Considerations, and Appendix A2, Initial Study, for additional information related to these topics.	

10. Project Design Features

a) Air Quality

AQ-PDF-1: All diesel-powered equipment utilized on-site during the construction period will meet, at a minimum, United States Environmental Protection Agency Tier 4 emission reduction technology for nonroad diesel engines.

b) Greenhouse Gas Emissions

GHG-PDF-1: The Office Building 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. Prior to the issuance of building permits, documentation that indicates the Office Building is designed to achieve the number of points that would be required for LEED Silver Certification will be provided to the City. The specific sustainability features that will be integrated into the Project design to enable the Project to meet this standard may include, but will not be limited to, the following:

- Use of Energy Star rated products and appliances.
- Use of high-efficiency wall and/or roof insulation.
- Use of light-emitting diode (LED) lighting or other energy-efficient lighting technologies, such as occupancy sensors or daylight harvesting and dimming controls, where appropriate, to reduce electricity use.

c) Noise and Vibration

NOI-PDF-1: All capable diesel-powered construction vehicles will be equipped with exhaust mufflers, aftermarket dampening systems, or other suitable noise reduction devices.

NOI-PDF-2: Power construction equipment (including combustion engines), fixed or mobile, will be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment will be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.

NOI-PDF-3: Grading and construction contractors will use rubber-tired equipment rather than metal-tracked equipment.

NOI-PDF-4: An on-site construction manager will be responsible for responding to local complaints about construction noise. Notices will be sent to residential units within 500 feet of the construction site and signs will be posted at the construction site that list the telephone number for the on-site construction manager.

NOI-PDF-5: Construction supervisors will be informed of Project-specific noise requirements, noise issues for sensitive land uses adjacent to the Project construction Site, and/or equipment operations to ensure compliance with the required regulations and best practices.

NOI-PDF-6: Rooftop mechanical equipment, including heating, ventilation, and air conditioning (HVAC) systems, will be acoustically screened from off-site locations and will include vibration-attenuation mounts.

d) Public Services – Police Protection Services

POL-PDF-1: Prior to issuance of a demolition permit, the Project shall:

- Provide security fencing around the perimeter of the Project Site during the construction phase; and
- Provide on-site security personnel whose duties shall include construction site entrance and exit monitoring.

Prior to issuance of a certificate of occupancy, the Project shall:

- Provide on-site security personnel whose duties shall include Office Building (including parking levels) video surveillance monitoring and fire/life/safety system monitoring; and
- Provide adequate security lighting of parking areas, elevators, lobbies, and pathways for pedestrian orientation and to reduce areas of concealment.

The Applicant shall consult with the Los Angeles Police Department (LAPD) to ensure that available and feasible crime prevention features have been incorporated during the construction period and into the Project design and receive LAPD's approval.

POL-PDF-2: Emergency Procedures Plan. Prior to the issuance of a certificate of occupancy, the Applicant or its successor shall develop an Emergency Procedures Plan that addresses emergency concerns and practices and provides a diagram that illustrates each portion of the property, including access routes. The plan shall be submitted to the Los Angeles Police Department Central Area Commanding Officer for review and approval.

e) Transportation

TRANS-PDF-1: Construction Traffic Management Plan. The Applicant will prepare and submit a detailed Construction Traffic Management Plan to the City for review and approval. The Construction Traffic Management Plan will include temporary street closure information, a detour plan, haul routes, and an equipment staging plan. The Construction Traffic Management Plan will formalize how construction shall be carried out and identify specific actions that will be required to reduce effects on the surrounding community. The Construction Traffic Management Plan will be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following elements, as appropriate:

- Advanced notification of adjacent property owners and occupants, as well as nearby schools, of upcoming construction activities, including durations and daily hours of construction.
- Prohibition of construction worker parking on adjacent residential streets.
- Prohibition of construction-related vehicle parking on surrounding public streets.
- Temporary pedestrian and vehicular traffic controls during all construction activities adjacent to East 4th Street, Colyton Street, and South Hewitt Street to ensure traffic safety on public rights-of-way. These controls shall include, but are not limited to, flag people trained in pedestrian and student safety.
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men).
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.
- Safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers as appropriate, including along all identified Los Angeles Unified School District (LAUSD) pedestrian routes to nearby schools.
- Scheduling of construction-related deliveries, haul trips, etc., so as to occur outside the commuter peak hours to the extent feasible, and so as to not impede school drop-off and pick-up activities and students using LAUSD's identified pedestrian routes to nearby schools.
- Coordination with public transit agencies to provide advanced notifications of stop relocations and durations.
- Advanced notification of temporary parking removals and duration of removals.
- Provision of detour plans to address temporary road closures during construction.

TRANS-PDF-2: Transportation Management Organization. The Applicant will provide its fair share of seed funding for the Arts District portion of a Downtown/Arts District Transportation Management Organization (TMO), following approval of the Project, by providing funding for TMO operations and marketing efforts. The Applicant will commit its fair share required in the first year to cover the cost of launching the Arts District portion of a Downtown/Arts District TMO and shall continue to commit to nine additional years (10 years in total), as a charter member with annual dues.

TRANS-PDF-3: Transportation Demand Management (TDM) Program. The Project will develop and implement a Transportation Demand Management (TDM) program to promote non-auto travel and reduce the use of single-occupant vehicle trips. The TDM program will be subject to review and approval by the City of Los Angeles Department of City Planning and Los Angeles Department of Transportation (LADOT). The TDM Program must be approved by LADOT prior to the issuance of the first Certificate of Occupancy. The strategies in the TDM program may include, but would not be limited to, the following:

- Educational Programs/On-Site TDM Coordinator – A TDM coordinator on the building management staff would reach out to employers and employees directly to make them aware of the various programs offered and promote the benefits of the TDM.
- Transportation Information Center/Kiosks – A Transportation Information Center is a centrally-located commuter information center where Project employees and visitors can obtain information regarding commute programs, and individuals can obtain real-time information for planning travel without using an automobile. A Transportation Information Center will support orientation for new employees as well as providing information about transit schedules, commute planning, rideshare, telecommuting, and bicycle and pedestrian plans.
- Bicycle and Pedestrian Amenities – The Project would incorporate features for bicyclists and pedestrians, such as exclusive access points, secured bicycle parking facilities and showers. Additionally, the Project Site would be designed to be a friendly and convenient environment for pedestrians.
- City Bicycle Plan Trust Fund – The Applicant would contribute to the City Bicycle Plan Trust Fund for implementation of bicycle improvements in the Project area under the 2010 Bicycle Plan and Mobility Plan.
- Ridesharing Services Programs – The TDM program would provide services to match employees together to establish carpools and vanpools.
- Incentives for Using Alternative Travel Modes – The TDM program may include, but would not be limited to, various incentives for use of its programs. For example, carpool and vanpool users could be offered preferential load/unload areas or convenient designated parking spaces. Unbundled parking is a program wherein parking spaces are rented separately from the building space, which allows for a separate charge for parking and the flexibility to vary the number of spaces rented.
- Mobility Hub Support – The Project would support existing and/or future efforts by LADOT to provide first-mile and last-mile service for transit users through the

mobility hub program. Mobility hubs, typically located at or near public transit centers, would provide amenities such as, but not limited to, bicycle parking, and transit information. In cooperation with the proposed Downtown/Arts District Transportation Management Organization (TMO), the Project could provide space for similar amenities at the Project Site to complement future mobility hubs in the Study Area.

f) Utilities and Service Systems – Water Supply and Infrastructure

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

- High Efficiency Toilets with a flush volume of 1.1 gallons per flush, or less.
- Showerheads with a flow rate of 1.5 gallons per minute, or less.
- Domestic Water Heating System located in close proximity to point(s) of use.
- Drip/Subsurface Irrigation (Micro-Irrigation)/Bubblers for trees.
- Proper Hydro-zoning/Zoned Irrigation.
- Drought Tolerant Plants.

11. Mitigation Measures

a) Cultural Resources

CUL-MM-1 Archaeological Resource Monitoring. Prior to the issuance of a demolition permit, the Applicant or its Successor shall retain a Qualified Archaeologist who meets the Secretary of the Interior’s Professional Qualifications Standards (Qualified Archaeologist) to oversee an archaeological monitor who shall be present during construction activities on the Project Site such as demolition, clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. The activities to be monitored shall also include off-site improvements in the vicinity of the Project Site, such as utility, sidewalk, or road improvements. The monitor shall have the authority to direct the pace of construction equipment in areas of high sensitivity. The frequency of monitoring shall be based on the rate of excavation and grading activities, the materials being excavated (younger sediments vs. older sediments), and the depth of excavation, and if found, the abundance and type of

archaeological resources encountered. Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined adequate by the Qualified Archaeologist. Prior to commencement of excavation activities, an archaeological Sensitivity Training shall be carried out by the Qualified Archaeologist, focusing on how to identify archaeological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event.

CUL-MM-2 Archaeological Resource Discovery. In the event that historic or prehistoric 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. A 50-foot buffer shall be established by the Qualified Archaeologist around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All archaeological 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 California Environmental Quality Act (CEQA) Guidelines Section 15064.5 (a) or a “unique archaeological resource” pursuant to Public Resources Code (PRC) Section 21083.2 (g), the Qualified Archaeologist shall coordinate with the Applicant and the Department of City Planning to develop a formal treatment plan that would serve to reduce impacts to the resources. If any prehistoric archaeological sites are encountered within the Project area, consultation with interested Native American parties shall be conducted to apprise them of any such findings and solicit any comments they may have regarding appropriate treatment and disposition of the resources. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines Section 15064.5(f) for historical resources and PRC Section 21083.2(b) for unique archaeological resources. As noted in California Code of Regulations Section 15126.4(b)(A), preservation in place (i.e., avoidance) is the preferred manner of treatment. If, in coordination with the City’s Office of Historic Resources and with final approval by the Department of City Planning, it is determined that preservation in place is not feasible, appropriate treatment of the resources shall be developed by the Qualified Archaeologist and may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing 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 materials, they shall be donated to a local school or historical society in the area for educational purposes.

- **Zanja Conduit System Discovery.** In the event that Zanja Conduit System-related infrastructure is 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 exclusion area that accounts for the linear nature of the resource shall be established by a Qualified Archaeologist, meeting the Secretary of the Interior Standards in Archaeology. Construction activities shall not be allowed to continue within the exclusion area until directed by the Qualified Archaeologist in consultation with the Department of City Planning, but work shall be allowed to continue outside of the exclusion area. The Qualified Archaeologist shall coordinate with the Applicant or its Successor, the Department of City Planning, and the City's Office of Historic Resources (OHR) to develop a formal treatment plan for the resource that would serve to mitigate impacts to the resource(s). The treatment measures listed in California Code of Regulations Section 15126.4(b) shall be considered when determining appropriate treatment for the Zanja resource. Treatment shall be designed to address the Zanja resource's eligibility under Criterion 1 (significant events) and 4 (scientific data) as well as eligibility as a unique archaeological resource of the likely form of the Zanja, to the best of current knowledge (e.g., is it assumed to be made of wood/concrete/earthen etc., based on known archival research) and may include implementation of data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. At a minimum, a commemoration program that includes the development of an interpretive exhibit/display/signage or plaque at the Project Site shall be developed. In addition, other public educational and/or interpretive treatment measures shall be developed as determined appropriate by the Qualified Archaeologist in consultation with the OHR. Any associated artifacts collected that are not made part of the interpretation/education collection shall be curated or donated as specified above (see "Archaeological Resource Discovery").

CUL-MM-3 Archaeological Resource Documentation. Following the conclusion of archaeological monitoring but prior to the release of the grading bond, the Qualified Archaeologist shall prepare a final report and complete the appropriate California Department of Parks and Recreation Site Forms. The

report shall include a description of archaeological resources unearthed (Zanja-related or other archaeological resources), if any; treatment of the resources; results of the artifact processing, analysis, research; and an evaluation of the resources with respect to the California Register and the California Environmental Quality Act. The report and the Site Forms shall be submitted by the Project Applicant or its Successor to the Department of City Planning, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the development and required mitigation measures.

b) Hazardous and Hazardous Materials

HAZ-MM-1 Following demolition of on-site structures and prior to redevelopment of the Project Site, the Applicant shall retain a qualified environmental professional to perform a Supplemental Phase II Subsurface Site Investigation. The Supplemental Phase II Subsurface Site Investigation shall focus on soils in those areas that were identified as inaccessible during the Phase II Subsurface Site Investigation: the areas of the on-site wastewater clarifier, auto repair floor pit, and wastewater separator structures. In addition, due to the low level of petroleum hydrocarbons reported at B2 at 10 feet below ground surface (bgs), the Supplemental Phase II Subsurface Site Investigation shall also include the area of the former truck wash rack. In the event that soils contaminated by petroleum products or other hazardous chemicals are encountered during the investigation, a qualified environmental professional shall be retained to oversee the proper characterization and disposal of waste and remediation of impacted soil and/or materials, as necessary.

HAZ-MM-2 Prior to the commencement of soil-disturbing activities, the Applicant shall retain a qualified environmental professional to prepare a Soil Management Plan for review and approval by the City of Los Angeles Department of Building and Safety. Soil-disturbing activities include excavation, grading, trenching, utility installation or repair, and other human activities that may potentially bring contaminated soil to the surface. The approved Soil Management Plan shall be implemented during soil-disturbing activities on the Project Site and shall establish policies and requirements for the testing, management, transport, and disposal of soils. The Soil Management Plan shall describe specific soil-handling controls required to assure compliance with local, State and federal overseeing agencies, as well as to prevent

unacceptable exposure to contaminated soil and prevent the improper disposal of contaminated soils, if encountered.

c) Noise and Vibration

- NOI-MM-1** Subject to off-site property owner agreement, a temporary construction barrier on the rooftop of 428 South Hewitt Street, near the edge of the rooftop facing the Project Site, shall be erected during the Project demolition and grading phases and when equipment is used on the ground floor during building construction and paving. The barrier shall be least four feet in height and constructed of a material with a Sound Transmission Class (STC) rating of at least STC-30 (such as acoustic panels or sound barrier products) or a transmission loss of at least 20 decibels (dB) at 500 hertz (such as 1/2-inch plywood). In addition to the rooftop barrier, a temporary construction barrier of approximately 300 feet in length and 24 feet in height, located at the eastern edge and southeastern corner of the Project Site, and constructed of a material with a rating of STC-35 or greater (such as acoustic panels or sound barrier products) or providing a transmission loss of at least 25 dB at 500 hertz (such as 3/4-inch plywood), shall be erected during the Project demolition and grading phases and when equipment is used on the ground floor during building construction and paving.
- NOI-MM-2** Prior to demolition, the Applicant shall retain the services of a structural engineer or other qualified professional to conduct pre-construction surveys to document the current physical conditions of the following identified vibration-sensitive receptors: 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street.
- NOI-MM-3** Prior to the issuance of grading permits, the Applicant shall retain the services of a structural engineer or other qualified professional to prepare a demolition and shoring plan to ensure the proper protection and treatment of the properties at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street during construction. The plan shall include appropriate measures to protect these properties from damage due to demolition of existing structures, excavation or other ground-disturbing activities, vibration, soil settlement, and general construction activities. The plan shall be submitted to the City of Los Angeles' Office of Historic Resources for review and approval.

NOI-MM-4 Prior to the issuance of grading permits, the Applicant shall retain the services of an acoustical engineer or other qualified professional to develop and implement a structural monitoring program during construction. The performance standards of the structural monitoring program shall include the following:

- Documentation, consisting of video and/or photographic documentation of accessible and visible areas on the exterior of the receptor buildings (refer to NOI-MM-2).
- A registered civil engineer, certified engineering geologist, or vibration control engineer shall review the appropriate vibration criteria for the identified vibration receptors, taking into consideration their age, construction, condition, and other factors related to vibration sensitivity in order to develop additional recommendations for the structural monitoring program.
- Vibration sensors shall be installed on and/or around the identified vibration receptors to monitor for horizontal and vertical movement. These sensors shall remain in place for the duration of excavation, shoring, and grading phases.
- The vibration sensors shall be equipped with real-time warning system capabilities that can immediately alert construction supervisors when monitored vibration levels approach or exceed threshold limits. The registered civil engineer, certified engineering geologist, or vibration control engineer shall determine the appropriate limits.
- Should an exceedance of vibration thresholds occur, work in the vicinity of the affected area shall be halted and the respective vibration receptor shall be inspected for any damage. Results of the inspection shall be logged. In the event that damage occurs, the damage shall be repaired in consultation with a qualified preservation consultant. In the event of an exceedance, feasible steps to reduce vibratory levels shall be undertaken, such as halting/staggering concurrent activities and utilizing lower-vibratory techniques.

12. Summary of Alternatives to the Project

The Draft EIR includes the detailed analysis of three alternatives to the Project, including:

- Alternative 1: No Project Alternative
- Alternative 2: Current Zoning and Land Use Designation Alternative
- Alternative 3: Downtown Community Plan Alternative

The description of each alternative, the detailed evaluation of each alternative, a comparison of the impacts of each alternative with those of the Project, and a discussion of the alternatives that were considered but rejected from further evaluation due to their infeasibility are provided in Chapter VI, Alternatives. A general description of the alternatives is provided below.

a) Alternative 1: No Project Alternative

The No Project Alternative assumes that no new development would occur on the 1.31-acre Project Site, and that the existing conditions would remain. The existing 7,800-square foot building that fronts Colyton Street, with its 1,000 square foot storage space; the existing 3,515-square foot office space on South Hewitt Street, with its 2,515-square foot garage/storage space; and 39,751 square feet of surface parking lots would continue to operate under the current zoning (M3-1-RIO), being unchanged by Alternative 1.

With Alternative 1, the existing buildings and surface parking lots would be maintained on the Project Site, and no new development would occur. Therefore, Alternative 1 would not meet the basic Project objective to redevelop the urban infill Project Site and provide a high-density, mixed-use, commercial office project that increases job opportunities in proximity to public transit and other commercial and residential land uses. However, Alternative 1 would avoid the temporary, construction period significant and unavoidable noise and vibration impacts of the Project related to Project-level and cumulative off-road construction noise, Project-level and cumulative composite construction noise, Project-level vibration (building damage) from off-road construction, and Project-level and cumulative vibration (human annoyance) from on-road construction vehicles. Alternative 1 would result in less impacts than the Project to all of the environmental factors evaluated in the Draft EIR, as it would entail no construction activities and would not change the existing Project Site commercial and office land uses.

b) Alternative 2: Current Zoning and Land Use Designation Alternative

The Current Zoning and Land Use Designation Alternative would develop a Project that is consistent with the current City zoning and Community Plan land use designation for the Project Site, which is M3-1-RIO (Heavy Industrial, Height District No. 1, River Improvement Overlay) and Heavy Industrial. Pursuant to the Project Site's current M3 Zoning and Height District No. 1 designation, the Alternative 2 building on the Project Site would be limited to an FAR of 1.5:1. Development of Alternative 2 would include the demolition of the office space on South Hewitt Street and its associated garage/storage space (6,030 square feet combined), the 1,000-square foot storage space associated with the existing 7,800-square-foot, bow truss building on Colyton Street, and 39,751 square feet of surface parking lots. Like the Project, Alternative 2 would retain the existing 7,800-square-foot building fronting Colyton Street. Grading activities would be comprised of minor surface preparation and would require 5,205 cubic yards of exported soils. In accordance with the allowable land uses and zoning specifications described above, Alternative 2 would provide 8,149 square feet of restaurant space, as well as 70,039 square feet of new office space. Alternative 2 would provide 178 parking spaces. The proposed structure for Alternative 2 would reach a maximum height of 108.5 feet, with five occupied stories above grade (including two parking levels) and no subterranean development, with a FAR of 1.5:1. The design of Alternative 2 would be similar to that of the Project; incorporating both industrial elements (such as concrete surfaces; small, steel-framed glass windows; large bifold doors; and utilitarian detailing) that reflect the character of the Arts District, as well as modern elements. The total floor area of Alternative 2 would be 85,988 square feet, with a net increase in floor area of 71,158 square feet.

As with the Project, Alternative 2 includes no residential units. However, Alternative 2 would not meet the basic Project objective to redevelop the urban infill Project Site and provide a high-density, mixed-use, commercial office project that increases job opportunities in proximity to public transit and other commercial and residential land uses to the same extent as the Project, because its reduced density would provide substantially fewer jobs. Alternative 2 would also result in similar impacts as the Project, and, due to the reduced scale of development to be constructed and operated, the relative impacts of Alternative 2 would generally be less in comparison (such as to air quality, energy, GHG, and utilities and service systems, for example). As Alternative 2 would be developed in accordance with the existing City of Los Angeles Municipal Code (LAMC) Zoning and Community Plan land use designation for the Project Site, it would not require the General Plan Amendment, Vesting Zone Change, Height District Change, or Conditional Use approval to permit a Major Development Project resulting in 100,000 square feet or more of floor area in non-residential uses in the C2 Zone that the Project

would require. However, Alternative 2 would not avoid the temporary, construction period significant and unavoidable noise and vibration impacts of the Project related to Project-level and cumulative off-road construction noise, Project-level and cumulative composite construction noise, Project-level vibration (building damage) from off-road construction, and Project-level and cumulative vibration (human annoyance) from on-road construction vehicles. In addition, the average work VMT per employee with Alternative 2 would be greater than that of the Project, and, unlike the Project, Alternative 2 would not include a pedestrian passageway connecting Colyton and South Hewitt Streets, nor would it include a courtyard along Colyton Street, which would provide improved pedestrian accessibility and public open space.

c) Alternative 3: Downtown Community Plan Alternative

The Downtown Community Plan Alternative would develop a Project that is consistent with the proposed zoning and land use designation for the Project Site under the updates to the Central City and Central City North Community Plans, or collectively, the Downtown Community Plan, that, following adoption, will guide development through the year 2040.⁹ The draft Downtown Community Plan land use designation for the Project Site is proposed to be Hybrid Industrial, with base zoning of mid-rise broad form 3 (MB3), daylight factory frontage and development standard 5 (CDF1-5), and use district IX4, within the floor area density district (MB3-CDF-1-5) (IX-4-FA) (CPIO). This zoning allows a FAR of 1.5:1, and live/work units in this zone must be 1,000 square feet in size or greater. Development of Alternative 3 would include the demolition of the office space on South Hewitt Street and its associated garage/storage space (6,030 square feet combined), the 1,000-square foot storage space associated with the existing 7,800-square-foot building fronting Colyton Street, and 39,751 square feet of surface parking lots. Like the Project, Alternative 3 would retain the existing 7,800-square-foot building fronting Colyton Street. Grading activities would be comprised of minor surface preparation and would require 5,205 cubic yards of exported soils. In accordance with the allowable land uses and zoning specifications described above from the draft Downtown Community Plan, Alternative 3 would provide 8,149 square feet of new retail/restaurant space, which would include the existing 7,800-square-foot building fronting Colyton Street, as well as 70,039 square feet of new residential space, comprised of 44 live/work units. Alternative 3 would provide 89 parking spaces. The proposed structure for Alternative 3 would reach a maximum height of 96 feet, with five occupied stories above grade (including one parking level) and no subterranean development, with a FAR of 1.5:1. The design of Alternative 3 would be similar to that of the Project; incorporating

⁹ City of Los Angeles Department of City Planning. Downtown Community Plan Update/New Zoning for Downtown Community Plan. Available at: <https://planning.lacity.org/development-services/eir/downtown-community-plan-updatenew-zoning-code-downtown-community-plan>. Accessed on May 13, 2021.

both industrial elements (such as concrete surfaces; small, steel-framed glass windows; large bifold doors; and utilitarian detailing) that reflect the character of the Arts District, as well as modern elements. The total floor area of Alternative 3 would be 85,988 square feet (a net increase of 71,158 square feet).

As Alternative 3 would develop primarily live/work residential uses and not office uses, it would not meet the basic Project objective to redevelop the urban infill Project Site and provide a high-density, mixed-use, commercial office project that provides job opportunities in proximity to public transit and other commercial and residential land uses to the same extent as the Project, because the office uses of the Project would be replaced with live/work residential uses. Rather than creating job opportunities in the Arts District, Alternative 3 would create a new residential population with minimal work spaces for home-based or small-scaled and limited businesses. Alternative 3 would result in similar impacts as the Project, and, due to the overall reduced scale of development to be constructed and operated, the relative impacts of Alternative 3 would be less in comparison (such as to air quality, energy, GHG, VMT, and utilities and service systems, for example). As Alternative 3 would be developed in accordance with the draft Downtown Community Plan zoning and land use designation for the Project Site once the draft Downtown Community Plan is adopted, it would not require the General Plan Amendment, Vesting Zone Change, or Height District Change that the Project would require. Nevertheless, Alternative 3 would not avoid the temporary, construction period significant and unavoidable noise and vibration impacts of the Project related to Project-level and cumulative off-road construction noise, Project-level and cumulative composite construction noise, Project-level vibration (building damage) from off-road construction, and Project-level and cumulative vibration (human annoyance) from on-road construction vehicles. In addition, unlike the Project, Alternative 3 would not include a pedestrian passageway connecting Colyton and South Hewitt Streets, nor would it include a courtyard along Colyton Street, which would provide improved pedestrian accessibility and public open space.

d) Environmentally Superior Alternative

Alternative 1 – No Project Alternative would be the Environmentally Superior Alternative, because it would avoid the Project’s significant and unavoidable construction period noise and vibration impacts, as well as eliminate the Project’s remaining less than significant and less than significant with mitigation impacts, since no changes to the existing conditions would occur. However, Alternative 1 would not meet any of the Project objectives that have the collective purpose of redeveloping an urban infill site within the Arts District area of DTLA with a new, commercial mixed-use development that would provide new employment opportunities in the area as well as provide community-serving restaurant spaces, which are also goals of the State, SCAG, and City for developments

located in TPAs. In addition, Alternative 1 would not decrease the imperviousness of the Project Site as compared to the Project (in compliance with the Low Impact Development Ordinance). Alternative 1 would also not improve pedestrian connectivity and walkability, as the Project would with its passageway connection between Colyton and South Hewitt Streets and a courtyard facing Colyton Street. Pursuant to Section 15126.6(e)(2) of the State CEQA Guidelines, another Environmentally Superior Alternative is identified from the remaining alternatives, as the Environmentally Superior Alternative is Alternative 1 – No Build Alternative.

Based on the comparative evaluation of the remaining alternatives that is summarized in Chapter VI, Table VI-3, Summary Comparison of Impacts Associated with the Alternatives and Impacts of the Project, Alternative 2 would be the Environmentally Superior Alternative. Alternative 2 represents a reduced density development that is in accordance with the existing zoning designation, height limit, and FAR allowed within the Project Site. While Alternative 2 (and Alternative 3) would not avoid the temporary, construction period significant and unavoidable noise and vibration impacts of the Project related to Project-level and cumulative off-road construction noise, Project-level and cumulative composite construction noise, Project-level vibration (building damage) from off-road construction, and Project-level and cumulative vibration (human annoyance) from on-road construction vehicles, it would result in similar or fewer impacts to the majority of the remaining environmental resources evaluated overall. Unlike Alternative 3, Alternative 2 would result in a greater VMT impact than the Project (but would be less-than-significant). However, Alternative 2 is selected as the Environmentally Superior Alternative, because unlike Alternative 3, which would develop a primarily residential use rather than office uses, Alternative 2 would still develop office and commercial uses, and as such would achieve the intent of the Project objectives, though to a lesser extent than the Project due to its substantially reduced density by comparison. Furthermore, Alternative 3 is not selected as the Environmentally Superior Alternative, because the Downtown Community Plan as currently drafted has not yet been approved or adopted by the City, and development of Alternative 3 would require implementation of Downtown Community Plan.¹⁰

¹⁰ The City Planning Commission recommended approval of the Downtown Community Plan on September 23, 2021, but it has not yet been adopted.

II. Project Description

II. Project Description

1. Introduction

The Project includes the development of an 18-story office and commercial building (Office Building) on an approximately 1.31-acre site (Project Site), located at the southwest intersection of East 4th Street and South Hewitt Street, shown on Figure II-1, Project Site and Regional Location Map. In conjunction with the new development, the Project would demolish a detached storage building associated with the building formerly occupied by the Architecture and Design (A+D) Museum that fronts Colyton Street, a one-story office building that fronts South Hewitt Street, an associated garage/storage building, and surface parking lots. The Project would total approximately 343,925 square feet of gross floor area,¹ comprised of approximately 7,800 square feet of the existing building formerly occupied by the A+D Museum, and the new approximately 336,125-square-foot Office Building, which would include approximately 8,149 square feet of ground floor restaurant space, 311,682 square feet of commercial office space, and 16,294 square feet of office exterior common areas. The Project would also include a landscaped outdoor courtyard on Colyton Street and a passageway that connects Colyton and South Hewitt Streets, as well as direct access to the existing 7,800-square-foot building from Colyton Street and to the Office Building from Colyton and South Hewitt Streets. The ground floor would include 112 bicycle parking spaces (40 short-term spaces and 72 long-term spaces), as well as amenities such as showers and a bicycle repair area for bicyclists. Vehicle parking spaces would be provided within three subterranean levels and on the 2nd through 5th floors of the Office Building. Office space would comprise the 6th through 17th floors, and office and mechanical equipment would comprise the 18th floor and rooftop level. In addition to the ground floor courtyard and passageway, outdoor amenity spaces, including balconies, and/or decks, would be provided on the 6th through 16th floors for commercial tenants. The Office Building would have a height of 274 feet to the top of the 18th floor, 288 feet to the top of the mechanical roof, 292 feet to the top of

¹ According to the Los Angeles Municipal Code (LAMC) Section 12.03, Definitions, Floor Area Ratio is a ratio establishing the relationship between a property and the amount of development permitted for that property, and it is expressed as a percentage or a ratio of the Buildable Area or Lot size. Utilized by the Project Architect for purposes of the Project, floor area is defined as area in square feet confined within the exterior walls of a building, but not including the area of the following: exterior walls, stairways, shafts, rooms housing building-operating equipment or machinery, parking areas with associated driveways and ramps, space dedicated to bicycle parking, and basement storage areas. However, the Project land use "office exterior common area" does contribute to the floor area, as it is a covered area (refer to floor plans, elevations, and cross-sections provided herein).



Aerial Source: Google Earth Pro, June 8, 2018.

4TH AND HEWITT PROJECT

Project Site and Regional Location Map



the parapet, and a maximum height of 297 feet to the top of the elevator overrun. The Project's proposed floor area ratio (FAR) would be approximately 6:1. The following sections provide additional Project location, land use, and entitlement details.

2. Project Location and Setting

The Project Site is located in the City of Los Angeles (City) Central City North Community Plan (Community Plan) area, which, together with the Central City Community Plan area, comprises Downtown Los Angeles (DTLA).² This portion of DTLA lies approximately 17 miles east of the Pacific Ocean. The Project Site is located at 401 South Hewitt Street, Los Angeles, California 90013. East 4th Street provides direct vehicular access to the Project Site from the regional freeway system, as well as via Alameda Street, which connects East 4th Street to the Hollywood Freeway (US-101) north of the Project Site. Regional vehicular access to the Project Site is available from the Pasadena/Harbor Freeway (I-110/SR-110), located approximately 1.5 miles to the west; the Santa Monica Freeway (I-10), located approximately one mile to the south; and the Golden State Freeway (I-5) and US-101, located approximately one mile and 0.80 miles to the east, respectively. The US-101 also provides access to the Project Site from approximately 0.70 miles to the north.

The Project Site consists of six contiguous parcels generally bounded by Colyton Street to the west, East 4th Street to the north, South Hewitt Street to the east, and various industrial and commercial uses to the south. Table II-1, Information by Parcel, below, includes the Los Angeles County Assessor Parcel Numbers (APNs) for each of the Project Site's six parcels, as well as the parcel area in square feet, zoning designation, and City of Los Angeles General Plan land use designations.

Table II-1
Information by Parcel

APN/Street Address	Lot Area (Net Square Feet [sf]) ^a	Zoning	General Plan
5163-022-001 / 926 East 4 th St.	6,959	M3-1- RIO	Heavy Industrial Land Use Designation ^b
5163-022-002 / 906-910 East 4 th St.	5,002		
5163-022-003 / 900, 902, 904 East 4 th St. and 406 and 408 Colyton St.	10,012		
5163-022-005 / 414 South Colyton St.	7,506		
5163-022-022 and 5163-022-023 / 405 South Hewitt St. and 405, 407, 411, 417, and 423 South Hewitt St.	27,624		
Total	57,103 net sf (1.31 acres)		
Sources:			
^a Psomas. 2016. ALTA/NSPS Land Title and Design Survey for 4 th Street Center. October 13.			

² City of Los Angeles. Downtown Community Plan Program (DTLA 2040) website. Available at: <https://planning.lacity.org/plans-policies/community-plan-update/downtown-los-angeles-community-plan-update>. Accessed on April 22, 2021.

APN/Street Address	Lot Area (Net Square Feet [sf]) ^a	Zoning	General Plan
<p>^b City of Los Angeles, Department of City Planning. 2000. Central City North Community Plan. Adopted December 15.</p> <p>Notes: M3-1-RIO = Heavy Industrial Zone, Height District No. 1, River Improvement Overlay. The Project Site area of 57,103 sf does not include the termination of existing easements and proposed vacations as indicated in Vesting Tentative Tract Map No. 74745 (Psomas, January 6, 2017). The proposed area according to the Vesting Tentative Tract Map (VTTM) 74745 is approximately 57,325 sf, which is used to calculate the Project FAR.</p>			

3. Project Site Characteristics

The following section provides a description of current land uses at the Project Site, as well as of the land uses located in the immediate vicinity of the Project Site.

a) Existing Project Site Conditions

The Project Site is occupied by a vacant building formerly occupied by the A+D Museum, at the southeast corner of Colyton Street and East 4th Street.³ This single-story, 7,800-square-foot building would remain in place as part of the Project. A storage space for the former A+D Museum (located to the southeast in a separate 1,000-square foot structure), a one-story office structure that fronts South Hewitt Street and related garage/storage space (6,030 square feet combined), and associated surface parking lots (approximately 39,751 square feet) are also located on the Project Site but would be demolished as part of the Project.

The Project Site is located in two overlapping subareas of the Community Plan area: the Artists-in-Residence District and the South Industrial subarea. The Artists-in-Residence subarea is bounded by 1st Street, the Los Angeles River, 6th Street, and Alameda Street, and notes the transition from predominantly old industrial warehouses to artists' lofts, studios, and other commercial uses. The South Industrial subarea is bounded by the City of Vernon, the Los Angeles River, 3rd Street, and Alameda Street and is descriptive of historic uses in the area, as it was dominated by large warehouses that were conveniently located near the truck and railroad yards.⁴ Although not a specific land use district or subarea of the Community Plan, the Project Site is also located in the Arts District. As defined by the Historic Core Neighborhood Council, the Arts District is generally bounded

³ At the time that the Notice of Preparation for the Project was issued (September 20, 2017), the CEQA baseline for this Draft EIR, the building was occupied by the A+D Museum. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. The Project's requested discretionary approvals would not physically alter the 7,800-square-foot building. The Project's proposed C2-2-RIO zoning would allow for a similar range of commercial land uses as compared to the existing M3-1-RIO zoning. The proposed change in zoning would not expand or increase the intensity of the allowable uses within the building. The zoning change of the Project would actually limit the use, as some of the currently allowed manufacturing and industrial uses would not be allowed with the proposed C2-2-RIO zoning.

⁴ City of Los Angeles, Department of City Planning. 2000. Central City North Community Plan. Adopted December 15.

by 1st Street to the north, Alameda Street to the west, the Los Angeles River to the east, and 7th Place/Violet Street to the south.^{5,6}

As shown on Figure II-2, Existing Site and Surrounding Land Uses, the Project Site is located on the south side of East 4th Street, which is an industrial and commercial corridor, and it also fronts Colyton and South Hewitt Streets. The surrounding uses consist of a mix of low intensity industrial warehouses, an array of commercial uses of varied intensities, and live/work and residential uses. Over the past two decades, the subareas of the Community Plan area, within which the Project Site is located, have been transforming from a predominantly industrial area to one that is “primarily made up of old warehouses now converted to artists’ lofts and studios,” as indicated in the Community Plan.⁷

In addition, with the advent of the City’s Adaptive Reuse Ordinance, the converted buildings now operate as live/work and commercial uses; thus, there is a growing residential population and commercial-oriented uses within the Community Plan area. For example, although the land uses in the Project vicinity are designated Industrial and zoned Manufacturing (M) M2 and M3, the Adaptive Reuse Ordinance has allowed the transformation of projects with residential components, such as The Row DTLA, Biscuit Company Lofts, and Toy Factory Lofts, with a growing number of smaller neighborhood commercial uses to complement and support them.

b) Existing General Plan and Zoning Designations

As described above, the Project Site is located in the Community Plan area, with General Plan land use designation of Heavy Industrial. The Project Site is zoned M3-1-RIO (Heavy Industrial, Height District No. 1, River Improvement Overlay).⁸ Current land use and zoning designations for the Project Site are shown on Figure II-3, Project Area Land Use and Zoning Designations.

The Heavy Industrial land use designation permits a wide range of industrial and commercial zones that allow for a variety of uses and intensities. Over the past two decades, the Artists-in-Residence subarea of this Community Plan, within which the Project Site is located, has been transforming from a predominantly industrial area to one that is “primarily made up of old warehouses now converted to artists’ lofts and studios,” as indicated in the Community Plan.⁹ In addition, with the advent of the City’s Adaptive

⁵ Los Angeles River Artist and Business Association. Arts District Boundary Map. Available at: <http://laraba.org/arts-district-boundary-map/>. Accessed on April 22, 2021.

⁶ Los Angeles River Artist and Business Association. Arts District History. Available at: <https://laraba.org/arts-district-history/>. Accessed on April 22, 2021.

⁷ Los Angeles River Artist and Business Association. Arts District History. Available at: <https://laraba.org/arts-district-history/>. Accessed on April 22, 2021.

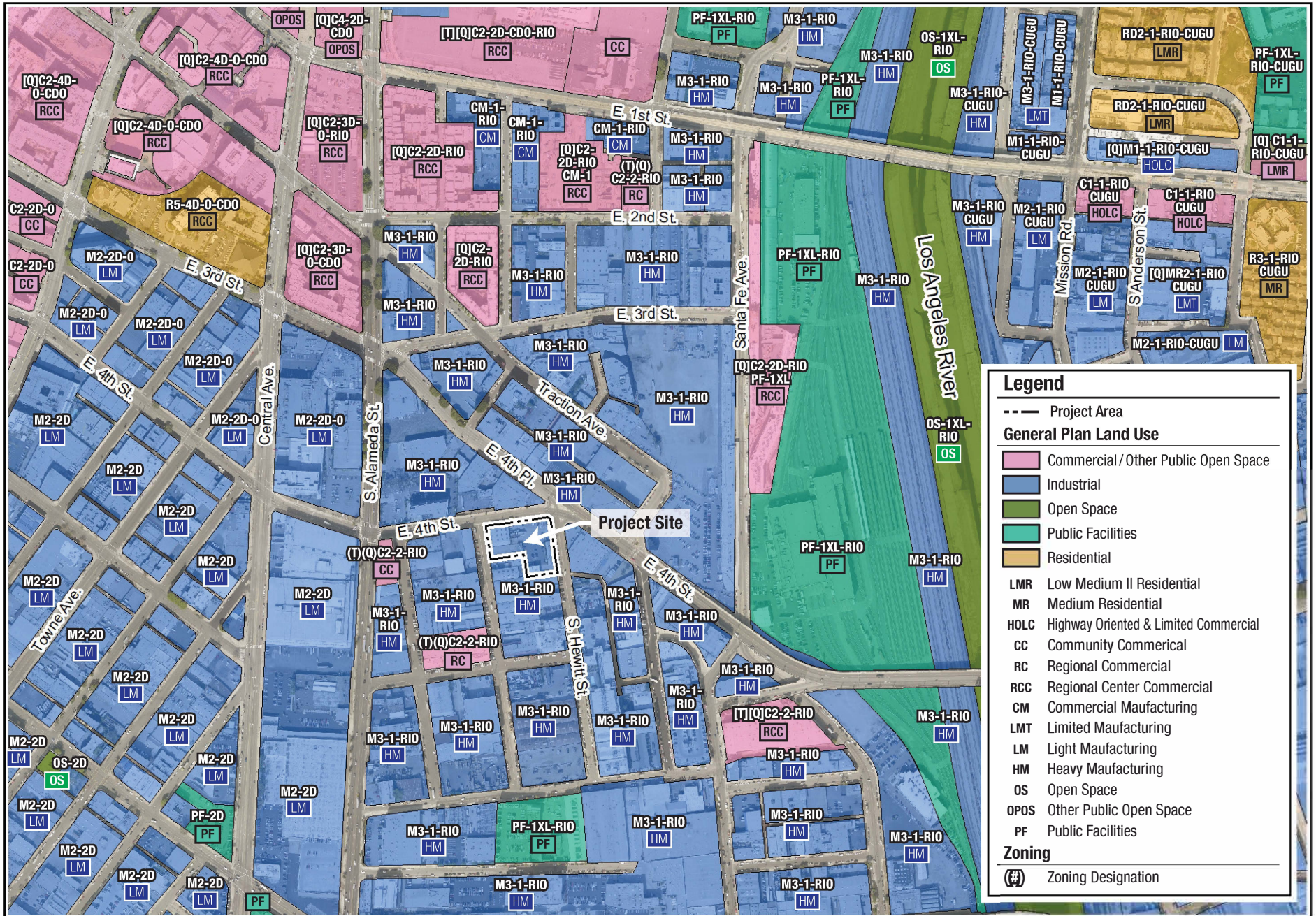
⁸ City of Los Angeles, Department of City Planning. 2000. Central City North Community Plan. Adopted December 15.

⁹ City of Los Angeles, Department of City Planning. 2000. Central City North Community Plan. Adopted December 15.



Aerial Source: GoogleEarth Pro, June 8, 2018.





Legend

--- Project Area

General Plan Land Use

- Commercial/ Other Public Open Space
- Industrial
- Open Space
- Public Facilities
- Residential

LMR Low Medium II Residential
 MR Medium Residential
 HOLC Highway Oriented & Limited Commercial
 CC Community Commerical
 RC Regional Commercial
 RCC Regional Center Commercial
 CM Commercial Manufacturing
 LMT Limited Manufacturing
 LM Light Manufacturing
 HM Heavy Manufacturing
 OS Open Space
 OPOS Other Public Open Space
 PF Public Facilities

Zoning

(#) Zoning Designation

Sources: Los Angeles Department of City Planning, Zoning Information and Map Access System (ZIMAS), Accessed May 21, 2020.

4TH AND HEWITT PROJECT

Project Area Land Use and Zoning Designations

Reuse Ordinance, the converted buildings now operate as live/work and commercial uses; thus, there is a growing residential population and commercial-oriented uses within the Community Plan area. The M3 Zone permits a wide range of industrial and manufacturing uses that are in operation in the area. The M3 Zone also permits some commercial uses permitted under the C2 Commercial Zone of a lower intensity, such as, but not limited to, restaurant, bar, brewery, retail, museum, studio, production office, and other office uses, which can all be found within the immediate surrounding area of the Project Site. Pursuant to the Project Site's current M3 Zoning and Height District No. 1 designation, buildings on the Project Site would be limited to a FAR of 1.5:1. In these areas, there is no maximum height limit, rather height is limited by the FAR. The Project Site is also located within the River Improvement Overlay District (RIO), which supports implementation of the Los Angeles River Revitalization Master Plan. Development projects within the RIO, such as the Project, must comply with specific landscaping and design criteria, and obtain an administrative clearance from the City of Los Angeles Department of City Planning (Department of City Planning) prior to issuance of a building permit.

Finally, the Project Site is located within the Los Angeles State Enterprise Zone, which permits a blanket parking rate for commercial and office uses of two parking spaces per 1,000 square feet of gross floor area.

c) Surrounding Land Uses

The land uses within the general vicinity of the Project Site are characterized by a mix of low- to medium-intensity industrial, commercial, and mixed-use buildings, which vary widely in building style and period of construction. Directly north of the Project Site and across East 4th Street are several auto repair-related businesses, the Miyako Sushi and Washoku School, and live/work lofts. Just north of East 4th Place are a variety of commercial uses, some of which are under construction. Uses include offices such as the County of Los Angeles Department of Public Social Services, as well as Art Share L.A., which includes performance space, a gallery, and artist residences. Directly east of the Project Site and across South Hewitt Street is a vacant warehouse, Resident LA (combined residential and commercial restaurant space), Arts District Dog Park, and the Southern California Institute of Architecture. Just west of the Project Site and across Colyton Street toward Alameda Street are several single-story warehouses, one of which is The Container Yard and art center. The uses are enclosed behind structures or fences that are all entirely decorated with murals. To the south of the Project Site are low-rise warehouses that are used for a variety of industrial and commercial uses, with surface parking lots that make up the remainder of the block. Although the entire block is zoned M3-1, the uses are also commercial in nature, rather than purely industrial, and include a crossfit gym, retail shops, offices, and Urth Caffé. The block south of 5th Street includes

restaurants, the Los Angeles Cleantech Incubator, La Kretz Innovation Campus, and the new Arts District Park, which faces the Barker Lofts.

d) Public Transit

(1) Transit Service in the Project Area

The Project Site is located near major transit corridors, including Alameda Street, which provides a north-south connection to the Los Angeles County Metropolitan Transportation Authority (Metro) L (Gold) Line Little Tokyo/Arts District Station located one-half mile to the north. The Metro L (Gold) Line travels between Azusa and East Los Angeles with transfer connections to the Red and Purple Lines at Union Station.¹⁰ The Project area is also served by bus transit along 1st Street, 3rd Street, 4th Street, 6th Street, 7th Street, Olympic Boulevard, Central Avenue, Boyle Avenue, and Soto Street. The bus stops closest to the Project Site are located at East 4th Place and South Hewitt Street, and Merrick Street and Traction Avenue, and are served by the Los Angeles Department of Transportation's LADOT's Downtown Area Short Hop (DASH) A line, a local community shuttle bus. This line provides connections to other parts of DTLA, including Little Tokyo, Civic Center, Financial District, and Central City West.¹¹ Additional bus stops in the Project area are located at 4th Street and Alameda Street and 4th Street and Merrick Street and are served by the Montebello Bus Line M40. Montebello Bus Line M40 and Montebello Bus Line M90 also operate along 4th Street. Additional transit service in the Project area is provided by Metro Local Lines 18, 53, and 62, and Metro Rapid Line 720.¹² Further, in the vicinity of the Project Site, Mobility Plan 2035 designates a Tier 1 Protected Bicycle Lane along 6th Street, just south of the Project Site, and designates Tier 2 bicycle lanes along 7th Street, just south of the Project Site, and along Mateo, Santa Fe, and 3rd Streets in the surrounding neighborhood. Alameda Street is designated as a Bike Path north of 6th Street.¹³ In addition, according to the City of Los Angeles 2010 Bicycle Plan, 2nd, 6th, and 7th Streets and Central Avenue in the Project vicinity are also designated as part of the Backbone Bikeway Network.¹⁴

¹⁰ Metro. Metro Gold Line. Available at: <https://media.metro.net/documents/9a582fb5-68f7-44e4-903b-b170294abd7e.pdf>. Accessed on April 22, 2021.

¹¹ Metro. Metro Trip Planner. Available at: https://trips.metro.net/tm_pub_start.php?place0=926+4th+street%2C+los+angeles&place1=&timecrit0=AR&day0=WED&hour0=+08&min0=+12&m0=A&fare=RG&evaluateButton=+Plan+My+Trip. Accessed on April 22, 2021.

¹² Metro. Metro Trip Planner. Available at: https://trips.metro.net/tm_pub_start.php?place0=926+4th+street%2C+los+angeles&place1=&timecrit0=AR&day0=WED&hour0=+08&min0=+12&m0=A&fare=RG&evaluateButton=+Plan+My+Trip. Accessed on April 22, 2021

¹³ Metro. Metro Trip Planner. Available at: https://trips.metro.net/tm_pub_start.php?place0=926+4th+street%2C+los+angeles&place1=&timecrit0=AR&day0=WED&hour0=+08&min0=+12&m0=A&fare=RG&evaluateButton=+Plan+My+Trip. Accessed on April 22, 2021

¹⁴ City of Los Angeles, Department of City Planning. 2011. 2010 Bicycle Plan, Exhibit D: 2010 Bicycle Plan Designated Bikeways. Adopted March 1.

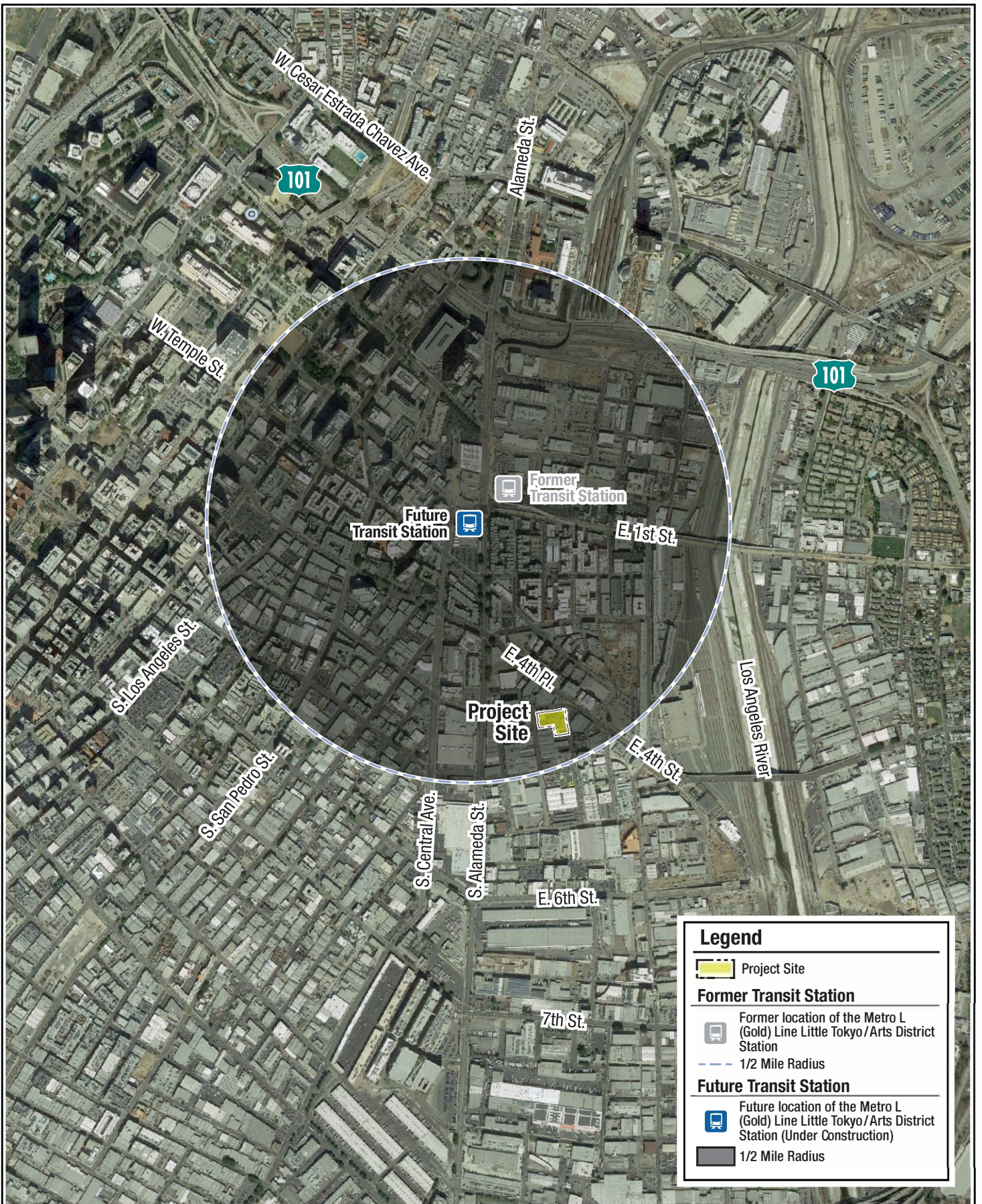
(2) Transit Priority Areas

Senate Bill 743 (Public Resources Code [PRC] §210099[d]), adopted in 2013, sets forth guidelines for evaluating project impacts under the California Environmental Quality Act (CEQA), as follows: “Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area (TPA) shall not be considered significant impacts on the environment.” PRC Section 21099 defines a “transit priority area” as an area within 0.5 mile of a major transit stop that is “existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations.” PRC Section 21064.3 defines “major transit stop” as a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. PRC Section 21099 defines an employment center project as “a project located on property zoned for commercial uses with a FAR of no less than 0.75 and that is located within a TPA. PRC Section 21099 defines an “infill site” as a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses.

The related Department of City Planning Zoning Information (ZI) File No. 2452¹⁵ provides further instruction concerning the definition of transit priority projects. PRC Section 21099 and ZI File No. 2452 apply to the Project, because the Project would be an employment center that is located on land zoned for commercial uses¹⁶ on an infill site within a TPA. Therefore, the Project is exempt from a finding of significance for aesthetic and parking impacts (refer to Chapter V, Other CEQA Considerations, for additional information regarding these environmental topics as they relate to TPAs). The TPA and Project Site are shown in Figure II-4, Project Site Location within a Transit Priority Area.

¹⁵ City of Los Angeles, Department of City Planning. 2016. Zoning Information File 2452, Transit Priority Areas (TPAs)/Exemptions to Aesthetics and Parking within TPAs Pursuant to CEQA. March.

¹⁶ In the existing condition, the Project Site is located on land currently zoned M3-1-RIO (Heavy Industrial, Height District 1, River Improvement Overlay). With some limitations, the M3 Zone allows for uses permitted in the M2 (Light Industrial), M1 (Limited Industrial), MR2 (Restricted Light Industrial), C2 (Commercial), and C1 and 1.5 (Limited Commercial) Zones. Therefore, the M3 Zone allows for commercial uses. With the Project, the Project Site would be re-zoned to C2.



Aerial Source: GoogleEarth Pro, Oct. 18, 2016.

4TH AND HEWITT PROJECT

Project Site Location within a Transit Priority Area



4. Project Characteristics

The features of the Project are described in detail in the following sections and are shown in the plans provided in Figure II-5 through Figure II-15.

a) Proposed Land Uses

The Project would maintain the existing 7,800 square foot building formerly occupied by the A+D Museum at the corner of East 4th and Colyton Street. The new Office Building would be located at the corner of East 4th and South Hewitt Streets, with approximately 8,149 square feet of street-facing ground floor commercial uses. Parking for the Project would be located on three subterranean levels and on the 2nd through 5th floors of the Office Building, while the approximately 311,682 square feet of office uses would be located primarily on the ground floor and 6th through 18th floors. Table II-2, Project Land Uses and Floor Area, summarizes the proposed land uses of the Project.

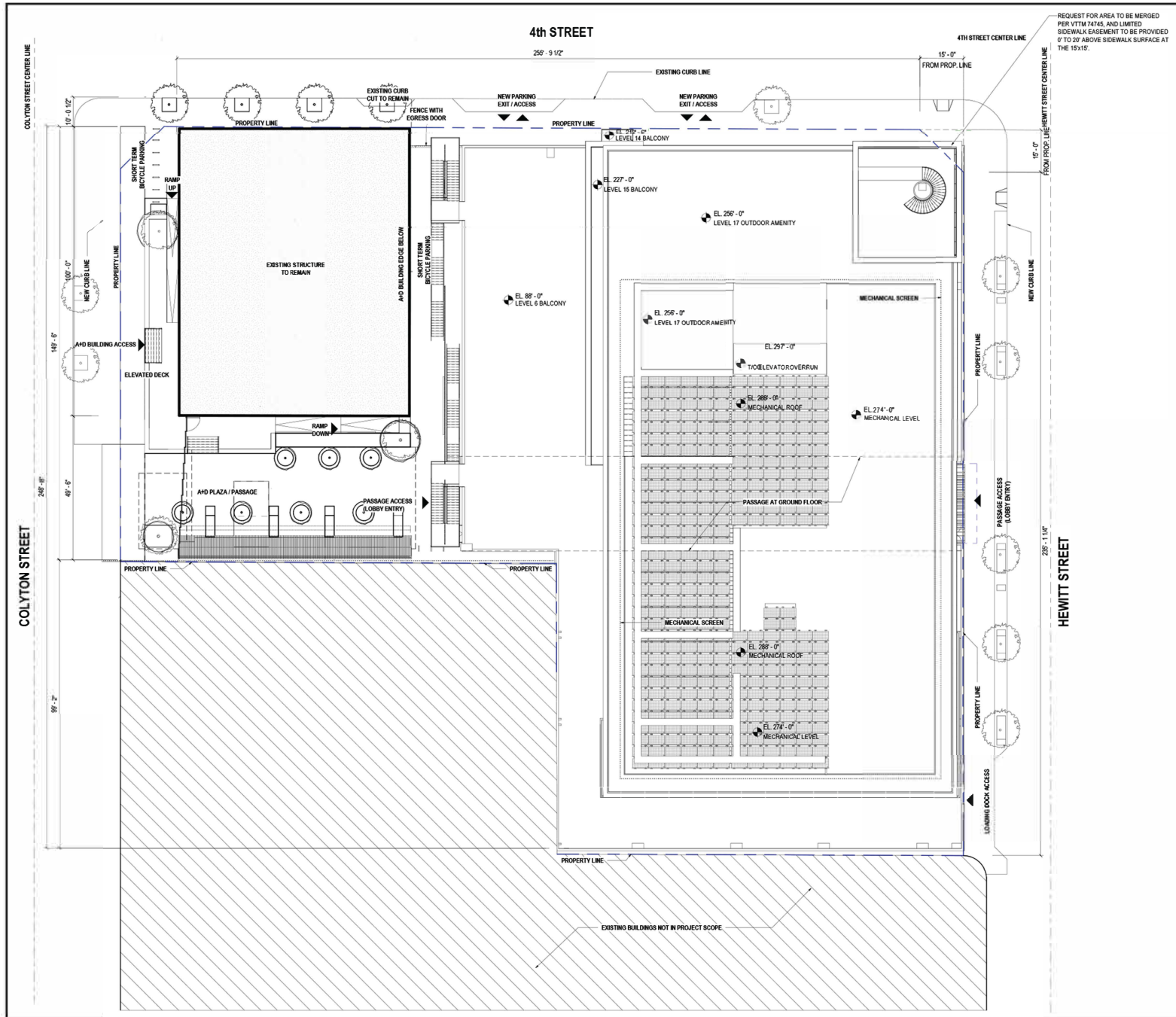
Table II-2
Project Land Uses and Floor Area

Land Use	Floor Area (square feet [sf])
Existing Building, Formerly Occupied by the A+D Museum	7,800
Commercial, Ground Floor Restaurant	8,149
Office	311,682
Office (Exterior Common Area)	16,294
Total Floor Area	343,925
Notes: The FAR for the Project is based on approximately 343,925 sf of gross floor area, consisting of approximately 7,800 sf of the existing building formerly occupied by the A+D Museum, approximately 8,149 sf of ground floor commercial space, approximately 311,682 sf of office space, and approximately 16,294 sf of office exterior common area. The Project FAR is approximately 6:1. The ground floor commercial restaurant use is anticipated to include high-turnover or fast food dining.	

b) Design and Architecture

The Project includes the retention of a vacant single-story, bow-truss, warehouse structure that has been renovated and repurposed, and that was formerly occupied by the A+D Museum. The remainder of the Project Site would be redeveloped to include construction of the new 18-story Office Building.

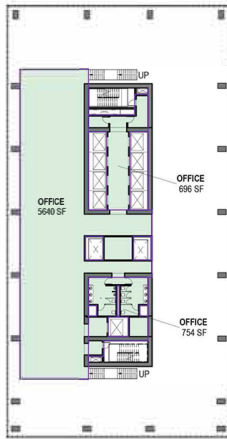
The Office Building design would be comprised of two parts: an industrial base and a modern upper section. The industrial base would have a rough concrete finish and minimal, utilitarian detailing. On the street, retail openings would have large bifold doors. The above-ground parking levels would be fully enclosed on three sides and screened on one side. The above-grade parking levels that face East 4th and South Hewitt Streets



Source: Gensler, March 16, 2022.



Source: Gensler, March 16, 2022.



Gross Floor Area Schedule (Level 6 Mezzanine)		
Name	Level	Area
OFFICE	LEVEL 6 MEZZANINE	7,090 SF

LEVEL 6 MEZZANINE 6
1" = 30'-0" SCALE



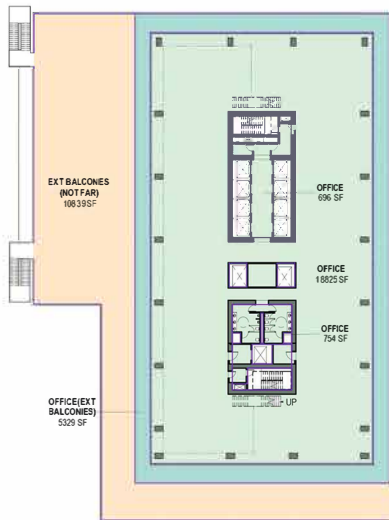
Gross Floor Area Schedule (Level 5)		
Name	Level	Area
OFFICE	LEVEL 5	592 SF

LEVEL 5 4
1" = 30'-0" SCALE



Gross Floor Area Schedule (Level 3)		
Name	Level	Area
OFFICE	LEVEL 3	592 SF

LEVEL 3 2
1" = 30'-0" SCALE



Gross Floor Area Schedule (Level 6)		
Name	Level	Area
EXT BALCONIES (NOT FAR)	LEVEL 6	10,839 SF
OFFICE	LEVEL 6	20,275 SF
OFFICE (EXT BALCONIES)	LEVEL 6	5,329 SF

LEVEL 6 5
1" = 30'-0" SCALE



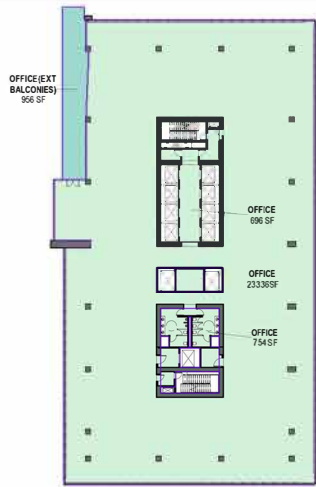
Gross Floor Area Schedule (Level 4)		
Name	Level	Area
OFFICE	LEVEL 4	592 SF

LEVEL 4 3
1" = 30'-0" SCALE



Gross Floor Area Schedule (Level 2)		
Name	Level	Area
OFFICE	LEVEL 2	592 SF

LEVEL 2 1
1" = 30'-0" SCALE



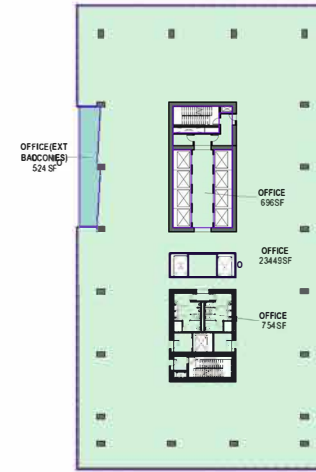
Gross Floor Area Schedule (Level 12)		
Name	Level	Area
OFFICE	LEVEL 12	24,786 SF
OFFICE (EXT BALCONIES)	LEVEL 12	956 SF

LEVEL 12 6
1" = 30'-0" SCALE



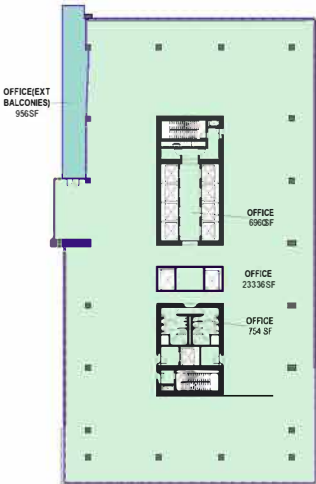
Gross Floor Area Schedule (Level 10)		
Name	Level	Area
OFFICE	LEVEL 10	22,949 SF
OFFICE (EXT BALCONIES)	LEVEL 10	983 SF

LEVEL 10 4
1" = 30'-0" SCALE



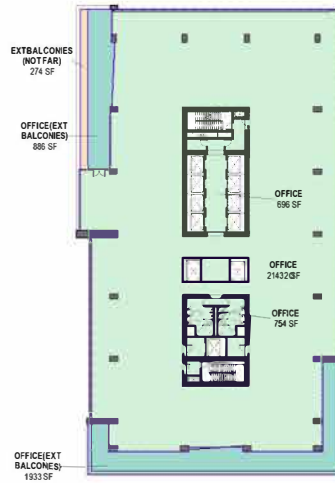
Gross Floor Area Schedule (Level 8)		
Name	Level	Area
OFFICE	LEVEL 8	24,899 SF
OFFICE (EXT BALCONIES)	LEVEL 8	524 SF

LEVEL 8 2
1" = 30'-0" SCALE



Gross Floor Area Schedule (Level 11)		
Name	Level	Area
OFFICE	LEVEL 11	24,786 SF
OFFICE (EXT BALCONIES)	LEVEL 11	956 SF

LEVEL 11 5
1" = 30'-0" SCALE



Gross Floor Area Schedule (Level 9)		
Name	Level	Area
EXT BALCONIES (NOT FAR)	LEVEL 9	274 SF
OFFICE	LEVEL 9	22,882 SF
OFFICE (EXT BALCONIES)	LEVEL 9	2,819 SF

LEVEL 9 3
1" = 30'-0" SCALE



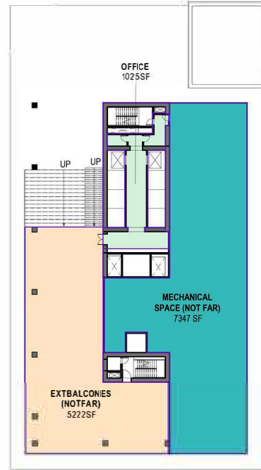
Gross Floor Area Schedule (Level 7)		
Name	Level	Area
OFFICE	LEVEL 7	24,899 SF
OFFICE (EXT BALCONIES)	LEVEL 7	524 SF

LEVEL 7 1
1" = 30'-0" SCALE

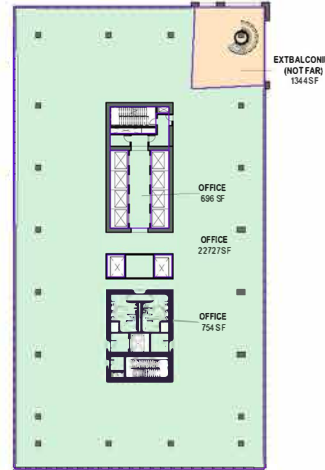
Source: Gensler, March 16, 2022.

4THAND HEWITT PROJECT

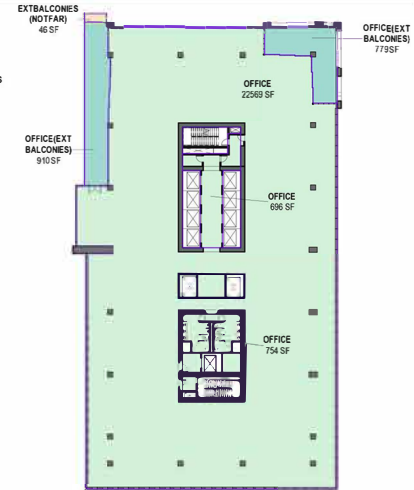
Level 7 Through Level 12 Plans



Gross Floor Area Schedule (Level 18)		
Name	Level	Area
EXTBALCONIES (NOT FAR)	MECHANICAL - LEVEL 18	5,222SF
MECHANICAL SPACE (NOT FAR)	MECHANICAL - LEVEL 18	7,347SF
OFFICE	MECHANICAL - LEVEL 18	1,023SF



Gross Floor Area Schedule (Level 16)		
Name	Level	Area
EXT BALCONIES (NOT FAR)	LEVEL 16	1,344 SF
OFFICE	LEVEL 16	24,177 SF

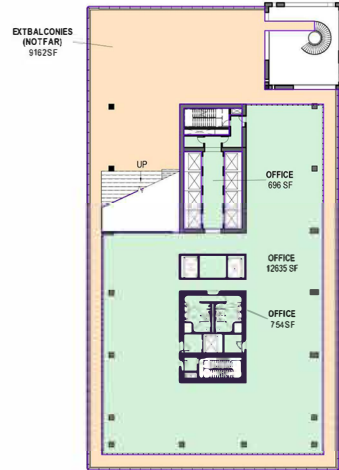
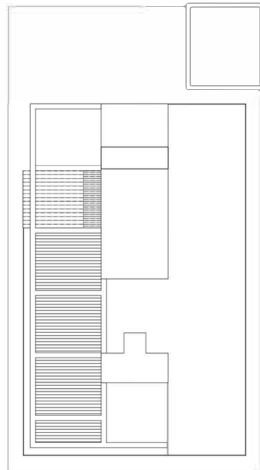


Gross Floor Area Schedule (Level 14)		
Name	Level	Area
EXT BALCONIES (NOT FAR)	LEVEL 14	46 SF
OFFICE	LEVEL 14	24,019 SF
OFFICE (EXT BALCONIES)	LEVEL 14	1,689 SF

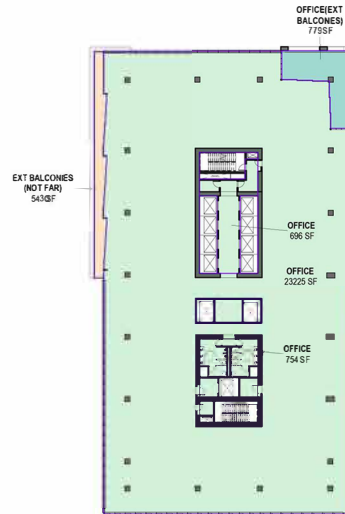
MECHANICAL LEVEL (LEVEL 18) 7
1" = 30'-0" SCALE

LEVEL 16 4
1" = 30'-0" SCALE

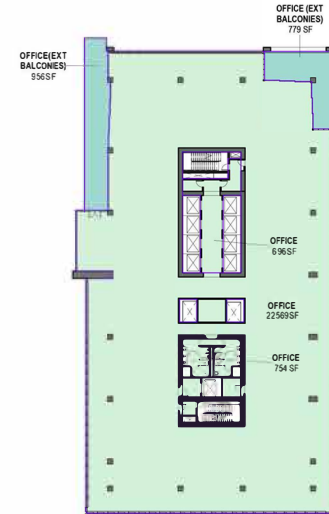
LEVEL 14 2
1" = 30'-0" SCALE



Gross Floor Area Schedule (Level 17)		
Name	Level	Area
EXT BALCONIES (NOT FAR)	LEVEL 17	9,162 SF
OFFICE	LEVEL 17	14,085 SF



Gross Floor Area Schedule (Level 15)		
Name	Level	Area
EXT BALCONIES (NOT FAR)	LEVEL 15	543 SF
OFFICE	LEVEL 15	24,675 SF
OFFICE (EXT BALCONIES)	LEVEL 15	779 SF



Gross Floor Area Schedule (Level 13)		
Name	Level	Area
OFFICE	LEVEL 13	24,019 SF
OFFICE (EXT BALCONIES)	LEVEL 13	1,735 SF

UPPER ROOF 8
1" = 30'-0" SCALE

LEVEL 17 5
1" = 30'-0" SCALE

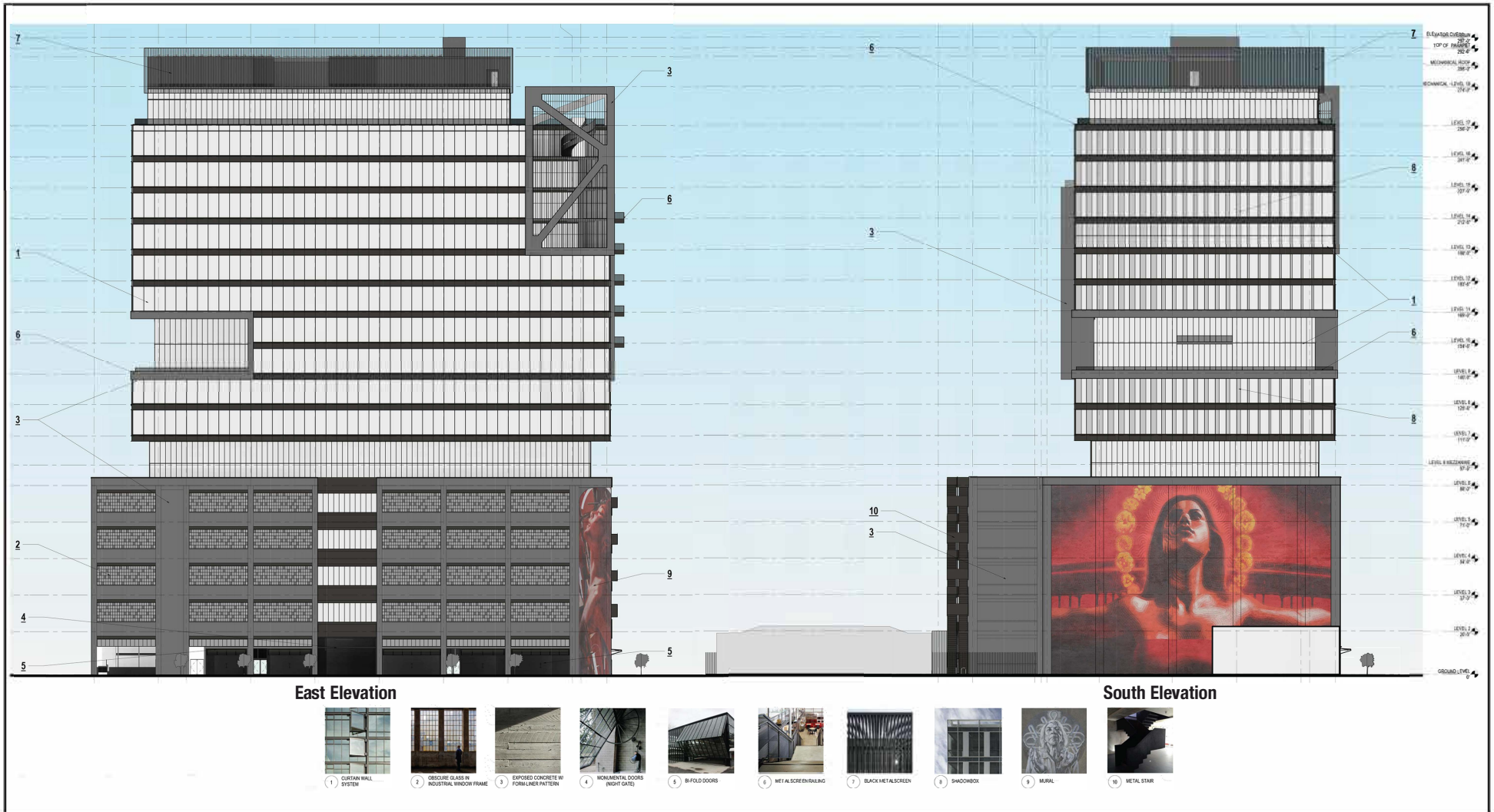
LEVEL 15 3
1" = 30'-0" SCALE

LEVEL 13 1
1" = 30'-0" SCALE

Source: Gensler, March 16, 2022.

4TH AND HEWITT PROJECT

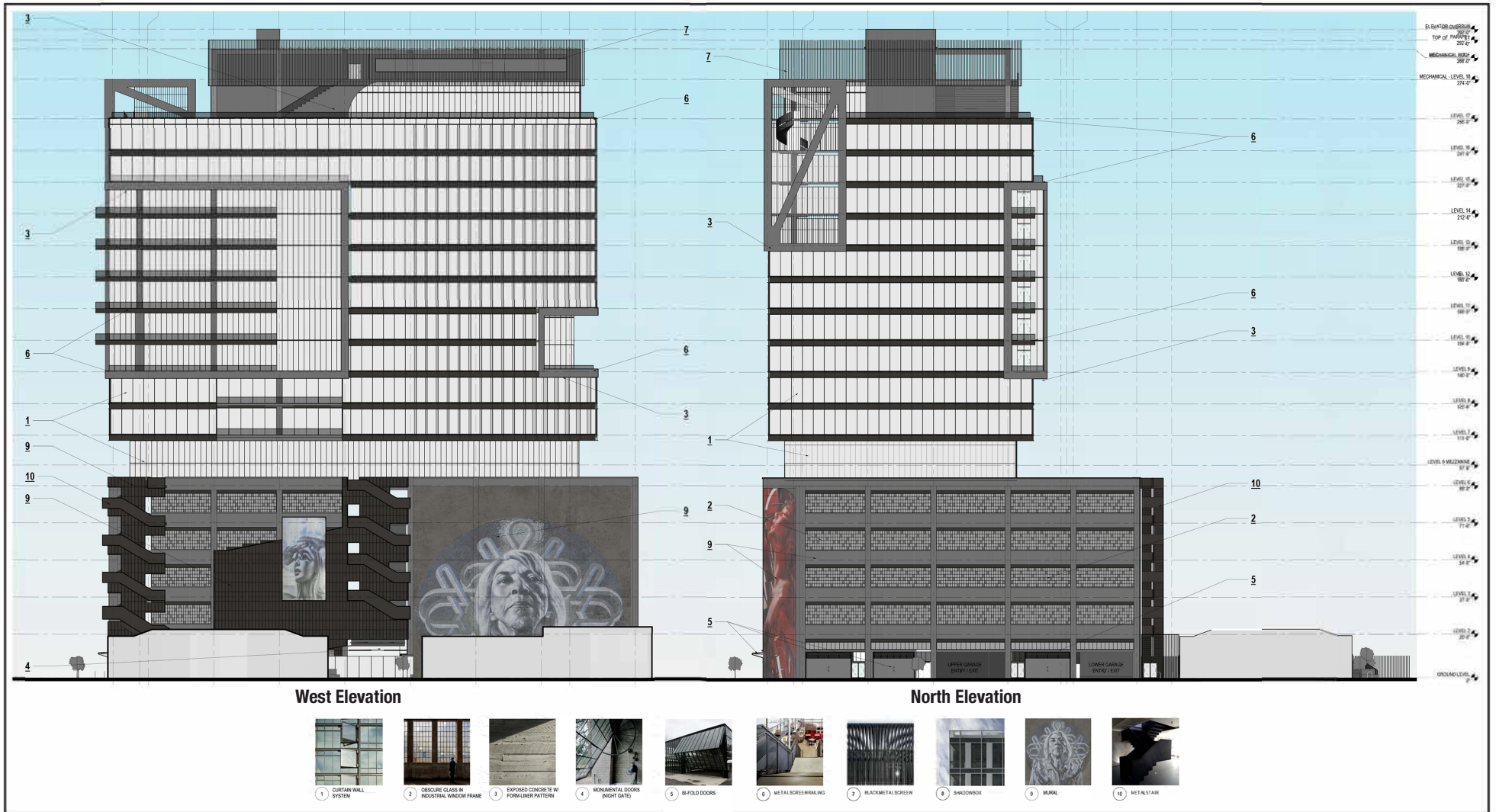
Level 13 Through Rooftop Plans



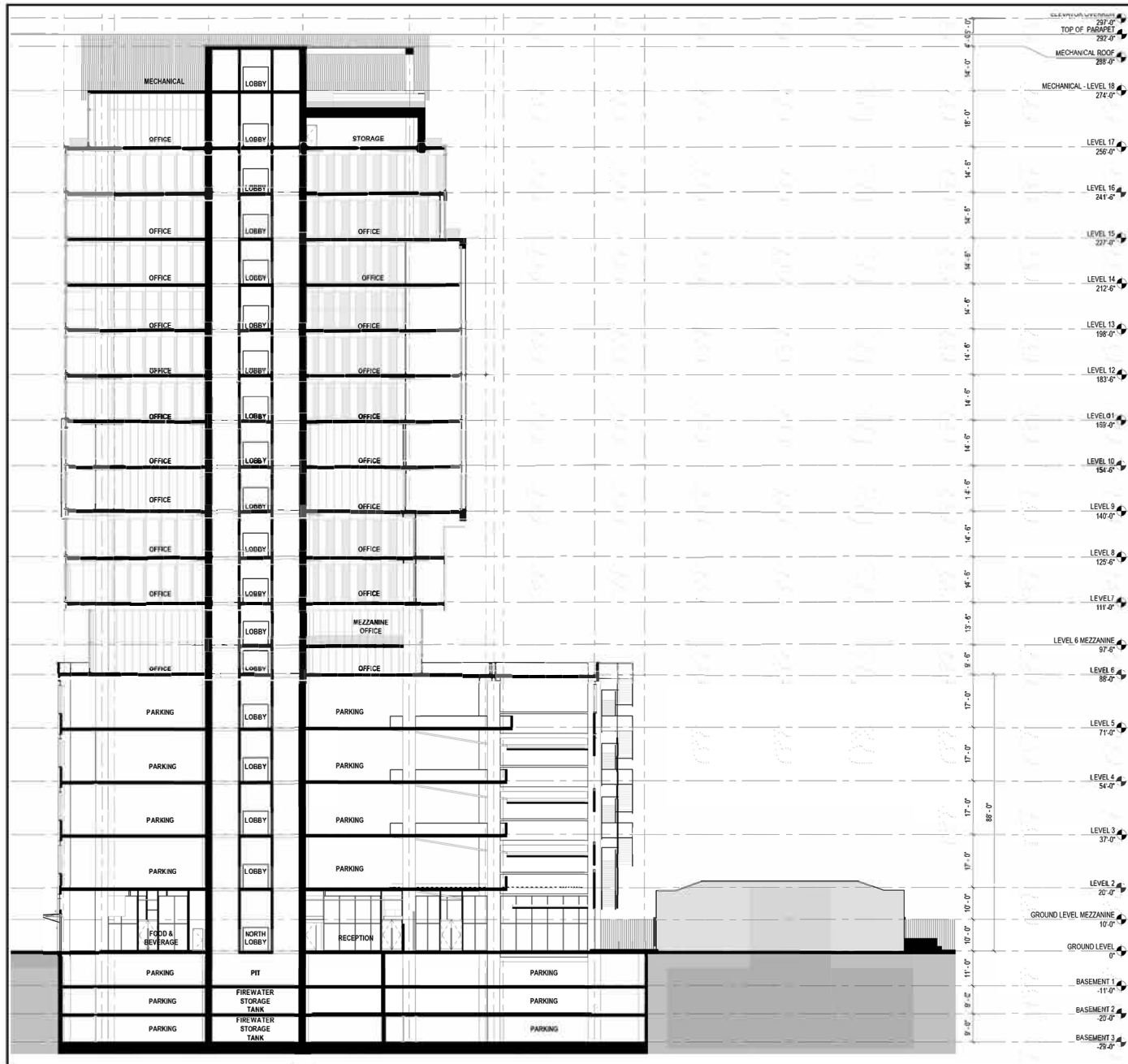
Source: Gensler, March 16, 2022.

4TH AND HEWITT PROJECT

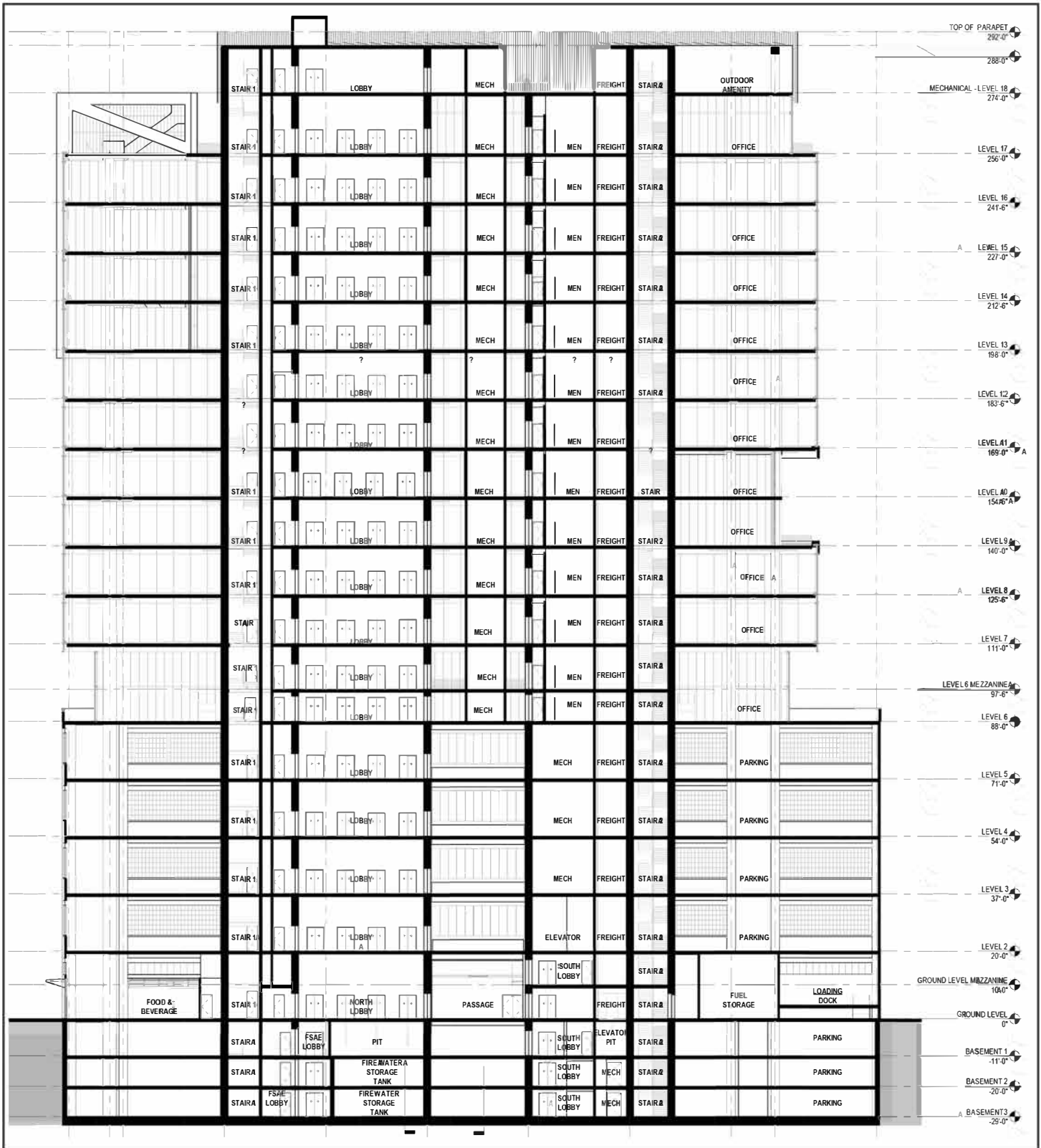
East and South Elevations



Source: Gensler, March 16, 2022.



Source: Genster, March 16, 2022.



Source: Gensler, March 16, 2022.



View of the South Hewitt Street (east) elevation.



View of the Project's South Hewitt Street frontage.

Source: Genster, April 2022.



View of the west elevation from East 4th Street.



View from Colyton Street (looking east) of the courtyard and passageway.

Source: Genster, April 2022.

would be screened with non-operable, industrial steel frame windows, set into board form concrete walls. The parking levels facing the southern Project Site boundary and off-site adjacent structures would be enclosed behind board form concrete. The parking levels along Colyton Street, south of the courtyard and passageway and east of off-site adjacent structures, would also be enclosed behind board form concrete, and accented by murals. The parking levels along Colyton Street that face the existing 7,800-square-foot building, courtyard, and passageway would be concealed from public views behind a mix of non-operable, industrial steel frame windows; black metal screens; and an additional mural, as shown on the west elevation of Figure II-11, the West and North Elevations. These parking levels would be open to air in this part of the Office Building. As the parking levels would be partially enclosed, ventilation would be provided, with an exhaust fan located on the ground floor between the existing 7,800-square-foot building and Office Building driveway/ramp from East 4th Street. Additional exhaust fans would be located on the 2nd floor along South Hewitt Street above, and north of the loading dock, on the 4th floor along East 4th Street at the northwestern corner of the structure, and/or on the 5th floor along East 4th Street at the northwestern corner of the structure. All parking levels would be accessible by elevators and stairways located to the interior of the structure; the above-ground parking levels would also be accessible from two outdoor screened metal staircases, located at the northwest corner of the Office Building and near the courtyard and passageway facing Colyton Street. Oversized doors would be set at either end of the passage that links South Hewitt and Colyton Streets and would mark the main entry to the new Office Building. Inside the new building passage, the lobby would be an indoor/outdoor space anchored by ground floor commercial spaces on South Hewitt Street, the existing 7,800-square-foot building and a landscaped courtyard on Colyton Street, and additional office space accessible from both East 4th Street and the passageway. The Project would not permanently alter the East 4th Street right-of-way, with the exception of curb cuts for the proposed Office Building driveways. Along the Colyton and South Hewitt Streets rights-of-way, the Project would provide sidewalks where none currently exist.

The exterior of the upper section of the Office Building would include a glass curtain wall system, with shadowboxes on the south- and west-facing façades, and accents of board form concrete consistent with the more industrial base of the structure. The upper section would also include large, sliding glass panels that would lead out onto a variety of outdoor balconies and tenant amenity spaces on every office level, reinforcing the indoor/outdoor concept throughout this portion of the building. For example, the 6th floor of the Office Building would include an outdoor tenant amenity space that wraps around the perimeter of the building, bordered by a roughly four-foot concrete parapet wall. The outdoor tenant amenity spaces on the remaining office levels would primarily face Colyton, East 4th, and/or South Hewitt Streets, with the exception of the 9th and 18th floors, which would also include outdoor spaces on the south façade. Metal screen railing would surround the

outdoor balconies and amenity spaces on the office levels, similar to the screening that would be used on the parking levels and outdoor staircases that face Colyton Street.

The Project would provide multiple pedestrian entrances to the commercial uses. The Project would also offer a pedestrian passage through the Project Site and a courtyard that would be publicly accessible from Colyton and South Hewitt Streets. Additionally, bicycle parking facilities, a bicycle repair area, and showers would be provided on the ground floor.

c) Recreation, Open Space, and Landscaping

Although there are no open space requirements for commercial uses, the Project would include several areas of publicly accessible open space and tenant amenity spaces. The Project would provide a landscaped and publicly accessible outdoor courtyard, with a pergola, and a passageway to provide pedestrian access between Colyton and South Hewitt Streets, which is shown on Figure II-16, Landscape Plan – Ground Level. Proposed landscaped areas on-site would include a variety of trees and plants and would comply with requirements of the Los Angeles Municipal Code (LAMC) and the City's Urban Forestry Division's requirements, as applicable. Landscaped areas would consist of 1,001 square feet on the ground floor, 2,860 square feet on the 6th floor terrace, and 2,385 square feet on the 17th rooftop level, shown on Figure II-16, and Figure II-17, Landscape Plan – Levels 6 and 17.¹⁷

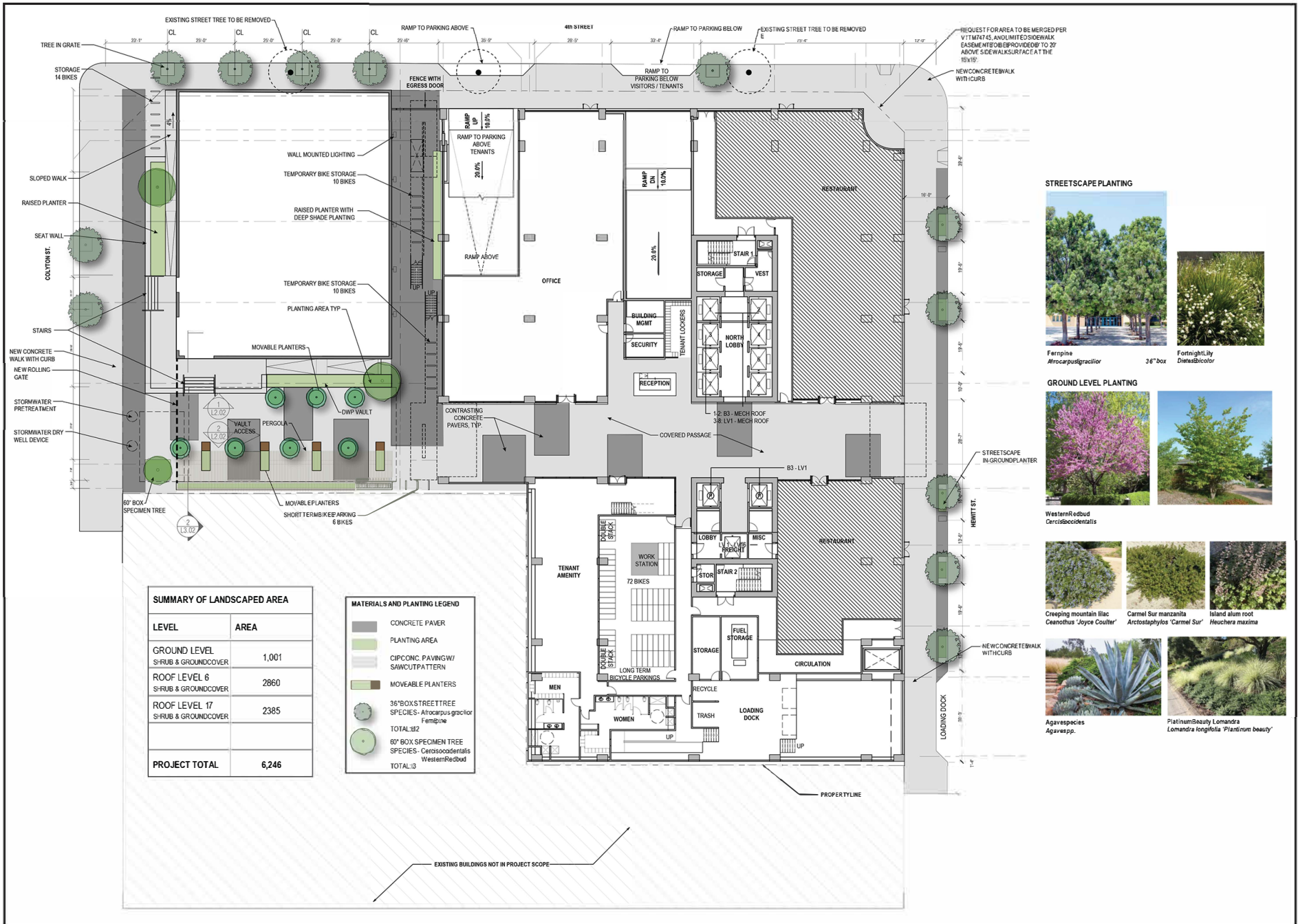
The open space amenities would be made up of the outdoor public courtyard and passageway on the ground floor, as well as balconies, and terraces on the 6th floor and the rooftop level on the 17th floor. Additionally, there are three Brisbane box street trees within the adjacent public right-of-way on East 4th Street along the Project Site frontage, ranging between three and six inches in diameter. These street trees are not protected tree species, as defined by LAMC Section 17.02.^{18,19} However, the Board of Public Works governs tree and plant infrastructure in City rights-of-way per LAMC Section 62.161-178 and permits tree removals per LAMC Section 62.162. Pursuant to the Department of Public Works Bureau of Street Tree Services' Street Tree Removal Permit and Tree Replacement Condition Policies that were adopted on June 17, 2015, the Board of Public Works is responsible for approving a Tree Removal Permit for the removal of three or more street trees, subject to a 30-day public notice and a public hearing, and requires the replacement of removed street trees at a ratio of 2:1.²⁰ The three existing street trees along East 4th Street would be removed for purposes of construction of the Project and

¹⁷ Landscaped areas described here do not include street trees.

¹⁸ RCH Studios. 2017. Letter Correspondence to Legendary Investors Group. January 9. (Appendix A2).

¹⁹ RCH Studios. 2017. Existing Tree Plan. January. (Appendix A2).

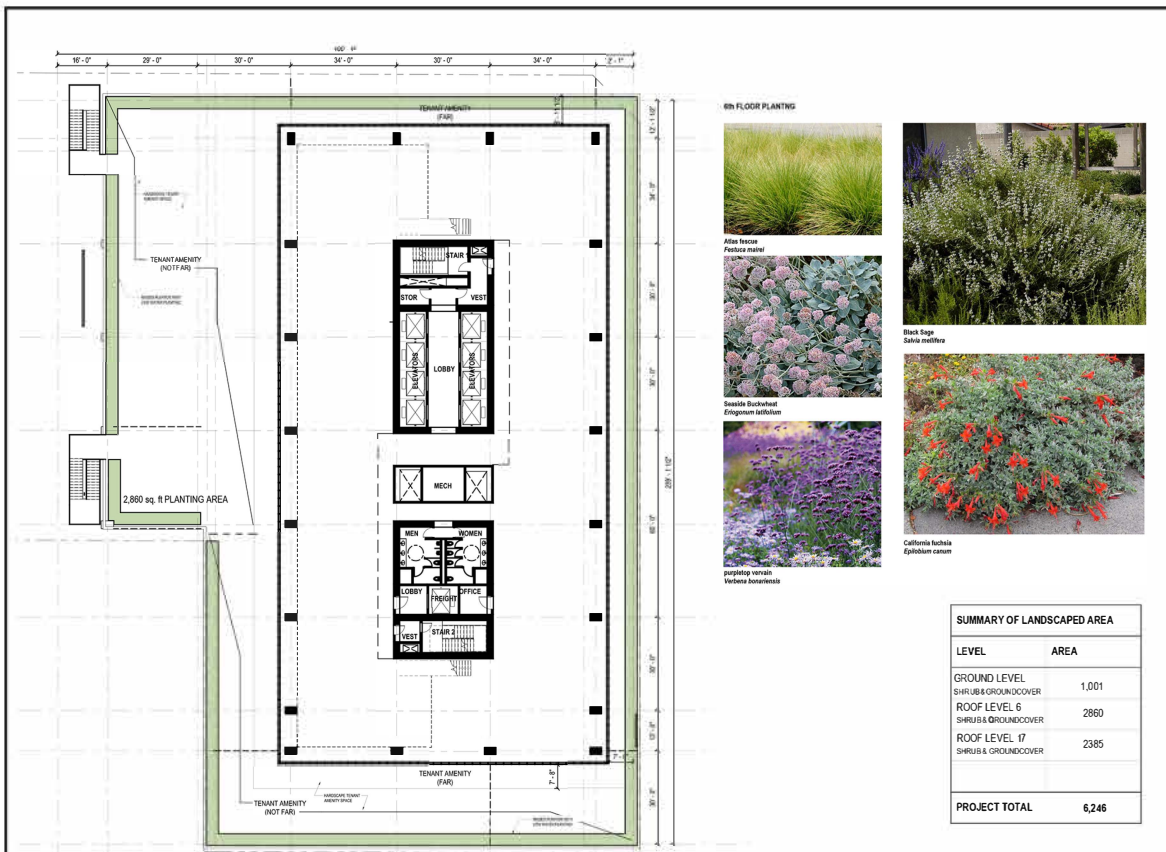
²⁰ City of Los Angeles, Department of Public Works, Bureau of Street Services. 2015. Report NO.1 – Request Board Approval and Adoption of these Street Tree Removal Permit and Tree Replacement Condition Policies. Adopted June 17.



Source: Gensler, March 16, 2022.

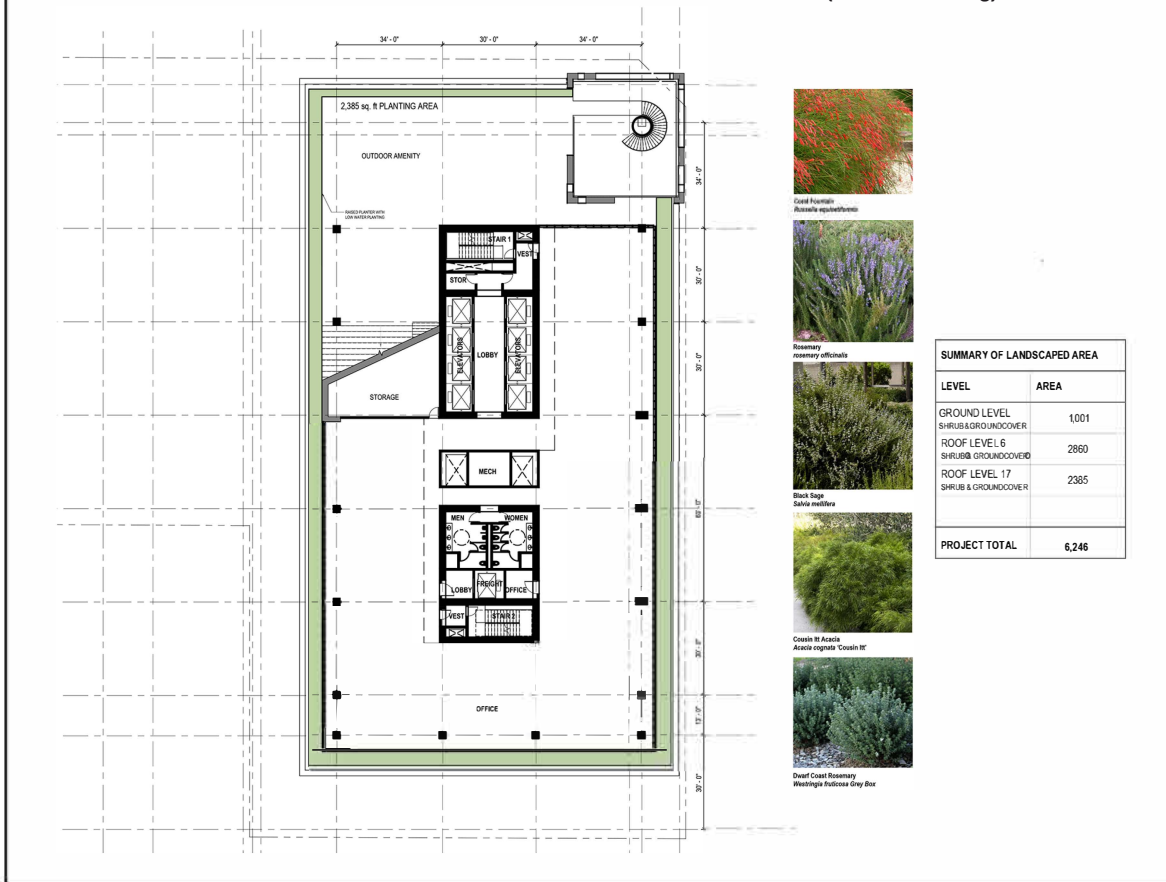
4TH AND HEWITT PROJECT

Landscape Plan – Ground Level



Level 6 (Exterior Planting)

Level 17 (Exterior Planting)



Source: Gensler, March 16, 2022.

adjacent off-site improvements (i.e., utility work, sidewalk improvements, curb cuts, new driveways, etc.).

The required Tree Removal Permit would be obtained prior to issuance of a Grading Permit. However, as shown on Figure II-16, the Project proposes to place five total street trees along East 4th Street, five new street trees along South Hewitt Street, and two new street trees along Colyton Street. Three additional trees, and shrubs, would be planted on-site near the Colyton Street frontage by the existing building formerly occupied by the A+D Museum and the proposed outdoor public courtyard. As development of the Project would potentially remove up to three street trees but would provide a total of 12 street trees, it would result in a net increase of nine street trees and would exceed the City's 2:1 street tree replacement requirement.

d) Site Security and Lighting

The Project would incorporate security features for the safety of employees, customers, and other visitors. During normal business hours, access to commercial uses would be unrestricted; however, public access would be discontinued after businesses close. The gates on the western side of the building and the doorways on the eastern side of the building that lead to the passageway would be closed after business hours; however, tenants would be provided with access via keycards. Security features would include 24-hour video surveillance at key locations and may also include patrol by on-site security personnel during business hours.

Lighting at the perimeter of the Office Building would be provided in the door openings above retail and service entries, and in the passageway and courtyard adjacent to the existing building formerly occupied by the A+D Museum on Colyton Street, as needed, for aesthetic, security, and wayfinding purposes. Low-level lighting would comply with current energy standards and codes while providing appropriate light levels to accent signage, architectural features, and landscaping. Light sources would be shielded and/or directed toward interior Project Site areas to minimize light and glare spill-over to neighboring buildings and the surrounding area.

The security features of the existing building formerly occupied by the A+D Museum on Colyton Street include 24-hour video surveillance, an alarm system, and lighting of the building's exterior perimeter. These security features would remain in place with the Project.

e) Pedestrian, Vehicle, and Bicycle Site Access

Pedestrian access points into the Project Site would include direct access into the existing building formerly occupied by the A+D Museum from Colyton Street, and into each of the

ground floor uses of the Office Building from East 4th and South Hewitt Streets. In addition, Colyton and South Hewitt Streets would provide access to the passageway to access the main lobby for the Office Building. The Project's pedestrian passageway would provide a cut-through between South Hewitt and Colyton Streets that would include an outdoor courtyard, south of the former A+D Museum building, that would continue east into a covered passageway through the Office Building. In addition, along the Colyton and South Hewitt Streets rights-of-way, the Project would provide sidewalks where none currently exist.

The Project is bounded by East 4th Street (an Avenue III street) to the north, South Hewitt Street (an Industrial Collector Street) to the east, and Colyton Street (an Industrial Collector Street) to the west.²¹ General vehicular access into the Project's parking levels would be provided by two driveways from East 4th Street, including an ingress and egress to/from the subterranean parking garage and another ingress and egress to/from the upper levels of the parking garage. An additional at-grade loading dock would be accessible from South Hewitt Street.

Mobility Plan 2035, an Element of the General Plan, was adopted in 2016 and includes maps that show a Bicycle Enhanced Network and a Bicycle Lane Network, which are comprised of arterial streets and other rights-of-way prioritized for bicycle movement. In the vicinity of the Project Site, Mobility Plan 2035 designates a Tier 1 Protected Bicycle Lane along 6th Street, just south of the Project Site, and designates Tier 2 bicycle lanes along 7th Street, just south of the Project Site and along Mateo, Santa Fe, and 3rd Streets in the surrounding neighborhood. Alameda Street is designated as a Bike Path north of 6th Street.²²

f) Vehicle and Bicycle Parking

The Project would include 660 vehicle parking spaces. The parking calculations for the Project are provided in Table II-3, Vehicle Parking, below. The Project would also include 112 short- and long-term bicycle parking spaces for the proposed commercial land uses, as shown in Table II-4, Bicycle Parking.²³ The 40 short-term bicycle parking spaces would be located at the northwest corner of the Project Site by the existing 7,800-square-foot building, in the corridor between the existing 7,800-square-foot building and the Office Building, and in the courtyard and passageway that connects to the Office Building lobby, all of which have access to the ground floor uses and to the staircases and elevator to

²¹ City of Los Angeles, Department of City Planning. 2016. Mobility Plan 2035: An Element of the General Plan. Approved by the City Planning Commission on June 23 and adopted by City Council on September 7.

²² City of Los Angeles, Department of City Planning. 2016. Mobility Plan 2035: An Element of the General Plan. Approved by the City Planning Commission on June 23 and adopted by City Council on September 7.

²³ The 2013 Bicycle Ordinance was in effect at the time the Project Application was submitted to the City. However, the Project will comply with the 2018 Bicycle Ordinance.

the upper floors. The 72 long-term bicycle parking spaces would be located on the ground floor inside the Office Building, also accessible from the passageway.

**Table II-3
Vehicle Parking**

Use	LAMC 12.21 A.4	Spaces Required
Institution/Museum^a (7,800 square feet [sf])	2 per 1,000 sf LAMC 12.21 A.4.(d) (Existing to remain)	16 (replaces 16 existing ^b spaces)
Commercial - restaurant/office/exterior common area (336,125 sf)	2 per 1,000 sf LAMC 12.21 A.4.(x) (State Enterprise Zone)	672
Total		688
Allowable Vehicle Space Reduction per Bicycle Replacement^c		-28
Vehicle Parking Minimum Requirement		660
Total Vehicle Parking Provided		660
^a At the time the Project Application was filed and when the Notice of Preparation and Initial Study were circulated for public comment, the existing building on Colyton Street was occupied by the A+D Museum. ^b City of Los Angeles. 2015. Certificate of Occupancy for 900 E 4 th St. 90013. October 6. ^c Per the City of Los Angeles Bicycle Parking Ordinance (LAMC Section 12.21 A.16), Off-Street Automobile Parking Requirements, new or existing automobile parking spaces required by Code, for all land uses, may be replaced by bicycle parking at a ratio of one standard or compact automobile parking space for every four required or non-required bicycle parking spaces provided. No more than 20 percent of the required automobile parking spaces for nonresidential uses shall be replaced at a site.		

**Table II-4
Bicycle Parking**

Use	Spaces Required LAMC Section 12.21 A.16			Spaces Proposed		
	Short-term	Long-term	Total	Short-term	Long-term	Total
Office/Exterior Common Area (327,976 square feet [sf])	33 (1/10,000 sf)	66 (1/5,000 sf)	99	34	67	101
Restaurant (8,149 sf)	4 (1/2,000 sf or 2 per shop)	4 (1/2,000 sf or 2 per shop)	8	6	5	11
Institution/Museum^a (7,800 sf)	0 (Existing use to remain. None required.)			0	0	0
Total	37	70	107	40	72	112
^a At the time the Project Application was filed and when the Notice of Preparation and Initial Study were circulated for public comment, the existing building on Colyton Street was occupied by the A+D Museum.						

5. Project Construction

Construction of the Project would require the demolition of the existing one-story office and related garage/storage space (combined 6,030 square feet), the commercial storage space (1,000 square feet), and associated surface parking lots (approximately 39,751 square feet), shown in Figure II-18, Demolition Plan. The Project would maintain the existing building at the southeast corner of East 4th and Colyton Streets that was formerly occupied by the A+D Museum. Construction of the Project is anticipated to begin in 2022 and would conclude in 2025, with an overall duration of 28 months.

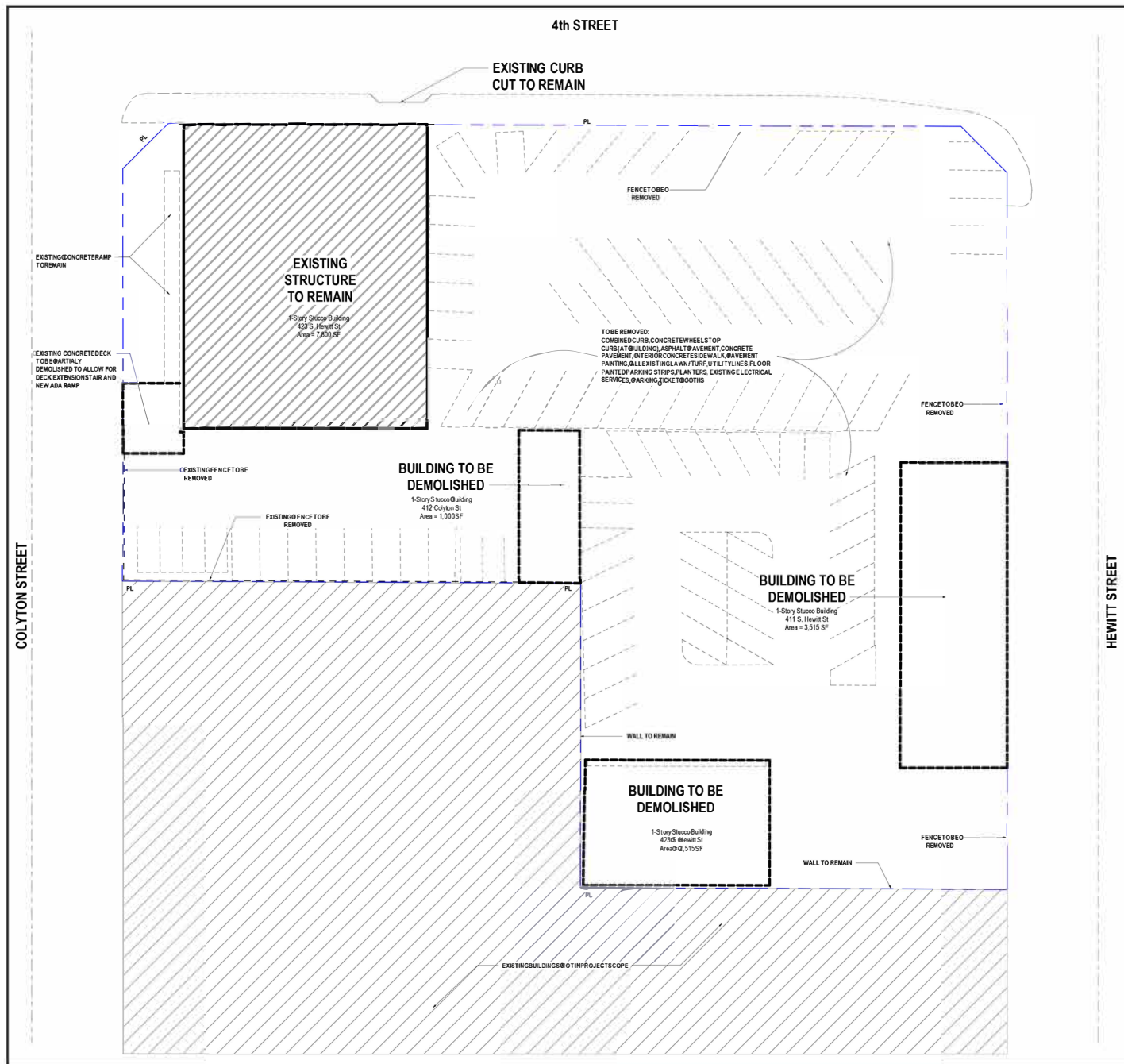
Construction is anticipated to require excavation across the majority of the Project Site to a depth of approximately 38 feet to accommodate the subterranean parking levels. However, for purposes of providing a conservative estimate for the amount of soil that would be exported during site preparation, excavation to a depth of 42 feet is assumed in order to calculate the quantity of soil export. The grading activity would therefore result in the export of approximately 75,200 cubic yards of soil from the Project Site. The solid waste generated from demolition of the existing Project Site structures and surface parking lots would amount to approximately 1,518 cubic yards of materials that would also be exported from the Project during the construction period, in addition to general construction debris that would be generated while building the core of the new structure, which is estimated to be approximately 7,875 cubic yards.²⁴

It is anticipated that excavated soils and demolition and construction waste would be transported to the Azusa Land Reclamation Landfill, located in Azusa approximately 25 miles northeast of the Project Site. The haul route to the landfill includes travel on East 4th Street and/or South Hewitt Street, East 4th Place, Alameda Street, Commercial Street, U.S.-101 South, I-10 East, I-605 North, I-210 East, Irwindale Avenue, and West Gladstone Street. The Applicant will be required to submit a haul route application to the City for review and approval prior to the onset of these activities.

6. Sustainability

The Project has been designed to Leadership in Energy and Environmental Design (LEED) Silver - Green Building Rating System standards in order to reduce energy consumption. The United States (U.S.) Green Building Council developed the LEED rating system to provide standards for environmentally sustainable construction.

²⁴ Milender White and Gensler. 2019. Revised 4th and Hewitt Project Construction Period Assumptions. May.



Source: Gensler, March 16, 2022.

Sustainable building methods include energy conservation, water conservation, and waste reduction features. Specifically, the Project would incorporate, but not be limited to, the following features to support and promote environmental sustainability: a cool roof;²⁵ electric vehicle chargers; Energy Star appliances; high-efficiency lighting fixtures; and reduced water use, achieved by low-flow plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) that comply with the performance requirements specified in the City of Los Angeles Green Building Code, a weather-based irrigation system, and water-efficient landscaping.

The Project's proximity to public transportation and a growing density of residential units may also reduce vehicle miles traveled (VMT) for employees of and visitors to the Project Site. The Project would also encourage alternative transportation modes, such as walking and bicycling, by providing 112 bicycle parking spaces, a bicycle repair area, and showers located on the ground floor of the Project along the passageway that links Colyton Street and South Hewitt Street. The Project's infill location would also promote the concentration of development in an urban location with extensive infrastructure, which reduces the Project's carbon footprint.

7. Proposed Land Use and Zoning Designations

The Applicant is requesting a General Plan Amendment, Vesting Zone Change, and Height District Change to construct and operate the Project. The General Plan Amendment would change the current land use designation from Heavy Industrial, as identified in the Community Plan, to Regional Center Commercial, which would permit a variety of commercial and residential uses. The Vesting Zone Change would change the current zone from M3 to C2, which would allow for the proposed range of commercial uses. The Height District Change from Height District No. 1 to Height District No. 2 would increase the maximum permitted FAR from 1.5:1 to 6:1.

8. Project Objectives

Section 15124(b) of the State CEQA Guidelines requires that EIR Project Descriptions contain a statement of project objectives that include the underlying purpose of the project. The objectives for the Project are therefore listed below.

1. Redevelop low-intensity parcels in the Arts District with a mix of high-density commercial land uses that provide an increased variety of job opportunities, thereby maximizing the creation of permanent jobs and economic investment in the City of Los Angeles and the Arts District.

²⁵ A cool roof is a roofing system that delivers higher solar reflectance (the ability to reflect the visible, infrared, and ultraviolet wavelengths of the sun, reducing heat transfer to the building) and higher thermal emittance (the ability to radiate absorbed, or non-reflected solar energy) than standard designed roofing products.

2. Introduce a range of high quality and high-density commercial spaces at the appropriate scale and intensity that would supply the increasing demand for office, incubator space, and innovative campus uses in the Arts District; contribute to the demand for office space; and provide neighborhood resources for the growing residential neighborhood within the Arts District.
3. Support the growing community of creative and commercial uses and burgeoning residential population in close proximity with additional office and restaurant uses.
4. Represent the character of the Arts District by maintaining the bow truss structure and constructing a complementary multi-level building that incorporates unique exterior architectural treatments and publicly accessible open space that acts as a visual anchor.
5. Through the provision of the design, scale, and height of the Office Building, encourage pedestrian activity and commerce, and create open space opportunities, with ground floor, street-facing commercial spaces; a landscaped courtyard that would be open to public use and available for community and private events; a landscaped passageway that connects South Hewitt and Colyton Streets and promotes pedestrian access throughout the Project's street level; and balconies and a rooftop deck for the Project's office tenants.
6. Promote transit and mobility objectives and reduce VMT by providing mixed-use commercial and office spaces proximate to existing and planned DTLA residential land uses and public transit facilities, including the Metro L (Gold) Line Little Tokyo/Arts District Station located at 1st and Alameda Streets, as well as the Metro and DASH bus stops located near East 4th and South Hewitt Streets.
7. Encourage the use of alternative forms of transportation through the provision of bicycle parking and showers; charging stations for electric vehicles; and preferential parking for fuel-efficient, low-emission, and carpool/vanpool vehicles.
8. Reduce the consumption of energy and water and minimize impacts on the environment through sustainable design features.

9. Required Permits and Approvals

The Project would require the following entitlements:

1. Pursuant to Section 555 of the City Charter and LAMC Section 11.5.6, a General Plan Amendment for the Project Site to amend the adopted Community Plan's land use designation from Heavy Industrial to Regional Center Commercial;
2. Pursuant to LAMC Section 12.32 F and Q, a Vesting Zone Change for the Project Site from the M3 Zone to C2 Zone;
3. Pursuant to LAMC Section 12.32 F, a Height District Change for the Project Site from Height District No. 1 to Height District No. 2;

4. Pursuant to LAMC Section 12.24 W.1, a Main Conditional Use Permit for the sale and dispensing of a full line of alcoholic beverages for on-site consumption for up to six establishments within the Project Site totaling up to 15,949 square feet;
5. Pursuant to LAMC Section 16.05, Site Plan Review approval for a development that results in an increase of 50,000 gross square feet of non-residential floor area; and
6. Pursuant to LAMC Section 17.15, a Vesting Tentative Tract Map No. 74745 for the merger of the existing lots with portions of the previously approved public right-of-way dedications; subdivision into 13 lots, including one master lot and 12 airspace lots; a waiver of dedications along East 4th, South Hewitt, and Colyton Streets; a waiver of standard improvements to provide modified street standards (including sidewalk and travel lane dimensions) and to maintain the existing street grade and drainage system along South Hewitt and Colyton Streets; and a haul route.

The Project would also require additional permits from the City's Department of Building and Safety and Public Works (and other municipal agencies) for the original art murals, as well as Project construction activities including demolition, haul route, excavation, shoring, grading, foundation, building and interior improvements, and the removal or relocation of up to three street trees in the East 4th Street right-of-way as necessary. Other discretionary permits may also be deemed necessary by the City to construct and operate the Project.

10. Intended Uses of the EIR

The EIR is an informational document that will be used primarily by the Department of City Planning to evaluate the direct and indirect environmental impacts of the Project and to notify the general public and agencies of these effects. According to Section 21067 of the CEQA Statute, the City, as Lead Agency, is also responsible for carrying out or approving the Project. In addition, the EIR will be used by trustee resource and responsible agencies that are required to issue permits or take similar actions with regard to the management of natural resources and public services, such as air or water resources and transportation, which may be affected by Project implementation.

III. Environmental Setting

III. Environmental Setting

1. Introduction

Section 15125 of the California Environmental Quality Act (CEQA) Guidelines requires that an Environmental Impact Report (EIR) describe the regional and local physical environmental conditions that exist in a project's area at the time the Notice of Preparation (NOP) is published, or in the absence of a NOP, at the time the environmental analysis is commenced. The environmental setting constitutes the baseline physical conditions that are used throughout Chapter IV, Environmental Impact Analysis, to determine the significance of identified impacts. Therefore, this Draft EIR chapter includes an overview of the environmental setting, while Chapter IV, Section A, Air Quality, through Section N.4, Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Infrastructure, include detailed descriptions of the regional and local environmental setting that are specific to each environmental topic evaluated in this Draft EIR and were present at the time the NOP for the Project was published on September 20, 2017. This chapter also includes an overview of the 137 related projects that are considered in the evaluations of cumulative impacts in Chapter IV (Related Projects).

2. Local Setting

The Project Site is located in the Arts District area of the City of Los Angeles (City), within the Central City North Community Plan (Community Plan) area, located in Downtown Los Angeles (DTLA) and bounded by the Los Angeles River to the east; the City of Vernon to the south; Alameda Street, Cesar Chavez Avenue, Sunset Boulevard, and Marview Avenue to the west; and Stadium Way, Lilac Terrace, and North Broadway to the north. The Community Plan area is surrounded by the communities of Silver Lake-Echo Park-Elysian Valley, Central City, Boyle Heights, and Northeast Los Angeles.¹ The Project Site is located in the Arts District. As defined by the Historic Core Neighborhood Council, the Arts District is generally bounded by 1st Street to the north, Alameda Street to the west, the Los Angeles River to the east, and 7th Place/Violet Street to the south.^{2,3}

¹ City of Los Angeles, Department of City Planning. 2000. Central City North Community Plan Update. Adopted December 15.

² Los Angeles River Artist and Business Association. Arts District Boundary Map. Available at: <http://laraba.org/arts-district-boundary-map/>. Accessed on April 22, 2021.

³ Los Angeles River Artist and Business Association. Arts District History. Available at: <https://laraba.org/arts-district-history/>. Accessed on April 22, 2021.

3. Existing Project Site Conditions

The Project Site is 1.31 acres in size and is generally bounded by Colyton Street to the west, East 4th Street to the north, South Hewitt Street to the east, and various industrial and commercial uses to the south. The Project Site is currently occupied by four structures – two occupiable and two storage accessory structures. One occupiable structure with a commercial use is located at the southeast corner of Colyton and East 4th Streets. A storage space for the commercial use (located southeast of the commercial use in a separate 1,000-square foot structure), a one-story office structure and related garage/storage space (6,030 square feet combined), and associated surface parking lots (approximately 39,751 square feet) are also located on the Project Site.

East 4th Street provides direct vehicular access to the Project Site from the regional freeway system, as well as via Alameda Street, which connects East 4th Street to the Hollywood Freeway (United States Route 101, or U.S.-101) north of the Project Site. Regional vehicular access to the Project Site is available from the Pasadena/Harbor Freeway (Interstate [I] 110/State Route [SR]-110), located approximately 1.5 miles to the west; the Santa Monica Freeway (I-10), located approximately one mile to the south; and the Golden State Freeway (I-5) and U.S.-101, located approximately one mile and 0.80 miles to the east, respectively. The U.S.-101 also provides access to the Project Site from approximately 0.70 miles to the north. The Project Site is also located near major transit corridors, including Alameda Street, which provides a north-south connection to the Los Angeles County Metropolitan Transportation Authority (Metro) Gold Line Little Tokyo/Arts District Station located one-half mile to the north.

4. Surrounding Land Uses

The Project Site is located on the south side of East 4th Street, which is an industrial and commercial corridor, and it also fronts Colyton and South Hewitt Streets. The surrounding uses consist of a mix of low intensity industrial warehouses, an array of commercial uses of varied intensities, and live/work and residential uses. In recent years, the subareas of the Community Plan area, within which the Property is located, have been transforming from a predominantly industrial area to one that is comprised of old warehouses now converted to artists' lofts and studios. In addition, with the advent of the City's Adaptive Reuse Ordinance, the converted buildings now operate as live/work and commercial uses; thus, there is a growing residential population and commercial-oriented uses within the Community Plan area.

Directly north of the Project Site and across East 4th Street are several auto repair-related businesses, the Miyako Sushi and Washoku School, and live/work lofts. Just north of East 4th Place are a variety of commercial uses, some of which are under construction. Uses

include offices such as the County of Los Angeles Department of Public Social Services, as well as Art Share L.A., which includes performance space, a gallery, and artist residences. Directly east of the Project Site and across South Hewitt Street is a vacant warehouse, Resident LA (combined residential and commercial restaurant space), Arts District Dog Park, and the Southern California Institute of Architecture. Just west of the Project Site and across Colyton Street toward Alameda Street are several single-story warehouses, one of which is The Container Yard and art center. The uses are enclosed behind structures or fences that are all entirely decorated with murals. To the south of the Project Site are low-rise warehouses that are used for a variety of industrial and commercial uses, with surface parking lots that make up the remainder of the block. These land uses include a crossfit gym, retail shops, offices, and Urth Caffé. The block south of 5th Street includes restaurants, the Los Angeles Cleantech Incubator, La Kretz Innovation Campus, and the new Arts District Park, which faces the Barker Lofts.

5. Applicable Land Use Plans

The Project is subject to the City of Los Angeles General Plan Framework Element. As previously stated, the Project is located in the Central City North Community Plan (Community Plan) area and is subject to the policies of the Community Plan, as well as to the specific development standards of the City of Los Angeles Municipal Code (LAMC).

6. Related Projects

Section 15130 of the State CEQA Guidelines requires that an EIR consider potential cumulative impacts of a project, in addition to individual project impacts. CEQA defines a “cumulative impact” an impact that is created as a result of the combination of the project analyzed in the EIR together with other projects causing related impacts. The cumulative impacts of a project shall be discussed when a project’s incremental effect is cumulatively considerable. However, the analysis of cumulative impacts is not required by CEQA to be as detailed as the evaluation of a project’s impacts; rather, pursuant to Section 15130(b), the cumulative impact analysis shall be guided by the “standards of practicality and reasonableness,” focusing on the cumulative impacts to which the other identified projects contribute. Adequate cumulative impact analyses are based on one of the following necessary elements:

- A list of past, present, and probable future projects producing related or cumulative impacts, including projects that are outside the control of the lead agency, if necessary (“list method”); or
- A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect “summary of projections method”).

The Related Projects list is based on information provided by the City's Department of Transportation (LADOT) and City of Los Angeles Department of City Planning (Department of City Planning), recent case filings of major discretionary projects, and recent transportation studies prepared for projects located within 1.5 miles of the Project Site as of the date of the September 20, 2017 NOP. These currently planned and pending projects that are located in this defined Project area are listed in Table III-1, Related Projects in the Vicinity of the Project. A total of 137 Related Projects are identified for the Project and are considered in the evaluation of cumulative impacts. As shown in Table III-2, Summary of Related Project Land Uses, the Related Projects include a variety of land uses, among which are apartments, condominiums, schools, museums, restaurants, hotels, offices, industrial parks, gym and health clubs, private clubs, cinemas, sports complexes, art and production spaces, other commercial and retail uses, and a jail, as well as mixed-use developments incorporating two or more of these uses. The Related Projects are in various stages of the planning, environmental review, approval, and development process. Additional information and calculations associated with the Related Project land uses and areas are provided in Appendix A4, Related Projects, of this Draft EIR. The locations of Related Projects are shown on Figure III-1, Locations of Related Projects.

Table III-1
Related Projects in the Vicinity of the Project

No.	Project Name ^a	Address	Description	Size
1 ^b	Blossom Plaza	900 North Broadway	Condominium	223 units
			Retail	25,000 square feet (sf)
			Restaurant	15,000 sf
			Cultural center	7,000 sf
2	Bus Maintenance & Inspection Facility	454 East Commercial St.	Bus facility	2 acres (87,120 sf)
3	Da Vinci Apartments	327 North Fremont Ave.	Apartment	600 units
			Retail	30,000 sf
4 ^b	Vibiana Lofts (Mixed-Use)	225 South Los Angeles St.	Condominium	300 units
			Retail	3,400 sf
5	1101 North Main Condos	1101 North Main St.	Condominium	316 units
6 ^b	Mixed-Use Project (Megatoys)	905 East 2nd St.	Condominium	320 units
			Retail	18,712 sf
7	5 th & Olive (formerly Park Fifth Project)	437 South Hill St.	Condominium	660 units
			Restaurant	13,742 sf
8	11 th & Hill Project	1115 South Hill St.	Condominium	172 units
			Restaurant	6,850 sf
9 ^b	Stanford Regency Plaza	810 East Pico Blvd.	Retail	181,620 sf
10	Embassy Tower	848 South Grand Ave.	Condominium	420 units
			Retail	38,500 sf

No.	Project Name ^a	Address	Description	Size
11 ^{b,c}	Wilshire Grand Project	900 West Wilshire Blvd.	Hotel	560 rooms
			Apartment	100 units
			Office	150,000 sf
			Retail/ restaurant	275,000 sf
12 ^d	Grand Avenue Project	100 South Grand Ave.	Condominium	968 units
			Apartment	242 units
			Hotel	225 rooms
			Retail	152,150 sf
			Office	650,000 sf
			Restaurant	52,000 sf
			Supermarket	53,000 sf
			Health club	24,000 sf
			Event Facility/ Civic Park	250 seats (16- acres, or 696,960 sf)
13 ^b	Olympic & Hill Mixed-Use Project	301 West Olympic Blvd.	Apartment	300 units
			Retail	14,500 sf
			Restaurant	8,500 sf
14	LA Civic Center Office	150 North Los Angeles St.	Office	712,500 sf
			Retail	35,000 sf
			Child care	2,500 sf
15	Broadway Palace	928 South Broadway	Apartment	667 units
			Condominium	17 units
			Retail	58,800 sf
16	Mixed-Use	534 South Main St.	Apartment	160 units
			Retail	18,000 sf
			Restaurant	3,500 sf
			Fast food	3,500 sf
17	Mixed-Use	840 South Olive St.	Condominium	303 units
			Restaurant	9,680 sf
18 ^b	Mixed-Use	710 South Grand Ave.	Apartment	700 units
			Retail	27,000 sf
			Restaurant	5,000 sf
19	Restaurant	1036 South Grand Ave.	Restaurant	7,149 sf
20 ^e	Santa Fe Freight Yard Redevelopment	950 East 3rd St.	School	532 students
			Apartment	635 units
			Retail	30,062 sf
21	Retail / Restaurant	201 South Broadway	Retail/ restaurant	27,765 sf
22 ^f	The City Market (Mixed-Use)	1057 South San Pedro St.	Apartment	877 units
			Condominium	68 units
			Hotel	210 rooms
			Office	549,141 sf
			Retail (including 744-seat cinema)	224,862 sf
23	Mixed-Use	400 South Broadway	Apartment	450 units
			Retail	10,000 sf
			Bar	5,000 sf
24 ^b	1001 South Olive Street	1001 South Olive St.	Apartment	201 units
			Retail	5,000 sf
25	Camden Arts Mixed-Use	1525 East Industrial St.	Apartment	328 units
			Office	27,300 sf
			Retail	6,400 sf
			Restaurant	5,700 sf

No.	Project Name ^a	Address	Description	Size
26 ^b	Mixed-Use	1000 South Grand Ave.	Apartment	274 units
			Restaurant	12,000 sf
27	Hill Street Mixed-Use	920 South Hill St.	Apartment	239 units
			Retail	5,400 sf
28	Broadway Mixed-Use	955 South Broadway	Apartment	201 units
			Retail	6,000 sf
29 ^b	Mixed-Use	801 South Olive St.	Apartment	331 units
			Restaurant	10,000 sf
30 ^b	Olympic & Olive Mixed-Use Project	960 South Olive St.	Apartment	263 units
			Restaurant	14,500 sf
31	Mixed-Use	820 South Olive St.	Apartment	589 units
			Retail	4,500 sf
32	Mixed-Use	601 South Main St.	Apartment	452 units
			Retail	25,000 sf
33	Mixed-Use	2051 East 7 th St.	Apartment	240 units
			Retail	8,000 sf
			Restaurant	3,500 sf
34	Mixed-Use (Herald Examiner)	1111 South Broadway	Apartment	214 units
			Retail	10,000 sf
35	Mixed-Use	1148 South Broadway	Apartment	94 units
			Retail	2,500 sf
36	La Plaza Cultura Village	527 North Spring St.	Apartment	345 units
			Retail	23,000 sf
			Specialty retail	21,000 sf
			Restaurant	11,000 sf
37 ^b	Mixed-Use (Coca Cola)	963 East 4 th St.	Office	75,000 sf
			Retail	25,000 sf
			Restaurant	20,000 sf
38	Mixed-Use	826 South Mateo St.	Live / work	90 units
			Retail	11,000 sf
			Restaurant	5,600 sf
39	520 Mateo	520 South Mateo St.	Live/work Apartment	600 units
			Live/work office	90,000 sf
			Museum	10,000 sf
			Office	20,000 sf
40	Retail (Palmetto & Mateo)	555 South Mateo St.	Commercial	30,000 sf
			Retail OR	153,000 sf OR
			Retail	130,000 sf
41	Mixed-Use	2030 East 7 th St.	Office	50,000 sf
			Retail	243,000 sf
42	Mixed-Use	732 South Spring St.	Retail	40,000 sf
			Apartment	400 units
43	Office	540 South Santa Fe Ave.	Retail	15,000 sf
			Office	65,812 sf
44	Mixed-Use	360 South Alameda St.	Apartment	52 units
			Restaurant	2,400 sf
			Office	6,900 sf
45	Apartments	118 South Astronaut ES Onizuka St.	Apartment	77 units
46	Mixed-Use	700 West Cesar Chavez Ave.	Apartment	300 units
			Retail	8,000 sf

No.	Project Name ^a	Address	Description	Size
47 ⁹	Clinic at 7 th & Wall	649 South Wall St.	Medical office	66 employees
			Assisted Living	55 beds
48	Metro Emergency Security Operations Center	410 North Center St.	Office	110,000 sf
49	Restaurant	500 South Mateo St.	Restaurant	12,682 sf
50	Medallion Phase 2	300 South Main St.	Apartment	471 units
			Restaurant	27,780 sf
			Retail	5,190 sf
51	Alexan South Broadway	850 South Hill St.	Apartment	305 units
			Retail	3,500 sf
			Restaurant	3,500 sf
52	400 South Alameda Street	400 South Alameda St.	Hotel	66 rooms
			Restaurant	2,130 sf
			Retail	840 sf
53	Giannini Place (Nomad Hotel)	649 South Olive St.	Hotel	241 rooms
54	940 South Hill Mixed-Use	940 South Hill St.	Apartment	232 units
			Retail	14,000 sf
55	Mixed Use	719 East 5 th St.	Apartment	160 units
			Retail	7,500 sf
56	Mixed-Use	2130 East Violet St.	Office	94,000 sf
			Retail	3,500 sf
			Restaurant	4,000 sf
57	Mixed-Use (Private Club)	929 East 2nd St.	Retail	37,979 sf
			Private club	71,078 sf
58	Spring Street Hotel	633 South Spring St.	Hotel	176 rooms
			Bar	5,290 sf
			Restaurant	8,430 sf
59	Mixed Use (Revised)	1800 East 7 th St.	Apartment	122 units
			Commercial	7,900 sf
60	Restaurant	1722 East 16 th St.	Restaurant	8,515 sf
61	Hill Mixed Use Project	708 North Hill St.	Apartment	162 units
			Retail	5,000 sf
62	Alpine Mixed-Use	211 West Alpine St.	Apartment	122 units
			Retail	7,500 sf
63	Beaudry Ave & 2 nd Street Mixed-Use Project	130 South Beaudry Ave.	Apartment	220 units
			Other	9,000 sf
64	College Station Mixed-Use	129 West College St., 924 North Spring St.	Apartment	770 units
			Commercial	51,390 sf
65	CIM South Park Apartments	888 South Hope St.	Apartment	526 units
66 ^b	Wakaba LA	232 East 2 nd St.	Apartment	240 units
			Retail	16,000 sf
67	Mitsui Fudosan (Eighth and Figueroa Tower)	744 South Figueroa St.	Apartment	436 units
			Restaurant	3,750 sf
			Retail	3,750 sf
68	945 West 8 th Street	845 West 8 th St.	Apartment	781 units
			Commercial	6,700 sf
69	Holland Partner Group / Eighth and Spring	737 South Spring St.	Apartment	320 units
			Pharmacy/ Drugstore	25,000 sf

No.	Project Name ^a	Address	Description	Size
70	Budokan of Los Angeles	237 South Los Angeles St.	Sports complex	43,453 sf
71	Ford Factory Building	2030 East 7 th St.	Office	243,583 sf
			Retail	40,000 sf
72 ^b	Harris Building Office Conversion	11 th St. & Main St.	Office	52,000 sf
73 ^h	Soho House	1000 South Santa Fe Ave.	Private club	48 rooms
			Restaurant and bar	8,447 sf
74 ^b	Italian American Museum	125 Paseo de la Plaza	Museum	7,140 sf
75 ^b	Max Lofts	819 South Santee St.	Apartment	88 units
76 ^{b,i}	Skyspace	633 West 5 th St.	Observation deck	13,000 sf
77	668 South Alameda Street Mixed-Use	668 South Alameda St.	Live/work Apartment	475 units
			Live/work Office	25,200 sf
			Office/retail/restaurant/ market	57,000 sf
78	330 South Alameda Street Mixed-Use	330 South Alameda St.	Live/work Apartment	186 units
			Office	10,415 sf
			Retail	11,925 sf
79	Palmetto	527 South Colyton St.	Apartment	310 units
			Commercial	11,375 sf
			Production space	11,736 sf
80	676 Mateo Mixed-Use	676 Mateo St.	Live/work	185 units
			Live/work office	3,900 sf
			Restaurant	15,005 sf
			Retail	8,375 sf
81	Hillcrest Mixed-Use	1745 East 7 th St.	Apartment	57 units
			Commercial	6,000 sf
82	2110 Bay Street	2110 Bay St.	Live/work Apartments	110 units
			Creative office	113,350 sf
			Shopping center (mix of retail, market, health club, restaurant)	43,657 sf
83 ^b	1200 South Santa Fe Avenue	1200 South Santa Fe Ave.	Apartment	53 units
			Retail	13,000 sf
84	Fifth and Hill	333 West 5 th St.	Condominium	100 units
			Hotel	200 rooms
			Commercial OR Condominium	27,500 sf OR 142 units
			Commercial	25,000 sf
85	Arts District Center (Mixed-Use)	1129 East 5 th St.	Condominium	129 units
			Hotel	113 rooms
			Retail	26,979 sf
			Restaurant	31,719 sf
			Art space	12,771 sf

No.	Project Name ^a	Address	Description	Size
86	670 Mesquit	670 Mesquit St.	Hotel	236 rooms
			Apartment	308 units
			Retail	79,240 sf
			Restaurant	89,576 sf
			Event space	93,617 sf
			Gym	62,148 sf
			Grocery	56,912 sf
			Office	944,055 sf
87	433 South Main Street	433 South Main St.	Condominium	196 units
			Retail	5,300 sf
			Restaurant	900 sf
88	Tribune (LA Times) South Tower Project	222 West 2 nd St.	Condominium	107 units
			Office	534,044 sf
			Retail	7,200 sf
89	1045 South Olive Street	1045 South Olive St.	Condominium	800 units
			Retail	15,000 sf
90	Mixed-use	1100 South Main St.	Apartment	379 units
			Retail	25,810 sf
91	1000 South Mateo Street	1000 South Mateo St.	Live/work	104 units
			Office	101,983 sf
			Retail/ restaurant	22,109 sf
			Art production	5,519 sf
92	2117 East Violet Street	2117 East Violet St.	Live/work	509 units
			Commercial	288,230 sf
93	234 North Center Street	220 North Center St.	Apartment	430 units
			Retail	8,742 sf
94	940 East 4 th Street	940 East 4 th St.	Live/work	93 units
			Commercial	20,248 sf
95	2159 East Bay Street	2159 East Bay St.	Condominium	4 units
			Office	222,000 sf
96	333 South Alameda Street	333 South Alameda St.	Apartment	994 units
			Commercial	99,300 sf
97	641 Imperial Street	641 Imperial St.	Live/work	140 units
			Office	14,700 sf
98	845 Olive & 842 Grand Mixed-Use	845 South Olive St.	Apartment	208 units
			Retail	2,430 sf
99	Mixed-Use (Times Mirror Square)	100 South Broadway	Apartment	1,127 units
			Office	285,088 sf
			Supermarket	50,000 sf
			Restaurant	75,589 sf
100	Southern California Flower Market Project	755 South Wall St.	Apartment	322 units
			Office	53,200 sf
			Commercial	8,820 sf
101	Mixed-Use	609 East 5 th St.	Apartment	151 units
102	Residential	713 East 5 th St.	Apartment	51 units
103	656 South Stanford Avenue	656 South Stanford Ave.	Apartment	82 units
104	8 th / Grand / Hope Project	754 South Hope St.	Condominium units	409 units
			Retail	7,329 sf

No.	Project Name ^a	Address	Description	Size
105	Weingart Tower - Affordable Housing	554 South San Pedro St.	Apartment (affordable)	378 units
			Apartment (market-rate)	4 units
			Retail	1,758 sf
			Office	4,410 sf
			Flex	5,932 sf
106	600 South San Pedro Street	600 South San Pedro St.	Apartment	303 units
			Commercial	19,909 sf
107	508 East 4 th Street	508 East 4 th St.	Apartment	41 units
108	4 th & Spring Hotel	361 South Spring St.	Hotel	315 rooms
			Meeting space	2,000 sf
109	Olympic & Hill Mixed Use	1030 South Hill St.	Apartment	700 units
			Retail	7,000 sf
			Restaurant	7,000 sf
110	Alameda District Plan	Union Station Terminal Annex	Residential	22 units
			Office	7,443,200 sf
			Retail	645,000 sf
			Hotel	750 rooms
			Restaurant	20,000 sf
111	Hellman / Banco Building	354 South Spring St.	Apartment	212 units
112	Industrial Park	1005 South Mateo St.	Industrial park	94,849 sf
113	ELACC / Bridge Housing Project	SW corner of 1 st St. & Soto St.	Apartment	65 units
			Retail	5,000 sf
114	900 North Alameda Street	900 North Alameda St.	Data center	179,900 sf
115	Mixed-Use	640 South Santa Fe Ave.	Office	91,185 sf
			Retail	9,430 sf
			Restaurant	6,550 sf
116	Equity Residential Mixed-Use	340 South Hill St.	Apartment	406 units
			Affordable	22 units
			Office	2,980 sf
			Retail	2,630 sf
117	Mixed-Use	601 South Central Ave.	Apartment	236 units
			Commercial	12,000
118	ROW DTLA Mixed-Use	777 South Alameda St.	Office	850,400 sf
			Restaurant	117,400 sf
			Retail	66,200 sf
			Hotel	125 rooms
119	7 th & Maple Mixed-Use	701 South Maple Ave.	Apartment	452 units
			Retail	6,800 sf
			Restaurant	6,800 sf
120	1100 5 th Mixed-Use	1100 East 5 th St.	Live/work	220 units
			Live/work office	4,350 sf
			Office	15,671 sf
			Restaurant	19,609 sf
121	949 South Hope Street Mixed-Use Development	949 South Hope St.	Apartment	236 units
			Retail	5,954 sf
122	655 South San Pedro Street Residential	655 South San Pedro St.	Apartment	81 units

No.	Project Name ^a	Address	Description	Size
123	6AM	1206-1338 East 6 th St. /1205-1321 Wholesale St.	Hotel	412 rooms
			Apartment	1,305 units
			Condominium	431 units
			Office	253,500 sf
			Community space	127,600 sf
			School	29,300 sf
			Art space	22,400 sf
124	Mixed-Use	755 South Los Angeles St.	Office	60,243 sf
			Retail	16,694 sf
			Restaurant	26,959 sf
125	643-655 North Spring Street	643-655 North Spring St.	Apartment	281 units
			Hotel	142 rooms
			Commercial	17,003 sf
126	Men's Central Jail Replacement	441 East Bauchet St.	Los Angeles County Consolidated Correctional Treatment Facility	3,885 beds
			Apartment	236 units
			Retail	12,000 sf
127	Mixed-Use	930 East 6th St. Retail	Market	14,193 sf
			Health Club	6,793 sf
			Restaurant	10,065 sf
128	Mixed-Use	1000 South Santa Fe St.	Live / Work Apartment	4 units
			Restaurant and Bar	3,568 sf
			Retail	6,171 sf
129	Mixed-Use	810 East 3rd St.	Hotel	149 rooms
			Restaurant	6,716 sf
130	Hotel	124 East Olympic Blvd.	Student charter school	625-students
131	Charter School	443 South Soto St.	Apartment	31 units
132	Mixed-Use	323 West 5 th St.	Hotel	190 rooms
			Meeting Space	6,119 sf
			Restaurant	29,232 sf
			Hotel	138 rooms
133	Hotel	1138 South Broadway	Affordable Housing	44 units
			Bank	3,000 sf
			Retail	5,000 sf
134	Mixed-Use	110 South Boyle Ave.	Apartment	104 rooms
			Office	101,983 sf
			Restaurant	16,729 sf
			Retail	5,830 sf
			Light Industrial	5,519 sf
135	1024 Mateo St Mixed-Use	1024 South Mateo St.	Apartment	935 units
			Retail	10,919 sf
			Restaurant	10,919 sf
136	Mack Urban (Site 2 & 3)	1105 South Olive St.	Office	97,577 sf
			Restaurant	10,739 sf
			Fast-Food	1,977 sf
137	Office, Restaurant, Fast-Food	431 South Colyton St.	Office	97,577 sf
			Restaurant	10,739 sf
			Fast-Food	1,977 sf

No.	Project Name ^a	Address	Description	Size
^a	The Related Projects list is based on information provided by LADOT and the Department of City Planning, recent case filings, and recent traffic studies prepared for projects located within 1.5 miles of the Project Site as of June 4, 2019.			
^b	Although construction of the Related Project may be partially complete/entirely complete, the project was not fully occupied at the time of the NOP or when traffic counts were conducted. Therefore, the Related Project was considered and listed to provide a more conservative analysis.			
^c	The project description/trip generation are based on Transportation Study for the Wilshire Grand Redevelopment Project (Gibson Transportation Consulting, Inc., April 2010), reviewed and approved by LADOT in April 2010. The constructed project has a reduced development program (889 hotel rooms, 369,299 sf office, 34,765 sf retail/restaurant and 46,170 sf of ancillary uses). The assumptions are conservative.			
^d	The Related Project information is based on the Final Environmental Impact Report for the Grand Avenue Project (Christopher A. Joseph & Associates, November 2006), and does not account for the completed phase on Parcels L and M-2. The event facility area is based on the Draft EIR (PCR, June 2006), which described that events would be held in a 16-acre Civic Park. Where necessary, this sf is utilized.			
^e	Based on the California Department of Education's Guide to School Site Analysis and Development, Building Area per Pupil (available at: https://www.cde.ca.gov/ls/fa/sf/guideschoolsite.asp , and accessed April 22, 2021), the size of schools is calculated at 59 sf/pupil for kindergarten through grade six; at 80 sf/pupil for grades seven and eight; and at an average of 92 sf/pupil for grades nine through twelve. For the three types of schools: 59 + 80 + 92 = 231/3, an average of 77 sf/pupil is required. 532 students would require a 40,964-sf school and 625 students would require 48,125 sf. Where necessary in the environmental analyses, these areas are utilized.			
^f	The cinema area is included within the retail space (City Market Los Angeles Final EIR [available at: https://planning.lacity.org/eir/CityMarketProject/FEIR/City%20Market%20of%20Los%20Angeles%20Final%20EIR.html , accessed April 22, 2021]).			
^g	Medical office space for 66 employees is estimated at 18,876 sf, based on 3.4965 employees/1,000 sf of office space (Los Angeles Unified School District's [LAUSD's] Commercial/Industrial Developer Fee Justification Study, [March 2014 Development School Fee Justification Study]). Assisted living space of 55 beds is estimated at 23,484 sf, based on 2.342 residents/1,000 sf (single occupancy) (USEPA's Energy Star Program, Space Use Information-Senior Care Facility from https://www.energystar.gov/ia/business/tools_resources/target_finder/help/Space_Use_Information_-_Senior_Care_Facility.htm , accessed April 23, 2021). Where necessary, these areas are utilized.			
^h	An area of 500 sf is assumed for each private club (and hotel) room included in this table.			
ⁱ	The Skyspace observation deck consists of the 69th and 70th floor areas of 13,000 sf (OUE Skyspace Los Angeles, Skyspace, Private Events, from: https://oue-skyspace.com/events/ , accessed March 9, 2018).			
^j	According to the Consolidated Correctional Treatment Facility Transportation Impact Analysis (Fehr and Peers, August 2017), this Related Project would generate 50 new employees.			

Table III-2
Summary of Related Project Land Uses

General Land Use	Size ^a
Residential	
Market-Rate and Affordable Apartments, Live/Work Apartments, Condominiums, and Other Residential Units	33,511 units
Assisted Living	23,484 square feet (sf), 55 beds
Office	
Office, Medical Office, Live/Work Office, Creative Office, and Meeting Space	14,349,665 sf
Hotel	
Hotel	4,248 rooms (2,124,000 sf)
Museum/Cultural Center	
Museum and Cultural Center	94,140 sf
Industrial	
Industrial Park and Light Industrial	100,368 sf
Sports/Event Facilities	
Sports Complex and Event Space	137,070 sf
Event Facility/Civic Park	16 acres (or 696,960 sf)

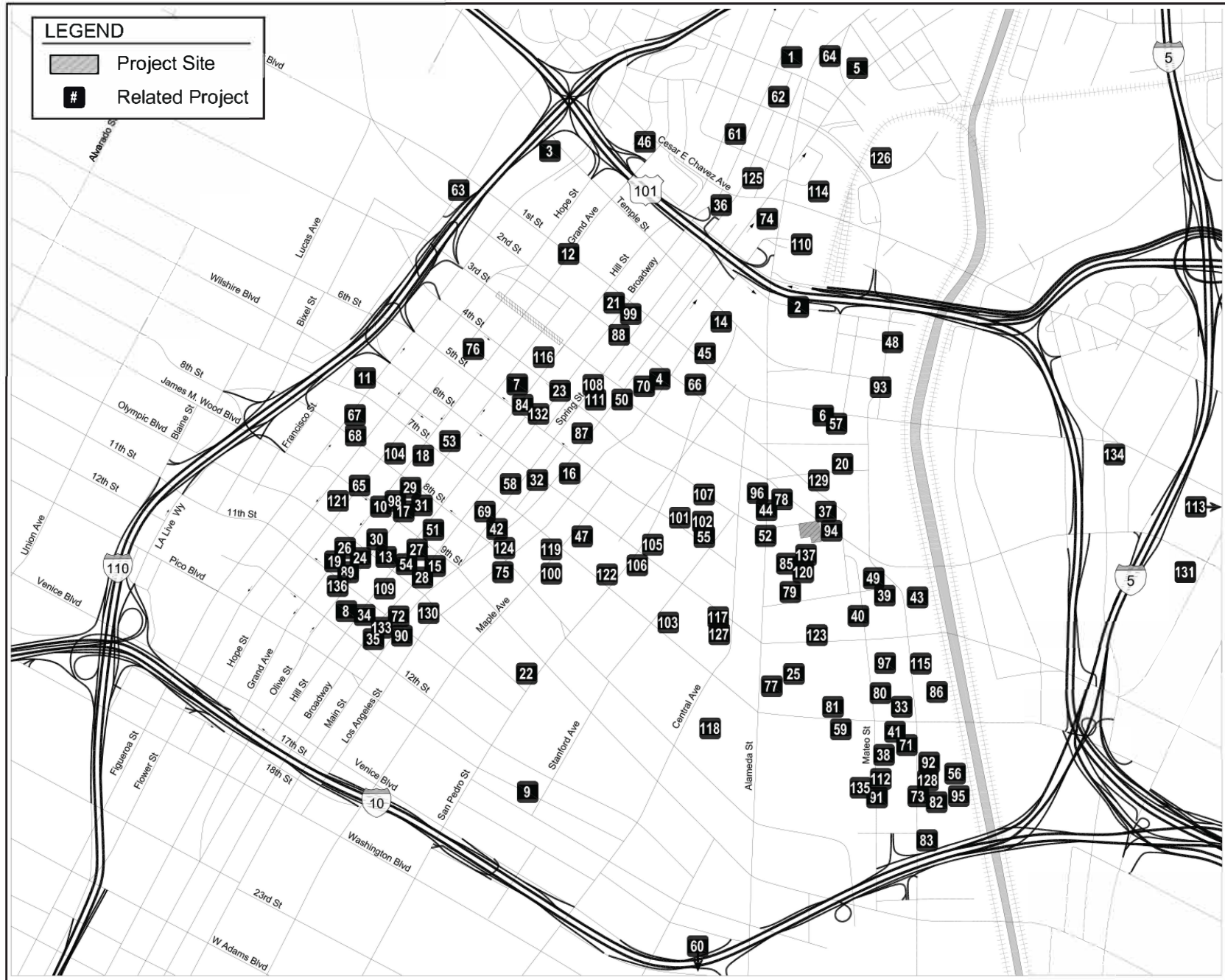
General Land Use	Size ^a
Commercial and Retail	
Commercial, Shopping Center, Retail and Specialty Retail, Fast Food, Restaurant, Bar, Market/Grocery, Gym, Bank, Private Club, and Health Club	4,377,390 sf
Private club	48 rooms (24,000 sf)
Arts and Production	
Art and Production Space	52,426 sf
Schools	
School	118,389 sf
Miscellaneous Uses	
Correctional Facility	3,885 beds
Pharmacy/Drugstore, Child Care, Community Space, Data Center, Flex, Other, and Combined Office/Retail/Restaurant/Market	406,932 sf
Observation Deck	13,000 sf
Bus Facility	2 acres (or 87,120 sf)
Commercial OR Condominium	27,500 sf (commercial) OR 142 units (condominium)
Retail OR Office and Retail	153,000 sf (retail) OR 50,000 sf (office) and 130,000 sf (retail)
^a For detailed descriptions and sizes of Related Projects, refer to Table III-1 footnotes, which also provide the basis for area calculations.	

The 137 individual Related Projects are considered in the cumulative impact analyses in Chapter IV, Environmental Impact Analysis, Sections IV.A (Air Quality) through IV.N.4 (Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications), where relevant. Unless otherwise specified, the cumulative analyses assume that each Related Project is developed prior to Project buildout in 2025. It should also be noted that the geographic scope of cumulative impact analyses vary according to the specific environmental topic being addressed. For example, while the geographic scope of cumulative air quality impact analyses are regional and may affect the entire air basin, the geographic scope of cumulative impact analyses for geology or hydrology are more localized. Further, the growth projected by Related Projects 1 through 137 is a conservative assumption, as some of the Related Projects may not be developed by buildout of the Project, may be approved and developed at reduced densities, or may not be developed.

In addition, the Department of City Planning is in the process of updating several of the City's 35 Community Plans, which together comprise the City of Los Angeles General Plan Land Use Element, as well as developing a new Zoning Ordinance, which will amend Chapter 1 of the LAMC. The City released a "Notice of Preparation of a Combined Draft Environmental Impact Report and Notice of Scoping Meeting for Updates to the Central City and Central City North Community Plans, and Amendments to the City of Los Angeles Municipal Code to Adopt a New Zoning Code for the Central City and Central

City North Plan Areas (as Part of the Re:Code LA Project)” in February 2017.⁴ According to the NOP, the updates to the Central City and Central City North Community Plans, or collectively, the Downtown Community Plan or DTLA 2040, following adoption, will guide development through the year 2040 and will allocate land for jobs, housing, parks and open space (where feasible), and civic functions, as well as improve the link between land use and transportation. The updated Downtown Community Plan would include new goals, objectives, and policies for the Downtown Community Plan area that accommodate growth in jobs and residents in the Downtown Community Plan area. As the Project would be developed by 2025 and the horizon year of the Downtown Community Plan is 2040, it is reasonable to assume that the growth that is projected by the Related Projects (which are also generally assumed to be developed prior to 2040) would overlap with the growth that will be assumed by the Downtown Community Plan.

⁴ City of Los Angeles, Department of City Planning. 2017. Notice of Preparation of a Combined Draft Environmental Impact Report and Notice of Scoping Meeting for Updates to the Central City and Central City North Community Plans, and Amendments to the City of Los Angeles Municipal Code to Adopt a New Zoning Code for the Central City and Central City North Plan Areas (as part of the re:code LA project). February 6.



Source: Gibson Transportation Consulting, Inc., June 2019, revised May 2022.

IV. Environmental Impact Analysis

IV. Environmental Impact Analysis

A. Air Quality

1. Introduction

This section evaluates the Project's potential impacts on air quality. This section estimates the air pollutant emissions generated by demolition of existing buildings and surface parking lots, construction of new uses, and operation of the Project, and analyzes whether Project emissions would conflict with or obstruct implementation of the applicable air quality plan; result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment under an applicable federal or State of California (State) ambient air quality standard; expose sensitive receptors to substantial pollutant concentrations; or result in other emissions, such as those leading to odors, affecting a substantial number of people. This section relies on information included in the Air Quality Impact Analysis, provided in Appendix B of this Draft Environmental Impact Report (EIR).

2. Environmental Setting

a) Air Quality Background

(1) Air Quality and Public Health

Certain air pollutants have been recognized to cause notable health problems and consequential damage to the environment either directly or in reaction with other pollutants, due to their presence in elevated concentrations in the atmosphere. Such pollutants have been identified and regulated as part of an overall endeavor to prevent further deterioration and to facilitate improvement in air quality. The National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been set at levels considered safe to protect public health, including the health of sensitive populations such as asthmatics, children, and the elderly with a margin of safety, and to protect public welfare, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings.¹ As the scientific methods for the study of air pollution health effects have progressed over the past decades, adverse effects have been shown to occur at lower levels of exposure. For some pollutants, no clear thresholds

¹ USEPA. NAAQS Table. Available at: <https://www.epa.gov/criteria-air-pollutants/naaqs-table>. Accessed on May 4, 2021.

for effects have been demonstrated. New findings over time have, in turn, led to the revision and lowering of NAAQS which, in the judgment of the United States Environmental Protection Agency (USEPA), are necessary to protect public health. Ongoing assessments of the scientific evidence from health studies continue to be an important part of setting and informing revisions to federal and state air quality standards.² The NAAQS and CAAQS are listed in Table IV.A-1 on page IV.A-10.

At the regional level, the South Coast Air Quality Management District (SCAQMD) is the regulatory agency responsible for improving air quality for large areas of Los Angeles, Orange County, Riverside and San Bernardino Counties, including the Coachella Valley.³ The City of Los Angeles (City) is located within the South Coast Air Basin (Air Basin) which is a distinct geographic subarea within the SCAQMD's jurisdiction. The SCAQMD, together with the Southern California Association of Governments (SCAG), has the responsibility for ensuring that national and State ambient air quality standards are achieved and maintained for the Air Basin. Failure to comply with these standards puts State and local agencies at risk for penalties in the form of lawsuits, fines, a federal takeover of state implementation plans (SIPs), and a loss of funds from federal agencies such as the Federal Highway Administration and Federal Transit Administration.

To meet the air quality standards, regional plans are developed, including the SCAQMD's Air Quality Management Plan (AQMP), which incorporates regional demographic projections and integrated regional land use and transportation strategies from SCAG's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). These plans work together to examine multiple pollutants, cumulative effects, and transport issues related to attaining healthful air quality in the region. In addition, a host of regulatory standards at the federal, State, regional, and local level function to identify and limit exposure of air pollutants and toxic air contaminants (TACs).

(2) Local Air Quality and Air Pollution Sources

As mentioned above, the City is located within the Air Basin, which is an approximately 6,745-square-mile area bounded by the Pacific Ocean to the west; the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east; and San Diego County to the south. The Air Basin includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties, in addition to the Coachella Valley area in Riverside County. The regional climate within the Air Basin is considered semi-arid and is characterized by warm summers, mild winters, infrequent seasonal rainfall, moderate daytime onshore breezes, and moderate humidity. The air quality within the Air

² SCAQMD. 2017. Final 2016 AQMP. Appendix I-69. March.

³ SCAQMD. 1999. Map of Jurisdiction.

Basin is primarily influenced by meteorology and a wide range of emissions sources, such as dense population centers, heavy vehicular traffic, and industry.

The Air Basin experiences a persistent temperature inversion (increasing temperature with increasing altitude) as a result of the Pacific high. This inversion limits the vertical dispersion of air contaminants, holding them relatively near the ground. As the sun warms the ground and the lower air layer, the temperature of the lower air layer approaches the temperature of the base of the inversion (upper) layer until the inversion layer finally breaks, allowing vertical mixing with the lower layer. This phenomenon is observed in mid to late afternoons on hot summer days. Winter inversions frequently break by midmorning.

The combination of stagnant wind conditions and low inversions produces the greatest pollutant concentrations. On days of no inversion or high wind speeds, ambient air pollutant concentrations are lowest. During periods of low inversions and low wind speeds, air pollutants generated in urbanized areas are transported predominantly onshore into Riverside and San Bernardino Counties. In the winter, the greatest pollution problem is the accumulation of carbon monoxide (CO) and nitrogen oxides (NO_x) due to low inversions and air stagnation during the night and early morning hours. In the summer, the longer daylight hours and the brighter sunshine combine to cause a reaction between hydrocarbons and NO_x to form photochemical smog.

Air pollutant emissions within the Air Basin are generated primarily by stationary and mobile sources. Stationary sources can be divided into two major subcategories: point and area sources. Point sources occur at a specific location and are often identified by an exhaust vent or stack. Examples include boilers or combustion equipment that produce electricity or generate heat. Area sources are widely distributed and include such sources as residential and commercial water heaters, painting operations, lawn mowers, agricultural fields, landfills, and some consumer products. Mobile sources refer to emissions from motor vehicles, including tailpipe and evaporative emissions, and are classified as either on-road or off-road. On-road sources may be legally operated on roadways and highways. Off-road sources include aircraft, ships, trains, and self-propelled construction equipment. Air pollutants can also be generated by the natural environment, such as when high winds suspend fine dust particles.

(3) Air Pollutant Types

(a) *Criteria Pollutants*

The six principal pollutants for which national and State criteria and standards have been promulgated, known as “criteria pollutants”, and which are most relevant to current air quality planning and regulation in the Air Basin include: ozone (O₃), respirable and fine

particulate matter (PM₁₀ and PM_{2.5}, respectively), CO, nitrogen dioxide (NO₂), sulfur dioxide (SO₂), and lead (Pb). These pollutants are referred to as “criteria air pollutants” as a result of the specific standards, or criteria, which have been adopted for them.

(i) *Ozone (O₃)*

O₃ is a gas that is formed when volatile organic compounds (VOCs) and NO_x - both byproducts of internal combustion engine exhaust - undergo slow photochemical reactions in the presence of sunlight. O₃ concentrations are generally highest during the summer months when direct sunlight, light wind, and warm temperature conditions are favorable. An elevated level of O₃ irritates the lungs and breathing passages, causing coughing and pain in the chest and throat, thereby increasing susceptibility to respiratory infections and reducing the ability to exercise. Effects are more severe in people with asthma and other respiratory ailments. Long-term exposure may lead to scarring of lung tissue and may lower lung efficiency.

(ii) *Particulate Matter (PM₁₀ and PM_{2.5})*

Particulate matter pollution consists of very small liquid and solid particles floating in the air, which can include smoke, soot, dust, salts, acids, and metals. Particulate matter can form when gases emitted from industries and motor vehicles undergo chemical reactions in the atmosphere. Respirable and fine particulate matter, PM₁₀ and PM_{2.5}, consist of extremely small, suspended particles or droplets 10 microns and 2.5 microns or smaller in diameter, respectively. Some sources of particulate matter, such as pollen and windstorms, are naturally occurring. However, in areas such as the City, most particulate matter is caused by road dust, diesel soot, combustion products, abrasion of tires and brakes, and construction activities. The human body naturally prevents the entry of larger particles into the body. However, small particles can enter the body and become trapped in the nose, throat, and upper respiratory tract. These small particulates can potentially aggravate existing heart and lung diseases, change the body’s defenses against inhaled materials, and damage lung tissue. The elderly, children, and those with chronic lung or heart disease are most sensitive to PM₁₀ and PM_{2.5}. Lung impairment can persist for two to three weeks after exposure to high levels of particulate matter. Some types of particulates can become toxic after inhalation due to the presence of certain chemicals and their reaction with internal body fluids.

(iii) *Carbon Monoxide (CO)*

CO is a colorless, odorless gas primarily emitted from combustion processes and motor vehicles due to incomplete combustion of carbon-containing fuels such as gasoline or wood. In urban areas, such as the City, automobile exhaust accounts for the majority of CO emissions. CO concentrations tend to be the highest during the winter morning, when

little to no wind and surface-based inversions trap the pollutant at ground levels. Because CO is emitted directly from internal combustion engines, unlike O₃, motor vehicles operating at slow speeds are the primary source of CO in the Air Basin. The highest ambient CO concentrations are generally found near congested transportation corridors and intersections. Elevated concentrations of CO weaken the heart's contractions and lower the amount of oxygen carried by the blood. It is especially dangerous for people with chronic heart disease. Inhalation of CO can cause nausea, dizziness, and headaches at moderate concentrations and can be fatal at high concentrations.

(iv) *Nitrogen Dioxide (NO₂)*

NO₂ is a nitrogen oxide compound that is produced by the combustion of fossil fuels, such as in internal combustion engines (both gasoline and diesel powered), as well as point sources, especially power plants. Of the seven types of NO_x compounds, NO₂ is the most abundant in the atmosphere. As ambient concentrations of NO₂ are related to traffic density, commuters in heavy traffic areas, particularly in urban areas such as the City, may be exposed to higher concentrations of NO₂ than those indicated by regional monitors. NO₂ absorbs blue light and results in a brownish-red cast to the atmosphere and reduced visibility. NO₂ also contributes to the formation of PM₁₀. NO_x irritate the nose and throat, and increase one's susceptibility to respiratory infections, especially in people with asthma. The principal concern of NO_x is as a precursor to the formation of O₃.

(v) *Sulfur Dioxide (SO₂)*

Sulfur oxides (SO_x) are compounds of sulfur and oxygen molecules. SO₂ is the predominant form found in the lower atmosphere and is a product of burning sulfur or burning materials that contain sulfur. Major sources of SO₂ include power plants, large industrial facilities, diesel vehicles, and oil-burning residential heaters. Generally, the highest levels of SO₂ are found near large industrial complexes. In recent years, SO₂ concentrations have been reduced by the increasingly stringent controls placed on stationary source emissions of SO₂ and limits on the sulfur content of fuels. Emissions of SO₂ aggravate lung diseases, especially bronchitis. It also constricts the breathing passages, especially in asthmatics and people involved in moderate to heavy exercise. SO₂ potentially causes wheezing, shortness of breath, and coughing. High levels of particulates appear to worsen the effect of SO₂, and long-term exposures to both pollutants leads to higher rates of respiratory illness.

(vi) *Lead (Pb)*

Pb, is a metal found naturally in the environment as well as in manufactured products. The highest levels of Pb in air are usually found near Pb smelters. The major sources of Pb emissions to the air are ore and metals processing and piston-engine aircraft operating

on leaded aviation gasoline. Pb is also emitted from the sanding or removal of old lead-based paint (LBP). Pb emissions are primarily a regional pollutant. Pb affects the brain and other parts of the body's nervous system. Exposure to Pb in very young children impairs the development of the nervous system, kidneys, and blood forming processes in the body.

(b) *Additional Criteria Pollutants (California Only)*

In addition to the national standards, the State regulates state-identified criteria pollutants, including sulfates (SO_4), hydrogen sulfide (H_2S), visibility-reducing particles, and vinyl chloride. With respect to the State-identified criteria pollutants, most land use development projects either do not emit them (i.e., H_2S [nuisance odor] and vinyl chloride), or otherwise account for these pollutants (i.e., SO_4 and visibility reducing particles) through other criteria pollutants. For example, SO_4 are associated with SO_x emissions, and visibility-reducing particles are associated with PM emissions. A description of the health effects of the State-identified criteria air pollutants is provided below.

(i) *Sulfates (SO_4^{2-})*

SO_4^{2-} are the fully oxidized ionic form of sulfur. SO_4^{2-} occur in combination with metal and/or hydrogen ions. In California, emissions of sulfur compounds occur primarily from the combustion of petroleum-derived fuels (e.g., gasoline and diesel fuel) that contain sulfur. This sulfur is oxidized during the combustion process and subsequently converted to SO_4^{2-} in the atmosphere. Effects of sulfate exposure at levels above the standard include a decrease in ventilatory function, aggravation of asthmatic symptoms, and an increased risk of cardio-pulmonary disease. SO_4^{2-} are particularly effective in degrading visibility, and, due to the fact that they are usually acidic, can harm ecosystems and damage materials and property.

(ii) *Hydrogen Sulfide (H_2S)*

H_2S is a colorless gas with the odor of rotten eggs. The most common sources of H_2S emissions are oil and natural gas extraction and processing, and natural emissions from geothermal fields. Industrial sources of H_2S include petrochemical plants and kraft paper mills. H_2S is also formed during bacterial decomposition of human and animal wastes, and is present in emissions from sewage treatment facilities and landfills.⁴ Exposure to H_2S can induce tearing of the eyes and symptoms related to overstimulation of the sense of smell, including headache, nausea, or vomiting; additional health effects of eye irritation have only been reported with exposures greater than 50 parts per million (ppm), which is

⁴ CARB. Hydrogen Sulfide & Health. Available at: <https://ww2.arb.ca.gov/resources/hydrogen-sulfide-and-health>. Accessed on May 4, 2021.

considerably higher than the odor threshold.⁵ H₂S is regulated as a nuisance based on its odor detection level; if the standard were based on adverse health effects, it would be set at a much higher level.⁶

(iii) *Visibility-Reducing Particles*

Visibility-reducing particles come from a variety of natural and manmade sources and can vary greatly in shape, size and chemical composition. Visibility reduction is caused by the absorption and scattering of light by the particles in the atmosphere before it reaches the observer. Certain visibility-reducing particles are directly emitted to the air, such as windblown dust and soot, while others are formed in the atmosphere through chemical transformations of gaseous pollutants (e.g., SO₄, nitrates, organic carbon particles) which are the major constituents of particulate matter. As the number of visibility-reducing particles increases, more light is absorbed and scattered, resulting in less clarity, color, and visual range.⁷ Exposure to some haze-causing pollutants have been linked to adverse health impacts similar to PM₁₀ and PM_{2.5}, as discussed above.⁸

(iv) *Vinyl Chloride*

Vinyl chloride is a colorless gas with a mild, sweet odor. Most vinyl chloride is used to make polyvinyl chloride plastic and vinyl products and is generally emitted from industrial processes. Other major sources of vinyl chloride have been detected near landfills, sewage plants, and hazardous waste sites, due to microbial breakdown of chlorinated solvents.⁹ Short-term health effects of exposure to high levels of vinyl chloride in the air include central nervous system effects, such as dizziness, drowsiness, and headaches while long-term exposure to vinyl chloride through inhalation and oral exposure causes liver damage and has been shown to increase the risk of angiosarcoma, a rare form of liver cancer in humans.¹⁰ Most health data on vinyl chloride relate to carcinogenicity; thus, the people most at risk are those who have long-term exposure to elevated levels, which is more likely to occur in occupational or industrial settings; however, control methodologies applied to industrial facilities generally prevent emissions to the ambient air.¹¹

⁵ CARB, Hydrogen Sulfide & Health. Available at: <https://ww2.arb.ca.gov/resources/hydrogen-sulfide-and-health>. Accessed on May 4, 2021.

⁶ CARB, Hydrogen Sulfide & Health. Available at: <https://ww2.arb.ca.gov/resources/hydrogen-sulfide-and-health>. Accessed on May 4, 2021.

⁷ CARB, Visibility-Reducing Particles & Health. Available at: <https://ww2.arb.ca.gov/resources/visibility-reducing-particles-and-health>. Accessed May 4, 2021.

⁸ CARB, Visibility-Reducing Particles & Health, Available at: <https://ww2.arb.ca.gov/resources/visibility-reducing-particles-and-health>. Accessed May 4, 2021.

⁹ CARB, Vinyl Chloride & Health. Available at: <https://ww2.arb.ca.gov/resources/vinyl-chloride-and-health>. Accessed on May 4, 2021.

¹⁰ CARB, Vinyl Chloride & Health. Available at: <https://ww2.arb.ca.gov/resources/vinyl-chloride-and-health>. Accessed on May 4, 2021.

¹¹ CARB, Vinyl Chloride & Health. Available at: <https://ww2.arb.ca.gov/resources/vinyl-chloride-and-health>. Accessed on May 4, 2021.

(c) *Volatile Organic Compounds (VOCs) and Toxic Air Contaminants (TACs)*

Although the SCAQMD's primary mandate is attaining the NAAQS and the CAAQS for criteria pollutants within the district, SCAQMD also has a general responsibility to control emissions of air contaminants and prevent endangerment to public health. As a result, the SCAQMD has regulated pollutants other than criteria pollutants such as VOCs, TACs, greenhouse gases (GHGs), and stratospheric O₃-depleting compounds.

(i) *VOCs*

VOCs are organic chemical compounds of carbon and are not "criteria" pollutants themselves; however, VOCs are a prime component (along with NO_x) of the photochemical processes by which such criteria pollutants as O₃, NO₂, and certain fine particles are formed. They are therefore regulated as "precursors" to formation of these criteria pollutants. Some are also identified as TACs and have adverse health effects. VOCs are typically formed from combustion of fuels and/or released through evaporation of organic liquids, internal combustion associated with motor vehicle usage, and consumer products (e.g., architectural coatings, etc.).

(ii) *Toxic Air Contaminants (TACs)*

TACs is a term used to describe airborne pollutants that may be expected to result in an increase in mortality or serious illness or which may pose a present or potential hazard to human health, and include both carcinogens and non-carcinogens. The California Air Resources Board (CARB) and the California Office of Environmental Health Hazard Assessment (OEHHA) determine if a substance should be formally identified, or "listed," as a TAC in California. CARB has listed approximately 200 toxic substances, including those identified by the USEPA, which are identified on the California Air Toxics Program's TAC List. TACs are also not classified as "criteria" air pollutants. The greatest potential for TAC emissions during construction is related to diesel particulate matter (DPM) emissions associated with heavy-duty equipment. During long-term operations, sources of DPM may include heavy duty diesel-fueled delivery trucks and stationary emergency generators. The effects of TACs can be diverse and their health impacts tend to be local rather than regional; consequently ambient air quality standards for these pollutants have not been established, and analysis of health effects is instead based on cancer risk and exposure levels.

b) Regulatory Framework

There are several plans, regulations, and programs that include policies, requirements, and guidelines regarding Air Quality at the federal, State, regional, and local levels. As described below, these plans, guidelines, and laws include the following:

- Federal Clean Air Act
 - National Ambient Air Quality Standards
- California Clean Air Act
 - California Ambient Air Quality Standards
- California Code of Regulations
- State Programs for Toxic Air Contaminants
- Diesel Risk Reduction Program
- South Coast Air Quality Management District
 - Air Quality Management Plan and Regional Transportation Plan/Sustainable Communities Strategy
 - Air Quality Guidance Documents
 - Rules and Regulations
- City of Los Angeles Air Quality Element
- City of Los Angeles Plan for a Healthy LA

(1) Federal

(a) *Federal Clean Air Act*

The Federal Clean Air Act (CAA) was enacted in 1970 and has been amended numerous times in subsequent years, with the latest amendments occurring in 1990.¹² The CAA is the comprehensive federal law that regulates air emissions in order to protect public health and welfare.¹³ The USEPA is responsible for the implementation and enforcement of the CAA, which establishes Federal NAAQS, specifies future dates for achieving compliance, and requires the USEPA to designate areas as attainment, nonattainment, or maintenance. The CAA also mandates that each state submit and implement a SIP for each criteria pollutant for which the state has not achieved the applicable NAAQS. The SIP includes pollution control measures that demonstrate how the standards for those pollutants will be met. The sections of the CAA most applicable to land use development

¹² United States Code, Title 42, Section 7401 et seq. 1970.

¹³ USEPA. Summary of the Clean Air Act. Available at: <https://www.epa.gov/laws-regulations/summary-clean-air-act>. Accessed on May 4, 2021.

projects include Title I (Nonattainment Provisions) and Title II (Mobile Source Provisions).¹⁴

Title I requirements are implemented for the purpose of attaining NAAQS for criteria air pollutants. Table IV.A-1, Ambient Air Quality Standards, shows the NAAQS currently in effect for each criteria pollutant. The Air Basin fails to meet national standards for O₃ and PM_{2.5} and, therefore, is considered a federal “nonattainment” area for these pollutants. In addition, Los Angeles County fails to meet the national standard for lead and, therefore, is considered a federal non-attainment area for lead.

Title II pertains to mobile sources, which includes on-road vehicles (e.g. cars, buses, motorcycles) and non-road vehicles (e.g. aircraft, trains, construction equipment). Reformulated gasoline and automobile pollution control devices are examples of the mechanisms the USEPA uses to regulate mobile air emission sources. The provisions of Title II have resulted in tailpipe emission standards for vehicles, which have been strengthened in recent years to improve air quality. For example, the standards for NO_x emissions have been lowered substantially and the specification requirements for cleaner burning gasoline are more stringent.

The NAAQS, and the CAAQS for the California criteria air pollutants (discussed below), have been set at levels considered safe to protect public health, including the health of sensitive populations and to protect public welfare.

Table IV.A-1
Ambient Air Quality Standards

Pollutant	Averaging Period	Federal Standard ^{a,b}	California Standard ^{a,b}	South Coast Air Basin Attainment Status ^c	
				Federal Standard ^d	California Standard ^d
Ozone (O ₃)	1-hour	—	0.09 ppm (180 µg/m ³)	—	Nonattainment
	8-hour	0.070 ppm (137 µg/m ³)	0.07 ppm (137 µg/m ³)	Nonattainment (Extreme)	Nonattainment
Respirable Particulate Matter (PM ₁₀)	24-hour	150 µg/m ³	50 µg/m ³	Attainment	Nonattainment
	Annual	—	20 µg/m ³		
	24-hour	35 µg/m ³	—	Nonattainment (Serious)	Nonattainment

¹⁴ USEPA. Clean Air Act Overview. Available at: <https://www.epa.gov/clean-air-act-overview/clean-air-act-text>. Accessed on May 4, 2021.

Pollutant	Averaging Period	Federal Standard ^{a,b}	California Standard ^{a,b}	South Coast Air Basin Attainment Status ^c	
				Federal Standard ^d	California Standard ^d
Fine Particulate Matter (PM_{2.5})	Annual	12 µg/m ³	12 µg/m ³		
Carbon Monoxide (CO)	1-hour	35 ppm (40 mg/m ³)	20 ppm (23 mg/m ³)	Attainment	Attainment
	8-hour	9 ppm (10 mg/m ³)	9.0 ppm (10 mg/m ³)		
Nitrogen Dioxide (NO₂)	1-hour	0.10 ppm (188 µg/m ³)	0.18 ppm (339 µg/m ³)	Unclassified/ Attainment	Attainment
	Annual	0.053 ppm (100 µg/m ³)	0.030 ppm (57 µg/m ³)		
Sulfur Dioxide (SO₂)	1-hour	0.075 ppm (196 µg/m ³)	0.25 ppm (655 µg/m ³)	Unclassified/ Attainment	Attainment
	3-hour	0.5 ppm (1,300 µg/m ³)	—		
	24-hour	0.14 ppm (365 µg/m ³)	0.04 ppm (105 µg/m ³)		
	Annual	0.03 ppm (80 µg/m ³)	—		
Lead (Pb)	30-day average	—	1.5 µg/m ³	Partial Nonattainment ^e	Attainment
	Rolling 3-month average	0.15 µg/m ³	—		
Sulfates	24-hour	—	25 µg/m ³	—	Attainment
Hydrogen Sulfide (H₂S)	1-hour	—	0.03 ppm (42 µg/m ³)	—	Unclassified

Sources: USEPA. NAAQS Table. Available at: <https://www.epa.gov/criteria-air-pollutants/naaqs-table>. Accessed on May 6, 2021.
CARB. 2016. Ambient Air Quality Standards May 4. Available at: <https://ww3.arb.ca.gov/research/aaqs/aaqs2.pdf>. Accessed on May 6, 2021.

ppm = parts per million by volume
µg/m³ = micrograms per cubic meter

^a An ambient air quality standard is a concentration level expressed in either parts per million or micrograms per cubic meter and averaged over a specific time period (e.g., 1 hour). The different averaging times and

Pollutant	Averaging Period	Federal Standard ^{a,b}	California Standard ^{a,b}	South Coast Air Basin Attainment Status ^c	
				Federal Standard ^d	California Standard ^d
<p>concentrations are meant to protect against different exposure effects. Some ambient air quality standards are expressed as a concentration that is not to be exceeded. Others are expressed as a concentration that is not to be equaled or exceeded.</p> <p>^b Ambient Air Quality Standards based on the 2016 AQMP.</p> <p>^c "Attainment" means that the regulatory agency has determined based on established criteria, that the Air Basin meets the identified standard. "Nonattainment" means that the regulatory agency has determined that the Air Basin does not meet the standard. "Unclassified" means there is insufficient data to designate an area, or designations have yet to be made.</p> <p>^d California and Federal standard attainment status based on SCAQMD's 2016 AQMP and 2018 updates from CARB. https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations.</p> <p>^e An attainment re-designation request is pending.</p>					

(2) State

(a) *California Clean Air Act*

The California Clean Air Act, (CCAA), signed into law in 1988, requires all areas of the State to achieve and maintain the CAAQS by the earliest practicable date. CARB, a part of the California Environmental Protection Agency (CalEPA), is responsible for the coordination and administration of both State and federal air pollution control programs within California. In this capacity, CARB conducts research, sets the CAAQS, compiles emission inventories, develops suggested control measures, and provides oversight of local programs. CARB establishes emissions standards for motor vehicles sold in California, consumer products, and various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions. Table IV.A-1 includes the CAAQS currently in effect for each of the criteria pollutants, as well as other pollutants recognized by the State. As shown in Table IV.A-1, the CAAQS include more stringent standards than the NAAQS. The Air Basin fails to meet State standards for O₃, PM₁₀, and PM_{2.5} and, therefore, is considered "nonattainment" for these pollutants.

(b) *California Code of Regulations*

The California Code of Regulations (CCR) is the official compilation and publication of regulations adopted, amended or repealed by State agencies pursuant to the Administrative Procedure Act. The CCR includes regulations that pertain to air quality emissions. Specifically, Section 2485 in Title 13 of the CCR states that the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location. In addition, Section 93115 in Title 17 of the CCR states that operations of any stationary, diesel-fueled, compression-ignition engines shall meet specified fuel and fuel additive requirements and emissions standards.

(c) *State Programs for Toxic Air Contaminants*

The California Air Toxics Program is an established two-step process of risk identification and risk management to address potential health effects from exposure to toxic substances in the air. In the risk identification step, CARB and OEHHA determine if a substance should be formally identified, or “listed,” as a TAC in California. In the risk management step, CARB reviews emission sources of an identified TAC to determine whether regulatory action is needed to reduce risk. Based on results of that review, CARB has promulgated a number of Airborne Toxic Control Measures (ATCMs), both for stationary and mobile sources, including On-Road and Off-Road Vehicle Rules. These ATCMs include measures such as limits on heavy-duty diesel motor vehicle idling and emission standards for off-road diesel construction equipment in order to reduce public exposure to DPM and other TACs. These actions are also supplemented by the Assembly Bill (AB) 2588 Air Toxics “Hot Spots” program and Senate Bill (SB) 1731, which require facilities to report their air toxics emissions, assess health risks, notify nearby residents and workers of significant risks if present, and reduce their risk through implementation of a risk management plan. SCAQMD has further adopted two rules to limit cancer and non-cancer health risks from facilities located within its jurisdiction. Rule 1401 (New Source Review of Toxic Air Contaminants) regulates new or modified facilities, and Rule 1402 (Control of Toxic Air Contaminants from Existing Sources) regulates facilities that are already operating. Rule 1402 incorporates requirements of the AB 2588 program, including implementation of risk reduction plans for significant risk facilities.

(d) *Diesel Risk Reduction Program*

CARB identified particulate emissions from diesel-fueled engines as TACs in August 1998. Following the identification process, CARB was required by law to determine if there is a need for further control, which moved us into the risk management phase of the program. CARB developed the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and the Vehicles and the Risk Management Guidance for the Permitting of New Stationary Diesel-Fueled Engines. The Diesel Advisory Committee approved these documents on September 28, 2000, paving the way for the next step in the regulatory process: the control measure phase. During the control measure phase, specific statewide regulations designed to further reduce DPM emissions from diesel-fueled engines and vehicles have and continue to be evaluated and developed. The goal of each regulation is to make diesel engines as clean as possible by establishing state-of-the-art technology requirements or emission standards to reduce DPM emissions.

(3) Regional

(a) *South Coast Air Quality Management District (SCAQMD)*

The SCAQMD is primarily responsible for planning, implementing, and enforcing air quality standards for the Air Basin. The Air Basin is a subregion within the western portion of the SCAQMD jurisdiction, as the SCAQMD also regulates portions of the Salton Sea Air Basin and Mojave Desert Air Basin within Riverside County.

(b) *Air Quality Management Plan and Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)*

To meet the NAAQS and CAAQS, the SCAQMD has adopted a series of AQMPs, which serve as a regional blueprint to develop and implement an emission reduction strategy that will bring the area into attainment with the standards in a timely manner. The 2016 AQMP includes strategies to ensure that rapidly approaching attainment deadlines for O₃ and PM_{2.5} are met and that public health is protected to the maximum extent feasible. The most significant air quality challenge in the Air Basin is to reduce NO_x emissions¹⁵ sufficiently to meet the upcoming O₃ standard deadlines, as NO_x plays a critical role in the creation of O₃. The AQMP's strategy to meet the 8-hour O₃ standard in 2023 should lead to sufficient NO_x emission reductions to attain the 1-hour O₃ standard by 2022. Since NO_x emissions also lead to the formation of PM_{2.5}, the NO_x reductions needed to meet the O₃ standards will likewise lead to improvement of PM_{2.5} levels and attainment of PM_{2.5} standards.^{16,17}

The SCAQMD's strategy to meet the NAAQS and CAAQS distributes the responsibility for emission reductions across federal, State and local levels and industries. The 2016 AQMP is composed of stationary and mobile source emission reductions from traditional regulatory control measures, incentive-based programs, co-benefits from climate programs, mobile source strategies, and reductions from federal sources, which include aircraft, locomotives and ocean-going vessels. These strategies are to be implemented in partnership with the CARB and USEPA.

The AQMP also incorporates the transportation strategy and transportation control measures from SCAG's adopted 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Plan.¹⁸ SCAG is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial Counties, and addresses regional issues relating to transportation, the economy, community

¹⁵ NO_x emissions are a precursor to the formation of both O₃ and secondary PM_{2.5}.

¹⁶ Estimates are based on the inventory and modeling results and are relative to the baseline emission levels for each attainment year (see Final 2016 AQMP for detailed discussion).

¹⁷ SCAQMD. 2017. Final 2016 AQMP. Page ES-2. March.

¹⁸ SCAG. 2016. 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy. Adopted April.

development and the environment. SCAG coordinates with various air quality and transportation stakeholders in Southern California to ensure compliance with the federal and State air quality requirements. Pursuant to California Health and Safety Code Section 40460, SCAG has the responsibility of preparing and approving the portions of the AQMP relating to the regional demographic projections and integrated regional land use, housing, employment, and transportation programs, measures, and strategies. SCAG is required by law to ensure that transportation activities “conform” to, and are supportive of, the goals of regional and State air quality plans to attain the NAAQS. The RTP/SCS includes transportation programs, measures, and strategies generally designed to reduce vehicle miles traveled (VMT), which are contained in the AQMP. The SCAQMD combines its portion of the AQMP with those prepared by SCAG.¹⁹ The RTP/SCS and Transportation Control Measures, included as Appendix IV-C of the 2016 AQMP for the Air Basin, are based on SCAG’s 2016-2040 RTP/SCS.

The 2016 AQMP forecasts the 2031 emissions inventories “with growth” based on SCAG’s 2016-2040 RTP/SCS. The region is projected to see a 12 percent growth in population, 16 percent growth in housing units, 23 percent growth in employment, and 8 percent growth in VMT between 2012 and 2031. Despite regional growth in the past, air quality has improved substantially over the years, primarily due to the effects of air quality control programs at the local, State and federal levels.²⁰

On September 3, 2020, SCAG’s Regional Council adopted the 2020-2045 RTP/SCS. The 2020-2045 RTP/SCS was determined to conform to the federally-mandated SIP, for the attainment and maintenance of NAAQS standards. On October 30, 2020, CARB also accepted SCAG’s determination that the SCS met the applicable future State GHG reduction targets of 19 percent. The 2020-2045 RTP/SCS will be incorporated into the forthcoming 2022 AQMP.

(i) SCAQMD Air Quality Guidance Documents

The SCAQMD published the CEQA Air Quality Handbook (approved by the SCAQMD’s Governing Board in 1993) to provide local governments with guidance for analyzing and mitigating project-specific air quality impacts.²¹ The CEQA Air Quality Handbook provides standards, methodologies, and procedures for conducting air quality analyses. However, the SCAQMD is currently in the process of replacing the CEQA Air Quality Handbook with the Air Quality Analysis Guidance Handbook. While this process is underway, the SCAQMD has provided supplemental guidance on the SCAQMD website.²²

¹⁹ SCAG. 2016. 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy Adopted April.

²⁰ SCAQMD. 2017. Final 2016 AQMP, Figure 1-4. March.

²¹ SCAQMD. 1993. CEQA Air Quality Handbook. April.

²² SCAQMD. Air Quality Analysis Handbook. Available at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook#>. Accessed on May 6, 2021.

The SCAQMD has also adopted land use planning guidelines in its Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning, which considers impacts to sensitive receptors from facilities that emit TAC emissions.²³ SCAQMD's siting distance recommendations are the same as those provided by CARB (e.g., a 500-foot siting distance for sensitive land uses proposed in proximity to freeways and high-traffic roads, and the same siting criteria for distribution centers and dry cleaning facilities). The SCAQMD's document introduces land use-related policies that rely on design and distance parameters to minimize emissions and lower potential health risk. SCAQMD's guidelines are voluntary initiatives recommended for consideration by local planning agencies.

The SCAQMD has published a guidance document called the Final Localized Significance Threshold Methodology for CEQA evaluations that is intended to provide guidance when evaluating the localized effects from mass emissions during construction or operation of a project.²⁴ The SCAQMD adopted additional guidance regarding PM_{2.5} emissions in a document called Final Methodology to Calculate Particulate Matter (PM)_{2.5} and PM_{2.5} Significance Thresholds.²⁵ The latter document has been incorporated by the SCAQMD into its CEQA significance thresholds and Final Localized Significance Threshold Methodology.

(ii) *SCAQMD Rules and Regulations*

The SCAQMD has adopted several rules and regulations to regulate sources of air pollution in the Air Basin and to help achieve air quality standards for land use development projects, which include, but are not limited to the following:

Regulation IV – Prohibitions: This regulation sets forth the restrictions for visible emissions, odor nuisance, fugitive dust, various air emissions, fuel contaminants, start-up/shutdown exemptions and breakdown events. The following is a list of rules which apply to the Project:

- **Rule 401 – Visible Emissions:** This rule states that a person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three minutes in any one hour which is as dark or darker in shade as that designated No. 1 on the Ringelmann Chart or of such opacity as to obscure an observer's view.
- **Rule 402 – Nuisance:** This rule states that a person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of

²³ SCAQMD. 2005. Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. May 6.

²⁴ SCAQMD. 2003. Final Localized Significance Threshold Methodology. June (Revised July 2008).

²⁵ SCAQMD. 2006. Final Methodology to Calculate Particulate Matter (PM)_{2.5} and PM_{2.5} Significance Thresholds.

persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

- **Rule 403 – Fugitive Dust:** This rule requires projects to prevent, reduce or mitigate fugitive dust emissions from a site. Rule 403 restricts visible fugitive dust to the project property line, restricts the net PM₁₀ emissions to less than 50 micrograms per cubic meter (µg/m³) and restricts the tracking out of bulk materials onto public roads. Additionally, projects must utilize one or more of the best available control measures (identified in the tables within the rule). Best available control measures may include adding freeboard to haul vehicles, covering loose material on haul vehicles, watering, using chemical stabilizers and/or ceasing all activities. Finally, a contingency plan may be required if so determined by the USEPA.

Regulation XI – Source Specific Standards: Regulation XI sets emissions standards for specific sources. The following is a list of rules which may apply to the Project:

- **Rule 111~~8~~** – **Architectural Coatings:** This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.
- **Rule 11~~88~~** – **Control of Emissions from Restaurant Operations:** This rule specifies PM and VOC emissions and odor control requirements for commercial cooking operations that use chain-driven charbroilers to cook meat.
- **Rule 1146.2~~e~~** – **Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters:** This rule requires manufacturers, distributors, retailers, refurbishers, installers, and operators of new and existing units to reduce NO_x emissions from natural gas-fired water heaters, boilers, and process heaters as defined in this rule.

Regulation XIII – New Source Review (NSR): Regulation XIII sets requirements for preconstruction review required under both federal and State statutes for new and modified sources located in areas that do not meet the CAA standards ("nonattainment" areas). NSR applies to both individual permits and entire facilities. Any permit that has a net increase in emissions is required to apply Best Available Control Technology. Facilities with a net increase in emissions are required to offset the emission increase by use of Emission Reduction Credits (ERCs). The regulation provides for the application, eligibility, registration, use and transfer of ERCs. For low emitting facilities, the SCAQMD maintains an internal bank that can be used to provide the required offsets. In addition, certain facilities are subject to provisions that require public notice and modeling analysis to determine the downwind impact prior to permit issuance.

Regulation XIV – Toxics and Other Non-Criteria Pollutants: Regulation XIV sets requirements for new permit units, relocations, or modifications to existing permit units which emit TACs or other non-criteria pollutants. The following is a list of rules which may apply to the Project:

- **Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities:** This rule requires owners and operators of any demolition or renovation activity and the associated disturbance of asbestos-containing materials, any asbestos storage facility, or any active waste disposal site to implement work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos-containing materials.
- **Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines:** This rule applies to stationary compression ignition greater than 50 brake horsepower and sets limits on emissions and operating hours. In general, new stationary emergency standby diesel-fueled engines greater than 50 brake horsepower are not permitted to operate more than 50 hours per year for maintenance and testing.

(4) Local

(a) *City of Los Angeles General Plan*

(i) *Air Quality Element*

Local jurisdictions, such as the City, have the authority and responsibility to reduce air pollution through their land use decision-making authority. Specifically, the City is responsible for the assessment and mitigation of air emissions resulting from its land use decisions. In general, the City of Los Angeles General Plan (General Plan) (including the Framework, Air Quality, Mobility 2035, and Health and Wellness Elements) and the City's Green New Deal (Sustainable City Plan 2019) contain policies and programs for the protection of the environment and health through improved air quality. These serve to provide additional critical guidance for the betterment of public health for the region and City.

The most directly-related of those plans, the General Plan Air Quality Element (Air Quality Element), was adopted on November 24, 1992, and sets forth the goals, objectives, and policies which guide the City in its implementation of its air quality improvement programs and strategies. A number of these goals, objectives, and policies are relevant to land use development, and relate to traffic mobility, minimizing particulate emissions from construction activities, discouraging single-occupancy vehicle trips, managing traffic

congestion during peak hours, and increasing energy efficiency in City facilities and private developments.

The Air Quality Element establishes six goals:

- Good air quality in an environment of continued population growth and healthy economic structure;
- Less reliance on single-occupant vehicles with fewer commute and non-work trips;
- Efficient management of transportation facilities and system infrastructure using cost-effective system management and innovative demand-management techniques;
- Minimal impacts of existing land use patterns and future land use development on air quality by addressing the relationship between land use, transportation and air quality;
- Energy efficiency through land use and transportation planning, the use of renewable resources and less-polluting fuels and the implementation of conservation measures including passive measures such as site orientation and tree planting; and
- Citizen awareness of the linkages between personal behavior and air pollution and participation in efforts to reduce air pollution.

The City is also responsible for the implementation of transportation control measures as outlined in the AQMP. Through capital improvement programs, the City can fund infrastructure that contributes to improved air quality by requiring such improvements as bus turnouts as appropriate, installation of energy-efficient streetlights, and synchronization of traffic signals. In accordance with CEQA requirements and the CEQA review process, the City assesses the air quality impacts of new development projects, requires mitigation of potentially significant air quality impacts by conditioning discretionary permits, and monitors and enforces implementation of such mitigation measures.

(ii) Plan for a Healthy Los Angeles

The Plan for a Healthy Los Angeles, adopted by the City Council on March 31, 2015, lays the foundation to create healthier communities for all residents in the City. As an element of the General Plan, it provides high-level policy vision, along with measurable objectives and implementation programs, to elevate health as a priority for the City's future growth and development. With a focus on public health and safety, the Plan for a Healthy Los Angeles provides a roadmap for addressing the most basic and essential quality-of-life issues: safe neighborhoods, a clean environment (i.e., improved ambient and indoor air quality), the opportunity to thrive, and access to health services, affordable housing, and healthy and sustainably produced food.

c) Existing Conditions

(1) Climatology

The Project is located within the Air Basin, an approximately 6,600-square mile coastal plain bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The Air Basin includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. Air Basin conditions are characterized by warm summers, mild winters, infrequent rainfall, moderate onshore daytime breezes, and moderate humidity levels.

The topography and climate of Southern California combine to produce unhealthful air quality in the Air Basin. Low temperature inversions, light winds, shallow vertical mixing, and extensive sunlight, in conjunction with topographical features such as adjacent mountain ranges that hinder dispersion of air pollutants, combine to create degraded quality, especially in inland valleys of the Air Basin.

(2) Pollutants and Effects

The criteria air pollutants for which national standards have been promulgated and which are most relevant to current air quality planning and regulation in the Air Basin include O₃, PM₁₀, PM_{2.5}, CO, NO₂, SO₂, and Pb. In addition, VOCs, which is a precursor for the formation of O₃ in the atmosphere, and TACs are of concern in the Air Basin. The sources of the major criteria pollutants of concern and their effects on public health are summarized in Table IV.A-2, Sources and Health and Environmental Effects of Major Criteria Pollutants.

Table IV.A-2
Sources and Health and Environmental Effects of Major Criteria Pollutants

Pollutants	Sources	Primary Effects
Carbon Monoxide (CO)	<ul style="list-style-type: none"> Sources that burn fuel, such as automobiles, trucks, heavy construction equipment, farming equipment, and residential heating. 	<ul style="list-style-type: none"> Reduced tolerance for exercise. Impairment of fetal development. Possible impairment of central nervous system functions. Aggravation of some heart diseases (including angina pectoris).
Nitrogen Dioxide (NO ₂)	<ul style="list-style-type: none"> Sources that burn fuel, such as automobiles, trucks, heavy construction equipment, farming equipment, and residential heating. 	<ul style="list-style-type: none"> Aggravation of chronic respiratory disease and asthma. Atmospheric discoloration.
Ozone (O ₃)	<ul style="list-style-type: none"> Formed when reactive organic gases (ROG)^a and nitrogen oxides react in the presence of 	<ul style="list-style-type: none"> Pulmonary function decrements and localized lung injury in humans and animals.

Pollutants	Sources	Primary Effects
	sunlight. ROG sources include any source that burns fuels, (e.g., gasoline, natural gas, wood, oil) solvents, petroleum processing and storage, and pesticides.	<ul style="list-style-type: none"> Increased respiratory related hospital admissions and emergency room visits. Increased mortality risk. Reduction of plant productivity.
Lead (Pb)	<ul style="list-style-type: none"> Metal Smelters. Resource Recovery. Leaded Gasoline. Deterioration of Lead Paint. 	<ul style="list-style-type: none"> Impairment of blood formation and nerve conduction. Kidney and heart disease. Decreased immunity and reproductive function. Behavioral and hearing problems in children.
Respirable Particulate Matter (PM ₁₀)	<ul style="list-style-type: none"> Road Dust. Windblown Dust (Agriculture). Construction (Fireplaces). Also formed from other pollutants (acid rain, NO_x, SO_x, organics). Incomplete combustion of any fuel. 	<ul style="list-style-type: none"> Aggravation of respiratory and cardiovascular diseases. Decline in lung function or growth in children. Increased risk of premature death. Increased risk of lung cancer. Reduced visibility.
Fine Particulate Matter (PM _{2.5})	<ul style="list-style-type: none"> Fuel Combustion in Motor Vehicles, Equipment and Industrial Sources. Residential and Agricultural Burning. Also formed from the reaction of other pollutants (acid rain, NO_x, SO_x, and organics). 	<ul style="list-style-type: none"> Aggravation of respiratory and cardiovascular diseases. Decline in lung function or growth in children. Increased risk of premature death. Increased risk of lung cancer.
Sulfur Dioxide (SO ₂)	<ul style="list-style-type: none"> Coal or Oil Burning Power Plants and Industries. Refineries. Diesel Engines. 	<ul style="list-style-type: none"> Respiratory symptoms (bronchoconstriction, possible wheezing, or shortness of breath) during exercise or physical activity in persons with asthma.

Sources: SCAQMD. 2017. Final 2016 AQMP, Table 2-1. March.

CARB. 2009. ARB Fact Sheet: Air Pollution Sources, Effects and Control. December.

^a For purposes of this analysis, volatile organic compounds (VOC) and ROG are used interchangeably since ROG represents approximately 99.9 percent of VOC.

(3) Baseline Air Quality in the Project Area

Existing levels of ambient air quality and historical trends and projections in the Project area are well documented from measurements made by the SCAQMD. The central Los Angeles air monitoring station (Station 087) is closest to the Project Site and is therefore the most representative of the Project area air quality. Table IV.A-3, Project Area Air Quality Monitoring Summarye- 2015-2019, provides a 5-year summary of monitoring data for the major air pollutants compiled from this air monitoring station.

**Table IV.A-3
Project Area Air Quality Monitoring Summary– 2015-2019
(Days that Standards Were Exceeded and Maximum Observed Levels)**

Pollutant/Standard	2015	2016	2017	2018	2019
Ozone (O₃)					
1-Hour > 0.09 ppm (S)	2	2	6	2	0
8-Hour > 0.07 ppm (S)	6	4	14	4	2
8- Hour > 0.075 ppm (F)	0	1	9	0	1
Maximum 1-Hour Conc. (ppm)	0.104	0.103	0.116	0.098	0.085
Maximum 8-Hour Conc. (ppm)	0.074	0.078	0.086	0.073	0.080
Carbon Monoxide (CO)					
1-Hour > 20. ppm (S)	0	0	0	0	0
1-Hour > 9. ppm (S, F)	0	0	0	0	0
Maximum 8-Hour Conc. (ppm)	1.8	1.4	1.6	1.7	1.6
Nitrogen Dioxide (NO₂)					
1-Hour > 0.18 ppm (S)	0	0	0	0	0
Maximum 1-Hour Conc. (ppm)	0.079	0.065	0.081	0.071	0.070
Inhalable Particulates (PM₁₀)					
24-Hour > 50 µg/m ³ (S)	26/336	18/277	41/340	31/363	3/9
24-Hour > 150 µg/m ³ (F)	0/336	0/277	0/340	0/363	0/9
Maximum 24-Hr. Conc. (µg/m ³)	88	67	96	81	62
Ultra-Fine Particulates (PM_{2.5})					
24-Hour > 35 µg/m ³ (F)	7/342	2/357	5/358	3/344	1/260
Maximum 24-Hour Conc. (µg/m ³)	56.4	44.4	49.2	43.8	43.50
Source: SCAQMD. Central Los Angeles Monitoring Station Reports. Available at: http://www.aqmd.gov/home/air-quality/air-quality-data-studies/historical-data-by-year . Accessed on May 6, 2021.					
S = State Standard. F = Federal Standard. ppm = parts per million. Conc. = Concentration.					

O₃ (the primary ingredient in photochemical smog) levels occasionally exceed standards. The 1-hour State standard was exceeded 12 times in the last five years near central Los Angeles. The federal 8-hour O₃ standard has been exceeded 11 times, and the 8-hour State O₃ standard has been exceeded 30 times in the past five years near central Los Angeles. The central Los Angeles O₃ air quality problem is much less severe than in inland valleys of the Air Basin.

PM₁₀ levels as measured near the Project Site exceeded the State 24-hour standard on approximately 9 percent of all days monitored in the past five years, but did not exceed the federal 24-hour particulate standard on any days monitored in the last five years.

A substantial fraction of PM₁₀ is comprised of ultra-small diameter particulates capable of being inhaled into deep lung tissue (PM_{2.5}). Approximately 1.1 percent of all days monitored in the Project vicinity in the past five years exceeded the current federal 24-hour standard of 35 µg/m³.

More localized pollutants, such as CO, NO_x, etc. are very low near the Project Site. There is substantial excess dispersive capacity to accommodate localized vehicular air pollutants, such as NO_x or CO, without any threat of violating applicable AAQS.

(4) Existing Project Site Emissions

The Project Site currently contains 6,030 square feet of office space and related garage and storage space, an existing building formerly occupied by the Architecture and Design (A+D) Museum²⁶ (7,800 square feet in size) and associated 1,000 square feet of storage space, and 39,751 square feet of surface parking lots. The Project would remove the existing structures and parking lots from the Project Site, with the exception of the existing building formerly occupied by the A+D Museum, which would be retained. These existing uses to be removed currently generate criteria pollutant emissions due to use of electricity and other utilities, as well as mobile emissions from vehicle trips. The Project Transportation Impact Study estimates the vehicle trips previously generated by the former A+D Museum to be nine trips per day and the existing vehicle trips generated by the office use to be approximately 32 trips per day.²⁷ However, due to the limited extent of the existing, and recently vacated, land uses and associated emissions, these are conservatively not quantified in this analysis; therefore, the actual net increase in Project emissions over existing conditions presented later in the Project Impacts section below would be incrementally less than shown.

(5) Sensitive Receptors

In order to gauge the significance of the air quality impacts of the Project, those impacts, together with existing background air quality levels, must be compared to the applicable ambient air quality standards. These standards are the levels of air quality that are considered to be safe, with an adequate margin of safety, to protect the public health and welfare. They are designed to protect those people most susceptible to further respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise, which

²⁶ At the time that the Notice of Preparation for the Project was issued (September 20, 2017), the CEQA baseline for this Project, the building was occupied by the A+D Museum. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. The Project's requested discretionary approvals would not physically alter the 7,800-sf building.

²⁷ Gibson Transportation Consulting, Inc. 2022. Transportation Impact Study for the 4th & Hewitt Project. April (Revised). (Appendix L1.)

as a group are referred to as "sensitive receptors." Therefore, sensitive receptor locations typically include residences, schools, childcare centers, nursing homes, and hospitals, but they may also include playgrounds and athletic facilities. Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse effects are observed. Recent research has shown, however, that chronic exposure to O₃ (the primary ingredient in photochemical smog), for example, may lead to adverse respiratory health even at concentrations close to the ambient standard.

One sensitive receptor is located adjacent to the Project, and another sensitive receptor is located nearby. A small narrow structure, the 428 South Hewitt Street building, houses a residential unit in addition to its commercial use (Resident LA). This structure is located 80 feet southeast of the Project Site. The other sensitive use, with a larger concentration of receptors, is the 6-story multi-unit residential building located at 825 East 4th Street, which is located 200 feet northwest of the Project Site.

3. Project Impacts

a) Thresholds of Significance

(1) State CEQA Appendix G Thresholds

In accordance with Appendix G of the State CEQA Guidelines, the Project would have a significant impact in regard to air quality if one or more of the following would occur:

Threshold a): Conflict with or obstruct implementation of the applicable air quality plan; or

Threshold b): Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard; or

Threshold c): Expose sensitive receptors to substantial pollutant concentrations; or

Threshold d): Result in other emissions such as those leading to odors adversely affecting a substantial number of people.

(2) L.A. CEQA Thresholds Guide

For this analysis, the Appendix G Thresholds listed above are relied upon. The 2006 L.A. CEQA Thresholds Guide includes factors to assist in answering the Appendix G Threshold questions. The 2006 L.A. CEQA Thresholds Guide identifies the following factors that may be relevant to preparing the air quality impacts analysis:

(a) Construction

(i) Combustion Emissions from Construction Equipment

- Type, number of pieces and usage for each type of construction equipment;
- Estimated fuel usage and type of fuel (diesel, natural gas) for each type of equipment; and Other Mobile Source Emissions; and
- Emission factors for each type of equipment.

(ii) Fugitive Dust: Grading, Excavation and Hauling

- Amount of soil to be disturbed on-site or moved off-site;
- Emission factors for disturbed soil;
- Duration of grading, excavation and hauling activities;
- Type and number of pieces of equipment to be used; and
- Projected haul route.

(iii) Fugitive Dust: Heavy-Duty Equipment Travel on Unpaved Roads

- Length and type of road;
- Type, number of pieces, weight and usage of equipment; and
- Type of soil.

(iv) Other Mobile Source Emissions

- Number and average length of construction worker trips to project site, per day; and
- Duration of construction activities.

(b) Operation

- Operational emissions exceed 10 tons per year of volatile organic gases or any of the daily thresholds presented below (as reprinted from the CEQA Air Quality Handbook):

Pollutant	Significance Threshold (pounds/day)
ROG	55
NO _x	55
CO	550
PM ₁₀	150
SO _x	150

- *Either of the following conditions would occur at an intersection or roadway within one-quarter mile of a sensitive receptor:*
 - *The proposed project causes or contributes to an exceedance of the California 1-hour or 8-hour CO standards of 20 or 9.0 parts per million (ppm), respectively; or*
 - *The incremental increase due to the project is equal to or greater than 1.0 ppm for the California 1-hour CO standard, or 0.45 ppm for the 8-hour CO standard.*
 - *The project creates an objectionable odor at the nearest sensitive receptor.*

(c) *Toxic Air Contaminants*

- *The determination of significance shall be made on a case-by-case basis, considering the following factors:*
 - *The regulatory framework for the toxic material(s) and process(es) involved;*
 - *The proximity of the toxic air contaminants to sensitive receptors;*
 - *The quantity, volume and toxicity of the contaminants expected to be emitted;*
 - *The likelihood and potential level of exposure; and*
 - *The degree to which project design will reduce the risk of exposure.*

(3) SCAQMD Air Quality Significance Thresholds

To assist in answering the Appendix G Threshold questions and factors identified in the City's 2006 L.A. CEQA Thresholds Guide, the City utilizes the thresholds of significance in the SCAQMD's CEQA Air Quality Handbook, Chapter 6, as identified below, to assess the significance of the Project's estimated air quality impacts.

(a) Primary and Secondary Pollutants

Primary pollutants are those that are emitted in their already unhealthful form and may cause air quality impacts near an emission source(s) where concentrations will be highest. CO is an example of such a pollutant. Primary pollutant impacts can generally be evaluated directly in comparison to appropriate clean air standards. Violations of these standards where they are currently met, or a measurable worsening of an existing or future violation, would be considered a significant impact. Many particulates, especially fugitive dust emissions, are also primary pollutants. Because of the nonattainment status of the Air Basin for PM₁₀, an aggressive dust control program is generally required to control fugitive dust during construction projects. Secondary pollutants are those that require time to transform from a more benign form to a more unhealthful contaminant, such as O₃. Their impact occurs regionally and is not limited to the immediate vicinity of an emission source of precursor pollutants. To determine the significance of such pollutants, the SCAQMD has designated significant emissions levels of the precursor pollutants as surrogates for evaluating regional air quality impact significance independent of chemical transformation processes.²⁸

Projects with daily emissions that exceed one or more of the following emission thresholds shown are recommended by the SCAQMD to be considered significant, per the SCAQMD's 1993 CEQA Air Quality Handbook guidelines and updated 2019 SCAQMD Air Quality Significance Thresholds.²⁹

SCAQMD Daily Emissions Thresholds

Pollutant	Construction	Operations
VOC	75	55
NOx	100	55
CO	550	550
PM ₁₀	150	150
PM _{2.5}	55	55
SOx	150	150
Lead	3	3

SCAQMD significance threshold is in terms of VOC while CalEEMod calculates reactive organic gases (ROG) emissions. For purposes of this analysis, VOC and ROG are used interchangeably since ROG represents approximately 99.9 percent of VOC emissions.

²⁸ While there are no specific VOC ambient air quality standards, VOC is a prime component (along with NO_x) of the photochemical processes by which such criteria pollutants as O₃, NO₂, and certain fine particles are formed. They are, thus, regulated as "precursors" to formation of those criteria pollutants.

²⁹ SCAQMD. 2019. South Coast AQMD Air Quality Significance Thresholds. April.

(b) *Localized Significance Thresholds*

The SCAQMD has developed analysis parameters to evaluate ambient air quality on a local level, in addition to the more regional emissions-based thresholds of significance. These analysis elements are called Localized Significance Thresholds (LSTs). LSTs were developed in response to the SCAQMD Governing Board's Environmental Justice Enhancement Initiative 1-4. The LST methodology was provisionally adopted in October 2003 and formally approved by the SCAQMD's Mobile Source Committee in February 2005. LSTs vary by site size and the distance to the nearest sensitive use. The SCAQMD provides look up tables to determine the appropriate thresholds to be used for any project.

(c) *Toxic Air Contaminants*

Based on the SCAQMD's 1993 CEQA Air Quality Handbook, a project would cause a significant impact by exposing sensitive receptors to TACs if it would emit carcinogenic materials or TACs that exceed the maximum incremental cancer risk of ten in one million, or a cancer burden greater than 0.5 excess cancer cases (in areas greater than or equal to 1 in 1 million), or an acute or chronic hazard index of 1.0.

(d) *Cumulative Impacts*

In August 2003, the SCAQMD prepared the White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, the focus of which was to outline the strategy of how the SCAQMD intends to identify and further address cumulative impacts of air pollution, so that all communities under its purview receive equitable treatment and attention as to their local air quality concerns.³⁰ Appendix D to this white paper, Cumulative Impact Analysis Requirements Pursuant to CEQA, describes the procedures by which the SCAQMD complies with the requirement of CEQA to analyze cumulative impacts, where the SCAQMD is the Lead Agency, permitting entity, or commenting agency. Appendix D to this white paper states:

“As Lead Agency, the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is $HI > 1.0$ while the cumulative (facility-wide) is $HI \geq 3.0$.³¹ It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA

³⁰ SCAQMD. 2003. White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution. August.

³¹ The Hazard Index TAC significance threshold of 1.0 or less for projects or 3.0 or less for cumulative scenarios (facility-wide) pertains to the SCAQMD's Rule 1402, which applies to existing facilities that emit TACs and not to the Project.

analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts.

Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant.”

For the Project, the SCAQMD is the commenting agency, while the Lead Agency is the City. It should be noted, however, that the SCAQMD also states in Appendix D to this white paper:

“As a Commenting Agency, the AQMD recommends that other public agencies perform cumulative impact analyses relative to air quality in the same manner as does AQMD.”

The assessment of cumulative impacts in this analysis is therefore consistent with the SCAQMD recommended methodology; Projects impacts that do not exceed the SCAQMD’s project-specific significance thresholds are not considered cumulatively considerable.

(e) Additional Indicators

In its CEQA Air Quality Handbook, the SCAQMD also states that additional indicators should be used as screening criteria to determine the need for further analysis with respect to air quality. The additional indicators are as follows:

- Whether a project could interfere with the attainment of the federal or State ambient air quality standards by either violating or contributing to an existing or projected air quality violation;
- Whether a project could result in population increases within the regional statistical area which would be in excess of that projected in the AQMP and in other than planned locations for the project’s buildout year; and/or
- Whether a project could generate vehicle trips that cause a CO hot spot.

(f) Consistency with Applicable Air Quality Plans

Section 15125(d) of the State CEQA Guidelines requires than EIR discuss any inconsistencies between a project and applicable general plans, specific plans, and regional plans, including, but not limited to, the applicable air quality attainment or

maintenance plan. In accordance with the SCAQMD's CEQA Air Quality Handbook, the City used the following criteria to evaluate Project consistency with the SCAQMD's 2016 AQMP and the Air Quality Element:

- Criterion 1) Would the Project:
 - Result in an increase in the frequency or severity of existing air quality violations;
 - Cause or contribute to new air quality violations; and/or
 - Delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
- Criterion 2) Would the Project exceed the assumptions utilized in preparing the AQMP?

b) Methodology

This analysis focuses on the potential change in the air quality environment due to implementation of the Project. Air pollutant emissions would result from both construction and operation of the Project. Specific methodologies used to evaluate these emissions are discussed below.

This air quality impact analysis is based on the aforementioned applicable regulations and the thresholds of significance described below, as well as on the SCAQMD's 1993 CEQA Air Quality Handbook and updated guidance provided on the SCAQMD's website. The Air Quality Impact Analysis, prepared by Giroux & Associates and Envicom Corporation (Appendix B of this Draft EIR), estimated the Project's construction and operation emissions using the California Emissions Estimator Model (CalEEMod) (Version 2016.3.2) software, an emissions inventory software program recommended by SCAQMD. The CalEEMod model was developed for the California Air Pollution Control Officers Association in collaboration with SCAQMD and received input from other California air districts and is currently used by numerous lead agencies in the Los Angeles area and within the State for quantifying the emissions associated with development projects undergoing environmental review, including by the City. The analysis assumes a construction period duration of approximately 30 months. The operational emissions analysis considers mobile, energy, and area source emissions and assumes that the Project is operational in year 2023.

(1) Construction

Construction of the Project has the potential to generate temporary pollutant emissions through the use of heavy-duty construction equipment, such as excavators and cranes,

and through vehicle trips generated from workers and haul and delivery trucks traveling to and from the Project Site. In addition, fugitive dust emissions would result from demolition and various soil-handling activities. Mobile source emissions, primarily NO_x, would result from the use of construction equipment. Estimated construction emissions were modeled using CalEEMod Version 2016.3.2 and assumptions provided by the Project Applicant regarding the construction phases and duration as shown in Appendix B - Table 6, in order to identify maximum daily emissions for each pollutant during Project construction. Construction emissions can vary substantially from day to day, depending on the level of activity and the specific type of construction activity occurring. The assessment of construction air quality impacts is evaluated based on the maximum daily emissions of criteria pollutants estimated by CalEEMod. The Project development schedule has been revised assuming that construction would begin in 2022 and conclude in 2025. The emissions that have been modeled with CalEEMod and reported in Appendix B and this analysis are based on an earlier construction schedule beginning in 2021 and concluding in 2023. As construction equipment and vehicles are generating fewer emissions over time as increasingly stringent federal, State, and local regulations are implemented to reduce pollutants in the atmosphere, the Project's construction emissions associated with construction activities beginning farther into the future would be the same or less than those reported in this evaluation. As such, the following analysis provides a more conservative estimate of emissions as the Project's actual construction emissions would be anticipated to be reduced by use of more efficient vehicles and fuels that would be available and/or required in the future.

(a) *Regional Emissions*

The Project's "regional" emissions refer to emissions that will be evaluated based on regional significance thresholds established by the SCAQMD, as discussed above. Daily regional emissions during construction are estimated by assuming a conservative estimate of construction activities (i.e., assuming all construction occurs at the earliest feasible date) and applying mobile source and fugitive dust emissions factors. The emissions are estimated using CalEEMod. For a discussion on the assumptions regarding project construction and scheduling, including estimated quantities of demolition debris, soil export, construction worker and haul trips, and duration of construction activities, see Appendix B, Air Quality Impact Analysis, of this Draft EIR.

(b) *Localized Emissions*

The localized effects from the on-site construction emissions were evaluated at sensitive receptor locations potentially impacted by the Project according to the SCAQMD's LST methodology, which uses on-site mass emissions rate look-up tables and Project-specific modeling, where appropriate, to assess whether the Project's local emissions would

exceed the SCAQMD's significance thresholds.³² LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or State ambient air quality standard and are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor. SCAQMD provides LSTs applicable to the following criteria pollutants: NO_x; CO; PM₁₀; and PM_{2.5}. Impacts are evaluated based on the maximum daily emissions for the anticipated equipment pieces to be used on the site as described in Draft EIR Appendix B, Air Quality Impact Analysis, and application of water to exposed soils during grading for required dust control for compliance with SCAQMD Rule 403. Offsite emissions associated with offsite hauling of materials and/or worker transportation are not considered for LST impacts as their effects would be dispersed regionally along various roadways, and thus their effects would not be concentrated at a single sensitive receptor.

(2) Operation

(a) *Regional Emissions*

During long-term Project operations (i.e., after construction is complete), the Project would result in emissions of criteria pollutants from area sources such as use of landscape equipment and consumer products, energy sources including use of electricity and natural gas, and mobile sources associated with vehicle use. CalEEMod was used to estimate Project emissions during operation, including mobile source emissions, which CalEEMod estimates using the Project's VMT, trip generation, and emission factors based on the emissions factor model (EMFAC2014). To account for Project-specific VMT and associated emissions, the CalEEMod default VMT rate was bypassed to allow the calculation of emissions based on Project-related VMT as determined using the Los Angeles Department of Transportation (LADOT) VMT Calculator. The VMT Calculator was developed by the City and LADOT to comply with SB 743, which requires lead agencies to adopt VMT criteria to determine transportation related impacts. Emissions are based on natural gas (building heating and water heaters), landscaping equipment, and consumer product usage (including paints) rates provided in CalEEMod. Natural gas usage factors in CalEEMod are based on the California Energy Commission California Commercial End Use Survey data set, which provides energy demand by building type and climate zone. To determine if a regional air quality impact would occur, the increase in emissions is compared with the SCAQMD's recommended regional thresholds for operational emissions.

³² SCAQMD. Localized Significance Thresholds. Available at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>. Accessed April 24, 2021.

(b) *Localized Emissions*

(i) *On-Site Emissions*

Localized impacts from Project operations include calculation of on-site emissions (e.g., area source) using SCAQMD's recommended CalEEMod and evaluation of these emissions consistent with the SCAQMD's LST methodology discussed above based on the nearest sensitive receptor.

(ii) *Off-Site Emissions*

Potential localized CO concentrations from induced traffic at nearby intersections are also addressed, consistent with the methodologies and assumptions used in the consistency analysis provided in the 2003 AQMP. The analysis prepared for CO attainment in the Air Basin by the SCAQMD can be used to assist in evaluating the potential for CO exceedances in the Air Basin. In the 2003 AQMP, the SCAQMD conducted CO modeling for the four worst-case intersections in the Basin, including the intersections of: (a) Wilshire Boulevard and Veteran Avenue; (b) Sunset Boulevard and Highland Avenue; (c) La Cienega Boulevard and Century Boulevard; and (d) Long Beach Boulevard and Imperial Highway. The SCAQMD noted that the intersection of Wilshire Boulevard and Veteran Avenue was the most congested intersection in Los Angeles County, with an average daily traffic volume of about 100,000 vehicles per day. The emission data provided in Table 4-10 of Appendix V of the 2003 AQMP demonstrates that the peak modeled CO concentration due to vehicle emissions at these four intersections was 4.6 ppm (one-hour average) and 3.2 (eight-hour average) at Wilshire Boulevard and Veteran Avenue. When added to the existing background CO concentrations, the worst-case CO levels in the Basin would be 7.6 ppm (one-hour average) and 5.6 ppm (eight-hour average), which is well under the SCAQMD's thresholds of significance of 20 ppm (one-hour average), and 9.0 ppm (eight-hour average), respectively. Based on the ratio of the one-hour CO standard (20.0 ppm) and the modeled worse-case emission value (4.6 ppm) the CO threshold of significance would likely not be exceeded until the daily traffic at the intersection exceeded more than 400,000 vehicles per day. Thus, if a study intersection impacted by a project is below 400,000 vehicles a day, it can reasonably be concluded that the project would not generate a significant CO hotspot impact and no further analysis is warranted.

(3) **Toxic Air Contaminants (Construction and Operation)**

Potential impacts from TACs were analyzed qualitatively to determine whether a more detailed analysis was necessary (i.e., Health Risk Assessment). Impacts from TAC emissions during construction were evaluated based on the length of construction and the amount of DPM emissions. The greatest potential for TAC emissions during

construction would be from diesel particulate emissions associated with heavy equipment operations. Impacts from TAC emissions from operation were based on the type of land uses and activities proposed by the Project. Land uses that involve the use, storage, or processing of carcinogenic or non-carcinogenic TACs include truck stops and warehouse distribution facilities.

c) Project Design Features

In 2004, the USEPA finalized Tier 4 emission standards for nonroad diesel engines and sulfur reductions in nonroad diesel fuel that reduce harmful emissions and directly help state and local areas designated as 8-hour O₃ nonattainment areas to improve their air quality.³³ Section 1039.101 of the Code of Federal Regulations provides Tier 4 exhaust emission standards for PM, NO_x, and CO.³⁴ The following project design feature is proposed with regard to air quality:

- **AQ-PDF-1e** All diesel-powered equipment utilized on-site during the construction period will meet, at a minimum, United States Environmental Protection Agency Tier 4 emission reduction technology for nonroad diesel engines.

Additionally, in compliance with SCAQMD Rule 403 (Fugitive Dust), the Project will dampen exposed soils at least twice daily during grading and excavation as a Best Management Practice (BMP) to reduce fugitive dust emissions.

It should also be noted that the Project would incorporate project design features that reduce VMT and transportation-related emissions as discussed in Section IV.E, Greenhouse Gas Emissions and Section IV.L, Transportation. In addition to reducing VMT and GHG emissions, these project design features would reduce the criteria air pollutant emissions discussed in this analysis.

d) Analysis of Project Impacts

Threshold a): Would the Project conflict with or obstruct implementation of the applicable air quality plan?

- (1) Consistency with the 2016 Air Quality Management Plan
 - (a) 2016 Air Quality Management Plan Conflicts

The primary air quality plan that pertains to the Project and Project Site is SCAQMD's 2016 AQMP. Therefore, in accordance with the SCAQMD's CEQA Air Quality Handbook,

³³ USEPA. Final Rule for Control of Emissions of Air Pollution From Nonroad Diesel Engines and Fuel. Available at: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-control-emissions-air-pollution-nonroad-diesel>. Accessed on December 6, 2021.

³⁴ 40 Code of Federal Regulations, Chapter I, Subchapter U, Part 1039, Subpart B, Section 1039.101.

the City used the criteria identified below to determine whether the Project would conflict with the SCAQMD's 2016 AQMP. To respond to these criteria, Project consistency with SCAG policies and growth projections in the RTP/SCS are also addressed.

Criterion 1) The evaluation of Criterion 1 considers whether the Project would:

- Result in an increase in the frequency or severity of existing air quality violations;
- Cause or contribute to new air quality violations; and/or
- Delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.

As detailed in the construction and operational period analyses provided in the evaluation of Threshold b and Threshold c below, following required compliance with applicable regulations, Project construction and operations would not exceed SCAQMD's regional or local of significance for thresholds for NO_x, CO, SO₂, PM₁₀, or PM_{2.5}, or ROG,³⁵ a precursor for the formation of O₃. The Project would also not exceed TAC and CO hot spot standards. As the Project would not exceed the applicable ambient air quality standards, it would not increase the frequency or severity of existing air quality violations, cause or contribute to new air quality violations, or delay attainment of air quality standards. The Project would not conflict with SCAQMD's 2016 AQMP, and impacts would be less than significant.

Criterion 2) The evaluation of Criterion 2 considers whether the Project would exceed the assumptions utilized in preparing the AQMP, which are mainly the population, housing, and employment growth projections included in SCAG's RTP/SCS.

As the current AQMP is based on SCAG's 2016-2040 RTP/SCS, the following discussion shows that the Project would be consistent with the 2016-2040 RTP/SCS:

According to the 2016-2040 RTP/SCS, SCAG projects that between the years 2012 and 2040, the region will add approximately 3.8 million residents, 1.5 million households, and 2.5 million jobs.³⁶ The 2016-2040 RTP/SCS provides a projection of 4,609,400 persons; 1,690,300 households; and 2,169,100 jobs in the City by 2040. The Project would provide a net increase in employment opportunities of 1,270 employees as shown in Section IV.J, Population and Housing Table IV.J-2, Employees Generated by the Project. The Applicant is requesting a General Plan Amendment and Vesting Zone Change to construct and operate the Project. The General Plan Amendment would change the current land use designation from Heavy Industrial, as identified in the approved Central

³⁵ For purposes of this analysis, VOC and ROG are used interchangeably since ROG represents approximately 99.9 percent of VOC emissions.

³⁶ SCAG. 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy Demographics & Growth Forecast Appendix. Adopted April.

City North Community Plan (Community Plan), to Regional Center Commercial, which would permit a variety of commercial and residential uses. The Vesting Zone Change would change the current zone from M3 to C2, which would allow for the Project's proposed range of commercial uses. The approval of these requests would increase the intensity of development on the Project Site, leading to the net increase in employment of 1,270 jobs. Despite the discretionary approvals that would be required to construct the Project, the Project would represent 0.05 percent of the 2012 through 2040 regional growth in employment, or 0.06 percent of the overall employment projected for the City in 2040, which does not represent substantial unplanned growth.

Additionally, the 2016-2040 RTP/SCS includes the following VMT statistics and goals for Los Angeles County specifically: 21.5 daily total VMT per capita for the 2012 base year and a planned 18.4 daily total VMT per capita for the 2040 horizon year. As set forth in Section IV.L, Transportation, the Project's total daily VMT would be 7.2 work VMT per employee,³⁷ which is less than the 2016-2040 RTP/SCS VMT statistics and goals for both the SCAG region and Los Angeles County in both the RTP/SCS base year and horizon year (2012 and 2040 respectively).

In addition to growth projections, it is important to consider SCAG goals and objectives for the Project area and region. As a mixed-use development located on an urban infill site within 0.5 mile of a major transit station (the L Line [Gold] at the County of Los Angeles Metropolitan Transportation Authority [Metro] Little Tokyo/Arts District Station),³⁸ the Project would be consistent with the 2016-2040 RTP/SCS initiatives to promote walking, biking, and other forms of active transportation; to focus new growth around transit; to improve air quality and reduce GHG emissions; and to preserve natural lands. In addition, the Project would be consistent with the Community Plan goal to provide a strong and competitive commercial sector by providing restaurant and office space, which would generate employment opportunities.

The Project would incorporate Project Design Feature AQ-PDF-1 that would reduce emissions of air pollutants or their precursors during construction by using diesel equipment that is rated for Tier 4 emission reduction technology. Furthermore, as discussed in Section IV.L, Transportation, the Project would incorporate project design features to reduce VMT, which would also reduce criteria pollutant and GHG emissions, consistent with SCAQMD and SCAG plans and policies. Project Design Feature TRANS-PDF-2 would require a Project contribution to funding of the Downtown/Arts District Transportation Management Organization in order to increase transit and mode choices

³⁷ Gibson Transportation Consulting Inc. 2022. Transportation Impact Study For The 4th & Hewitt Project Los Angeles, California. April (Revised). (Appendix L1.)

³⁸ The Metro L Line (Gold) was previously accessed from the Little Tokyo/Arts District Station located at 1st and Alameda Street; however, as part of Metro's Regional Connector Transit Project, that location has been closed, and a new Little Tokyo/Arts District Station is under construction and will be located at 1st Street and Central Avenue. The new station will be operational in 2022 (prior to the anticipated completion date of the Project).

in the Arts District, and Project Design Feature TRANS-PDF-3 would reduce the impact of Project-generated vehicle trips during operations by developing and implementing a Transportation Demand Management program to promote non-auto travel and reduce the use of single-occupant vehicle trips.

Based on the information provided above, the Project would not conflict with the AQMP's land use policies or its population, housing, and employment growth projections, nor would it conflict with the RTP/SCS, and the Project impact would be less than significant.

(b) City of Los Angeles Air Quality Element Policies

Chapter IV of the Air Quality Element conveys the goals, objectives, and policies that will guide the City in the implementation of its air quality improvement programs and strategies. The goals, objectives, and/or policies from the Air Quality Element that apply to the Project include:

- Goal 1: Good air quality and mobility in an environment of continued population growth and healthy economic structure.
 - Objective 1.1: It is the objective of the City to reduce air pollutants consistent with the Regional AQMP, increase traffic mobility, and sustain economic growth citywide.
- Goal 2: Less reliance on single-occupant vehicles with fewer commute and non-work trips.
 - Objective 2.1. It is the objective of the City of Los Angeles to reduce work trips as a step towards attaining trip reduction objectives necessary to achieve regional air quality goals.
 - Policy 2.1.1. Utilize compressed work weeks and flextime, telecommuting, carpooling, vanpooling, public transit, and improve walking/bicycling related facilities in order to reduce Vehicle Trips and/or VMT as an employer and encourage the private sector to do the same to reduce work trips and traffic congestion.
- Goal 4: Minimize impacts of existing land use patterns and future land use development on air quality by addressing the relationship between land use, transportation, and air quality.
 - Objective 4.1. It is the objective of the City of Los Angeles to include regional attainment of ambient air quality standards as a primary consideration in land use planning.

- Policy 4.1.1. Coordinate with all appropriate regional agencies in the implementation of strategies for the integration of land use, transportation, and air quality policies.
- Objective 4.2. It is the objective of the City of Los Angeles to reduce vehicle trips and vehicle miles traveled associated with land use patterns.
 - Policy 4.2.2. Improve accessibility for the City's residents to places of employment, shopping centers, and other establishments.
 - Policy 4.2.3. Ensure that new development is compatible with pedestrians, bicycles, transit, and alternative fuel vehicles.
 - Policy 4.2.4. Require that air quality impacts be a consideration in the review and approval of all discretionary projects.
 - Policy 4.2.5. Emphasize trip reduction, alternative transit and congestion management measures for discretionary projects.
- Goal 5: Energy efficiency through land use and transportation planning, the use of renewable resources and less-polluting fuels, and the implementation of conservation measures including passive methods such as site orientation and tree planting.
 - Objective 5.1: It is the objective of the City to increase energy efficiency of City facilities and private developments.
 - Policy 5.4.1: Reduce energy consumption and associated air emissions by encouraging waste reduction and recycling.

The Project would provide spaces for commercial uses (i.e., restaurant businesses) that would support existing and planned residences in the vicinity, and would also provide office spaces that would generate new job opportunities. The Project Site is located in an infill location in a live/work community, and it would increase land use density within an area that is served by public transit. The Project Site is located 0.5 miles south of the Metro L (Gold) Line Little Tokyo/Arts District Station and is also served by bus transit along 1st Street, 3rd Street, 4th Street, 6th Street, 7th Street, Olympic Boulevard, Central Avenue, Boyle Avenue, and Soto Street. The Project Site is also served by LADOT's Downtown Area Short Hop A commuter line. The Project would also provide bicycle parking spaces (and showers for Project users) to incentivize bicycle use and encourage the use of alternative modes of transportation. Additionally, the Project would be constructed in compliance with current State and city building codes and the City of Los Angeles Green Building Code, including the provision of electric vehicle (EV) parking spaces and charging facilities, to assure that it incorporates the required sustainability features. As such, the Project would not conflict with the Air Quality Element.

(c) *Conclusion*

Regarding Threshold a, the Project would not conflict with the AQMP or the Air Quality Element plans and policies. The determination of AQMP consistency is primarily concerned with the long-term influence of the Project on air quality in the Air Basin. As demonstrated in the following evaluations, the Project would not increase the frequency or severity of an existing air quality violation or cause or contribute to new violations for criteria pollutants. As the Project would not exceed any of the State and federal standards, the Project would also not delay the timely attainment of air quality standards of the AQMP. In addition, the Project is consistent with current growth projections, which are used in the development of updates to the AQMP. **Thus, the Project would not conflict with or obstruct implementation of the AQMP or conflict with City policies, as discussed above, and impacts regarding Threshold a would be less than significant.**

(2) Mitigation Measures

Impacts related to conflicts with, or obstruction of implementation of, the 2016 AQMP and other applicable air quality plans would be less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts related to conflicts with, or obstruction of implementation of the AQMP and other applicable air quality plans would be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold b): Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment under an applicable federal or state ambient air quality standard?

(1) Impact Analysis

Pursuant to the previously described SCAQMD methodology, individual construction projects that do not exceed the SCAQMD's recommended daily thresholds for project-specific impacts would also not result in a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in nonattainment. According to

the AQMP, the Air Basin region is designated as a nonattainment area for federal O₃, PM_{2.5}, and Pb standards,³⁹ and for State O₃, PM₁₀, and PM_{2.5} standards.

(a) *Regional Emissions*

The Project Site is 1.3-acres in size and would require the demolition of 7,030 square feet of existing buildings and 39,751 square feet of surface parking lots, requiring hauling of 1,518 cubic yards, or 1,822 tons, of demolition debris off-site for recycling or disposal. Grading export of 75,200 cubic yards would be hauled in 14 cubic yard trucks to the Azusa Land Reclamation Landfill (approximately 25 miles, one way). The Project proposes construction of 8,149 square feet of restaurant space, 311,682 square feet of office space, 16,294 square feet of office exterior common areas, a parking structure for 660 vehicles, and other common use landscaped and hardscaped areas. Construction would begin in 2022 and conclude in 2025.

The use of heavy-duty construction equipment on- and off-site, heavy-duty trucks that haul soils and construction materials to and from the Project Site, and construction worker vehicle trips would generate pollutant emissions during the construction period. As described above, all diesel-powered on-site construction equipment would incorporate Tier 4 emission reduction technology as Project Design Feature AQ-PDF-1. Additionally, Pursuant to SCAQMD Rule 403, the Project would apply water to exposed soils during grading to reduce dust emissions.

(i) *Construction*

Table IV.A-4, Construction Activity Maximum Daily Emissions, shows the Project construction emissions estimated using CalEEMod with implementation of AQ-PDF-1 and watering of exposed soils pursuant to SCAQMD Rule 403. During construction, the Project's emissions would not exceed the applicable SCAQMD CEQA significance thresholds and thus would not result in a cumulatively considerable increase of any criteria pollutant for which the Project region is in nonattainment. As such, impacts would be less than significant.

³⁹ Partial nonattainment designation in Los Angeles County portion of the Air Basin for lead only for near-source monitors. Expect redesignation to attainment based on current monitoring data. Attainment re-designation request pending.

**Table IV.A-4
Construction Activity Maximum Daily Emissions**

Construction Year ^a	Maximum Daily Emissions (pounds/day) ^c					
	ROG ^b	NOx	CO	SO ₂	PM ₁₀	PM _{2.5}
2021^d						
Summer	2.61	51.86	27.21	0.18	6.10	2.36
Winter	2.73	52.74	27.72	0.18	6.10	2.37
2022						
Summer	2.42	17.46	23.89	0.07	3.48	1.22
Winter	2.54	17.50	23.43	0.07	3.48	1.22
2023						
Summer	48.50	18.65	36.26	0.09	4.24	1.51
Winter	48.64	18.69	35.60	0.09	4.24	1.51
Maximum Daily Emissions	48.64	52.74	36.26	0.18	6.10	2.37
SCAQMD Thresholds	75	100	550	150	150	55
Exceed Threshold?	No	No	No	No	No	No
Source: Giroux & Associates and Envicom Corporation. 2022. Air Quality Impact Analysis, 4 th and Hewitt Project. April (Revised). (Appendix B).						
<p>^a As detailed in the Methodology discussion, the Project construction schedule has been revised to 2022 to 2025 since preparation of the CalEEMod output sheets for the Project. The estimates provided here are conservative, as emissions from construction equipment and vehicles would remain the same or decrease over time.</p> <p>^b SCAQMD significance threshold is in terms of VOC while CalEEMod calculates reactive organic compounds (ROG) emissions. For purposes of this analysis, VOC and ROG are used interchangeably since ROG represents approximately 99.9 percent of VOC emissions.</p> <p>^c With required dust control (watering exposed soils twice daily) for compliance with SCAQMD Rule 403 and use of equipment with Tier 4 emissions reduction technology on diesel equipment (Project Design Feature AQ-PDF-1). CalEEMod output sheets provided in Appendix B reports these amounts in the "mitigated" scenario, although regulatory compliance and project features are not considered mitigation under CEQA.</p> <p>^d Estimated for a 70-day grading/soil export duration. However, the Project's updated haul route would limit soil export activities to 60 truck loads per day, which would require approximately 90 days for the grading/soil export duration (75,200 cy export/14 cy truck load/60 truck loads = 89.5 days). Extending the number of days for soil export hauling would decrease the Project's maximum daily emissions during the grading/soil export activities relative to the estimates generated with CalEEMod, reducing criteria pollutant emissions. As SCAQMD thresholds are based on maximum daily emissions, the adjustment to allowable hours for hauling within a 24-hour period would not affect the estimated maximum daily emissions, and thus not affect criteria pollutant emissions.</p>						

(ii) Operations

Operational emissions were calculated using CalEEMod Version 2016.3.2 for an assumed Project opening year of 2023 as shown in Table IV.A-5, Project Daily Operational Emissions. The Project Transportation Impact Study (Appendix L1 of this Draft EIR), estimates that the Project would generate 2,756 daily trips and 19,848 VMT, which were considered in the CalEEMod calculations of operational emissions of criteria pollutants. In addition to mobile sources of emissions, the Project would also generate criteria pollutant emissions from area sources and energy consumption, including off-site electrical generation. As shown in Table IV.A-5, Project Daily Operational Emissions would not exceed the applicable SCAQMD CEQA significance thresholds.

**Table IV.A-5
Project Daily Operational Emissions**

Source	Operational Emissions (pounds/day)					
	ROG	NOx	CO	SO ₂	PM ₁₀	PM _{2.5}
Summer						
Area	7.6	0.0	0.1	0.0	0.0	0.0
Energy	0.2	1.4	1.2	0.0	0.1	0.1
Mobile	4.1	16.5	50.2	0.2	15.5	4.2
Subtotal	11.9	17.9	51.5	0.2	15.6	4.3
Winter						
Area	7.6	0.0	0.1	0.0	0.0	0.0
Energy	0.2	1.4	1.2	0.0	0.1	0.1
Mobile	3.9	16.8	47.9	0.2	15.5	4.2
Subtotal	11.7	18.2	49.2	0.2	15.6	4.3
SCAQMD Threshold	55	55	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No
Source: Giroux & Associates and Envicom Corporation. 2022. Air Quality Impact Analysis, 4 th and Hewitt Project. April (Revised). (Appendix B.)						

Consistent with SCAQMD guidance, during operations the Project would not result in a cumulatively considerable increase of any criteria pollutant for which the Project region is nonattainment, and impacts would be less than significant.

(iii) Conclusion

The Project would not exceed SCAQMD regional emissions thresholds for criteria pollutants during construction or operations. **Therefore, the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment under an applicable federal or State ambient air quality standard, and impacts would be less than significant.**

(2) Mitigation Measures

Impacts related to a cumulatively considerable net increase of criteria pollutants for which the Project region is in nonattainment under an applicable federal or State ambient air quality standard would be less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts related to a cumulatively considerable net increase of criteria pollutants for which the Project region is in nonattainment under an applicable federal or State ambient air quality standard would be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold c): Would the Project expose sensitive receptors to substantial pollutant concentrations?

(1) Impact Analysis

(a) Construction

(i) Construction Activity Localized Significance Thresholds

LSTs are applicable for a sensitive receptor where it is possible that an individual could remain for 24 hours, such as a residence, hospital, or convalescent facility. LSTs are only applicable to the following criteria pollutants: NO_x, CO, PM₁₀, and PM_{2.5}. LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or State ambient air quality standard, and they are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor.

The SCAQMD has issued guidance on applying CalEEMod to LSTs. LST pollutant screening level concentration data is currently published for one, two, and five-acre sites for varying distances. For the Project, the most stringent thresholds for a one-acre site were applied. LST screening tables are available for 25, 50, 100, 200 and 500-meter source to receptor distances. The Project area is primarily comprised of commercial and light industrial land uses. However, there are scattered residential uses in proximity to the Project Site. The nearest sensitive receptor land use is a residence located approximately 80 feet (24.4 meters) from the Project Site on South Hewitt Street. Based on SCAQMD LST methodology, projects with boundaries located closer than 25 meters to the nearest receptor (such as the Project) should use the LSTs for receptors located at 25 meters.⁴⁰ Therefore, the most conservative 25-meter distance available was modeled for purposes of this analysis.

The Project's maximum daily emissions from on-site construction activities and the applicable LSTs are shown in Table IV.A-6, LST and Project Emissions – Construction, below. The estimated emissions shown in Table IV.A-6 assumes compliance with SCAQMD Rule 403, which is a requirement for construction projects within the Air Basin, as well as Project Design Feature AQ-PDF-1. While regulatory compliance with Rule 403 and implementation of Project Design Feature AQ-PDF-1 is not considered mitigation in the context of CEQA, the CalEEMod output files provided in Appendix B of this Draft EIR report emissions with implementation of this regulatory requirement and project design feature as “mitigated” results. As shown in Table IV.A-6, LST and Project Emissions – Construction, **the Project's maximum daily emissions of CO, NO_x, PM₁₀ and PM_{2.5}**

⁴⁰ SCAQMD. 2008. Final Localized Significance Threshold Methodology. Revised July.

from onsite construction activities would not exceed the SCAQMD LST screening criteria with required dust control measures and project design feature implementation, and localized emissions would be less than significant.

Table IV.A-6
LST and Project Emissions – Construction

Construction Year ^a	Maximum Daily Emissions (pounds/day) ^{b, c}			
	NOx	CO	PM10	PM2.5
2021	8.1	14.5	2.1	1.2
2022	7.7	13.3	0.4	0.4
2023 ^d	11.1	24.6	0.5	0.5
Construction LST^d	74	680	5	3
Exceeds LST Screening Level?	No	No	No	No

Source: Giroux & Associates and Envicom Corporation. 2022. Air Quality Impact Analysis, 4th and Hewitt Project. April (Revised). (Appendix B.)

^a As detailed in the Methodology discussion, the Project construction schedule has been revised to 2022 to 2025 since preparation of the CalEEMod output sheets for the Project. The estimates provided here are conservative, as emissions from construction equipment and vehicles would remain the same or decrease over time.

^b Maximum on-site emissions during any season.

^c Assumes compliance with SCAQMD Rule 403, which is a requirement for construction projects within the South Coast Air Basin, and implementation of AQ-PDF-1. While not considered mitigation, CalEEMod reports emissions with these reductions as “mitigated” within the CalEEMod output file.

^d Combined Building Construction, Paving, and Architectural Coating Activities.

^e SCAQMD LST 1.0 acre/25 meters (Central LA).

(ii) *Construction Activity Toxic Air Contaminants*

Construction equipment exhaust, as from the operation of heavy-duty equipment, contains carcinogenic compounds, or TACs, within the diesel exhaust particulates. As described in Project Design Feature AQ-PDF-1, all diesel-powered equipment utilized on-site during the construction period will meet, at a minimum, Tier 4 emission reduction technology. The toxicity of diesel exhaust is evaluated relative to a 24-hour per day, 365 days per year, 70-year lifetime exposure. The SCAQMD does not generally require the analysis of construction-related diesel emissions relative to health risk due to the short period for which the majority of diesel exhaust would occur. Health risk analyses are typically assessed over a 9-, 30-, or 70-year timeframe and not over a relatively brief construction period (in the case of the Project, from 2021 to 2023) due to the lack of health risk associated with such a brief exposure. Due to the short duration of the construction period (approximately 30 months), Project construction would not result in long-term exposure to diesel exhaust particulates. **Therefore, the Project’s construction period impact related to TACs and health risk would be less than significant.**

(b) Operations

Over its operational life, the Project would generate emissions from its commercial and office use vehicle trips. To a lesser extent, the Project would also generate emissions from area and energy sources, which would result in negligible pollutant concentrations of CO, NO₂, PM_{2.5}, and PM₁₀ at nearby sensitive receptors.

(i) Operations Activity Localized Significance Thresholds

The Project's maximum daily emissions from on-site operations activities and the applicable LSTs are shown in Table IV.A-7, LST and Project Emissions – Operations, below. As shown, the Project's maximum daily on-site (non-mobile) emissions of CO, NO_x, PM₁₀ and PM_{2.5} would be below applicable LST criteria during operations. **The Project would not expose sensitive receptors to substantial pollutant concentrations emitted onsite during operations and impacts would be less than significant.**

**Table IV.A-7
LST and Project Emissions – Operations (pounds/day)**

Emissions Source	Maximum Daily Onsite Emissions ^a			
	NO _x	CO	PM ₁₀	PM _{2.5}
Area	< 0.01	0.1	< 0.01	< 0.01
Energy (Natural Gas) ^b	1.4	1.2	0.1	0.1
On-Site Total	1.4	1.3	0.1	0.1
Operations LST^c	74	680	2	1
Exceeds Threshold?	No	No	No	No

Source: Giroux & Associates and Envicom Corporation. 2022. Air Quality Impact Analysis, 4th and Hewitt Project. April (Revised). (Appendix B).

^a Onsite emissions during any season.
^b LST would not apply to emissions associated with offsite generation of electricity.
^c SCAQMD LST 1.0 acre/25 meters Central LA.

(ii) Micro-scale Impacts (Carbon Monoxide Hot Spots)

There is a direct relationship between traffic/circulation congestion and CO impacts, since exhaust fumes from vehicular traffic are the primary source of CO. As CO is a localized gas that dissipates very quickly under normal meteorological conditions, CO concentrations decrease substantially as distance from the source (intersection) increases. The highest CO concentrations are typically found in areas directly adjacent to congested roadway intersections. These areas of vehicle congestion have historically had the potential to create pockets of elevated levels of CO, which are called CO "hot spots." However, with the turnover of older vehicles, introduction of cleaner fuels, and the

implementation of control technology on industrial facilities, CO concentrations in the Project vicinity and region have steadily declined.⁴¹

Micro-scale air quality impacts have traditionally been analyzed in environmental documents where the region was in nonattainment area for CO. However, the SCAQMD has demonstrated in the CO attainment redesignation request to the USEPA that there are no “hot spots” anywhere in Southern California, even at intersections with higher volumes, worse congestion, and higher background CO levels than those located in the Project area. If the worst-case intersections in the Air Basin have no “hot spot” potential, local impacts near the Project Site would also be below thresholds.

Consistent with the CO methodology above, if a project intersection does not exceed 400,000 vehicles per day, then the project does not need to prepare a detailed CO hot spot analysis.

With the addition of Project-generated trips, the intersection with the highest average daily trips at Project buildout (2025) in the Project vicinity would be Alameda Street and 3rd Street/4th Place, with approximately 60,500 vehicles per day.⁴² This would be well below 400,000 vehicles per day, the level at which CO concentrations could exceed thresholds as evaluated in the 2003 AQMP and described in Methodology above.⁴³ **Therefore, Project impacts related to CO hot spots would be less than significant.**

(iii) Operational Period Toxic Air Contaminants

Development projects that involve the use of heavy-duty trucks and other mobile sources that operate on diesel fuel have the potential to generate a substantial amount of unhealthy TACs. Such projects generally include industrial and manufacturing land uses. The SCAQMD recommends that health risk assessments be prepared for projects with substantial sources of diesel particulate emissions (typically including warehouses and distribution facilities). However, the Project does not involve such land uses, and it would not generate a substantial amount of heavy-duty truck trips. Also, in accordance with CARB regulations, diesel-fueled commercial vehicles that visit the Project Site would be limited to idling for no more than five minutes at any given time, which would also reduce diesel particulate emissions. Furthermore, as the Project does not involve land uses that would constitute a sensitive receptor, such as residences, a school, or hospital, it would not expose additional sensitive receptors to existing sources of TACs in the Project area. Therefore, a health risk assessment of proposed land uses and their effect on sensitive receptors in the Project area is not warranted. **As the Project would not**

⁴¹ Giroux & Associates and Envicom Corporation. 2022. Air Quality Impact Analysis, 4th and Hewitt Project. April (Revised). (Appendix B.)

⁴² Assumes that peak hour intersection volumes represent 10 percent of the daily volumes.

⁴³ The 2003 AQMP estimated that the most stringent 1-hour CO standard (20.0 ppm) would likely not be exceeded at an intersection until the daily traffic at the intersection exceeded more than 400,000 vehicles per day.

create substantial concentrations of TACs during its normal operation, impacts would be less than significant.

(2) Mitigation Measures

Impacts related to the exposure of sensitive receptors to substantial pollutant concentrations during construction and operations would be less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts related to the exposure of sensitive receptors to substantial pollutant concentrations during construction and operations would be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold d): Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

As discussed in Section V.A, Impacts Found not to be Significant and in the Initial Study (Appendix A2, Initial Study, of this Draft EIR), the Project involves a mixed-commercial development that includes commercial and office uses that do not typically create objectionable odors (as may be generated by manufacturing, industrial, or sewage treatment processes). During construction and operation of the Project, trash receptacles would be provided and covered and properly maintained in order to control odors. Therefore, potential odor impacts would be less than significant and no mitigation measures would be required. No further analysis of is required.

e) Cumulative Impacts

(1) Impact Analysis

The City has identified 137 Related Projects in the Project area that are planned or are under construction. Whereas other cumulative impact analyses in this Draft EIR may quantify cumulative impacts, the methodology for the cumulative impacts analysis of air quality differs for two reasons.

First, the Related Projects list presents a broad view of the projects that will actually be realized. The list does not account for existing land uses that the Related Projects would replace (therefore, net increases in development are not conveyed in Chapter 3, Environmental Setting), does not consider that some projects will be approved at a reduced density than currently proposed, and also does not consider that several construction and operational schedules will differ from the current proposals due to the

uncertainty in the timelines of the environmental review process, financing, and permitting. Therefore, as the actual Related Project descriptions and schedules of Related Project construction and operations are unknown, it would be speculative to quantify analyses that assume multiple Related Projects are constructed and operating at the same time.

Second, as described in the L.A. CEQA Thresholds Guide, because the City has not adopted specific significance thresholds for air quality impacts, and due to the SCAQMD's regulatory role in the Air Basin, the City defers to the SCAQMD's screening criteria, significance thresholds, and analysis methodologies, presented in its CEQA Air Quality Handbook and supplemental materials, to assist in evaluating projects that are proposed in the City. According to the SCAQMD guidance, project-specific air quality impacts are used to determine a project's potential cumulative impacts (meaning, a project that results in a less than significant direct impact also results in a less than significant cumulative impact). Furthermore, the SCAQMD has not adopted numerical thresholds that apply to the summation or overlap of related projects under construction or operating at the same time as the construction or operational phases of a proposed project. Therefore, while it may be possible to estimate related project emissions and add these to a proposed project's emissions, there is no threshold against which to compare the outcome.

Therefore, the cumulative impacts of the Project, which are evaluated in response to Threshold c above, rely on the SCAQMD's recommended methodology. As stated above, that methodology first requires a determination as to whether an individual project exceeds the SCAQMD's recommended daily thresholds for project-specific air quality impacts. If the determination is that the project does not exceed those thresholds, the project's contribution to air quality impacts would not be considered cumulatively considerable.

The Project's construction period and operational regional emissions, TAC, and LST impacts would not exceed the SCAQMD's thresholds and would be less than significant. **Therefore, pursuant to the SCAQMD's methodology, the Project's contribution to cumulative construction period and operational period emissions, TAC, and LST impacts would not be cumulatively considerable. As such, the Project's contribution to cumulative impacts would be less than significant.**

(2) Mitigation Measures

The Project's contribution to cumulative air quality impacts would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

The Project's contribution to cumulative air quality impacts were determined to be less than significant without mitigation. Therefore, no mitigation was required or included, and the impact level remains less than significant.

IV. Environmental Impact Analysis

B. Cultural Resources

1. Introduction

This section evaluates potential impacts to cultural resources, including historical and archaeological resources, as well as the disruption of human remains, that could result from implementation of the Project. Historical Resources include all properties (historic, archaeological, landscapes, traditional, etc.) eligible or potentially eligible for the National Register of Historic Places, as well as those that may be significant pursuant to State of California (State) and local laws and programs. Archaeological resources include artifacts, structural remains, and human remains belonging to an era of history or prehistory. This section is based on information provided in Appendix C1, Phase I Cultural Resource Assessment and Appendix C2, Historical Resources Technical Report, of this Draft Environmental Impact Report (EIR).

The Phase I Cultural Resource Assessment includes a description of the existing conditions in the “study area,” which includes the Project Site and areas located within a 0.25-mile radius around the Project Site, for archaeological resource context in order to develop general understandings of resource sensitivity for the study area. A 0.25-mile radius around the Project Site was determined to be appropriate for this Project due to the urban development of the Project Site and vicinity, which reduces the expectation for intact cultural resources, as well as due to the fact that impacts to cultural resources are generally limited to a Project Site and immediate (i.e., adjacent) vicinity. A Historical Resources Technical Report was also prepared to evaluate the historical significance of structures located on the Project Site and in the vicinity, as well as to determine the potential Project impacts to historical resources, if any. The Historical Resources Technical Report was reviewed by the Los Angeles Department of City Planning’s Office of Historic Resources (OHR) and approved in March 2022.¹

¹ Giessinger, Lambert (City of Los Angeles Office of Historic Resources). 2022. Electronic mail correspondence to Courtney Shum and Henry Phipps, City of Los Angeles Department of City Planning. March.

2. Environmental Setting

a) Regulatory Framework

Cultural resources fall within the jurisdiction of several levels of government. The framework for the identification and, in certain instances, protection of cultural resources is established at the federal level, while the identification, documentation, and protection of such resources are often undertaken by state and local governments. As described below, the principal federal, State, and local laws governing and influencing the preservation of cultural resources of national, State, regional, and local significance include:

- The National Historic Preservation Act of 1966, as amended;
- The Secretary of the Interior's Standards for the Treatment of Historic Properties (Secretary's Standards);
- The Native American Graves Protection and Repatriation Act;
- The Archaeological Resources Protection Act;
- The Archaeological Data Preservation Act;
- The California Environmental Quality Act (CEQA);
- The California Register of Historical Resources (California Register);
- The California Health and Safety Code;
- The California Public Resources Code;
- The City of Los Angeles General Plan;
- The City of Los Angeles Cultural Heritage Ordinance (Los Angeles Administrative Code, Section 22.171);
- The City of Los Angeles Historic Preservation Overlay Zone (HPOZ) Ordinance (Los Angeles Municipal Code [LAMC], Section 12.20.3); and
- The City of Los Angeles Historic Resources Survey (SurveyLA).

(1) Federal

(a) *National Historic Preservation Act and National Register of Historic Places*

The National Historic Preservation Act of 1966 established the National Register of Historic Places (National Register) as “an authoritative guide to be used by federal, State, and local governments, private groups and citizens to identify the Nation’s historic resources and to indicate what properties should be considered for protection from destruction or impairment”.² The National Register recognizes a broad range of cultural resources that are significant at the national, State, and local levels and can include districts, buildings, structures, objects, prehistoric archaeological sites, historic-period archaeological sites, traditional cultural properties, and cultural landscapes. Within the National Register, approximately 2,500 (three percent) of the more than 90,000 districts, buildings, structures, objects, and sites are recognized as National Historic Landmarks or National Historic Landmark Districts as possessing exceptional national significance in American history and culture.³

Whereas individual historic properties derive their significance from one or more of the criteria discussed in the subsequent section, a historic district derives its importance from being a unified entity, even though it is often composed of a variety of resources. With a historic district, the historic resource is the district itself. The identity of a district results from the interrelationship of its resources, which can be an arrangement of historically or functionally related properties.⁴ A district is defined as a geographic area of land containing a significant concentration of buildings, sites, structures, or objects united by historic events, architecture, aesthetic, character, and/or physical development. A district’s significance and historic integrity determine its boundaries. Other factors include:

- Visual barriers that mark a change in the historic character of the area or that break the continuity of the district, such as new construction, highways, or development of a different character;
- Visual changes in the character of the area due to different architectural styles, types, or periods, or to a decline in the concentration of contributing resources;
- Boundaries at a specific time in history, such as the original city limits or the legally recorded boundaries of a housing subdivision, estate, or ranch; and

² 36 Code of Federal Regulations (CFR) 60.

³ United States Department of the Interior, National Park Service. National Historic Landmarks Frequently Asked Questions.

⁴ United States Department of the Interior. 1997. National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation, Page 5.

- Clearly differentiated patterns of historical development, such as commercial versus residential or industrial.⁵

Within historic districts, properties are identified as contributing and non-contributing. A contributing building, site, structure, or object adds to the historic associations, historic architectural qualities, or archaeological values for which a district is significant because:

- It was present during the period of significance, relates to the significance of the district, and retains its physical integrity; or
- It independently meets the criterion for listing in the National Register.

A resource that is listed in or eligible for listing in the National Register is considered “historic property” under Section 106 of the National Historic Preservation Act.

(i) Criteria

To be eligible for listing in the National Register, a resource must be at least 50 years of age, unless it is of exceptional importance as defined in Title 36 Code of Federal Regulations (CFR), Part 60, Section 60.4(g). In addition, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Four criteria for evaluation have been established to determine the significance of a resource:

- A. Are associated with events that have made a significant contribution to the broad patterns of our history;
- B. Are associated with the lives of persons significant in our past;
- C. Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. Have yielded, or may be likely to yield, information important in prehistory or history.⁶

(ii) Context

To be eligible for listing in the National Register, a property must be significant within a historic context. National Register Bulletin #15 states that the significance of a historic property can be judged only when it is evaluated within its historic context. Historic

⁵ United States Department of the Interior. 1997. National Register Bulletin #21: Defining Boundaries for National Register Properties Form, Page 12.

⁶ United States Department of the Interior. 1997. National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation, Page 8.

contexts are “those patterns, themes, or trends in history by which a specific...property or site is understood and its meaning... is made clear.”⁷ A property must represent an important aspect of the area’s history or prehistory and possess the requisite integrity to qualify for the National Register.

(iii) Integrity

In addition to meeting one or more of the criteria of significance, a property must have integrity, which is defined as “the ability of a property to convey its significance”.⁸ The National Register recognizes seven qualities that, in various combinations, define integrity. The seven factors that define integrity are location, design, setting, materials, workmanship, feeling, and association. To retain historic integrity a property must possess several, and usually most, of these seven aspects. Thus, the retention of the specific aspects of integrity is paramount for a property to convey its significance. In general, the National Register has a higher integrity threshold than state or local registers.

In the case of districts, integrity means the physical integrity of the buildings, structures, or features that make up the district as well as the historic, spatial, and visual relationships of the components. Some buildings or features may be more altered over time than others. In order to possess integrity, a district must, on balance, still communicate its historic identity in the form of its character defining features.

(iv) Criteria Considerations

Certain types of properties, including religious properties, moved properties, birthplaces or graves, cemeteries, reconstructed properties, commemorative properties, and properties that have achieved significance within the past 50 years are not considered eligible for the National Register unless they meet one of the seven categories of Criteria Considerations A through G, in addition to meeting at least one of the four significance criteria discussed above, and possess integrity as defined above.⁹ Criteria Consideration G is intended to prevent the listing of properties for which insufficient time may have passed to allow the proper evaluation of their historical importance.¹⁰ The full list of Criteria Considerations is provided below:

- A. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or

⁷ United States Department of the Interior. 1997. National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation, Pages 7 and 8.

⁸ United States Department of the Interior. 1997. National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation, Page 44.

⁹ United States Department of the Interior. 1997. National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation, Page 25.

¹⁰ United States Department of the Interior. 1997. National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation, Page 41.

- B. A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- C. A birthplace or grave of a historical figure of outstanding importance, if there is no other appropriate site or building directly associated with his or her productive life; or
- D. A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- E. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- F. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
- G. A property achieving significance within the past 50 years, if it is of exceptional importance.

(b) Secretary of the Interior's Standards

The National Park Service issued the Secretary of the Interior's Standards with accompanying guidelines for four types of treatments for historic resources: Preservation, Rehabilitation, Restoration, and Reconstruction. The most applicable guidelines should be used when evaluating a project for compliance with the Secretary of the Interior's Standards. Although none of the four treatments, as a whole, apply specifically to new construction in the vicinity of historic resources, Standards #9 and #10 of the Secretary of the Interior's Standards for Rehabilitation provides relevant guidance for such projects. The Standards for Rehabilitation are as follows:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding

conjectural features or elements from other historic properties, will not be undertaken.

4. Changes to a property that have acquired significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.¹¹

It is important to note that the Secretary of the Interior's Standards are not intended to be prescriptive but, instead, provide general guidance. They are intended to be flexible and adaptable to specific project conditions to balance continuity and change, while retaining materials and features to the maximum extent feasible. Their interpretation requires exercising professional judgment and balancing the various opportunities and constraints of any given project. Not every standard necessarily applies to every aspect of a project, and it is not necessary for a project to comply with every standard to achieve compliance.

¹¹ United States Department of the Interior, National Park Service. 2017. The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.

(c) Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act requires federal agencies to return Native American cultural items to the appropriate federally recognized Indian tribes or Native Hawaiian groups with which they are associated.¹²

(d) Archaeological Resources Protection Act of 1979

The Archaeological Resources Protection Act (ARPA) of 1979 governs the excavation, removal, and disposition of archaeological sites and collections on federal and Native American lands. This act was most recently amended in 1988. ARPA defines archaeological resources as any material remains of human life or activities that are at least 100 years of age, and which are of archeological interest. ARPA makes it illegal for anyone to excavate, remove, sell, purchase, exchange, or transport an archaeological resource from federal or Native American lands without a proper permit.¹³

(e) Archaeological Data Preservation Act

The Archaeological Data Preservation Act requires agencies to report any perceived project impacts on archaeological, historical, and scientific data and requires them to recover such data or assist the Secretary of the Interior in recovering the data.

(2) State*(a) California Environmental Quality Act*

CEQA is the principal statute governing environmental review of projects occurring in the State and is codified in Public Resources Code (PRC) Section 21000 et seq. CEQA requires lead agencies to determine if a proposed project would have a significant effect on the environment, including significant effects on historical or unique archaeological resources. Under CEQA Section 21084.1, a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.

CEQA Guidelines Section 15064.5 recognizes that historical resources include: (1) resources listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources; (2) resources included in a local register of historical resources, as defined in PRC Section 5020.1(k) or identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); and (3) any objects, buildings, structures, sites, areas, places, records, or manuscripts which a lead agency determines to be historically significant or

¹² United States Department of the Interior, National Park Service. 1990. Native American Graves Protection and Repatriation Act.

¹³ United States Department of the Interior, National Park Service. 2007. Technical Brief # 20: Archeological Damage Assessment: Legal Basis and Methods.

significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California by the lead agency, provided the lead agency's determination is supported by substantial evidence in light of the whole record.

If a lead agency determines that an archaeological site is a historical resource, the provisions of PRC Section 21084.1 and CEQA Guidelines Section 15064.5 apply. If an archaeological site does not meet the criteria for a historical resource contained in the CEQA Guidelines, then the site may be treated in accordance with the provisions of PRC Section 21083, if it meets the criteria of a unique archaeological resource. As defined in PRC Section 21083.2, a unique archaeological resource is an archaeological artifact, object, or site, about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information;
- Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

If an archaeological site meets the criteria for a unique archaeological resource as defined in PRC Section 21083.2, then the site is to be treated in accordance with the provisions of PRC Section 21083.2, which state that if the lead agency determines that a project would have a significant effect on unique archaeological resources, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place.¹⁴ If preservation in place is not feasible, mitigation measures shall be required. The CEQA Guidelines note that if an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment.¹⁵

A significant effect under CEQA would occur if a project results in a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5(a). Substantial adverse change is defined as "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired".¹⁶ According to CEQA Guidelines Section 15064.5(b)(2), the significance of a historical resource is materially

¹⁴ California Public Resources Code Section 21083.2.

¹⁵ State CEQA Statute and Guidelines, Section 15064.5(c)(4).

¹⁶ State CEQA Guidelines, Section 15064.5(b)(1).

impaired when a project demolishes or materially alters in an adverse manner those physical characteristics that:

- A. Convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
- B. Account for its inclusion in a local register of historical resources pursuant to PRC Section 5020.1(k) or its identification in a historical resources survey meeting the requirements of PRC Section 5024.1(g) Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- C. Convey its historical significance and that justify its eligibility for inclusion in the California Register as determined by a lead agency for purposes of CEQA.

In general, a project that complies with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings is considered to have impacts that are less than significant.¹⁷

(b) California Register of Historical Resources

The California Register of Historical Resources (California Register) is “an authoritative listing and guide to be used by State and local agencies, private groups, and citizens in identifying the existing historical resources of the State and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change.”¹⁸ The California Register was enacted in 1992, and its regulations became official on January 1, 1998. The California Register is administered by the California Office of Historic Preservation (OHP). The criteria for eligibility for the California Register are based upon National Register criteria.¹⁹ Certain resources are determined to be automatically included in the California Register, including California properties formally determined eligible for, or listed in, the National Register. To be eligible for the California Register, a prehistoric or historic-period property must be significant at the local, State, and/or federal level under one or more of the following four criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;

¹⁷ State CEQA Guidelines, 15064.5(b)(3).

¹⁸ California Public Resources Code, Section 5024.1[a].

¹⁹ California Public Resources Code, Section 5024.1[b].

3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

A resource eligible for the California Register must meet one of the criteria of significance described above, and retain enough of its historic character or appearance (integrity) to be recognizable as a historical resource and to convey the reason for its significance. It is possible that a historic resource may not retain sufficient integrity to meet the criteria for listing in the National Register, but it may still be eligible for listing in the California Register.

Additionally, the California Register consists of resources that are listed automatically and those that must be nominated through an application and public hearing process. The California Register automatically includes the following:

- California properties listed on the National Register and those formally determined eligible for the National Register;
- California Registered Historical Landmarks from No. 770 onward; and
- Those California Points of Historical Interest that have been evaluated by the OHP and have been recommended to the State Historical Resources Commission for inclusion on the California Register.

Other resources that may be nominated to the California Register include:

- Historical resources with a significance rating of Category 3 through 5 (those properties identified as eligible for listing in the National Register, the California Register, and/or a local jurisdiction register);
- Individual historical resources;
- Historic districts; and
- Historical resources designated or listed as local landmarks, or designated under any local ordinance, such as an historic preservation overlay zone.

The OHP also maintains the Built Environment Resource Directory (BERD), a database of previously evaluated resources throughout the State. The BERD contains information only for cultural resources that have been processed through OHP. This includes resources reviewed for eligibility for the National Register of Historic Places and the California Historical Landmarks programs through federal and State environmental compliance laws and resources nominated under federal and State registration programs.

(c) California Health and Safety Code

California Health and Safety Code Sections 7050.5, 7051, and 7054 address the illegality of interference with human burial remains (except as allowed under applicable PRC Sections), and the disposition of Native American burials in archaeological sites. These regulations protect such remains from disturbance, vandalism, or inadvertent destruction, and establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, including treatment of the remains prior to, during, and after evaluation, and reburial procedures.

(d) California Public Resources Code (PRC)

California PRC Section 5097.98, as amended by Assembly Bill 2641, provides procedures in the event human remains of Native American origin are discovered during project implementation. PRC Section 5097.98 requires that no further disturbances occur in the immediate vicinity of the discovery, that the discovery is adequately protected according to generally accepted cultural and archaeological standards, and that further activities take into account the possibility of multiple burials. PRC Section 5097.98 further requires the Native American Heritage Commission (NAHC), upon notification by a County Coroner, designate and notify a Most Likely Descendant (MLD) regarding the discovery of Native American human remains. Once the MLD has been granted access to the site by the landowner and inspected the discovery, the MLD then has 48 hours to provide recommendations to the landowner for the treatment of the human remains and any associated grave goods. In the event that no descendant is identified, or the descendant fails to make a recommendation for disposition, or if the land owner rejects the recommendation of the descendant, the landowner may, with appropriate dignity, reinter the remains and burial items on the property in a location that will not be subject to further disturbance.

(3) Local*(a) City of Los Angeles General Plan**(i) Conservation Element*

Section 3 of the City of Los Angeles General Plan Conservation Element (Conservation Element), adopted in September 2001, includes policies for the protection of archaeological resources. As stated therein, it is the City's policy that archaeological resources be protected for research and/or educational purposes. Section 5 of the Conservation Element recognizes the City's responsibility for identifying and protecting its cultural and historical heritage. The Conservation Element establishes the policy to continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition, or property modification activities, with the

related objective to protect important cultural and historical sites and resources for historical, cultural, research, and community educational purposes.²⁰

In addition to the National Register and the California Register, two additional types of historic designations may apply at a local level:

- Historic-Cultural Monument (HCM)
- Classification by the City Council as a HPOZ

(ii) Central City North Community Plan

The Land Use Element of the City's General Plan includes 35 community plans. Community plans are intended to provide an official guide for future development and propose approximate locations and dimensions for land use. The community plans establish standards and criteria for the development of housing, commercial uses, and industrial uses, as well as circulation and service systems. The community plans implement the City's General Plan Framework at the local level and consist of both text and an accompanying generalized land use map. The community plans' texts express goals, objectives, policies, and programs to address growth in the community, including those that relate to utilities and service systems required to support such growth. The community plans' maps depict the desired arrangement of land uses as well as street classifications and the locations and characteristics of public service facilities.

The Project Site is located within the boundaries of the Central City North Community Plan (Community Plan). The Community Plan includes the following objectives and policies related to historic and cultural resources:

- Objective 17-1: To ensure that the Community's historically significant resources are protected, preserved, and/or enhanced.
 - Policy 17-1.1: Encourage the preservation, maintenance, enhancement, and reuse of existing buildings and the restoration of original facades.
- Objective 17-2: To encourage private owners of historic properties/resources to conserve the integrity of such resources.
 - Policy 17-2.1: Assist private owners of historic resources to maintain and/or enhance their properties in a manner that will preserve the integrity of such resources in the best possible condition.

²⁰ City of Los Angeles. 2001. Conservation Element of the General Plan, Pages II-3 to II-5.

- Objective 18-1: To enhance and capitalize on the contribution of existing cultural and historical resources in the community.
 - Policy 18-1.1: Support the existing artists community in Central City North as a cultural resource for the community.

The Department of City Planning is in the process of updating the Central City and Central City North Community Plans. The Downtown Community Plan will combine the Central City and Central City North Community Plan areas and will guide development through the year 2040.²¹ As currently drafted, the Downtown Community Plan includes the following goals and policies related to historic and cultural resources:²²

- Goal 13: An environment characterized by a rich collection of historic buildings, sites, and resources.
 - Policy 13.1: Protect and support the rehabilitation of historic resources designated at the local, State, or national level.
 - Policy 13.2: Incentivize the preservation, rehabilitation, and adaptive reuse of one of the largest and most distinguished stock of historic buildings in the United States for a variety of uses.
 - Policy 13.3: Prevent the unnecessary loss of resources of historic significance, special character, cultural, or social significance.
 - Policy 13.4: Support existing and future policy that is intended to enhance, restore and activate resources eligible for listing on local, State, or national registers, including through the use of Survey LA, the Los Angeles Historic Resources Survey, and other City recognized surveys.
 - Policy 13.5: Encourage incorporation of existing buildings in new development as feasible and appropriate.
 - Policy 13.6: Administer the allocation of the Arts Development Fee Credits in coordination with community-based organizations and artists and engage community residents in the development of the Final Art Plan.
- Goal 14: Historic resources are highlighted and recognizable.

²¹ City of Los Angeles, Department of City Planning. 2021. Downtown Community Plan – Draft Plan Adoption Pending. Spring (Proposed Draft).

²² As of the date of this Draft EIR, the City Planning Commission recommended approval of the Downtown Community Plan and new Zoning Code (September 23, 2021). City Planning is in the process of preparing and publishing the Final EIR, the City Planning Commission's Letter of Determination, and the Recommended Community Plan and Zoning Code. Each of these components will be considered by the City Council's Planning and Land Use Management (PLUM) Committee, and then by the City Council.

- Policy 14.1: Strengthen the awareness of historic resources by supporting the implementation of a unified set of informational and wayfinding signs that provide a description of these sites.
- Policy 14.2: Support local institutions' and organizations' efforts to advocate for, educate, and share the legacy of historic and cultural resources.
- Policy 14.3: Support existing and future efforts that are intended to enhance, restore, and activate historic resources.
- Policy 14.4: Promote community participation and input in cultural and historic preservation efforts.
- Policy 14.5: Partner with community organizations and local residents to identify and protect cultural resources and assets.
- Goal 15: An evolving downtown community that maintains a positive continuity with the past.
 - Policy 15.1: Ensure that where new development occurs, it complements the physical qualities and distinct features of existing historic resources.
 - Policy 15.2: Retain the integrity of historic resources, while achieving a balance between preservation and the need to accommodate housing and jobs in Downtown.
 - Policy 15.3: Preserve and promote the distinct qualities and features of historically and culturally significant neighborhoods and communities.
 - Policy 15.4: Encourage innovative design that creates the preservation-worthy buildings of the future.
 - Policy 15.5: Support efforts to preserve and restore the rich inventory of culturally significant murals and public art found throughout Downtown.
 - Policy 15.6: Encourage new development to incorporate culturally relevant and community-driven public art along building facades and in outdoor areas.

(b) City of Los Angeles Cultural Heritage Ordinance

The Los Angeles City Council adopted the Cultural Heritage Ordinance in 1962 and most recently amended it in 2018 (Sections 22.171 et seq. of the Administrative Code). The Ordinance created a Cultural Heritage Commission (CHC) and criteria for designating an HCM. The CHC is comprised of five citizens, appointed by the Mayor, who have exhibited knowledge of Los Angeles history, culture, and architecture. The City's Cultural Heritage

Ordinance states that a HCM designation is reserved for those resources that have a special aesthetic, architectural, or engineering interest or value of a historic nature and meet one of the following criteria. A historical or cultural monument is any site, building, or structure of particular historical or cultural significance to the City. The criteria for HCM designation are stated below:

- The proposed HCM is identified with important events of national, State, or local history or exemplifies significant contributions to the broad cultural, economic, or social history of the nation, State, City, or community is reflected or exemplified; or
- The proposed HCM is associated with the lives of with historic personages important to national, State, City, or local history; or
- The proposed HCM embodies the distinct characteristics of style, type, period, or method of construction, or represents a notable work of a master designer, builder, or architect whose individual genius influenced his or her age.²³

A proposed resource may be eligible for designation if it meets at least one of the criteria above. When determining historic significance and evaluating a resource against the Cultural Heritage Ordinance criteria above, the CHC and OHR staff often ask the following questions:

- Is the site or structure an outstanding example of past architectural styles or craftsmanship?
- Was the site or structure created by a “master” architect, builder, or designer?
- Did the architect, engineer, or owner have historical associations that either influenced architecture in the City or had a role in the development or history of Los Angeles?
- Has the building retained “integrity”? Does it still convey its historic significance through the retention of its original design and materials?
- Is the site or structure associated with important historic events or historic personages that shaped the growth, development, or evolution of Los Angeles or its communities?
- Is the site or structure associated with important movements or trends that shaped the social and cultural history of Los Angeles or its communities?

²³ City of Los Angeles. Los Angeles Administrative Code, Section 22.171.7.

Unlike the National and California Registers, the Cultural Heritage Ordinance makes no mention of concepts such as physical integrity or period of significance. However, in practice, the seven aspects of integrity from the National Register and California Register are applied similarly and the threshold of integrity for individual eligibility is similar. It is common for the CHC to consider alterations to nominated properties in making its recommendations on designations. Moreover, properties do not have to reach a minimum age requirement, such as 50 years, to be designated as HCMs. In addition, the LAMC Section 91.106.4.5 states that the Los Angeles Department of Building and Safety “shall not issue a permit to demolish, alter or remove a building or structure of historical, archaeological or architectural consequence if such building or structure has been officially designated, or has been determined by State or federal action to be eligible for designation, on the National Register of Historic Places, or has been included on the City of Los Angeles list of HCMs, without the department having first determined whether the demolition, alteration or removal may result in the loss of or serious damage to a significant historical or cultural asset. If the department determines that such loss or damage may occur, the applicant shall file an application and pay all fees for the CEQA Initial Study and Check List, as specified in Section 19.05 of the LAMC. If the Initial Study and Check List identifies the historical or cultural asset as significant, the permit shall not be issued without the department first finding that specific economic, social or other considerations make infeasible the preservation of the building or structure.”²⁴

*(c) City of Los Angeles Historic Preservation Overlay Zone
(HPOZ) Ordinance*

The Los Angeles City Council adopted the ordinance enabling the creation of HPOZs in 1979; most recently, this ordinance was amended in 2017. Angelino Heights became Los Angeles’ first HPOZ in 1983. The City currently contains 35 HPOZs. An HPOZ is a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.²⁵ Each HPOZ is established with a Historic Resources Survey, a historic context statement, and a preservation plan. The Historic Resources Survey identifies all Contributing and Non-Contributing features and lots. The context statement identifies the historic context, themes, and subthemes of the HPOZ as well as the period of significance. The preservation plan contains guidelines that inform appropriate methods of maintenance, rehabilitation, restoration, and new construction. Contributing Elements are defined as any building, structure, landscaping, or natural feature identified in the Historic Resources Survey as contributing to the historic significance of the HPOZ, including a building or structure which has been altered, where the nature and extent of the alterations are

²⁴ City of Los Angeles. Los Angeles Municipal Code, Section 91.106.4.5.1.

²⁵ City of Los Angeles. Los Angeles Municipal Code, Section 12.20.3.

determined reversible by the Historic Resources Survey.²⁶ For CEQA purposes, Contributing Elements are treated as contributing features to a historic district, which is the historical resource. Non-Contributing Elements are any building, structure, landscaping, natural feature identified in the Historic Resources Survey as being built outside of the identified period of significance or not containing a sufficient level of integrity. For CEQA purposes, Non-Contributing Elements are not treated as contributing features to a historical resource.

(d) *City of Los Angeles Historic Resources Survey (SurveyLA)*

SurveyLA is a citywide survey that identifies and documents potentially significant historical resources representing important themes in the City's history. The survey and resource evaluations were completed by consultant teams under contract to the City and under the supervision of the Department of City Planning's OHR. The program was managed by OHR, which maintains a website for SurveyLA. The field surveys cumulatively covered broad periods of significance, from approximately 1850 to 1980 depending on the location, and included individual resources such as buildings, structures, objects, natural features and cultural landscapes as well as areas and districts (archaeological resources are planned to be included in future survey phases). The survey identified a wide variety of potentially significant resources that reflect important themes in the City's growth and development in various areas including architecture, City planning, social history, ethnic heritage, politics, industry, transportation, commerce, entertainment, and others. Field surveys, conducted from 2010-2017, were completed in three phases by Community Plan area. However, SurveyLA did not survey areas already designated as HPOZs or areas already surveyed by Community Redevelopment Agencies. All tools, methods, and criteria developed for SurveyLA were created to meet State and federal professional standards for survey work.

The Los Angeles Citywide Historic Context Statement (HCS) was designed for use by SurveyLA field surveyors and by all agencies, organizations, and professionals completing historical resources surveys in the City. The context statement was organized using the Multiple Property Documentation format developed by the National Park Service for use in nominating properties to the National Register. This format provided a consistent framework for evaluating historical resources. It was adapted for local use to evaluate the eligibility of properties for City, State, and federal designation programs. The HCS used Eligibility Standards to identify the character defining, associative features and integrity aspects a property must retain to be a significant example of a type within a defined theme. Eligibility Standards also indicated the general geographic location, area of significance, applicable criteria, and period of significance associated with that type. These Eligibility Standards are guidelines based on knowledge of known significant

²⁶ City of Los Angeles. Los Angeles Municipal Code, Section 12.20.3.

examples of property types; properties do not need to meet all of the Eligibility Standards in order to be eligible. Moreover, there are many variables to consider in assessing integrity depending on why a resource is significant under the National Register, California Register or City HCM eligibility criteria. SurveyLA findings are subject to change over time as properties age, additional information is uncovered, and more detailed analyses are completed. Resources identified through SurveyLA are not designated resources. Designation by the City and nominations to the California or National Registers are separate processes that include property owner notification and public hearings.

b) Existing Conditions

The purpose of the environmental setting below is to establish existing physical conditions of the Project Site and area, as well as to convey the prehistoric and historic context of the Project Area for archaeological and historical resources.

(1) Current Project Site and Surrounding Land Uses

The Project Site is located in the Arts District and consists of six contiguous parcels generally bounded by Colyton Street to the west, East 4th Street to the north, South Hewitt Street to the east, and various industrial and commercial uses to the south, as shown in Chapter II, Project Description, Figure II-1, Project Site and Regional Location Map. The Project Site currently contains four structures, including a building formerly occupied by the Architecture and Design (A+D) Museum, an office structure, and two associated garage/storage spaces, as well as surface parking lots. The land uses within the vicinity of the Project Site include a mix of low- to medium-intensity industrial, commercial, and mixed-use buildings, which vary widely in building style and period of construction. Surrounding land uses consist of a mix of low-intensity industrial warehouses and an array of commercial uses of varied intensities and creative live/work residential uses shown in Chapter II, Project Description, Figure II-2, Existing Site and Surrounding Land Uses.

(2) Prehistoric and Historic Cultural Context

This section provides the historic and archaeological context for the Project. Prehistoric context comes primarily from past archaeological research. Historic cultural context comes from a number of written documents, including both primary (original) documents and secondary (books, manuscripts, and articles) documents, and photographs and artwork. This information is based on the Phase I Cultural Resource Assessment of the 4th and Hewitt Project Site, which can be found in Appendix C1 of this Draft EIR.

(a) *Prehistoric Cultural Setting*

The prehistoric archaeological literature for Southern California contains many temporal chronologies that attempt to differentiate prehistoric time periods using defining characteristics related to artifact types, subsistence, trade, habitation, or culture. There are many different chronologies that can be found; however, the chronology presented here follows the chronology set forth in the Phase I Cultural Resource Assessment (Appendix C1 of this Draft EIR).

(i) *Paleo-Indian Period (11000 B.C. – 9000 B.C.)*

Paleo-Indian Period sites are the least common archaeological sites related to Native American occupation in California. Low numbers of Paleo-Indian sites come from smaller prehistoric population numbers during this time period, highly mobile populations that did not produce stable settlement sites, and drastic changes in the California shoreline from a rise in ocean levels, which has resulted in most coastal paleo sites being under water today. They most likely followed a hunter-gatherer way of life that utilized a wide spectrum of accessible food sources.

Native Americans of this time would have been highly mobile, with limited trade between groups. Small, family-centered groups may have come together as bands during certain annual meetings, linked with seasonality; however, such sedentary living was an exception in their wide-ranging yearly movement cycle. A warming trend toward the end of the Paleo-Indian period led to distinct changes in available food sources. Herds of large mammals were replaced by small- to medium-sized mammals, which in turn led to changes in lifestyle for the earliest of California's Native American groups.

(ii) *Archaic Period (9000 B.C. to 7000 B.C.)*

The earliest prehistoric Native American archaeological sites found in the Los Angeles basin are associated with the Archaic Period. Changes during the Archaic Period are considered to be a response to changes in the climate and environment at the end of the Paleo-Indian period. The hunting and gathering lifestyle of Archaic Period people is characterized by a wide array of bifaces, choppers, scrapers, and other tools associated with a high-mobility strategy to exploit a wider range or regional resources. This period is poorly represented in the Los Angeles Basin with few sites identified within this time period located in the region.

(iii) *Milling Stone Period (7000 B.C. to 5000 B.C.)*

The Milling Stone Period is characterized by small, mobile Native American groups with a general shift in diet to the primary collecting of plant materials, accompanied by a dependence on groundstone implements associated with the grinding of seeds.

Throughout the Milling Stone Period, mobility decreased and sedentary occupation of more permanent villages increased, as did core group size, as dependence on seed-bearing plant materials intensified. These groups appear to have relied on a seasonal shifting of settlement between inland and coastal residential bases. The larger settlements were focused on coastal resources, being located near estuaries, lagoons, lakes, streams, and marshes in order to exploit a wide-range of resources, including seeds, fish, shellfish, small mammals, and birds.

Prehistoric occupation sites from this time period are characterized by abundant groundstone tools, especially manos (handstones, mullers) and metates (milling stones, slabs). Residue and wear on groundstone tools indicate the milling of plant seeds and possibly hard nuts. Middens (refuse dumps) contain shellfish, some fish bones, and fragmented larger mammal bones, such as deer. Olivella shell beads appear at this time, indicating the beginnings of regional trade.

(iv) Middle Period (5000 B.C. to 2000 B.C.)

Cultural sites identified as being within the Middle Period are characterized by changes in the size and shape of metates (milling stones, slabs) and manos (handstones, mullers), and the introduction of mortars and pestles. Mortars and pestles are primarily used to reduce harder or larger seed materials, such as acorns, into a processed food source. These changes signify a greater reliance on large seed food sources in the diet. The use of the acorn as a diet staple provided a high-calorie and storable food source, which in turn is believed to have allowed for greater population sedentism, and higher levels of social organization.

Specialized sites during the Middle Period included temporary camps, single primary-focus activity areas, such as quarries, and long-term settlement locations. Regional trade, primarily between the mainland and the Channel Islands, took place with large numbers of diverse ornaments and shell beads found in mortuary settings dating to the period.

(v) Transition Period (2000 B.C. to A.D. 1)

The Transition Period indicated an intensification of prehistoric fishing and sea mammal hunting, with a reduction in shellfish utilization and an increase in regional trade networks. Several new artifacts appear in cultural sites of this period, including net weights, circular fishhooks, asphaltum-use, and the shift from the use of atlatl darts to arrow points.

At this time, sedentism and long-term occupation of sites increased, accompanied by more elaborate social practices and formal cemeteries. Ritual burial objects become common and mortuary practices suggest an increase in social wealth and status. Specialized labor emerged, and trade networks became increasingly important, with both

functional and non-utilitarian materials being transported over increasingly wider trade routes.

As was seen elsewhere along the Southern California coast, the Los Angeles River drainage was an optimal location for prehistoric Native American settlements during the Transition Period. The local marshes, seasonal rivers, and swamps provided abundant shellfish, migrant waterfowl, and plant resources, and the access to coastal waters allowed for marine animal resources as well. The Los Angeles River area was also ideal for access to trade routes, both along the coast and inland to more distant resource areas.

(vi) Late Period (A.D. 1 – A.D. 1000)

The Late Prehistoric Period marked the highpoint of the Southern California coastal Native American cultures, including the Los Angeles Basin Tongva-Gabrieliño tribal group. The Project is located in the middle of the traditional Tongva-Gabrieliño occupation territory. The term “Gabrieliño” is a general term used originally by the Spanish to refer to Native Americans residing at or administered by the Spanish of the Mission San Gabriel Arcángel. Since the name “Gabrieliño” is associated with the Spanish forced relocation and Missionization of the Native Americans of the Los Angeles Basin region, many of the descendants of the Gabrieliño today prefer the use of “Tongva” to describe the Native American peoples descended from the Los Angeles Basin region.

Certain trends continued during the Late Period, including substantial midden deposits, defined cemetery use, and the first evidence of true bow and arrow use. Small, finely knapped projectile points, usually stemless with convex or concave bases, point to an increased utilization of the bow and arrow rather than the atlatl (the stick to which the spearhead would be attached) and dart for hunting. Mortuary practices, including cremation and interment, were more elaborate than in preceding periods, and some burials contain abundant grave goods. Seagoing vessels were introduced and plank canoes allowed Native Americans the ability to hunt deep-sea fish, such as tuna and swordfish.

The prehistoric Late Period also saw the production of many beautiful and complex objects of utility, art, and decoration. During this period, an increase in population size was accompanied by the establishment of larger, more permanent villages with greater numbers of inhabitants.

(vii) The Native American Ethnographic Period (A.D. 1000 – 1542) and the Tongva-Gabrielino at the Time of Contact (A.D. 1542e- 1769)

The period after A.D. 1000 to contact with the Spanish marks the Ethnographic Period of Native American history in Southern California, when the material culture and social

organizations later observed by the Spanish explorers were being developed. The dominant ethnographic group in the Project region during the Ethnographic Period was the Tongva-Gabrieliño (which includes the Tongva-Fernandeño, located in the San Fernando Valley); historically one of the larger and more complex groups of California Native Americans. The Tongva people of the Los Angeles Basin area historically occupied land that was bordered to the north and northwest by the Chumash, to the north by the Tataviam, to the northeast by the Serrano, and to the south by the Cahuilla and Luiseño Tribal Groups.

The wealth of resources of the Pacific Coast allowed the Tongva-Gabrieliño people to occupy a number of large village areas, as well as retain a population density greater than other Native American groups in California. Craft specialization did expand during this period, with specialized regional workshops, specialized tools, shell money introduction, and an expanded trade network. The archaeological and ethnographic literature suggests that populations in the interior of the Los Angeles Basin were not as dense as along the coast or on the islands.

The earliest Spanish explorers of the California coast included Juan Rodriguez Cabrillo in 1542, Pedro de Unamuno in 1587, Sebastian Rodriguez Cermeño in 1595, and Sebastián Vizcaíno in 1602. These early expeditions were transient in nature, and rarely impacted the areas traveled through except as a novelty. When the Spanish first came to the Los Angeles Basin, they encountered a region already long-settled by the Tongva-Gabrieliño Peoples. The Tongva-Gabrieliño are estimated to have had a population of around 5,000 before the contact period. At least 26 Tongva-Gabrieliño villages were noted by the Spanish as existing within the proximity of the Los Angeles River, with an additional 18 being located farther into the Los Angeles Basin interior. The highest number of villages, and hence the densest Tongva-Gabrieliño populations, were reported to have been in the San Fernando Valley, the Glendale Narrows area north of present-day downtown Los Angeles, and around the Los Angeles River's coastal outlets. San Gabriel Mission baptismal records also show the village of Yangna (also referred to as Yaanga, or Ya'anga) being occupied until at least 1813, which would have placed the village occupation well into the Missionization period. Mexican Independence in 1822 and the secularization of the mission system led to the original village residents being dispersed throughout Los Angeles.

Additional details of this time period are provided in Appendix M, Ethnographic Report, and Section IV.M, Tribal Cultural Resources.

(viii) European Historic Period (A.D. 1769- 1900)

From 1542 to 1769, Southern California was mostly ignored by the Spanish. This did not mean that Spanish goods, culture, and disease did not influence the Tongva-Gabrieliño

people, just that direct involvement with the Spanish was rare for the Native Americans of the Los Angeles Basin region. After Gaspar de Portolá and his 1769-1770 expedition, which passed through the Los Angeles area heading from San Diego to Monterey, then back again, the Spanish began to concentrate on occupying and developing the coastal areas from Orange County to Santa Barbara. The purpose of de Portolá's mission, then, was to support the larger planned permanent Spanish settlement of California by assessing the areas to be settled by later missions and Spanish outposts.

Starting in 1769, the Spanish government began establishing religious missions along the coast of California, as well as presidios (fortified settlements), and pueblos (ranch houses), in order to advance the colonization of the California region. Under the leadership of the Franciscan Father Junipero Serra, a total of 21 coastal missions were built, between 1769 and 1823.

Missionization destroyed the traditional social subsistence system, disrupted regional trade networks, and transformed the Native American material culture into a mixture of surviving ethnographic artifacts and European goods. Disease, the loss of a lifestyle that had been adapted to the California environment for generations, and the predation of the Spanish all led to a rapid decline in Native American population numbers.

When Mexico won independence from Spain in 1822 the political system in California changed dramatically. The missions and the mission lands were secularized in 1834, with the lands dispersed to individuals loyal to the new Mexican government.

With the continuing influx of immigrants, particularly Americans, the threat of invasion by the United States (U.S.) was very real. Land grants were seen as a way to develop the State and discourage an assault by the U.S. Many Americans were able to secure significant holdings throughout the State. By the mid-1840s there were over a dozen ranchos located in the Los Angeles Basin region.

The Mexican Revolution and the later dismantling of the mission system led to great disruptions in the lives of the remaining Native Americans, as mission lands were incorporated into the rancho system. Tensions between Native Americans and Mexican settlers and soldiers led to a number of Native American revolts; all of which were short-lived.

During the Mexican-American War, the territory known in Mexico as Alta California officially became a US territory with the signing the Treaty of Guadalupe Hidalgo between Mexico and the US in 1848. At the same time, the US government began a decades-long process of determining the fate of the original Mexican land grants in California. These land grants changed hands several times, especially after Mexican independence, until land ownership legal issues were finally settled in the 1870s. After this time, the original

Spanish-heritage families began selling off smaller parcels to American investors, which expanded the ranching of cattle and sheep in the area.

From 1848 to 1900, California Native Americans were reduced in number from 150,000 to 20,000; most of this decline came from the continued marginalization of Native Americans into the worst land and lowest economic positions in the new State. Other factors were abuse by the European settlers, disease, and the impacts of government laws and policies that did not favor native populations.

(ix) *The Zanja Madre (1780s- 1890s)*

The Zanja Madre water system began operating in 1781 after the founding of El Pueblo de Nuestra Señora La Reina de Los Angeles in that year. The original purpose of the water channel was to support agricultural irrigation along the Los Angeles River and to provide water for domestic use. It was originally constructed using community labor and consisted of an unpaved ditch with a brush and earth darn (toma) used to divert water from the Los Angeles River into the planned Zanja Madre. With the toma diversion in place, the original Los Angeles River settlers began to create the Zanja Madre system. The original water channels were open, earthen ditches, which were sometimes lined with wood, clay, or stone. The Zanja Madre system components proved crucial for the early success of the pueblo, which later supplied agricultural products to Spanish outposts from Santa Barbara to San Diego.

Drawing water and transporting it to local residences was an early occupation for Native Americans in the Spanish colony. In this way, water was transported by hand in wagons or carts from house to house among the Los Angeles River communities. Cleaning and clearing the Zanja Madre system components was also another task relegated to Native American labor, with the local landowners paying for the work on a community level.

In the early 1850s, the City installed a water wheel at the toma to increase the Zanja Madre water supply. Also in the 1850s, the first commercial enterprise used the Zanja Madre. In this case, the Eagle Mills connected to the water system to power the milling operation. Flooding destroyed the original toma and water wheel, prompting the City to construct a new dam to the area of the modern Riverside Bridge at a higher elevation. The new wooden plank dam raised the water, forming the Buena Vista Reservoir, which was a new source of water for the Zanja Madre. From the Zanja Madre, wooden flumes were constructed to supply domestic water.

The early management of the Zanja Madre system was established by town councils, which appointed a zanjero, or a water overseer, to inspect system components on a regular basis. The zanjero also controlled water allocation, water payments, and water use applications. This position became much more important through time as the communities of the Los Angeles area became more and more dependent upon

transported water. As the City was established, the zanjero became more important as well, to the point where the zanjero became a crucial City position.

The Zanja Madre remained an open earthen ditch through the 1850s, when the City began modernizing the system. The first steps were to improve the domestic water system, with wooden water pipes being installed as well as a new reservoir at Abila Springs. This system, however, was soon destroyed by flooding in 1861. Undeterred, the City continued in their attempt to separate the Zanja Madre irrigation system from the system of domestic water throughout the late 1800s. Eventually, the original wooden water pipes were replaced with iron pipes.

As the domestic water system was developed, the irrigation system was also expanded. At its high point in the 1880s, the Zanja Madre system totaled ninety-three miles of irrigation ditches throughout the Los Angeles Basin and San Fernando valley. By the 1880s, the irrigation ditches connected to the Los Angeles River and the Zanja Madre system was also being replaced with closed conduit, concrete, and iron pipe. By the early 1890s, half of the Zanja Madre system consisted of flumes, pipes, and culverts; the remaining being earthen ditches.

In the end, the abandonment of the Zanja Madre was caused by the Los Angeles 1880s real estate boom and the related need for a domestic water system. As agricultural fields were replaced by residential and commercial development, the transition of water distribution from irrigation to domestic systems took place. By 1890, the entire Zanja Madre system was either underground or abandoned. By 1904, the entire system was abandoned or incorporated into the City storm drain system.

As shown in figures provided in the Phase I Cultural Resource Assessment (Appendix C1 of this Draft EIR), modern attempts to produce a large-scale comprehensive map of the location of the Zanja Madre water system show a segment of Zanja No. 2 located near (to the west) or within (underlying the existing building formerly occupied by the A+D Museum) the Project Site boundary. However, these modern comprehensive maps have several shortcomings, including a lack of refinement at the City-block scale as to the actual location of the irrigation ditch system, as well as a representation of the changes in the Zanja Madre water system through time as the City grew.

Therefore, this analysis included an examination of numerous historic maps in order to produce a more refined understanding of the association of the Zanja No. 2 route through time with the Project Site. The purpose of this study was to determine whether the modern comprehensive maps accurately represent the Zanja Madre water system at the scale of the Project Site, or whether Zanja No. 2 was aligned differently than shown.

The earliest map showing the Zanja Madre, which can be correlated with modern road paths to produce a more accurate location, is provided on an 1884 City plat map. This

map shows Zanja No. 2 in a location farther to the west of the Project Site and making a notable sharp turn to the east to follow the northern side of East 4th Street until it again turns back to the north. This map indicates that Zanja No. 2 was near to, but not within, the Project Site.

Examination of an 1887 City Proposed Sewer System map shows a realignment of Zanja No. 2 lined up with the local road grid; moving the north-south segment to be located within Colyton Street, while the segment along East 4th Street was straightened to extend the new Colyton alignment farther to the north. An 1888 City Map shows the same older alignment that was shown on the 1884 City plat map. The proposed sewer realignment shown on the 1887 map does not appear to have been completed by the time the 1888 map was prepared.

An 1894 Sanborn Fire Insurance Map of the Project area shows elements of both the older alignment and the new sewer plan alignments. A segment of the older iteration of the Zanja Madre water system is clearly shown west of the Project Site; however, the Sanborn Fire Insurance Map also shows new water lines located within the right-of-way of Colyton Street, as well as several other local streets. The sewer alignments shown on the 1887 map are not shown on the 1894 Sanborn Fire Insurance Map, presumably because they were not associated with fire prevention (which is the purpose of the Sanborn Fire Insurance Maps). However, since the observed abandonment of Zanja No. 2 west of the Project Site is supported by the 1894 Sanborn Fire Insurance Map, the rest of the 1887 sewer plan was likely also enacted, placing the Zanja No. 2 realignment within the right-of-way of Colyton Street.

(b) Project Site (1894 – Present)

In preparing the Phase I Environmental Site Assessment Report of the Project Site, provided in Appendix G1, Phase I Environmental Site Assessment Report, of this Draft EIR, Citadel Environmental Services, Inc. (Citadel) investigated the Project Site history by reviewing historic aerial photographs, building permits, City directories, and Sanborn Fire Insurance Maps provided by Environmental Data Resources Inc. Citadel also reviewed client-supplied information, oil and gas maps, and conducted interviews with selected individuals regarding historic Project Site use.

Citadel's review of historical sources showed the Project Site was developed with three dwellings by 1894. A three-story hotel structure and four additional dwellings were developed by 1906. A 4,600-square-foot window shade factory was constructed in 1919 in the west portion of the Project Site along East 4th Street. Based on the Phase I Environmental Site Assessment Report (Appendix G1 of this Draft EIR), the current oblong office structure along South Hewitt Street appears to have been developed by 1920. A store and a grocery store were developed in the northeast portion of the Project

Site in 1920 and 1922, respectively. A mattress manufacturer occupied the window shade factory by 1944. The current small structure in the west portion of the Project Site was constructed in 1947 and 1951 for leather curing/animal hair processing. The current oblong office structure along South Hewitt Street appears to have been occupied for carton paper storage by 1950. The current building in the northeast corner of the Project Site was built in 1952 as an office/warehouse structure, which was then occupied for asbestos fabrication in 1953 and metal fabrication by 1954. The mattress manufacturer was occupied as a woodworking company by 1954. The dwellings and stores at the Project Site were demolished between 1951 and 1954.

The southeast portion of the Project Site contained a truck storage yard. A store was relocated to the northeast corner of the Project Site in 1954 and was occupied as a café/restaurant in 1955. The hotel was demolished in 1955. The two commercial structures in the northwest corner of the Project Site were vacant/unoccupied by 1960 and occupied as a warehouse by 1967. Permits reviewed indicated a former Underground Storage Tanks pit in the southeast portion of the Project Site that was excavated, removed, and backfilled in 1990 under the permit and oversight of the Los Angeles Fire Department. That same area was graded and compacted in 1991 prior to the development of the current garage structure along the south portion of the Project Site. The smaller commercial structure in the northwest corner and the restaurant were demolished by 2009.

Citadel performed an Environmental Document Review of the Project Site in December 2010. At the time of the review, the Project Site consisted of two commercial retail/office buildings, a garage/shop building, and a surface parking lot with a large auto and truck washing equipment located north of the garage building. The area with the washing equipment reportedly included a subsurface drain system that directed wastewater through several underground separators to a three-stage clarifier located to the east of the garage building. Based on the Phase I Environmental Site Assessment Report (Appendix G1 of this Draft EIR), the yard, office, and garage were occupied by a local transit company, which operated small buses out of the Project Site.

(3) Identified Cultural Resources and Cultural Resources Sensitivity

The following section summarizes the findings of the Phase I Cultural Resource Assessment and Historical Resources Technical Report that were prepared for the Project, as well as additional information made available by the City.

(a) *Archaeological Resources*

(i) *California Historic Resources Information System
Records Search Findings*

The California Historic Resources Information System (CHRIS) houses most records of known cultural resources within the State and is divided into a number of regions. The South Central Coastal Information Center (SCCIC) at California State University, Fullerton, is the CHRIS depository relevant for this Project and houses records of the majority of known cultural resources that are located within the Project study area. The SCCIC also contains copies of most cultural resource inventory and evaluation projects that have taken place within the study area. On March 2, 2017, Envicom Corporation contacted the SCCIC with a request that they search their database for cultural resources within the Project Site, plus a 0.25-mile area. The search for cultural resource records in the study area was completed by the SCCIC on April 18, 2017.

The record search findings obtained from the SCCIC were negative for cultural resources within the Project Site. The SCCIC identified that roughly one-fifth of the northeast corner of the Project Site had been previously investigated by one cultural resource report (LA-04448); however, this cultural resource report did not identify cultural resources on the Project Site.

The SCCIC identified 16 previously recorded cultural resources that are located outside the Project Site but within the 0.25-mile search area.²⁷ The majority of these cultural resources are historic built environment commercial and residential structures associated with the urban environment of the Project area, but they also include a road bridge over a nearby rail yard, a railway station, and public utility buildings.

The SCCIC also identified 23 previously published cultural resource reports involving parcels located outside the Project Site but within the 0.25-mile search area. These technical studies fell into two primary categories: infrastructure and public utilities improvements, which involved urban transportation, railroad tracks and yards, fiber optics lines, cell towers, roadways, metro services, or other City improvement projects; and commercial development projects, which included individual retail and commercial property development or renovation projects.

Additionally, the SCCIC identified 10 general overview reports that cover the Project region, which is considered to be the City for this study. Such reports do not specifically

²⁷ The SCCIC cultural resource site numbers are P-19-002610, P-19-004460, P-19-150194, P-19-173336, P-19-174977, P-19-174978, P-19-175845, P-19-175846, P-19-187085, P-19-188195, P-19-190035a, P-19-190035b, P-19-190038, P-19-190036, P-19-190521, and P-19-190586.

focus on cultural resources, and instead provide general historical, architectural, or archaeological background on an area.

(ii) NAHC Records Search Findings

The NAHC was contacted, as part of development of the Phase I Cultural Resource Assessment, to determine whether known sacred lands exist on or near the Project Site. Envicom Corporation contacted the NAHC initially on March 2, 2017, with a request that they search their database for Native American cultural resources within the Project Site and within a 0.25-mile radius of the Project Site. A sacred lands record search was provided by the NAHC on May 3, 2017, which was negative for cultural resources within the Project Site. However, the response letter indicated the Project area is considered as “sensitive” for Native American cultural resources by the NAHC. Additional consultation by the City with the NAHC and Tribal Groups pursuant to the requirements of AB 52, and associated findings and impact analysis, are described and evaluated in Section IV.M, Tribal Cultural Resources.

(iii) Examination of Historic Maps Depicting Alignments of the Zanja Madre Water System

As previously described, the examination of the historic maps (provided in Appendix C1 of this Draft EIR) that show the altered Zanja No. 2 alignments through time at the City block scale identifies that they likely did not traverse the Project Site as shown by the other modern comprehensive maps. The historic maps show that Zanja No. 2 was originally located west of the Project Site (towards Seaton Street, today), and also on the north side of the East 4th Street right-of-way; both of which would be outside of the Project Site boundary. The realignment of the local Zanja Madre water system in the late 1880s as the City grew placed the Zanja Madre water system along the new road alignments and within the road rights-of-way. Locally, this moved Zanja No. 2 to the immediate west side of the Project Site along the east side of the Colyton Street right-of-way, and it removed Zanja No. 2 from the north side of East 4th Street.

(b) Built Environment Resources

(i) SurveyLA Search Findings

Properties surveyed as part of SurveyLA were evaluated for individual eligibility and as potential contributors using relevant contexts and themes developed in the Los Angeles Citywide HCS and established eligibility criteria and integrity thresholds for listing in the National Register of Historic Places, the California Register of Historical Resources, and as City of Los Angeles HCMs or HPOZs (i.e., historic districts).²⁸ According to SurveyLA’s

²⁸ Historic Resources Group. 2022. Historical Resources Technical Report for the 4th and Hewitt Project. February.

Historic Resources Survey Report for the Community Plan area, the Project Site is located in the potential Downtown Los Angeles Historic Industrial District (Historic District), which is located between the Alameda Street corridor to the west and the Los Angeles River to the east, and between 1st Street to the north and 7th Street to the south. The potential Historic District is eligible for listing in the National Register and California Register, as well as for local designation for its association with the City's industrial development. The potential Historic District contains numerous structures dating back to the early 1900s and is significant for its role in the industrial development of Los Angeles.

No structures located on the Project Site were identified as contributors to the potential Historic District by SurveyLA, nor were they identified in SurveyLA as being individually eligible for historic listing or designation per federal, State, or local criteria as described in the Historical Resources Technical Report (Appendix C2). In addition, none of the structures located on the Project Site are listed in the BERD. None of these properties were identified as individually significant for an association with an important event (Criterion A/1/1); none were found individually significant for an association with an important person (Criterion B/2/2); and none were identified as individually significant as an example of a style, type, period, or method of construction, or as a notable work of a master (Criterion C/3/3). These properties are not reflective of relevant themes developed in the Los Angeles Citywide HCS; therefore, they do not meet eligibility criteria for individual historic listing or designation at the federal, State or local levels.²⁹

However, five properties located adjacent to or across Colyton Street or South Hewitt Street from the Project Site were evaluated by SurveyLA as contributors to the potential Historic District; the properties at 407 Colyton Street, 421 Colyton Street, 424 Colyton Street, 427 South Hewitt Street, and 428 South Hewitt Street. None of the five properties located adjacent to or across Colyton Street or South Hewitt Street from the Project Site were determined by SurveyLA to be eligible for listing individually as historical resources as defined by CEQA.³⁰

As outlined in guidance provided by the OHR and described in the Historical Resources Technical Report (Appendix C2), if a SurveyLA finding is not in question, an assessment of significance and eligibility evaluation for an individual resource or a historic district is not required. The Historical Resources Technical Report (Appendix C2) accepts the SurveyLA findings and does not re-evaluate the on-site structures or contributing properties in the Project vicinity for individual eligibility.³¹

²⁹ Historic Resources Group. 2022. Historical Resources Technical Report for the 4th and Hewitt Project. February.

³⁰ Los Angeles Historic Resources Survey. 2016. SurveyLA: Central City North Individual Resources. September 29.

³¹ Historic Resources Group. 2022. Historical Resources Technical Report for the 4th and Hewitt Project. February.

(ii) *Historical Resources Technical Report Findings*

The Significance of the Potential Downtown Los Angeles Historic Industrial District

The Project-specific Historical Resources Technical Report (Appendix C2) utilized the SurveyLA methodology regarding the potential Historic District and assumed the potential Historic District is a historical resource for purposes of this CEQA analysis. According to the Historical Resources Technical Report, the potential Historic District is an industrial zone that is located between the Alameda Street corridor and the Los Angeles River, with interior streets arranged in a general orthogonal pattern, except for East 4th Place, which runs diagonally to the northwest-southeast. The potential Historic District has an irregular boundary, but is essentially bound by East 1st Street to the north, Santa Fe Avenue and Mateo Street to the east, East 7th Street to the south, and South Alameda Street to the west. It is described as a predominantly industrial area, with buildings that vary in size, from modest industrial buildings to massive warehouses spanning full City blocks. Original buildings within the potential Historic District are typically vernacular or utilitarian in style and were constructed between 1900 and 1940. Today, these buildings share the block with more recent construction. Building heights in the area range in height from one to seven stories. Several mid-rise buildings are located immediately outside of the potential Historic District's boundaries and surrounding the potential Historic District on all sides. The potential Historic District contains 196 buildings, 104 (or approximately 53 percent) of which have been evaluated by SurveyLA to be contributors to the potential Historic District. The remaining 92 buildings have been evaluated as non-contributors due to alterations or construction that occurred outside the period of significance, noted as 1900-1940. Additional features of the potential Historic District include its location in relation to the Alameda Street industrial corridor and the Los Angeles River; the interior circulation pattern (including streets, alleys, and rail spur right-of-ways); the nearly exclusive industrial use; extensive surface parking areas, often designed to accommodate large trucks; the absence of sidewalks and street lighting in some areas; the absence of landscaping; evidence of former rail lines (such as remnant tracks, and a rail stop); and remnant granite infrastructure (including curbs, swales, and rail beds).

The potential Historic District is significant for its role in the industrial development of the City; this area served as the City's primary industrial district from the late-19th Century through World War II. The potential Historic District was established as the industrial center of Los Angeles by the 1920s. This was aided in part by the pattern of development occurring outside the center of the City. As the City continued to annex existing communities as well as available land in the San Fernando Valley, zoning was amended to eliminate residential housing in Downtown Los Angeles (DTLA). By 1922, the City had officially re-zoned DTLA to accommodate the construction of more offices, retail, and manufacturing facilities. By the 1950s, the area was home to automotive manufacturing, trucking and transport, furniture manufacturing and storage, paint and chemical

manufacturing, and paper and plastic production, as well as historically dominant industries such as food processing and lumber and woodworking operations. While industries evolved over time, the potential Historic District maintained its character as an industrial center, with one processing or manufacturing operations simply replacing another. Over the course of the 20th Century, a single manufacturing facility might house the production of everything from dog food to pie. By the 1960s, however, the character of the area within the potential Historic District was evolving away from that of an industrial center. Industry on the whole struggled to adapt to the postwar challenges of containerization and new technologies in manufacturing and transport. Railroads had given way to the trucking industry, and businesses were constrained by the physical demands such methods placed on their operations. Furthermore, outlying fledgling industrial centers such as Vernon and the City of Commerce were comparatively undeveloped and offered plentiful land at lower prices, presenting many companies with an opportunity to relocate and construct newer and more efficient facilities. As a result, by the 1970s, many buildings within the potential Historic District were vacant. However, the area found new life as artists and other creative types began to congregate amidst the vacant buildings and empty lots. Priced out of established artists' colonies in neighborhoods such as Venice and Hollywood, the City's industrial area provided many with an opportunity to live and work inexpensively in the vast and vacant warehouse buildings. Soon, the area was home to a number of avant-garde art galleries, giving rise to the group of early artists now called the "Young Turks." Many of the area's most prominent industrial buildings found new life as gallery space and underground hangouts for a burgeoning art scene as well as the punk-rock music scene. In 1981, the City implemented the Artist-in-Residence Program, which legalized the residential use of formerly industrial buildings for artists, legitimizing their efforts. In the mid-1990s, the area became known as the Arts District. A subsequent wave of development began in 1999 with the passing of the Adaptive Reuse Ordinance, which relaxed zoning codes and allowed for the conversion of pre-1974 commercial and industrial buildings into residences for artists and non-artists alike. Today, the area continues to attract new commercial and residential development, and existing facilities are adapted to meet the needs of the growing community.

Historic Significance of Structures located in the Study Area

The Project Site is currently comprised of a building formerly occupied by the A+D Museum and an associated storage building, a law office and associated garage/warehouse, and surface parking areas. The Historical Resources Technical Report describes these features in detail, but they are summarized below.

- Building A – This building is situated at the southeast corner of East 4th Street and Colyton Avenue (Assessor's Parcel Number [APN] 5163-022-003). It displays a street address of 900 East 4th Street and was occupied by the A+D Museum until

the Summer of 2020. The building is one-story in height, measuring approximately 80 feet by 100 feet. It has a rectangular plan and is of brick construction, with a bow-truss roof sheathed in rolled asphalt. The roof has a series of skylights and is surrounded by simple brick parapets. Exterior walls are composed of common brick, with panels of Roman face brick at the building's northwest corner. Fenestration consists of paired metal-frame, inward-opening awning windows throughout. The entrance is accessed via a raised concrete patio with brick cladding and metal fencing, and by a concrete access ramp with a metal balustrade.

This building has been substantially altered over time. Built in 1952, it was originally constructed as a brick office and warehouse building with a concrete exterior loading dock and large truck bay on the western façade. According to building permits, some fire damage was repaired in 1955. In 1970, minor repairs were made, including retiling and patching plaster. In 1979, interior alterations were made associated with the building's change of use from manufacturing to food processing. In 1990, additional interior tenant improvements and office remodeling was performed as part of another change of use from manufacturing/office to warehouse. In 2015, the building's use was changed again, from warehouse to art gallery and incidental retail use. Today, alterations to the building include the relocation of the main entrance from the primary (north) façade to the west façade; repurposing of the original truck bay and exterior loading dock as a raised patio and main entrance to the existing building formerly occupied by the A+D Museum; and infilling of the truck bay with a metal-frame, divided-light pull-up door with tinted glazing. Other alterations include the replacement of doors and windows; and the addition of metal security fencing, gates, and bars throughout.

- Building B – This building is situated on the east side of Colyton Avenue, just south of Building A (APN 5163-022-005). It appears to be a storage building currently associated with the adjacent existing building formerly occupied by the A+D Museum. It is set at the rear of its lot, behind a surface parking area. The building is one story in height, measuring approximately 20 feet by 50 feet. It has a rectangular plan and is of concrete block construction. It has a flat roof sheathed in rolled asphalt and surrounded by simple block parapets. Exterior walls are composed of concrete block. The façade is painted with a large-scale abstract mural. The front parking area is paved with asphalt with painted parking spaces and appears to serve the adjacent existing building formerly occupied by the A+D Museum. The property is defined at the street by a sliding metal security gate.

This building appears to be largely intact from its original construction, retaining its original massing, exterior cladding, windows, and bay door. It was constructed in

two phases over 1947 and 1951. The building's original use was hide curing and animal hair processing. Permits reveal little in the way of alterations over time. By 1990, this building was being used for storage building for the adjacent property to the north.

- Building C – This building is situated on the west side of South Hewitt Street (APN 5163-022-023). It displays a street address of 411 South Hewitt Street, and is currently occupied by Miller Law Associates. The east façade fronts South Hewitt Street, and an asphalt-paved parking area is located to the rear. The building is a one-story structure measuring approximately 35 feet by 100 feet. It has a rectangular plan and is of unknown construction. It has a shed roof sheathed in rolled asphalt, with close overhanging eaves and simple fascia. Exterior walls are clad in sand-textured stucco. Fenestration consists of flush-mounted steel-frame fixed and awning windows throughout. The building includes irregularly spaced steel-frame, divided-light windows with textured wired glazing, as well as recessed wood-frame windows.

This building has been substantially altered over time. Built sometime between 1906 and 1927, it was originally constructed as an office and manufacturing/warehouse building. According to building permits, in 1962 the building's exterior was substantially altered, including the replacement of existing wood siding with new cement plaster, and the replacement of approximately 15 windows. In 1981, the building's use was changed from a warehouse to a trucking office, with associated interior alterations including new partitions and a t-bar (dropped) ceiling. By 1991, this building was serving as a bus depot repair garage, and by 2006 it was the main office for M.V. Transportation. The above research indicates that the building's current Mid-Century Modern appearance is the result of a 1960s remodel, and that few, if any, features remain from its original construction.

- Building D – This building is situated on the west side of South Hewitt Street, just south of Building C (APN 5163-022-023). It appears to be a garage/storage building currently associated with the adjacent Miller Law Associates office building. The building is a one-story structure measuring approximately 41 feet by 61 feet. It has a rectangular plan and steel-frame construction. It has a shallow-pitched, front-gable roof sheathed in corrugated steel. Exterior walls are composed of corrugated steel panels. The building has no fenestration. Its bay doors display a large-scale painted mural.

This building appears to be essentially intact from its original construction in 1991. Permits reveal little in the way of alterations over time. The building's original use

was as a garage. In 2006 it was being used as an automobile repair shop building. Currently the building is associated with the adjacent property to the north.

- **Public Parking Lot** – In addition to surface parking areas associated with the existing building formerly occupied by the A+D Museum and the law office building, the Project Site also includes a public parking lot. The public parking lot comprises the northeastern portion of the Project Site, at the southwest corner of 4th and South Hewitt Streets (APNs 5163-022-001, 5163-022-002 and 5163-022-022). It consists of an open surface parking area. Paving is primarily asphalt with some areas of concrete which appear to be remnants of previous construction. A small rectangular parking kiosk is centrally located on the site.

This property appears to have served as a surface parking lot since at least 1956. All previous development on the site has been removed over time.

As supported by the SurveyLA findings,³² a lack of California Historical Resources Inventory and SCCIC records for these properties, and/or the alterations conveyed above from the Historical Resources Technical Report (Appendix C2), the four structures and the parking lot located on the Project Site are not individually eligible for listing as historical resources and do not contribute to the historical significance of the potential Historic District. Therefore, the existing structures/features that are located on the Project Site are not considered historical resources for purposes of this CEQA analysis.

However, the five properties listed below, located adjacent to or across the street from the Project Site, were evaluated by SurveyLA as contributors to the potential Historic District. Although each of these contributing buildings on their own is not considered a potential historical resource as determined by SurveyLA³³ and described in the Historical Resources Technical Report (Appendix C2), the potential Historic District as a whole is considered a historical resource as defined by CEQA; therefore, potential Project impacts to these contributing properties are also considered in this CEQA analysis. Refer to Figure 6 in Appendix C2 of this Draft EIR, Historical Resources Technical Report, for the locations of these structures relative to the Project Site.

- **407 Colyton Street** – This property is located at the southwest corner of Colyton and 4th Streets, across Colyton Street from the Project Site to the west. It is developed with a one-story brick vernacular industrial building, constructed in 1932.

³² Los Angeles Historic Resources Survey. 2016. SurveyLA: Central City North Individual Resources. September 29.

³³ Los Angeles Historic Resources Survey. 2016. SurveyLA: Central City North Individual Resources. September 29.

- 421 Colyton Street – This property is located across Colyton Street from the Project Site to the southwest. It is developed with a three-story brick vernacular industrial building, constructed in 1909.
- 424 Colyton Street – This property is located two parcels south of the Project Site. It is developed with a one-story brick vernacular industrial building, constructed in 1930.
- 427 South Hewitt Street – This property is located immediately adjacent to the Project Site to the south. It is developed with a one-story brick vernacular industrial building, constructed in 1920.
- 428 South Hewitt Street – This property is located across South Hewitt Street from the Project Site to the southeast. It is developed with a two-story industrial building, constructed in 1904.

3. Project Impacts

a) Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the Project would have a significant impact on cultural resources if it would:

Threshold a): Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5; or

Threshold b): Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; and/or

Threshold c): Disturb any human remains, including those interred outside of dedicated cemeteries.

For this analysis, the Appendix G Thresholds provided above are relied upon. The analysis utilizes factors and considerations identified in the City's 2006 L.A. CEQA Thresholds Guide, as appropriate, to assist in answering the Appendix G Threshold questions.

The L.A. CEQA Thresholds Guide identifies the following criteria to evaluate cultural resources impacts:

Historical Resources

- *If the project would result in a substantial adverse change in the significance of an historical resource, including demolition of a significant resource; relocation that does not maintain the integrity and significance of a significant resource;*

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

Archaeological Resources

- *If the project would disturb, damage, or degrade an archaeological resource or its setting that is found to be important under the criteria of CEQA, because it is associated with an event or person of recognized importance in California or American prehistory or of recognized scientific importance in prehistory;*
- *If the project would disturb, damage, or degrade an archaeological resource or its setting that is found to be important under the criteria of CEQA because it can provide information which is both of demonstrable public interest and useful in addressing scientifically consequential and reasonable archaeological research questions;*
- *If the project would disturb, damage, or degrade an archaeological resource or its setting that is found to be important under the criteria of CEQA, because it has a special or particular quality, such as the oldest, best, largest, or last surviving example of its kind;*
- *If the project would disturb, damage, or degrade an archaeological resource or its setting that is found to be important under the criteria of CEQA, because it is at least 100-years-old³⁴ and possesses substantial stratigraphic integrity; or*
- *If the project would disturb, damage, or degrade an archaeological resource or its setting that is found to be important under the criteria of CEQA, because it involves important research questions that historical research has shown can be answered only with archaeological methods.*

b) Methodology

For purposes of the following analysis and pursuant to CEQA, cultural resources include archaeological and historical resources, as well as human remains. The following cultural resources analysis is based on the applicable regulations and thresholds of significance described above and the Phase I Cultural Resource Assessment and Historical Resources Technical Report, included in Appendix C1 and Appendix C2 of this Draft EIR, respectively.

Under CEQA, the evaluation of impacts to historical resources requires a two-part inquiry: (1) a determination of whether the Project Site contains or is adjacent to a historically significant resource or resources, and if so; (2) a determination of whether the proposed

³⁴ Per the City of Los Angeles CEQA Thresholds Guide, although the CEQA criteria state that "important archaeological resources" are those which are at least 100-years-old, the California Register provides that any site found eligible for nomination to the National Register will automatically be included within the California Register and subject to all protections thereof. The National Register requires that a site or structure be at least 50-years-old."

project will result in a “substantial adverse change” in the significance of the resource or resources. As described in the regulatory framework, “substantial adverse change” in the significance of an historical resource is an alteration that materially impairs the physical characteristics that convey its historical significance and justify its eligibility for listing. According to CEQA Guidelines Section 15064.4(d)(1-3), in evaluating the significance of the potential environmental effect of a project on historical resources, both direct physical changes to the environment and reasonably foreseeable indirect physical changes are considered:

- A direct physical change in the environment is a physical change in the environment which is caused by and immediately related to the project.
- An indirect physical change in the environment is a physical change in the environment which is not immediately related to the project, but which is caused indirectly by the project. If a direct physical change in the environment in turn causes another change in the environment, then the other change is an indirect physical change in the environment.
- An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable.³⁵

As applied to the evaluation of potential impacts to historical resources, direct impacts are those that occur during construction and would include the demolition, material alteration, relocation, or conversion of a historical resource and/or its important character-defining features. Direct impacts may also involve potential damage related to adjacent underground excavation and general construction activities that could undermine the stability of a historical resource (refer to the construction analysis for Threshold a). Indirect impacts may involve alteration to the surroundings of a historical resource that could remove part or all of the associated setting of an historical resource, remove character-defining features or spaces surrounding the historical resource, or substantially impair or obscure the ability of the resource to convey its historical significance (refer to the operations analysis for Threshold a).

Potential impacts are considered both for historical resources on the Project Site, and in the Project vicinity. Historical resources that immediately border the Project Site are more likely to be adversely impacted, specifically by construction activities that have the potential to de-stabilize adjacent properties or by alteration to the immediate setting of the resources in the vicinity. Resources physically separated from the Project Site by other

³⁵ State CEQA Guidelines, Section 15064.4(d)(1-3).

buildings or streets, or by additional distance, are less likely to be adversely impacted due to this spatial separation.

To address potential impacts associated with archaeological resources, formal records searches were conducted to assess the archaeological sensitivity of the Project Site and vicinity. In addition, existing conditions, previous disturbances within the Project Site, and the anticipated depths of grading were evaluated to determine the potential for uncovering archaeological resources.

c) Project Design Features

No specific project design features are proposed with regard to cultural resources.

d) Analysis of Project Impacts

Threshold a): Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

(1) Impact Analysis

(a) Construction

The Project involves the demolition of three buildings on the property and the construction of a new 18-story Office Building. Both actions have the potential to adversely affect historical resources. As described in the Project's Historical Resources Technical Report, the threshold for determining significant impacts on historical resources in the State CEQA Guidelines is whether the Project would cause a substantial adverse change, which is defined as demolition, destruction, relocation, or alteration of the resource or its immediate vicinity such that the significance of the historical resource is materially impaired. The significance of the potential Historic District would be materially impaired if it no longer retained sufficient integrity to convey its significance as the City's primary industrial district from the late-19th Century through World War II as a result of the Project, and therefore, would no longer be eligible for designation. According to National Register Bulletin #15, there are seven aspects of integrity: feeling, association, workmanship, location, design, setting, and materials. The following analysis discusses the potential impacts of the Project on the integrity of the potential Historic District.

As determined by SurveyLA and described in the Historical Resources Technical Report (Appendix C2), 196 properties were recorded within the potential Historic District, and of these, 104 were evaluated as contributors, and 92 properties were evaluated as non-contributors due to alterations or construction outside the period of significance. The four buildings located on the Project Site are considered non-contributing buildings to the potential Historic District. Therefore, removing them would not affect the potential Historic

District's eligibility for listing in the National Register, California Register, or Los Angeles HPOZ. Further, the integrity of the potential Historic District as a whole would not be affected by the demolition activities of the Project, because the number of contributing buildings would not change. Though the number of non-contributing buildings would be reduced, 104 contributing buildings would remain. The potential Historic District would continue to convey its historic significance as Los Angeles' primary industrial district from the late-19th Century through World War II.

In addition to demolition, construction of the Office Building is also analyzed for its potential to impact the potential Historic District's eligibility for listing in the National or California Register. Construction of the Project would replace three non-contributing buildings with an Office Building that includes ground floor office and restaurant uses, as well as parking. The existing building formerly occupied by the A+D museum would remain in place. As with demolition, new construction would result in an adverse effect on a historical resource, such as the potential Historic District, if the development would impair the integrity of the historical resource. Specifically, since the Project would construct a new building of substantial mass and scale, contributing buildings that directly abut the Project Site could potentially be impacted by construction activities that have the potential to destabilize these adjacent structures. Contributors physically separated from the Project Site by other buildings or streets, or by additional distance, are less likely to be adversely impacted. Thus, this analysis also addresses contributing properties to the potential Historic District that are located in the immediate vicinity of the Project Site and that may reasonably be potentially vulnerable to adverse impacts as a result of Project construction. This includes historical resources situated adjacent to or across from the Project Site.

As described above, there are five properties located adjacent to or across Colyton Street and South Hewitt Street from the Project Site that have been previously identified as contributors to the potential Historic District by SurveyLA.³⁶ As reported in Section IV.I, Noise, the Project has the potential to compromise the structural integrity of two contributing properties at 424 Colyton Street and 427 South Hewitt Street, because the Project would include demolition, excavation, and new construction activities immediately adjacent to or within close proximity of these properties.³⁷ Specifically, the Project would require excavation across the majority of the Project Site to a depth of approximately 38

³⁶ Los Angeles Historic Resources Survey. 2016. SurveyLA: Central City North Individual Resources. September 29.

³⁷ The Noise and vibration analysis (Section IV.I) conducted for this Project identified three nearby properties as potentially subject to structural vibration impacts: 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street. Of these properties, two are contributors to the potential Downtown Los Angeles Industrial Historic District and therefore are relevant to this historical resources impact analysis. The property at 418 Colyton Street is not a contributor to the potential historic district. None of these properties qualifies as an individual historical resource under CEQA.

feet for the construction of three levels of subterranean parking.³⁸ These activities have the potential to damage or destabilize nearby properties due to demolition of existing structures, excavation or other ground-disturbing activities, vibration, soil settlement, and general construction activities.

The potential impact to both contributing properties would be an extreme scenario. Assuming the loss of two contributing properties due to structural vibration impacts, the Project would have an impact on the potential Downtown Los Angeles Industrial Historic District. However, in order for this impact to be considered significant, it must result in material impairment to the significance of the Historic District. As previously noted, the significance of a historical resource is materially impaired when a project “[d]emolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance.”

As described above, the potential Historic District contains 196 individual buildings, 104 of which have been evaluated as district contributors, or approximately 53 percent. Assuming a scenario wherein the two contributing properties at 424 Colyton Street and 427 South Hewitt Street were both damaged or destroyed by structural vibration impacts to the extent that they could no longer convey their significance as contributors to the potential Historic District, the number of district contributors would be reduced to 102, or approximately 52 percent from the current 53 percent. Therefore, even in the worst case scenario of extreme damage or destruction of both buildings, the Project would have a negligible impact on the overall integrity of the potential Historic District. The majority of individual buildings within the district would remain district contributors. The potential Historic District would also retain the other physical features which contribute to its significance, including its location, interior circulation pattern, industrial use, absence of landscaping, and evidence of former rail lines.

Thus, even with an assumed loss of two contributing properties to the potential Historic District due to structural vibration impacts, the impact to the potential Historic District itself would remain less than significant.³⁹ The potential Historic District would retain the majority of the components that make up its historic character and would continue to convey its historic significance as Los Angeles’ primary industrial district from the late-

³⁸ Construction is anticipated to require excavation across the majority of the Project Site to a depth of approximately 38 feet to accommodate the subterranean parking levels. However, for purposes of providing a conservative estimate for the amount of soil that would be exported during site preparation, excavation to a depth of 42 feet is assumed in order to calculate the quantity of soil export.

³⁹ Despite a finding of a less than significant impact to a historical resource, mitigation measures are presented in Section IV.I, Noise, to address potentially significant vibration impacts to nearby buildings. With these mitigation measures, the Project would reduce potentially significant structural vibration impacts to nearby buildings to less than significant, including to the two contributing properties to the potential Downtown Los Angeles Industrial Historic District as identified in this section. However, some of the mitigation measures require the consent of other property owners who may not agree to implement all components of the measures. Therefore, implementation of the provided mitigation measures cannot be guaranteed. Thus, it is conservatively concluded that structural vibration impacts to nearby buildings, including to the two contributing properties to the potential Historic District, would be significant and unavoidable, as outlined in Section IV.I. However, even assuming this extreme scenario, the impact to the potential Downtown Los Angeles Industrial Historic District would remain less than significant.

19th century through World War II. As such, it would remain eligible for listing in the National Register and California Register, and for local designation as a Los Angeles HPOZ. **Therefore, Project construction would result in less than significant impacts to the potential Downtown Los Angeles Industrial Historic District, which is a historical resource as defined by CEQA.**

(b) Operation

The Project's 18-story Office Building would add substantial height and density to parcels currently occupied by one-story industrial buildings and surface parking lots. The Office Building would consist of a commercial office tower over a five-story podium (with retail at the ground level and four parking levels above), and three levels of subterranean parking. At 18 stories, the new building would be substantially taller than any other existing building located within the potential Historic District. The tallest contributing buildings within the potential Historic district are six and seven stories. The National Biscuit Company building (now Biscuit Company Lofts) at Industrial and Mateo streets appears to be the tallest contributing building in the potential Historic District. Constructed in 1925, this building is seven stories. The Diamond Walnut Co. building (1921) at East 7th Street and Mill streets is also seven stories. The Metropolitan Warehouse Co. building (1924) at 6th and Mill streets; the warehouse building (1924, now Toy Factory Lofts) at Industrial and Mateo streets; and the Broadway Department Store warehouse (1923) at 1308 East Factory Place are each six stories tall. The new building would introduce a new skyline element which would be taller than the heights of nearby contributing buildings within the potential Historic District boundaries.

Despite its height, the Office Building's overall design reflects its industrial surroundings. The new building's exterior design would be divided into two parts: a base or podium, reflecting industrial design characteristics; and the upper stories of office space, with contemporary design characteristics. The podium, which would contain the new ground floor office and restaurant spaces and four levels of screened above-ground parking, would be five stories and rises to a height of approximately 90 feet. The office levels on the 6th through 18th floors are set back from the podium edges on the south and west façades, effectively reducing the perception of mass and height from street level. The podium would also be visually separated from the office levels by the 6th floor and mezzanine level which would be further recessed beneath the tower. This visual separation between the building's two parts allows the podium to be read from street level as a distinct volume, which would be compatible in scale and massing with some of the larger warehouse and factory buildings in the potential Historic District. The design of the office levels includes bands of windows, visible floor plates, and continuous projecting balconies, giving the building a strong horizontal emphasis that helps to diminish the appearance of height. The placement of the office levels incorporates a substantial setback on the west so that the full height of the new building would not be immediately

adjacent to the existing building formerly occupied by the A+D Museum on the Project Site.

The design of the podium is intended to reinforce the existing urban pattern context established in the potential Historic District. The podium would be set close to the existing sidewalk along East 4th Street, with a minimal setback of approximately three feet. The two street-facing façades, along East 4th and South Hewitt Streets, would include active retail and office uses on the ground floor with direct pedestrian access at street level. These design elements continue the pattern of pedestrian-oriented development in this part of the potential Historic District. On Colyton and South Hewitt Streets, where new sidewalks would be added, the existing street that slightly slopes downward from each edge of the roadway towards the concrete centerline for drainage (a reverse crown) would be retained, maintaining the industrial aesthetic of these roadways.

Additionally, various aspects of the podium's architecture reinforce the existing design context established within the potential Historic District. The podium would have a rough board-form concrete finish and minimal, utilitarian detailing. On the ground floor, retail openings would feature industrial bi-fold doors set in large bay openings beneath a continuous transom. Monumental pull-up doors would be set at either end of the passageway that would link South Hewitt and Colyton Streets and would mark the main entry to the Office Building. The above-ground parking levels display bays of large steel-frame industrial windows (non-operable) along both street-facing façades (East 4th and South Hewitt Streets), echoing the fenestration patterns of daylight factories which occur in the potential Historic District. On the south and where the new building would face adjacent off-site structures, the parking levels would be enclosed with solid walls of rough board-form concrete, resembling with solid walls and lack of fenestration seen in many warehouse buildings within the potential Historic District. Some of these walls would be accented with murals, a nod to the prevalence of large-scale painted murals that adorn walls, gates, and buildings throughout the Arts District. Facing the existing building formerly occupied by the A+D Museum, the parking levels would be open to air but concealed behind metal screens. Additional exterior features, such as railings and stairways, would be metal, continuing the use of industrial materials throughout.

By its nature as a functioning industrial area through most of the 20th Century, the character of the potential Historic District has been one of continual evolution. While the potential Historic District's period of significance is defined as 1900 to 1940, it continued to develop for several decades beyond this period with new infill construction and the modernization of outdated facilities. However, because this potential Historic District is such a singular resource, comprising the City's primary industrial area from the late-19th Century through World War II, it continues to convey its historic significance despite considerable changes over time. While the Project would add a prominent new element to the potential Historic District, it would not remove or alter any of the physical features

that contribute to the potential Historic District's ability to tell the story of early industrial development in Los Angeles.

Four of the five contributing properties to the potential Historic District located in the immediate Project vicinity are separated from the Project Site by the width of the street or another intervening building. Due to this physical separation, the new construction would not interfere with existing visual and/or spatial relationships between these four contributing properties and their immediate surroundings. The remaining contributing property is located at 427 South Hewitt Street and directly abuts the Project Site on the south. The Project would construct an 18-story Office Building immediately adjacent to this property, which would considerably change the property's immediate surroundings on its northern boundary, thereby altering the property's integrity of setting. However, the property's significance is expressed primarily through its street-facing (east) façade, rather than its setting, the change to which would occur along the building's secondary (north) façade. Thus, the new construction would not encroach upon the contributing property or obscure any important character-defining features, nor alter the way in which the property would be experienced. Additionally, the Project would not result in the alteration or loss of any of the additional physical features that contribute to the potential Historic District's strong sense of time and place, such as its interior circulation pattern, sloped streets (reverse crown) with concrete centerline drainage, remnant tracks and rail stop, and remnant granite infrastructure.

As visual continuity is not a factor of the historic significance of the potential Historic District, the introduction of a new visual element does not constitute a substantial adverse change. The Project would not impair the integrity of the potential Historic District as a whole to the degree that it would no longer be eligible for listing under the National or California Registers or for local landmark designation programs. **Therefore, the Project would result in a less-than-significant impact on historical resources during operations.**

(2) Mitigation Measures

Impacts to historical resources would be less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts to historical resources would be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold b): Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

(1) Impact Analysis

The records searches from the SCCIC and NAHC for cultural resources within the Phase I Cultural Resource Assessment study area were negative within the Project Site. However, the SCCIC record search identified 16 previously recorded cultural resources that are located within the 0.25-mile radius surrounding the Project Site, as well as 23 previously published cultural resource reports involving parcels located within the 0.25-mile radius surrounding the Project Site. While the search of the Sacred Lands File by the NAHC was also negative for the Project Site, the NAHC noted that the study area is considered sensitive for prehistoric cultural resources (refer to Section IV.M, Tribal Cultural Resources, for additional detail). Additional research of the Project Area also demonstrates that a component of the Zanja Madre system, Zanja No. 2, flowed in the Project area, west of the Project Site and most likely within the right-of-way of Colyton Street. In this area, the Project proposes to construct a 16-foot wide sidewalk, and roadway work involving ground disturbance beyond the Project Site boundary in Colyton and East 4th Streets (as well as South Hewitt Street) may also be required for the purposes of utility connections.

The Project Site is comprised of a previously developed, urban infill site, and Colyton Street, in which remains of a portion of Zanja No. 2 may be located, is also a paved roadway that has been excavated and resurfaced periodically over time (presumably to access and/or improve buried utilities) as evidenced by variations in the appearance of the roadway's asphalt surface. Nevertheless, as construction of the Project involves grading and excavation activities to a depth of 38 feet at the Project Site and minor ground disturbance to Colyton Street to construct a new sidewalk and potentially for utility work, there is the potential to inadvertently uncover archaeological resources. **Project impacts to archaeological resources are considered a potentially significant impact.**

(2) Mitigation Measures

The following mitigation measures are proposed to address the potential impacts to archaeological resources:

CUL-MM-1 Archaeological Resource Monitoring. Prior to the issuance of a demolition permit, the Applicant or its Successor shall retain a Qualified Archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards (Qualified Archaeologist) to oversee an archaeological monitor who shall be present during construction activities on the Project Site such as demolition, clearing/grubbing, grading,

trenching, or any other construction excavation activity associated with the Project. The activities to be monitored shall also include off-site improvements in the vicinity of the Project Site, such as utility, sidewalk, or road improvements. The monitor shall have the authority to direct the pace of construction equipment in areas of high sensitivity. The frequency of monitoring shall be based on the rate of excavation and grading activities, the materials being excavated (younger sediments vs. older sediments), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined adequate by the Qualified Archaeologist. Prior to commencement of excavation activities, an archaeological sensitivity training shall be carried out by the Qualified Archaeologist, focusing on how to identify archaeological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event.

CUL-MM-2 Archaeological Resource Discovery. In the event that historic or prehistoric 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. A 50-foot buffer shall be established by the Qualified Archaeologist around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All archaeological 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 California Environmental Quality Act (CEQA) Guidelines Section 15064.5 (a) or a “unique archaeological resource” pursuant to Public Resources Code (PRC) Section 21083.2 (g), the Qualified Archaeologist shall coordinate with the Applicant and the Department of City Planning to develop a formal treatment plan that would serve to reduce impacts to the resources. If any prehistoric archaeological sites are encountered within the Project area, consultation with interested Native American parties shall be conducted to apprise them of any such findings and solicit any comments they may have regarding appropriate treatment and disposition of the resources. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines Section 15064.5(f) for historical resources and PRC Section 21083.2(b) for unique archaeological resources. As noted in California Code of Regulations Section 15126.4(b)(A), preservation in place (i.e., avoidance) is the preferred manner of treatment. If, in coordination with the City’s Office of Historic Resources and with final approval by the Department of City

Planning, it is determined that preservation in place is not feasible, appropriate treatment of the resources shall be developed by the Qualified Archaeologist and may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing 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 materials, they shall be donated to a local school or historical society in the area for educational purposes.

- **Zanja Conduit System Discovery.** In the event that Zanja Conduit System-related infrastructure is 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 exclusion area that accounts for the linear nature of the resource shall be established by a Qualified Archaeologist, meeting the Secretary of the Interior Standards in Archaeology. Construction activities shall not be allowed to continue within the exclusion area until directed by the Qualified Archaeologist in consultation with the Department of City Planning, but work shall be allowed to continue outside of the exclusion area. The Qualified Archaeologist shall coordinate with the Applicant or its Successor, the Department of City Planning, and the City's Office of Historic Resources (OHR) to develop a formal treatment plan for the resource that would serve to mitigate impacts to the resource(s). The treatment measures listed in California Code of Regulations Section 15126.4(b) shall be considered when determining appropriate treatment for the Zanja resource. Treatment shall be designed to address the Zanja resource's eligibility under Criterion 1 (significant events) and 4 (scientific data) as well as eligibility as a unique archaeological resource of the likely form of the Zanja, to the best of current knowledge (e.g., is it assumed to be made of wood/concrete/earthen etc., based on known archival research) and may include implementation of data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. At a minimum, a commemoration program that includes the development of an interpretive exhibit/display/signage or plaque at the Project Site shall be developed. In addition, other public educational and/or interpretive treatment measures shall be developed as determined appropriate by the Qualified Archaeologist in consultation with the OHR. Any associated artifacts collected that are not made part of the

interpretation/education collection shall be curated or donated as specified above (see “Archaeological Resource Discovery”).

CUL-MM-3 Archaeological Resource Documentation. Following the conclusion of archaeological monitoring but prior to the release of the grading bond, the Qualified Archaeologist shall prepare a final report and complete the appropriate California Department of Parks and Recreation Site Forms. The report shall include a description of archaeological resources unearthed (Zanja-related or other archaeological resources), if any; treatment of the resources; results of the artifact processing, analysis, research; and an evaluation of the resources with respect to the California Register and the California Environmental Quality Act. The report and the Site Forms shall be submitted by the Project Applicant or its Successor to the Department of City Planning, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the development and required mitigation measures.

(3) Level of Significance After Mitigation

Impacts to archaeological resources would be reduced to less than significant with implementation of Mitigation Measures CUL-MM-1, CUL-MM-2, and CUL-MM-3.

Threshold c): Would the Project disturb any human remains, including those interred outside of formal cemeteries?

(1) Impact Analysis

The Project Site is located within an urbanized area and has been subject to previous grading and development. The results of the SCCIC and the NAHC record searches indicate that no human remains have been recorded within the study area of the Phase I Cultural Resources Assessment. Nevertheless, as the study area is sensitive for archeological resources, and the Project would require excavation at depths greater than those having previously occurred on the Project Site, the potential to inadvertently encounter human remains at the Project Site during grading activities exists, despite the developed nature of the Project Site.

California PRC Section 5097.98, as amended by Assembly Bill 2641, protects cultural resources on public lands and provides procedures in the event human remains of Native American origin are discovered during construction activities. PRC Section 5097.98 requires notification of the County Coroner in the event of the unanticipated discovery of human remains and a prescribed protocol for their disposition in accordance with applicable regulations, notification of the NAHC and subsequent tribal coordination if remains are determined to be of Native American descent.

Compliance with applicable regulatory requirements would ensure that Project impacts on human remains would be less than significant.

(2) Mitigation Measures

Impacts regarding human remains were determined to be less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts regarding human remains were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

e) Cumulative Impacts

(1) Impact Analysis

Cumulative growth in the Project area includes the 137 Related Projects identified in Chapter III, Environmental Setting and permissible growth associated with land use and zoning designations in the Community Plan area. The Related Projects include a variety of land uses, such as apartments, condominiums, schools, museums, restaurants, hotels, offices, industrial parks, gym and health clubs, private clubs, cinemas, sports complexes, art and production spaces, and retail uses, as well as mixed-use developments incorporating two or more of these uses. The projected growth that is represented by the Related Projects is a conservative assumption, as not all projects would be constructed, or they may be constructed in altered forms (i.e., at reduced densities or with modified land uses). Of the 137 Related Projects, 51 are located in the Community Plan area. Therefore, the majority of the Related Projects are located outside the immediate Project area, as shown in Figure III-1, Locations of Related Projects, in Chapter III, Environmental Setting.

(a) *Historical Resources*

In the case of historical resources, cumulative impacts have the potential to affect resources with the same level or type of designation or evaluation, resources that are significant within the same historic context, or contributing properties to the same historic district. As the Project Site is located within the potential Historic District, it is appropriate to consider potential impacts that could accumulate from the Project and Related Projects that are located within the potential Historic District boundaries, and to identify whether the Project's impact would be cumulatively considerable. A significant cumulative impact associated with a project and related projects would occur if the impact would render an

individual historical resource or historic district no longer eligible for historic listing or designation.

According to the Historical Resources Technical Report (Appendix C2), of the 137 Related Projects, 12 are located partially or wholly within the boundaries of the potential Historic District. Of these 12 Related Projects, environmental documentation is available for review for six Related Projects: No. 6, No. 52, No. 57, No. 77, No. 79, and No. 85. Therefore, the cumulative impacts analysis for historic resources is based upon these six Related Projects. Review of the environmental documentation finds that Related Project No. 85 would result in the loss of one district contributor due to re-evaluation as a non-contributor, and thus would contribute to cumulative impacts to the potential Historic District. Combined with the assumed loss, as previously explained, of two contributing properties from the Project, the number of potential Historic District contributors could potentially be reduced from 104 to 101, or from approximately 53 percent to approximately 52 percent. As the majority of individual buildings within the potential Historic District would remain district contributors, and the potential Historic District would also retain the other physical features which contribute to its significance (including the sloped sidewalks and street drainage system conditions that are characteristic of the area), the Historic District would remain eligible for historic listing or designation. Therefore, the combined impact of the Project and Related Projects to the potential Historic District would not be cumulatively considerable.

With regard to cumulative impacts to individual historical resources that are eligible for listing, no structures or features located on the Project Site or immediately adjacent to the Project Site are eligible for listing, as determined by SurveyLA⁴⁰ and described in the Historical Resources Technical Report (Appendix C2). Therefore, the Project would not contribute to a cumulative impact to an individual historical resource and would not be cumulatively considerable.

Furthermore, the Project would not alter the spatial relationships of contributing buildings in its immediate vicinity. Views of contributing buildings from the public right-of-way would remain unaltered after construction of the Project. Also, views and spatial relationships between and among contributing buildings in the immediate vicinity would remain essentially unchanged. Despite the increased density and scale of the Office Building, the Project would not result in additional obstructed views between and among contributing buildings in the immediate vicinity.

Thus, as the Project would not remove or alter an individual historical resource nor remove or alter any identified contributing buildings or other features that contribute to the significance of the potential Historic District, and as it would not alter views or spatial

⁴⁰ Los Angeles Historic Resources Survey. 2016. SurveyLA: Central City North Individual Resources. September 29.

relationships among contributing properties in the immediate vicinity, the Project would result in less-than-significant impacts to historical resources, including the potential Historic District. As with the Project, individual development proposals for projects in the potential Historic District would be required to assess the historical significance of structures proposed to be demolished and for the effects of new development on the integrity of the potential Historic District, in addition to individual historical resources. **As such, the Project's contribution to impacts to historical resources would not be cumulatively considerable and cumulative impacts would be less than significant.**

(b) *Archaeological Resources*

The Project and Related Projects are located within a highly urbanized area that has been previously disturbed. Impacts to these resources would be site specific and related to ground-disturbing activities during the construction period, such as excavation. The majority of the Related Projects would require grading and excavation, which would have the potential to inadvertently uncover previously unknown resources that qualify as archaeological resources, including, but not limited to, portions of the Zanja water system. However, due to the physical separation between the Project Site and Related Project sites, the potential for the Project and Related Projects to collectively create a cumulative impact on archaeological resources is limited. Further, the Department of City Planning has established standard Conditions of Approval under its police power and land use authority to address the inadvertent discovery of archaeological resources. In the event that these resources are inadvertently discovered during project development activities, project applicants would be required to comply with the City's standard Conditions of Approval for the treatment of discoveries. The City's standard Conditions of Approval require the immediate halt of construction activities in the vicinity of the discovery, coordination with the City and development and implementation of appropriate actions for treating the discovery. However, where record searches or surveys show the presence or likely presence of archaeological resources on a site (such as in the case of the Project), and where development activities have the potential to adversely affect such resources, the Department of City Planning requires the implementation of project-specific mitigation measures in association with CEQA review. As with the Project, implementation of such measures, would reduce significant impacts of the Related Projects to a less-than-significant level. The Project is required to implement mitigation measures CUL-MM-1, CUL-MM-2, and CUL-MM-3 to address impacts to archaeological resources, including Zanja No. 2, which would reduce Project impacts to archaeological resources to less than significant. **Therefore, with implementation of mitigation measures CUL-MM-1, CUL-MM-2 and CUL-MM-3, the contribution of the Project to cumulative archaeological resource impacts would not be cumulatively considerable, and cumulative impacts to archaeological resources would be less than significant.**

(c) *Human Remains*

With regard to potential cumulative impacts to human remains, the Project and Related Projects are located within a highly urbanized area that has been previously disturbed. Impacts to these resources would be site specific. As with the Project, each Related Project would be required to comply with applicable regulatory requirements as part of the City's environmental review process, to address project grading activities that may inadvertently uncover human remains. **Therefore, the Project's contribution to impacts on human remains would not be cumulatively considerable and cumulative impacts would be less than significant.**

(2) Mitigation Measures

Cumulative impacts on historical resources, archaeological resources, and human remains would be less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative impacts on historical resources, archaeological resources, and human remains were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

IV. Environmental Impact Analysis

C. Energy

1. Introduction

This section analyzes impacts on energy resources due to construction and operation of the Project. Section 15126.2 (b) of the California Environmental Quality Act (CEQA) Guidelines states that a project's energy use shall be analyzed to determine the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy, as well as being compliant with building codes and renewable energy features. Appendix G of the State CEQA Guidelines checklist, Section VI, Energy, includes questions to assist lead agencies when assessing a project's potential energy impacts. Additionally, State CEQA Guidelines Appendix F provides guidance on information to use when evaluating a project's energy use.

In accordance with the applicable Appendix G sections and utilizing guidance from Appendix F of the State CEQA Guidelines, this Draft EIR includes relevant information and analyses that address the energy implications of the Project, focusing on the following three energy resources: electricity, natural gas, and transportation-related energy (petroleum-based fuels). Detailed energy calculations can be found in Appendix D, Energy Calculations, of this Draft EIR. Information found herein, as well as other aspects of the Project's energy implications, are discussed in greater detail elsewhere in this Draft EIR, including in Chapter II, Project Description, and Sections IV.E Greenhouse Gas Emissions, and IV.N.3, Water Supply and Infrastructure. Project impacts related to energy infrastructure are evaluated in Section IV.N.4, Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Infrastructure.

2. Environmental Setting

a) Regulatory Framework

There are several plans, regulations, and programs that include policies, requirements, and guidelines regarding energy at the federal, State of California (State), regional, and City of Los Angeles (City) levels. As described below, these plans, guidelines, and laws include the following:

- Energy Independence and Security Act of 2007
- Corporate Average Fuel Economy Standards
- Federal Energy Policy and Conservation Act
- California Senate Bill 1389
- Renewables Portfolio Standards
- California Building Standards
 - California Building Energy Efficiency Standards
 - California Green Building Standards
- California Assembly Bill 1493
- California Air Resources Board
 - Scoping Plan
 - Advanced Clean Car Program
 - Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling
 - In-Use Off-Road Diesel Fueled Fleets Regulation
- California Senate Bill 375
- Regional Transportation Plan/Sustainable Communities Strategy
- Green New Deal
- City of Los Angeles Green Building Code
- City of Los Angeles Mobility Plan 2035

(1) Federal

(a) *Energy Independence and Security Act of 2007*

The Energy Independence and Security Act of 2007 (EISA) facilitates the reduction of national GHG emissions by requiring the following:

- Increasing the supply of alternative fuel sources by setting mandatory Renewable Fuel Standards that requires fuel producers to use at least 36 billion gallons of biofuel in 2022;
- Prescribing or revising standards affecting regional efficiency for heating and cooling products, procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances;
- Requiring approximately 25 percent greater efficiency for light bulbs by phasing out incandescent light bulbs between 2012 and 2014; requiring approximately 200 percent greater efficiency for light bulbs, or similar energy savings, by 2020; and
- While superseded by the United States Environmental Protection Agency (USEPA) and National Highway Traffic Safety Administration (NHTSA) actions described above (i) establishing miles per gallon targets for cars and light trucks

and (ii) directing the NHTSA to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for trucks.

Additional provisions of EISA address energy savings in government and public institutions, promote research for alternative energy, additional research in carbon capture, international energy programs, and the creation of “green jobs.”¹

(b) Corporate Average Fuel Economy Standards

Established by the United States (U.S.) Congress in 1975, the Corporate Average Fuel Economy (CAFE) Standards (49 CFR Parts 531 and 533) reduce energy consumption by increasing the fuel economy of cars and light trucks. The NHTSA and the USEPA jointly administer the CAFE standards. The U.S. Congress has specified that CAFE standards must be set at the “maximum feasible level” with consideration given for: (1) technological feasibility; (2) economic practicality; (3) effect of other standards on fuel economy; and (4) need for the nation to conserve energy. When these standards are raised, automakers respond by creating a more fuel-efficient fleet. In 2012, the NHTSA established final passenger car and light truck CAFE standards for model years 2017 through 2021, which the agency projects will require in model year 2021, on average, a combined fleet-wide fuel economy of 40.3 to 41.0 miles per gallon (mpg). Fuel efficiency standards for medium- and heavy-duty trucks have been jointly developed by USEPA and NHTSA. The Phase 1 heavy-duty truck standards apply to combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles for model years 2014 through 2018, and result in a reduction in fuel consumption from 6 to 23 percent over the 2010 baseline, depending on the vehicle type.² USEPA and NHTSA have also adopted the Phase 2 heavy-duty truck standards, which cover model years 2021 through 2027 and require the phase-in of a 5 to 25 percent reduction in fuel consumption over the 2017 baseline depending on the compliance year and vehicle type.³

(c) Federal Energy Policy and Conservation Act

The Energy Policy and Conservation Act of 1975 (EPCA) is a U.S. Act of Congress that responded to the 1973 oil crisis by creating a comprehensive approach to federal energy policy. The primary goals of EPCA are to increase energy production and supply, reduce energy demand, provide energy efficiency, and give the executive branch additional powers to respond to disruptions in energy supply. Most notably, EPCA established the

¹ A “green job,” as defined by the United States Department of Labor, is a job in business that produces goods or provides services that benefit the environment or conserve natural resources.

² USEPA. 2011. Fact Sheet: EPA and NHTSA Adopt First-Ever Program to Reduce Greenhouse Gas Emissions and Improve Fuel Efficiency of Medium- and Heavy-Duty Vehicles. August.

³ USEPA. 2016. Federal Register/Vol. 81, No. 206/Tuesday. Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles—Phase 2. October 25.

Strategic Petroleum Reserve, the Energy Conservation Program for Consumer Products, and CAFE regulations.

(2) State

(a) *California Senate Bill 1389*

Senate Bill (SB) 1389 (Public Resources Code Sections 25300–25323; SB 1389) requires the California Energy Commission (CEC) to prepare a biennial integrated energy policy report that assesses major energy trends and issues facing the State’s electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the State’s economy; and protect public health and safety (Public Resources Code Section 25301[a]). The 2017 Integrated Energy Policy Report provides the results of the CEC’s assessments of a variety of energy issues facing California including energy efficiency, strategies related to data for improved decisions in the Existing Buildings Energy Efficiency Action Plan, building energy efficiency standards, the impact of drought on California’s energy system, achieving 50 percent renewables by 2030, the California Energy Demand Forecast, the Natural Gas Outlook, the Transportation Energy Demand Forecast, Alternative and Renewable Fuel and Vehicle Technology Program benefits updates, update on electricity infrastructure in Southern California, an update on trends in California’s sources of crude oil, an update on California’s nuclear plants, and other energy issues.

(b) *Renewables Portfolio Standards*

First established in 2002 under SB 1078, California’s Renewables Portfolio Standard (RPS) requires retail sellers of electric services to increase procurement from eligible renewable energy resources to 33 percent by 2020 and 50 percent by 2030.⁴ SB 350, signed October 7, 2015, is the Clean Energy and Pollution Reduction Act of 2015. The objectives of SB 350 are: (1) to increase the procurement of electricity from renewable sources from 33 percent to 50 percent; and (2) to double the energy savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation. On September 10, 2018, former Governor Jerry Brown signed SB 100, which further increased California’s RPS and requires retail sellers and local publicly owned electric utilities to procure eligible renewable electricity for 44 percent of retail sales by December 31, 2024, 52 percent by December 31, 2027, and 60 percent by December

⁴ CPUC. 2018. California Renewables Portfolio Standard (RPS).

31, 2030, and that the California Air Resources Board (CARB) should plan for 100 percent eligible renewable energy resources and zero-carbon resources by December 31, 2045.

The California Public Utilities Commission (CPUC) and the CEC jointly implement the RPS program. The CPUC's responsibilities include: (1) determining annual procurement targets and enforcing compliance; (2) reviewing and approving each investor-owned utility's renewable energy procurement plan; (3) reviewing contracts for RPS-eligible energy; and (4) establishing the standard terms and conditions used in contracts for eligible renewable energy.⁵

(c) *California Building Standards*

(i) *California Building Energy Efficiency Standards (Title 24, Part 6)*

The California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6) were adopted to ensure that building construction and system design and installation achieve energy efficiency and preserve outdoor and indoor environmental quality. The current California Building Energy Efficiency Standards (Title 24 standards) are the 2019 Title 24 standards, which became effective on January 1, 2020.⁶ The 2019 Title 24 standards continue to improve upon the 2016 Title 24 standards for new construction of, and additions and alterations to, residential and nonresidential buildings which include efficiency improvements to the residential standards for attics, walls, water heating, and lighting, and efficiency improvements to the non-residential standards include alignment with the American Society of Heating and Air-Conditioning Engineers 90.1-2017 national standards.⁷

(ii) *California Green Building Standards (Title 24, Part 11)*

The California Green Building Standards Code (California Code of Regulations, Title 24, Part 11) are commonly referred to as the CALGreen Code. The 2019 CALGreen Code includes mandatory measures for non-residential development related to site development; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality.⁸ The 2019 CALGreen Code improves upon the 2016 CALGreen Code by updating standards for bicycle parking, electric vehicle charging, and water efficiency and conservation. The 2019 CALGreen Code went into

⁵ CPUC. 2018. RPS Program Overview.

⁶ CEC. 2018. 2019 Building Energy Efficiency Standards for Residential and Nonresidential Buildings. December.

⁷ CEC. 2018. 2019 Building Energy Efficiency Standards for Residential and Nonresidential Buildings. December.

⁸ California Building Standards Commission. 2019. Guide to the 2019 California Green Building Standards Code – Nonresidential. November.

effect on January 1, 2020. Refer to Section IV.E, Greenhouse Gas Emissions, of this Draft EIR for additional details regarding these standards.

(d) *California Assembly Bill 1493 (AB 1493, Pavley)*

In response to the transportation sector accounting for more than half of California's carbon dioxide (CO₂) emissions, AB 1493 (commonly referred to as CARB's Pavley regulations), enacted on July 22, 2002, requires CARB to set greenhouse gas (GHG) emission standards for new passenger vehicles, light duty trucks, and other vehicles manufactured in and after 2009 whose primary use is non-commercial personal transportation. Phase I of the legislation established standards for model years 2009–2016 and Phase II established standards for model years 2017-2025.^{9,10} As discussed in subsection (1) Federal, above, in March 2020, the U.S. Department of Transportation and the USEPA issued the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule, which amends existing CAFE standards and tailpipe carbon dioxide emissions standards for passenger cars and light trucks and establishes new standards covering model years 2021 through 2026. Refer to Section IV.E, Greenhouse Gas Emissions, of this Draft EIR for additional details regarding this regulation.

(e) *California Air Resources Board*

(i) *Scoping Plan*

AB 32 required CARB to prepare a Climate Change Scoping Plan for achieving the maximum technologically feasible and cost-effective GHG emission reduction by 2020 (HSC section 38561 (h)). The 2008 Climate Change Scoping Plan proposed a “comprehensive set of actions designed to reduce overall carbon GHG emissions in California, improve our environment, reduce our dependence on oil, diversify our energy sources, save energy, create new jobs, and enhance public health.”¹¹ The 2008 Climate Change Scoping Plan had a range of GHG reduction actions which included direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms, such as a cap-and-trade system, and an AB 32 implementation fee to fund the program.

The 2008 Climate Change Scoping Plan called for a “coordinated set of solutions” to address all major categories of GHG emissions. Transportation emissions were addressed through a combination of higher standards for vehicle fuel economy,

⁹ CARB. Clean Car Standards – Pavley. Assembly Bill 1493.

¹⁰ USEPA. 2012. EPA and NHTSA Set Standards to Reduce Greenhouse Gases and Improve Fuel Economy for Model Years 2017-2025 Cars and Light Trucks. August.

¹¹ CARB. 2008. Climate Change Scoping Plan.

implementation of the Low Carbon Fuel Standard, and greater consideration to reducing trip length and generation through land use planning and transit-oriented development. Buildings, land use, and industrial operations were encouraged and, sometimes, required to use energy more efficiently. Utility energy providers were required to include more renewable energy sources through implementation of the Renewables Portfolio Standard.¹² Additionally, the 2008 Climate Change Scoping Plan emphasized opportunities for households and businesses to save energy and money through increasing energy efficiency. It indicates that substantial savings of electricity and natural gas will be accomplished through “improving energy efficiency by 25 percent.”

The 2008 Climate Change Scoping Plan identified several specific issues relevant to the development projects, including:

- The potential of using the green building framework as a mechanism, which could enable GHG emissions reductions in other sectors (i.e., electricity, natural gas), noting that:
A Green Building strategy will produce greenhouse gas savings through buildings that exceed minimum energy efficiency standards, decrease consumption of potable water, reduce solid waste during construction and operation, and incorporate sustainable materials. Combined, these measures can also contribute to healthy indoor air quality, protect human health, and minimize impacts to the environment.
- The importance of supporting the Department of Water Resources’ work to implement the Governor’s objective to reduce per capita water use by 20 percent by 2020. Specific measures to achieve this goal include water use efficiency, water recycling, and reuse of urban runoff. The Climate Change Scoping Plan notes that water use requires significant amounts of energy, including approximately one-fifth of statewide electricity.
- Encouraging local governments to set quantifiable emission reduction targets for their jurisdictions and use their influence and authority to encourage reductions in emissions caused by energy use, waste and recycling, water and wastewater systems, transportation, and community design.

As required by HSC Division 25.5, CARB approved the 1990 GHG emissions inventory, thereby establishing the emissions reduction target for 2020. The 2020 emissions reduction target was originally set at 427 million metric tons (MMT) of CO₂e using the global warming potential (GWP) values from the Intergovernmental Panel on Climate Change (IPCC) service advisory report (SAR). Forecasting the amount of emissions that

¹² For a discussion of Renewables Portfolio Standard, refer to subsection California Renewables Portfolio Standard.

would occur in 2020 if no actions are taken was necessary to assess the scope of the reductions California must make to return to the 1990 emissions level by 2020 as required by AB 32. CARB originally defined the “business-as-usual” or BAU scenario as emissions in the absence of any GHG emission reduction measures discussed in the 2008 Climate Change Scoping Plan, as approximately 596 MMTCO₂e (using GWP values from the IPCC SAR). For example, in further explaining CARB’s BAU methodology, CARB assumed that all new electricity generation would be supplied by natural gas plants, no further regulatory action would impact vehicle fuel efficiency, and building energy efficiency codes would be held at 2005 standards. Therefore, under these original projections, the State would have had to reduce its 2020 BAU emissions by 28.4 percent to meet the 1990 target of 427 MMTCO₂e.

(ii) Advanced Clean Car Program

The Advanced Clean Cars emissions-control program was approved by CARB in 2012 and is closely associated with the Pavley regulations.¹³ The program requires a greater number of zero-emission vehicle models for years 2015 through 2025 to control smog, soot and GHG emissions. This program includes the Low-Emissions Vehicle regulations to reduce criteria pollutants and GHG emissions from light- and medium-duty vehicles; and the Zero-Emissions Vehicle (ZEV) regulations to require manufacturers to produce an increasing number of pure ZEVs (meaning battery and fuel cell electric vehicles) with the provision to produce plug-in hybrid electric vehicles (PHEV) between 2018 and 2025. In particular, implementation of the ZEV and PHEV regulations reduce transportation fuel consumption by increasing the number of vehicles that are partially or fully electric-powered. Effective November 26, 2019, the federal SAFE Vehicles Rule Part One: One National Program withdraws the California waiver for the GHG and ZEV programs under section 209 of the Clean Air Act, which revokes California's authority to implement the Advanced Clean Cars and ZEV mandates.

(iii) Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling

In 2004, CARB adopted an Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling in order to reduce public exposure to diesel particulate matter emissions (Title 13 California Code of Regulations [CCR] Section 2485). The measure applies to diesel-fueled commercial vehicles with gross vehicle weight ratings (GVWRs) greater than 10,000 pounds that are licensed to operate on highways, regardless of where they are registered. This measure does not allow diesel-fueled

¹³ CARB. Clean Car Standards – Pavley, Assembly Bill 1493. Available at: <https://www.arb.ca.gov/cc/ccms/ccms.htm>. Accessed on December 16, 2021.

commercial vehicles to idle for more than five minutes at any given location. While the goal of this measure is primarily to reduce public health impacts from diesel emissions, compliance with the regulation also results in energy savings in the form of reduced fuel consumption from unnecessary idling.

(iv) In-Use Off-Road Diesel Fueled Fleets Regulation

Because off-road vehicles that are used in construction and other related industries can last 30 years or longer, most of those that are in service today are still part of an older fleet that do not have emission controls. In 2007, CARB approved the “In-Use Off-Road Diesel Fueled Fleets Regulation” to reduce emissions from existing (in-use) off-road diesel vehicles that are used in construction and other industries. This regulation sets an anti-idling limit of five minutes for all off-road vehicles 25 horsepower and up. It also establishes emission rates targets for the off-road vehicles that decline over time to accelerate turnover to newer, cleaner engines and require exhaust retrofits to meet these targets. Revised in October 2016, the regulation enforced off-road restrictions on fleets adding vehicles with older tier engines and started enforcing beginning July 1, 2014. By each annual compliance deadline, a fleet must demonstrate that it has either met the fleet average target for that year or has completed the Best Available Control Technology requirements. Large fleets have compliance deadlines each year from 2014 through 2023, medium fleets each year from 2017 through 2023, and small fleets each year from 2019 through 2028. While the goal of this regulation is primarily to reduce public health impacts from diesel emissions, compliance with the regulation also results in energy savings in the form of reduced fuel consumption from the use of more fuel-efficient engines.

(f) California SB 375 (Sustainable Communities Strategy)

In 2008, SB 375, the Sustainable Communities and Climate Protection Act, was adopted to connect the GHG emissions reductions targets established in the 2008 Scoping Plan for the transportation sector to local land use decisions that affect travel behavior. Its intent is to reduce GHG emissions from light-duty trucks and automobiles (excludes emissions associate with goods movement) by aligning regional long-range transportation plans, investments, and housing allocations to local land use planning to reduce vehicle miles traveled (VMT) and vehicle trips. Specifically, SB 375 required CARB to establish GHG emissions reduction targets for each of the 18 metropolitan planning organizations (MPOs). The Southern California Association of Governments (SCAG) is the MPO for the Southern California region, which includes counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial.

(3) Regional

(a) *Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)*

SB 375 requires each MPO to prepare a Sustainable Communities Strategy (SCS) in their regional transportation plan. In general, the SCS outlines a development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce VMT from automobiles and light duty trucks and thereby reduce GHG emissions from these sources. For the SCAG region, the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), adopted on September 3, 2020, is the current RTP/SCS and is an update to the 2016-2040 RTP/SCS.

The 2020-2045 RTP/SCS focuses on the continued efforts of the previous RTP/SCS plans for an integrated approach in transportation and land use strategies in development of the SCAG region through horizon year 2045. The 2020-2045 RTP/SCS projects that the SCAG region will meet the GHG per capita reduction targets established for the SCAG region of 8 percent by 2020 and 19 percent by 2035. Additionally, its implementation is projected to reduce VMT per capita for the year 2045 by 4.1 percent compared to baseline conditions for the year. Rooted in the 2008 and 2012 RTP/SCS plans, the 2020-2045 RTP/SCS includes “Core Vision” that centers on maintaining and better managing the transportation network for moving people and goods while expanding mobility choices by location housing, jobs, and transit closer together, and increasing investments in transit and complete streets.

(4) Local

(a) *Green New Deal*

In April 2019, Mayor Eric Garcetti released the Green New Deal, a program of actions designed to create sustainability-based performance targets through 2050 designed to advance economic, environmental, and equity objectives.¹⁴ L.A.’s Green New Deal is the first four-year update to the City’s first Sustainable City Plan that was released in 2015 and therefore replaces and supersedes the Sustainable City Plan.¹⁵ It augments, expands, and elaborates in more detail L.A.’s vision for a sustainable future and it tackles the climate emergency with accelerated targets and new aggressive goals.

¹⁴ City of Los Angeles. 2019. L.A.’s Green New Deal.

¹⁵ City of Los Angeles. 2015. Sustainable City Plan.

Within the Green New Deal, climate mitigation is one of eight explicit benefits that help define its strategies and goals. These include reducing GHG emissions through near-term outcomes:

- Reduce potable water use per capita by 22.5 percent by 2025; 25 percent by 2035; and maintain or reduce 2035 per capita water use through 2050.
- Reduce building energy use per square feet for all building types 22 percent by 2025; 34 percent by 2035; and 44 percent by 2050 (from a baseline of 68 British Thermal Units/square foot in 2015).
- All new buildings will be net zero carbon by 2030 and 100 percent of buildings will be net zero carbon by 2050.
- Increase cumulative new housing unit construction to 150,000 by 2025; and 275,000 units by 2035.
- Ensure 57 percent of new housing units are built within 1,500 feet of transit by 2025; and 75 percent by 2035.
- Increase the percentage of all trips made by walking, biking, micro-mobility/matched rides or transit to at least 35 percent by 2025, 50 percent by 2035, and maintain at least 50 percent by 2050.
- Reduce VMT per capita by at least 13 percent by 2025; 39 percent by 2035; and 45 percent by 2050.
- Increase the percentage of electric and zero emission vehicles in the City to 25 percent by 2025; 80 percent by 2035; and 100 percent by 2050.
- Increase landfill diversion rate to 90 percent by 2025; 95 percent by 2035 and 100 percent by 2050.
- Reduce municipal solid waste generation per capita by at least 15 percent by 2030, including phasing out single-use plastics by 2028 (from a baseline of 17.85 pounds (lbs.) of waste generated per capita per day in 2011).
- Eliminate organic waste going to landfill by 2028.
- Reduce urban/rural temperature differential by at least 1.7 degrees by 2025; and 3 degrees by 2035.
- Ensure the proportion of Angelenos living within 1/2 mile of a park or open space is at least 65 percent by 2025; 75 percent by 2035; and 100 percent by 2050.

(b) City of Los Angeles Green Building Code

Chapter IX of the Los Angeles Municipal Code (LAMC) is referred to as the “Los Angeles Green Building Code,” which incorporates by reference portions of the CALGreen Code. Specific mandatory requirements and elective measures are provided for three categories: (1) low-rise residential buildings; (2) nonresidential and high-rise residential buildings; and (3) additions and alterations to nonresidential and high-rise residential

buildings. The Los Angeles Green Building Code includes mandatory measures for newly constructed nonresidential and high-rise residential buildings. The Los Angeles Green Building Code includes some requirements that are more stringent than State requirements such as increased requirements for electric vehicle charging spaces and water efficiency, which results in potentially greater energy demand reductions from improved transportation fuel efficiency and water efficiency.

(c) *City of Los Angeles Mobility Plan 2035*

In August 2015, the City Council adopted Mobility Plan 2035 (Mobility Plan), which serves as the City's General Plan circulation element. The City Council has adopted several amendments to the Mobility Plan since its initial adoption, including the most recent amendment on September 7, 2016.¹⁶ The Mobility Plan incorporates "complete streets" principles and lays the policy foundation for how the City's residents interact with their streets. The Mobility Plan includes five main goals that define the City's high-level mobility priorities:

- (1) Safety First;
- (2) World Class Infrastructure;
- (3) Access for All Angelenos;
- (4) Collaboration, Communication, and Informed Choices; and
- (5) Clean Environments and Healthy Communities.

Each of the goals contains objectives and policies to support the achievement of those goals.

b) Existing Conditions

(1) Electricity

(a) *Electricity Supplies*

The City of Los Angeles Department of Water and Power (LADWP) is the nation's largest municipal electric utility in the nation and serves approximately 3.8 million people, including 1.5 million customers. Its service territory covers a 465-square-mile area in the City and much of the Eastern Sierras in Owens Valley, with annual sales exceeding 23 million megawatt-hours. The LADWP generates power from several energy sources, including hydropower, coal, gas, and nuclear sources, as well as from renewable

¹⁶ City of Los Angeles, Department of City Planning. 2016. Mobility Plan 2035: An Element of the General Plan. Approved by the City Planning Commission on June 23 and adopted by City Council on September 7.

resources, including wind, solar, and geothermal sources. LADWP reports that as of 2019, their mix of energy sources by percentage¹⁷ consisted of:

- Renewable Energy¹⁸ 34%
- Natural Gas 27%
- Nuclear 14%
- Large Hydroelectric 3%
- Coal 21%
- Other/Unspecified Sources of Power 0%

The LADWP has an installed net dependable generation capacity of 7,531 megawatts and experienced an all-time net energy-for-load peak demand of 6,431 megawatts on August 31, 2017 with an instantaneous peak demand of 6,555 megawatts on September 1, 2017.¹⁹ LADWP electricity usage (sales) for 2019 and 2020 were 21,530 millions of kilowatt-hours and 20,934 millions of kilowatt-hours, respectively.²⁰

(b) Existing Project Site Electricity Demand

The LADWP supplies electricity to the existing uses on the Project Site, including the 7,800-square-foot building that was formerly occupied by the A+D Museum, which the Project would retain; and a 1,000-square-foot storage space for the existing 7,800-square-foot building, a 3,515-square-foot office structure, and associated 2,515-square-foot garage/storage space (7,030 square feet, combined) that would be removed. Electricity would be supplied to the Project Site via existing LADWP infrastructure that serves the vicinity, to which the Project would be connected. As the electricity demand associated with the existing office building and garage/storage spaces to be removed is nominal relative to the proposed new uses, and as the existing 7,800-square-foot building that was formerly occupied by the A+D Museum would remain in place with a similar future use,²¹ quantification of electricity demand from existing uses on the Project Site is not provided. Therefore, the net increase in electricity demand of the Project would be lower than the conservative values presented in this analysis.

¹⁷ LADWP. Power Facts and Figures. Available at: https://www.ladwp.com/ladwp/faces/ladwp/aboutus/a-power/a-p-factandfigures?_adf.ctrl-state=hnc0fjmeu_4&_afriLoop=984220520947121. Accessed on December 1, 2021.

¹⁸ Renewable energy sources include biomass & waste (0%), geothermal (9%), eligible hydroelectric (3%), solar (12%), and wind (10%).

¹⁹ LADWP. 2017 Power Strategic Long-Term Resource Plan. December.

²⁰ CEC. Electricity Consumption by Entity. Available at: <http://www.ecdms.energy.ca.gov/elecbyutil.aspx>. Accessed on December 1, 2021.

²¹ At the time that the Notice of Preparation for the Project was issued (September 20, 2017), the CEQA baseline for this Project, the building was occupied by the A+D Museum. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. The Project's requested discretionary approvals would not physically alter the 7,800-square-foot building.

(2) Natural Gas

(a) *Natural Gas Supplies*

The Southern California Gas Company (SoCalGas) provides natural gas resources to the City and the Project Site. SoCalGas is a regulated public utility that owns and operates a natural gas distribution, transmission, and storage system that supplies natural gas to a population of approximately 22 million, covering a 24,000 square mile service territory that encompasses southern California and portions of central California (excluding San Diego County, the City of Long Beach, and the desert area of San Bernardino County). In 2020, SoCalGas natural gas sales were 312 billion cubic feet.²²

(b) *Existing Project Site Natural Gas Consumption*

Locally, SoCalGas provides natural gas resources to the City through existing gas lines that are located under the streets and other public rights-of-way. The Project Site is served by a four-inch gas line in Colyton Street, a four-inch gas line in East 4th Street, and a two-inch gas line on South Hewitt Street.²³ As natural gas demand associated with the existing uses to be removed is nominal relative to the proposed new uses, and the existing 7,800-square-foot building that was formerly occupied by the A+D Museum would remain in place with a similar future use, quantification of natural gas demand from existing uses on the Project Site is not provided. Therefore, the net increase in electricity demand of the Project would be lower than the conservative values presented in this analysis.

(3) Transportation Fuels

(a) *Transportation Fuel Consumption*

Thirty million cars, trucks, buses, and other motorized on-road vehicles are registered in California. For more than 35 years, the CEC has been tasked with collecting a broad set of data from major oil producers, refiners, marketers, transporters, and storers. The CEC combines this unique data set with information available from other sources (such as the California Board of Equalization, U.S. Energy Information Agency (USEIA), and International Energy Agency) to develop a biennial assessment of transportation fuels for the Integrated Energy Policy Report. Alternative fuels, such as ethanol, biodiesel, renewable diesel, natural gas, electricity, and hydrogen, are also incorporated into the assessment. As reported by the CEC in the 2020 Integrated Energy Policy Report, demand for gasoline decreased 45 percent in April 2020, and fuel production dropped in response with steep declines in sales of gasoline, diesel, and jet fuel.²⁴ This decline in

²² Sempra Energy. 2020. Innovation, Sustainability, and Leadership. 2020 Annual Report.

²³ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Project Utilities Technical Report. February 23. (Appendix N.)

²⁴ CEC. 2021. Final 2020 Integrated Energy Policy Report. March.

demand is considered an anomaly due to reduced vehicle use associated with federal and state efforts to mitigate the transmission of Coronavirus (COVID-19).

California consumed 15.43 billion gallons of gasoline and 12.50 billion gallons of gasoline for motor vehicles (including aviation gasoline) in 2019 and 2020, respectively,²⁵ and 3.09 billion gallons of diesel fuel and 2.98 billion gallons of diesel fuel in 2019 and 2020, respectively.²⁶ Ninety seven percent of all gasoline is being consumed by light-duty cars, pickup trucks, and sport utility vehicles. Gasoline sold in California at retail is made up of 90 percent petroleum-based gasoline (as specified by the CARB) and 10 percent ethanol. Ethanol became the primary blending oxygenate in gasoline in 2003, as Methyl Tertiary Butyl Ether was fully phased out of by that year.²⁷ Diesel fuel, the second largest transportation fuel used in the State, represents 17 percent of the total fuel sales behind gasoline. Nearly all heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm, construction, and heavy-duty military vehicles and equipment have diesel engines. Diesel is the fuel of choice for these vehicles, because it has 12 percent more energy per gallon than gasoline and has fuel properties that prolong engine life, which makes it preferable for heavy duty vehicles.²⁸

Transportation accounts for a major portion of California's overall energy consumption and has a significant impact on air quality, as well as being the single largest source of the State's GHG emissions.²⁹ To achieve federal and State GHG emission reduction goals, criteria and toxic air pollutants from transportation and goods movement activities must be reduced. According to CARB, GHG emission reductions will come from cleaner vehicle technologies, lower-carbon fuels, and a reduction of vehicle use (i.e., fewer vehicle miles traveled, or VMT).³⁰ According to the CEC, the period from 2018 to 2030 will experience a trend toward alternative fuel use and vehicle electrification, especially of light-duty trucks. Combined, gasoline and diesel will retain their dominant share of fuel use; however, diesel fuel use will increase, while gasoline fuel use will decline due to improvements in fuel economy and growing consumer purchases of battery-electric vehicles, PHEVs, and fuel cell electric vehicles.³¹

²⁵ California Department of Tax and Fee Administration. Fuel Taxes Statistics & Reports. Motor Vehicle Fuel 10-Year Report. Available at: <https://www.cdtfa.ca.gov/taxes-and-fees/spftrpts.htm>. Accessed on December 2, 2021.

²⁶ California Department of Tax and Fee Administration. Fuel Taxes Statistics & Reports. Taxable Diesel Gallons 10-Year Report. Available at: <https://www.cdtfa.ca.gov/taxes-and-fees/spftrpts.htm>. Accessed on December 1, 2021.

²⁷ CEC. California Gasoline Data, Facts, and Statistics. Available at: <https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/california-gasoline-data-facts-and-statistics>. Accessed on April 27, 2021.

²⁸ CEC. California Diesel Fuel Data, Facts, and Statistics. Available at: <https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/diesel-fuel-data-facts-and-statistics>. Accessed on May 11, 2022.

²⁹ CEC. Summary of California Vehicle and Transportation Energy. Available at: https://www.energy.ca.gov/almanac/transportation_data/summary.html#vehicles. Accessed on April 27, 2021.

³⁰ CARB. What are Sustainable Communities? Available at: <https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/what-are-sustainable-communities-strategies>. Accessed on December 29, 2021.

³¹ CEC. 2017. Transportation Energy Demand Forecast, 2018-2030. November.

(b) *Existing Project Site Transportation Fuel Consumption*

The existing land uses on the Project Site generate transportation energy demand from vehicles that travel to and from the site, or VMT. As vehicle use energy demand associated with the existing land uses to be removed is nominal relative to the proposed new uses, and the existing 7,800-square-foot building that was formerly occupied by the A+D Museum would remain in place with a similar future use, quantification of vehicle fuel energy demand from existing uses on the Project Site is not provided. Therefore, the net increase in transportation fuel demand of the Project would be lower than the conservative values presented in this analysis.

3. Project Impacts

a) Thresholds of Significance

(1) State CEQA Guidelines

As discussed in more detail below, Appendix G was recently amended to assess whether the project would result in wasteful, inefficient, or unnecessary energy consumption. As discussed in more detail below, these checklist questions take into account requirements of Appendix F. In accordance with Appendix G of the State CEQA Guidelines, the Project would result in a significant energy impact if it would:

Threshold a): Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation; or

Threshold b): Conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

With regard to Threshold a, this analysis relies upon Appendix F of the CEQA Guidelines that was prepared in response to the requirement in Public Resources Code (PRC) Section 21100(b)(3), which states that an EIR shall include a detailed statement setting forth “[m]itigation measures proposed to minimize significant effects of the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy.”

Appendix F lists the following factors to be considered in the environmental impact analysis. (These are listed as Criterion 1 through Criterion 6, in the following analysis.)

- Criterion 1) The project’s energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project’s life cycle including

construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.

- Criterion 2) The effects of the project on local and regional energy supplies and on requirements for additional capacity.
- Criterion 3) The effects of the project on peak and base period demands for electricity and other forms of energy.
- Criterion 4) The degree to which the project complies with existing energy standards.
- Criterion 5) The effects of the project on energy resources.
- Criterion 6) The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

In addition, with regard to potential impacts to energy, the City of Los Angeles L.A. CEQA Thresholds Guide states that a determination of significance shall be made on a case-by-case basis, considering the following factors. (These are listed as Criterion 7 and Criterion 8, in the following analysis.):

- Criterion 7) The degree to which the Project design and/or operations incorporate energy conservation measures, particularly those that go beyond city requirements.
- Criterion 8) Whether the Project conflicts with adopted energy conservation plans.

With regard to Threshold b, the Project was evaluated for consistency with adopted energy conservation plans and policies relevant to the Project. Such adopted energy conservation plans and policies include Title 24 energy efficiency requirements, CalGreen, and the City's Building Code. Also, as discussed in Section IV.E, Greenhouse Gas Emissions, of this Draft EIR, the Project would also be consistent with the SCAG 2020-2045 RTP/SCS, which includes goals to reduce VMT and corresponding decrease in fuel consumption.

b) Methodology

The evaluation of Project impacts related to energy use during both construction and operation is supported by calculations provided in this section as well as in Appendix D, Energy Calculations, of this Draft EIR. This analysis assesses the Project's demand for electricity, natural gas, and transportation fuel. The methodology for calculating the Project's energy demands is described below.

(1) Construction

The Project's energy demand during the construction period would primarily involve the consumption of transportation fuels (namely gasoline and diesel fuels) used by haul and delivery trucks and heavy-duty construction equipment, as well as by vendor and construction worker vehicles, that travel to and from the Project Site. This analysis is based on the same construction period assumptions that are utilized in the air quality and GHG emission analyses in Section IV.A, Air Quality, and Section IV.E, Greenhouse Gas Emissions, of the Draft EIR, regarding the duration of the timing and duration of the construction period, the individual phases that comprise construction, the equipment and vehicle fleet, and the construction worker and vendor numbers.

The analysis conservatively assumes that heavy-duty construction equipment and haul trucks would be diesel-fueled, and the fuel economy for heavy-duty construction equipment is based on fuel consumption factors from CARB's off-road vehicle (OFFROAD) emissions model, the State-approved model for estimating emissions from off-road heavy-duty equipment. The estimated fuel economy for haul trucks and vendor and construction worker vehicles is based on fuel consumption factors from CARB's emissions factor (EMFAC) model, the State-approved model for estimating the emissions of on-road vehicles and trucks. Both OFFROAD and EMFAC are incorporated into CalEEMod, which is used for the Project's air quality and GHG emissions analyses. The fuel consumption that is necessary to power off-road equipment is based on the quantity and type of equipment that would be used for each construction phase, the duration of use each day, the total construction period duration, and the hourly construction equipment fuel consumption factors that are made available by the OFFROAD model. On-road equipment includes haul trucks and vendor trucks, which are powered by diesel fuel, as well as vehicles associated with construction worker commuter trips, which are assumed to be powered by gasoline. The fuel demand for construction worker commuter trips is based on the estimated number of workers for each phase of construction and the average distance that workers travel from CalEEMod, as well as on the emissions factors from the EMFAC model.

The Project's electricity demand that is associated with the supply and conveyance of water that is used for dust control during construction was calculated using CalEEMod. However, electricity used to power lights and electronic equipment during construction is not quantified, as it is assumed to be negligible when compared to the Project operational period.

With regard to the Project's natural gas demand during the construction period, construction activities would not be expected to involve natural gas consumption and it is therefore not quantified in the construction analysis.

(2) Operation

During the life of the Project, the proposed land uses would generate a demand for energy; again, for electricity, natural gas, and transportation fuels. Energy is required for lighting and heating/cooling the building, electronic devices, water and wastewater conveyance and treatment systems, and gasoline and diesel fuels for employee, customer/visitor, and vendor/delivery vehicles and trucks that travel to and from the Project Site. The energy demand for the Project during operations is represented as a net increase in energy use, accounting for the current energy demand of the existing on-site land uses.

Energy in the form of transportation fuel consumption for employee, customer/visitor, and vendor/delivery vehicles and trucks to the Project Site is calculated with CalEEMod, using the estimated VMT, which are derived from information in Appendix L1, Transportation Impact Study. The estimated fuel economy for vehicles is based on fuel consumption factors from the CARB EMFAC2017 emissions model, and the trip lengths and the vehicle fleet mix are assumed by the CalEEMod default for the County of Los Angeles for each land use modeled.

The Project's annual electricity demand (including energy for water and wastewater conveyance and treatment) and natural gas demand were calculated using the CalEEMod demand factors, which are attached to the Air Quality Impact Analysis (Appendix B of this Draft EIR). To assess whether the electricity and natural gas utility providers can meet the Project's demand for these resources, the Project's estimated electricity and natural gas demands are also compared to the LADWP and SoCalGas existing and planned energy supplies in 2023, the original anticipated operational date for the Project. While the anticipated Project operational date has been revised to 2025, the CalEEMod output sheets were not revised, even though equipment and vehicles will generate fewer emissions over time as increasingly stringent federal, State, and local regulations are implemented to reduce pollutants in the atmosphere. Therefore, the following analysis provides a more conservative estimate of energy demand as the Project's actual demand would be anticipated to be reduced by the use of more efficient equipment and vehicles that would be available and/or required in the future.

c) Project Design Features

The Project would include project design features designed to reduce GHG emissions (and energy consumption), as described in Section IV.E, Greenhouse Gas Emissions (GHG-PDF-1), Section IV.L, Transportation (TRANS-PDF-2 and TRANS-PDF-3), and Section IV.N.3, Utilities and Service Systems – Water Supply and Infrastructure (WS-PDF-1).

d) Analysis of Project Impacts

(1) Impact Analysis

Threshold a): Would the Project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?

In the following analysis, and in accordance with Appendix F and the 2006 L.A. CEQA Thresholds Guide, the eight previously-identified criteria are considered in determining whether this threshold of significance is exceeded.

Criterion 1) The Project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the Project's life cycle including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.

(a) Construction

The Project construction period would occur from 2022 to 2025. The energy demand of the Project's construction period is summarized in Table IV.C-1, Project Construction Energy Use, below, and is described in greater detail in the following paragraphs.

**Table IV.C-1
Project Construction Energy Use**

Energy Source	Quantity Demanded during Construction
Electricity^a	
Electricity Total	2,694 kWh
Natural Gas	
Natural Gas Total	N/A^b
Transportation Fuels^c	
<i>Gasoline</i>	
On-road Worker Trips	72,154 gal
Gasoline Total	72,154 gal
<i>Diesel</i>	
On-road Haul Trucks	44,709 gal diesel
On-road Vendor Trucks ^d	36,490 gal diesel
Off-road Construction Equipment ^e	62,350 gal diesel
Diesel Total	143,549 gal diesel
Source: Construction Fuel Consumption Worksheet, provided in Appendix D, Energy Calculations, and CalEEMod Outputs, attached to Appendix F, Greenhouse Gas Emissions Estimates, of this Draft EIR.	
Notes: kWh = kilowatt-hours gal = gallons	
^a Water Usage for fugitive dust control during construction calculation: <ul style="list-style-type: none"> Water application rate = 3,020 gallons/acre/day 	

Energy Source	Quantity Demanded during Construction
<ul style="list-style-type: none"> • Each gallon of delivered potable water in Southern California is associated with 0.009727 kWh of electricity). • Grading 70 days x 1.31 acres x 3,020 gallons = 276,934 gallons x 0.009727 = 2,694 kWh. <p>Electricity used to power lights and electronic equipment during construction is not quantified, as it is assumed to be negligible relative to Project operations.</p> <p>^b Construction equipment assumptions do not include liquefied natural gas (LNG) powered vehicles. It is not anticipated that a substantial portion of the construction equipment fleet would consist of LNG-powered vehicles.</p> <p>^c On - road mobile source fuel use based on vehicle miles traveled (VMT) from CalEEMod and fleet - average fuel consumption in gallons per mile from EMFAC2017 web-based data for each of the construction years in the SCAQMD.</p> <p>^d Vendor trucks assumed to be diesel.</p> <p>^e All emissions from off - road construction equipment were assumed to be diesel. Off - road mobile source fuel usage based on a fuel usage rate of 0.05 gallons of diesel per horsepower (HP) - hour, based on SCAQMD CEQA Air Quality Handbook, Table A9 - 3E.</p>	

(i) *Electricity*

The Project would require electricity during the construction period to power electronic equipment, lights, and to supply and convey water for dust control. Electricity would be supplied to Project construction site by LADWP, from existing electrical lines that connect to the Project Site. Electricity use related to lighting and electronic equipment use during construction would vary throughout the construction period, depending on the particular construction activities performed at the time. When not in use, electric equipment and devices would be powered off to avoid unnecessary energy consumption. Night lighting of the Project Site during construction would also be limited to that needed for safety and security purposes (and the City's Noise Ordinance restricts nighttime construction activity [refer to Section IV.I, Noise], which limits the necessity for night lighting). In addition, while usually applied to the energy use of buildings during operation, long-term (over 120 days) lighting of the Project Site during construction would also be required to comply with Title 24 standards (Part 6, Sections 110.9, 130.0, and 130.2) regarding the limits of wattage within a specified area, which would also serve to conserve energy during the construction period. Electricity necessary to supply water to the construction site is estimated to be 2,694 kilowatt-hours for dust suppression during grading activities. The additional electricity demand from power equipment use and lighting is not quantified, as these construction activities would cease upon completion of the Project and the overall demand for electricity during construction would be negligible when compared to the Project operational phase, which would have less than significant impacts (evaluated in Operations and Maintenance, below).

(ii) *Natural Gas*

The demolition, grading, and building development activities that would be associated with Project construction are not anticipated to rely on natural gas as an energy source. Therefore, substantial quantities of natural gas would not be consumed in support of Project construction.

(iii) *Transportation Fuels*

The Project's demand for transportation fuels, gasoline, and diesel is provided in Table IV.C-1, Project Construction Energy Use, above. As shown in Table IV.C-1, Project construction activities would result in the consumption of 143,549 gallons of diesel fuel and 72,154 gallons of gasoline. During construction, trucks and equipment operated on-site would comply with SCAQMD's anti-idling regulations and CARB's In-Use Off-Road Diesel-Fueled Fleets regulation. Compliance with the anti-idling and diesel-fueled fleet regulations would directly reduce the amount of diesel fuel consumed during the construction phase. Additionally, off-site vehicle use during construction used for hauling soils, equipment, and materials, as well as worker transportation, would be subject to federal fuel efficiency requirements.

(iv) *Conclusion*

In summary, Project construction would consume energy in the forms of electricity and the petroleum fuels necessary to transport and operate construction equipment and vehicles, as well as for delivery of materials. As described previously in this section, as well as in Section IV.E, Greenhouse Gas Emissions, of the Draft EIR, such energy use would occur in compliance with federal, State, and local regulations aimed to reduce the inefficient, wasteful, and unnecessary consumption of energy by construction activities subject to those regulations. Therefore, the Project's energy requirements and its energy use would not result in wasteful, inefficient, and unnecessary consumption of energy during construction.

(b) *Operations and Maintenance*

The energy demand required for operation and maintenance (such as repairs, landscaping, or painting) of the Project is summarized in Table IV.C-2, Project Operations Energy Use, below, and is described in greater detail in the following paragraphs. The Project would consume energy during operations for multiple purposes typical of office and commercial uses, including but not limited to, vehicle trips, water conveyance, solid waste disposal systems, lighting, operation of electronic equipment and machinery, water heating, cooking, and heating/ventilation/air conditioning (HVAC) systems. The Project's operational energy demand would be approximately 4.82 million kilowatt-hours of electricity per year, 5.29 million kilo-British Thermal Units of natural gas per year, 259,473 gallons of gasoline per year, and 56,429 gallons of diesel fuel per year. Energy use associated with the existing 7,800-square-foot building that would be retained by the Project has not been included in these calculations, as the building would be occupied with a similar future use.

Table IV.C-2
Project Operations Energy Use

Energy Source	Quantity Demanded during Operations per Year
Electricity ^a	4.82 million kWh
Natural Gas ^a	5.29 million kBtu
Transportation Fuels ^{b, c}	
<i>Gasoline</i>	259,473 gallons
<i>Diesel</i>	56,429 gallons
Source: Construction Fuel Consumption Worksheet, provided in Appendix D, Energy Calculations, and CalEEMod Outputs, attached to Appendix F, Greenhouse Gas Emissions Estimates, of this Draft EIR.	
Notes: kWh = kilowatt-hours kBtu = kilo-British Thermal Units	
^a Estimated by CalEEMod. Outputs included in Appendix F of this Draft EIR.	
^b Project gasoline and diesel use during operations are calculated based on the VMT estimated by CalEEMod. Outputs included in Appendix B of this Draft EIR. It is assumed that light-duty vehicles use gasoline, while heavy-duty (Gross Vehicle Weight Rating > 8,500 pounds) use diesel. CalEEMod Outputs indicate light-duty vehicles account for approximately 92 percent of Project VMT. Calculations shown in Construction Fuel Consumption Worksheet, provided in Appendix D of this Draft EIR.	
^c Project gasoline and diesel use are calculated based on fuel consumption factors for calendar year 2022 from EMFAC2017 (25.6 miles per gallon for gasoline-fueled vehicles and 10.24 miles per gallon for diesel-fueled vehicles). Calculations shown in Construction Fuel Consumption Worksheet, provided in Appendix D of this Draft EIR.	

(i) Electricity

As shown in Table IV.C-2, the Project's estimated operational electricity demand would be 4.82 million kilowatt-hours per year. As previously described, the Project would comply with the applicable provisions of Title 24 and the CALGreen Code, as well as the LAGBC. In addition, LADWP, which provides electricity to the Project Site, is required to procure 33 percent of its energy portfolio from renewable sources by 2020 and 50 percent by 2030. The Project would also include project design features designed to reduce water demand (and therefore, the energy demand associated with water supply and conveyance) as discussed in Section IV.N.3, Utilities and Service Systems – Water Supply and Infrastructure. As stated therein, Project Design Feature WS-PDF-1 includes the following water efficiency features:

- High Efficiency Toilets with a flush volume of 1.1 gallons per flush, or less.
- Showerheads with a flow rate of 1.5 gallons per minute, or less.
- Domestic Water Heating System located in close proximity to point(s) of use.
- Drip/Subsurface Irrigation (Micro-Irrigation)/Bubblers for trees.
- Proper Hydro-zoning/Zoned Irrigation.
- Drought Tolerant Plants.

The Project would also incorporate Project Design Feature GHG-PDF-1, as described in Section IV.E, Greenhouse Gas Emissions, which would allow the Project to achieve energy savings equivalent to Leadership in Energy and Environmental Design (LEED) Silver certification levels. The specific energy conservation features that would be integrated into the Project design for code compliance and/or to enable the Project to meet the LEED Silver standard, and that also apply to electricity use, may include, but would not be limited to, the following:

- Use of Energy Star rated products and appliances.
- Use of high-efficiency wall and/or roof insulation.
- Use of light-emitting diode (LED) lighting or other energy-efficient lighting technologies, such as occupancy sensors or daylight harvesting and dimming controls, where appropriate, to reduce electricity use.

(ii) Natural Gas

The Project's estimated operational natural gas demand as shown in Table IV.C-2 would be 5.29 million kilo-British Thermal Units per year. Natural gas uses may include, but would not be limited to, water heaters throughout the Office Building and stoves for proposed restaurant spaces. As previously described, the Project would comply with the applicable provisions of Title 24 and the CALGreen Code, as well as the LAGBC. The Project would also include project design features designed to reduce GHG emissions (and energy consumption), as described in Section IV.E, Greenhouse Gas Emissions, Section IV.L, Transportation, and Section IV.N.3, Utilities and Service Systems – Water Supply and Infrastructure. The Project would also incorporate project design features that allow the Project to achieve energy savings equivalent to LEED Silver certification levels. The specific energy-reducing features that would be integrated into the Project design for code compliance and/or to enable the Project to meet the LEED Silver standard, and that also apply to natural gas use, may include, but would not be limited to, the following:

- Use of Energy Star rated products and appliances.
- Use of high-efficiency wall and/or roof insulation.

(iii) Transportation Fuels

As shown in Table IV.C-2, the Project would result in an increase in the demand for transportation fuels, which is associated with the Project's increase in land use density and vehicle trips.

As previously described, the Project represents urban infill development in the Downtown Los Angeles (DTLA) job center area. The Project would locate office, retail, commercial, and restaurant land uses in proximity to other existing off-site commercial uses, as well

as existing residential and live/work uses, in an area that is well served by public transit. The Project would also provide an internal pedestrian network that links to the existing off-site pedestrian network, providing direct access to transit stops. In addition, the Project would provide on-site bicycle parking facilities, as well as electric vehicle charging stations. As discussed in Section IV.L Transportation, the Project would include a Transportation Management Organization (TMO) as Project Design Feature TRANS-PDF-2, to which the Applicant would provide its fair share of seed funding for the Arts District portion of a Downtown/Arts District Transportation TMO, providing funding for TMO operations and marketing efforts. The Project would also include a Transportation Demand Management (TDM) program as Project Design Feature TRANS-PDF-3 to further reduce VMT. The strategies in the TDM program may include, but would not be limited to, the following:

- Educational Programs/On-Site TDM Coordinator – A TDM coordinator on the building management staff would reach out to employers and employees directly to make them aware of the various programs offered and promote the benefits of the TDM.
- Transportation Information Center/Kiosks – A Transportation Information Center is a centrally-located commuter information center where Project employees and visitors can obtain information regarding commute programs, and individuals can obtain real-time information for planning travel without using an automobile. A Transportation Information Center will support orientation for new employees as well as providing information about transit schedules, commute planning, rideshare, telecommuting, and bicycle and pedestrian plans.
- Bicycle and Pedestrian Amenities – The Project would incorporate features for bicyclists and pedestrians, such as exclusive access points, secured bicycle parking facilities and showers. Additionally, the Project Site would be designed to be a friendly and convenient environment for pedestrians.
- City Bicycle Plan Trust Fund – The Applicant would contribute to the City Bicycle Plan Trust Fund for implementation of bicycle improvements in the Project area under the 2010 Bicycle Plan and Mobility Plan.
- Ridesharing Services Programs – The TDM program would provide services to match employees together to establish carpools and vanpools.
- Incentives for Using Alternative Travel Modes – The TDM program could incorporate various incentives for use of its programs. For example, carpool and vanpool users could be offered preferential load/unload areas or convenient designated parking spaces. Unbundled parking is a program wherein parking

spaces are rented separately from the building space, which allows for a separate charge for parking and the flexibility to vary the number of spaces rented.

- **Mobility Hub Support** – The Project would support existing and/or future efforts by LADOT to provide first-mile and last-mile service for transit users through the mobility hub program. Mobility hubs, typically located at or near public transit centers, would provide amenities such as, but not limited to, bicycle parking, and transit information. In cooperation with the proposed Downtown/Arts District TMO, the Project could provide space for similar amenities at the Project Site to complement future mobility hubs in the Study Area.

The combined effects of these factors would reduce the Project's anticipated vehicle trips and VMT, as well as encourage walking and non-auto forms of transportation, which would reduce demand for transportation fuels.

According to the CARB on-road vehicle emissions factor model, EMFAC2017, the average fuel economy for the fleet-wide mix of vehicles operating in the South Coast Air Basin for the year 2022 is approximately 25.6 miles per gallon for gasoline-fueled vehicles and approximately 10.2 miles per gallon for diesel-fueled vehicles. As construction is not anticipated to be completed until 2025, use of the average fuel economy rates for the year 2022 conservatively overestimates future fuel usage for this evaluation since the average fuel economy reported by EMFAC2017 is anticipated to increase with future vehicle model years including increased EV usage, reducing transportation energy consumption per VMT. As shown in the Operational Fuel Use worksheet provided in Appendix D of this Draft EIR, based on the CalEEMod Outputs, included in Appendix B of this Draft EIR, the Project would generate approximately 7,222,925 VMT annually, 92 percent of which would comprise light-duty vehicles with a GVWR of up to 8,500 pounds, and approximately eight percent of which would comprise heavy-duty vehicles (GVWR > 8,500 pound). For this analysis, light-duty vehicles are considered to be gasoline powered and heavy-duty vehicles are considered to be diesel-fueled. As such, during operations the Project would generate approximately 6,645,091 annual VMT with gasoline-fueled vehicles, and approximately 577,834 annual VMT with diesel-fueled vehicles. Based on the State's projected fleet fuel mileage for the year 2022, during operations the Project's demand for transportation fuels would be approximately 259,473 gallons of gasoline, and approximately 56,429 gallons of diesel fuel, annually.

(iv) Conclusion

In summary, based on the information provided above, the Project would not result in the wasteful, inefficient, and unnecessary consumption of energy during operations, due to compliance with federal, State, and local regulations adopted for the purpose of reducing

energy demand, and due to the inclusion of Project Design Features WS-PDF-1, GHG-PDF-1, TRANS-PDF-2, and TRANS-PDF-3.

(c) *Removal*

Criterion 1 asks that the removal of the proposed development, and the associated energy demand, be considered. The Project entails the major development of an 18-story Office Building and the retention of the existing 7,800-square-foot building. The Project would not be removed in the reasonably foreseeable future; therefore, an analysis of energy demand related to removal activities would be speculative and is not warranted under CEQA.

Criterion 2) The effects of the Project on local and regional energy supplies and on requirements for additional capacity.

(a) *Electricity*

Construction of the Project would generate a demand for approximately 2,694 kilowatt-hours in electricity use related to the treatment and conveyance of water for dust suppression activities during the excavation and grading phase. The electricity demands during construction would be typical of construction projects of this size and would not necessitate additional energy facilities or distribution infrastructure. Furthermore, the electricity demand during construction would be offset with the removal of the existing on-site uses which currently generate a demand for electricity.

With respect to operational electricity demand, correspondence with LADWP (Draft EIR Appendix N, Utilities Technical Report) states that electric service is available to serve the Project and would be provided in accordance with LADWP's Rules Governing Water and Electric Service. The availability of electricity is dependent upon adequate generating capacity and adequate fuel supplies. Based on LADWP's 2017 Power Strategic Long-Term Resource Plan³² (PSLTRP), LADWP forecasts that its total energy sales in the 2025-2026 fiscal year (the Project's buildout year) would be 23,537 gigawatt-hours of electricity. As such, the Project's estimated annual usage of 4.82 million kilowatt-hours per year would represent 0.02 percent of LADWP's projected sales for 2025.³³ Furthermore, LADWP confirmed the Project's electricity demand can be served by the existing facilities in the Project Site area by specifically indicating "[t]he estimated power requirement for this proposed project is part of the total load growth forecast for the City of Los Angeles and has been taken into account in the planned growth of the City's power system."³⁴ Therefore, the Project would not result in an increase in demand for electricity

³² LADWP. 2017. 2017 Power Strategic Long-Term Resource Plan, Page A-6. December.

³³ 1 gigawatt hour = 1,000,000 kilowatt hours.

³⁴ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 401 Hewitt Request for Electric Service Information (March 1, 2017). February 23. (Appendix N.)

that exceeds available supply, and construction and operations of the Project would not significantly affect local or regional electricity supplies or require additional electrical energy capacity.

(b) *Natural Gas*

Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Accordingly, natural gas would not be supplied to support Project construction activities; thus, there would be no demand for natural gas supplies generated by the Project during construction.

With respect to operations, correspondence with SoCalGas (dated February 22, 2017, and contained in (Draft EIR Appendix N, Utilities Technical Report) states that SoCalGas has facilities in the Project area.³⁵ Natural gas service would be in accordance with SoCalGas' policies and extension rules on file with the CPUC at the time contractual arrangements are made. Since the Project is located in an area already served by existing natural gas infrastructure, no extensive infrastructure improvements would be required to serve the Project, and no new natural gas distribution pipelines or infrastructure facilities would be constructed or expanded as a result of the Project. Potential impacts associated with connecting the Project to existing natural gas facilities in adjacent rights-of-way would be temporary in nature. As estimated above, the Project's natural gas demands are estimated to be approximately 5.29 million kilo-British Thermal Units per year or approximately 14,506.7 kilo-British Thermal Units per day as shown in Appendix B. The CEC estimates natural gas consumption within the SoCalGas' planning area in 2025 (the Project's buildout year) will be approximately 2,342 million cubic feet per day,³⁶ or approximately 2,402.892 million kilo-British Thermal Units per day.³⁷ The Project's increased demand for natural gas would represent 0.0006 percent of SoCalGas' forecasted natural gas consumption for 2025. Therefore, the Project would not adversely affect local and regional natural gas supplies or generate a demand for additional capacity during construction or operation.

(c) *Transportation Fuels*

As discussed above in Existing Conditions, California consumed 15.43 billion gallons of gasoline and 12.50 billion gallons of gasoline for motor vehicles (including aviation gasoline) in 2019 and 2020, respectively, and 3.09 billion gallons of diesel fuel and 2.98 billion gallons of diesel fuel in 2019 and 2020, respectively. Approximately 97 percent of gasoline consumed in California is used in the transportation sector by light-duty cars,

³⁵ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 405 S. Hewitt Request for Natural Gas Service Information (February 22, 2017). February 23. (Appendix N.)

³⁶ California Gas and Electric Utilities. 2020 California Gas Report. Decision D.95-01-039.

³⁷ 1 million cubic feet natural gas = 1,026,000 kBtu. Energy Star Portfolio Manager, Accessed on March 11, 2022 at: <https://portfoliomanager.energystar.gov/pdf/reference/Thermal%20Conversions.pdf>

pickup trucks, and sport utility vehicles. In the transportation sector, nearly all heavy duty-trucks, delivery vehicles, buses, trains, ships, boats and barges, farm, construction, and heavy-duty military vehicles and equipment are powered by diesel engines. The estimated amount of diesel and gasoline fuel consumed by the Project during construction was quantified based on the equipment usage, horsepower, load factors, and fuel rates from the construction phases and activities calculated in the CalEEMod worksheets for the Project (Construction Fuel Consumption Worksheet provided in Appendix D of this Draft EIR). Table IV.C-2, above, shows the estimated electricity and transportation energy consumed during the construction phase. As shown in Table IV.C-1, Project construction activities would result in the consumption of approximately 72,154 gallons of gasoline and 143,549 gallons of diesel fuel, which would represent approximately 0.001 percent and 0.005 percent of the gasoline and diesel supplies consumed in California in 2020, respectively. This would also represent approximately 0.0005 percent and 0.005 percent of the gasoline and diesel supplies consumed in California in 2019, respectively. Based on the Project's relatively minor consumption of transportation fuels compared to consumption in the State, and the temporary nature of construction activities, the effects of the Project on local and regional energy supplies and on requirements for additional capacity during construction would not be significant.

As shown in Table IV.C-2, during operations, the Project's annual fuel consumption would be approximately 259,473 gallons of gasoline and approximately 56,429 gallons of diesel fuel. The Project's annual transportation fuel consumption during operations would represent approximately 0.002 percent of gasoline and diesel fuel supplies consumed in the State in 2020. Likewise, the Project's annual transportation fuel consumption during operations would also represent approximately 0.002 percent (rounded to the thousandths of a percent) of gasoline and diesel fuel supplies consumed in the State in 2019. As such, the Project's consumption of transportation fuels during both construction and operation would be negligible compared to the total amount of supplies consumed in California. Accordingly, the Project would not significantly affect local and regional transportation fuel supplies or require additional capacity during construction.

Criterion 3) The effects of the Project on peak and base period demands for electricity and other forms of energy.

As discussed above, the Project's electricity demand and natural gas consumption would be well within the available regional supplies and overall capacity of LADWP and SoCalGas, respectively. Additionally, the Project's transportation fuel demand would be negligible relative to statewide supplies and consumption of gasoline and diesel fuels.

With regard to peak electricity load conditions, the 2017 Power PSLTRP stated the LADWP power system experienced an all-time high peak of 6,432 megawatts on August

31, 2017.³⁸ LADWP also estimates a peak load based on two years of data known as base case peak demand to account for typical peak conditions. Based on LADWP estimates for 2025-2026 fiscal year (closest forecasted year to first project operational year), the base case peak demand for the power grid is 6,076 megawatts.³⁹ Under peak conditions, the Project would consume approximately 4.82 million kilowatt-hours on an annual basis, which assuming 12 hours of active electricity demand per day, would be equivalent to approximately 1,100 kilowatts (peak demand assuming 4,380 hours per year of active electricity demand) per day.⁴⁰ In comparison to the projected LADWP power grid base peak load of 6,076 megawatts for 2025-2026, the Project would represent approximately 0.018 percent of the LADWP base peak load conditions. Furthermore, LADWP confirmed the Project's electricity demand can be served by the existing facilities in the Project Site area by specifically indicating "[t]he estimated power requirement for this proposed project is part of the total load growth forecast for the City and has been taken into account in the planned growth of the City's power system."⁴¹ Therefore, the Project's electricity consumption during operational activities would have a negligible effect on peak load conditions of the power grid.

According to the 2020 California Gas Report,⁴² beginning in April 2008, gas supplies to serve both SoCalGas' and SDG&E's bundled core gas demand are procured as a combined portfolio. SoCalGas and SDG&E plan and design their systems to provide continuous service to their core customers under an extreme peak day event. On the extreme peak day event, service to all noncore customers is assumed to be fully interrupted. The criteria for extreme peak day design is defined as a 1-in-35 likelihood event for each utility's service area. This criteria correlates to a system average temperature of 40.5 degrees Fahrenheit (F) for SoCalGas' service area and 43.0 degrees F for SDG&E's service area. Demand on an extreme peak day is met through a combination of withdrawals from underground storage facilities and flowing pipeline supplies.

In 2020, the U.S. annual average heat content of natural gas delivered to consumers was about 1,037 British Thermal Units per cubic foot,⁴³ or 1.037 kilo-British Thermal Units per cubic foot. The SoCalGas 1-in-35 year extreme peak day demand is forecast to be 2,809 million cubic feet per day,⁴⁴ or 2,912 million kilo-British Thermal Units per day,⁴⁵ for the

³⁸ LADWP. 2017. 2017 Power Strategic Long-Term Resource Plan, Page 74. December.

³⁹ LADWP. 2017. 2017 Power Strategic Long-Term Resource Plan, Page 74. December.

⁴⁰ $4.82 \text{ million kilowatt-hours/year} / (12 \text{ hours/day} \times 365 \text{ days/year}) = 1,100 \text{ kilowatt-hours/year}$.

⁴¹ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 401 Hewitt Request for Electric Service Information (March 1, 2017). February 23. (Appendix N.)

⁴² California Gas and Electric Utilities. 2020 California Gas Report. Decision D.95-01-039.

⁴³ U.S. Energy Information Administration. Frequently Asked Questions. Available at: <https://www.eia.gov/tools/faqs/faq.php?id=45&t=8>. Accessed on December 3, 2021.

⁴⁴ California Gas and Electric Utilities. 2020 California Gas Report. Decision D.95-01-039.

⁴⁵ $1.037 \text{ kilo-British thermal units} \times 2,809 \text{ million cubic feet} = 2,912 \text{ million kilo-British thermal units}$.

year 2025 (Project buildout year).⁴⁶ The Project's daily natural gas demand during operations would be approximately 14,506.7 kilo-British Thermal Units as shown in Appendix B, which would represent approximately 0.0005 percent of the SoCalGas extreme peak day demand forecast.

The CPUC has also mandated that SoCalGas design its system to provide service to both core and noncore customers under a winter temperature condition with an expected recurrence interval of 10 years. The SoCalGas demand forecast for this 1-in-10 year cold day condition for 2025 is 2,652 million cubic feet per day,⁴⁷ or approximately 2,750 million kilo-British Thermal Units per day. The Project's daily natural gas demand during operations would be approximately 14,506.7 kilo-British Thermal Units as shown in Appendix B, which would represent approximately 0.0005 percent of the SoCalGas demand forecast for this 1-in-10 year cold day condition for 2025.

Criterion 4) The degree to which the project complies with existing energy standards.

(a) Construction

During construction, trucks and equipment operated on-site would comply with SCAQMD's anti-idling regulations and CARB's In-Use Off-Road Diesel-Fueled Fleets regulation. Compliance with the anti-idling and diesel-fueled fleet regulations would directly reduce the amount of diesel fuel consumed during the construction phase. Construction equipment would comply with energy efficiency requirements contained in the Federal Energy Independence and Security Act, which enacted CAFE standards, the Renewable Fuel Standard, and appliance/lighting efficiency standards.⁴⁸ Therefore, the Project's construction activities would comply with existing energy standards.

(b) Operation

The Project would be required to comply with applicable energy standards in effect at the time of permitting, including the State's building efficiency standards (Title 24 Part 6), CalGreen requirements (Title 24 Part 11), and the LAGBC, which would comply with energy standards with respect to electricity and natural gas usage. With respect to transportation fuels consumption during operations, vehicles traveling to and from the Project would be required to comply with CAFE standards. Therefore, the Project would comply with all applicable energy standards during operations.

⁴⁶ The fuel content of the volume of natural gas can vary. Assuming 102,000 British thermal units/hundreds of cubic feet, 1 million cubic feet of natural gas is approximately 1,026,000 kilo-British thermal units.

⁴⁷ California Gas and Electric Utilities. 2020 California Gas Report. Decision D.95-01-039.

⁴⁸ USEPA. Summary of the Energy Independence and Security Act. Available at: <https://www.epa.gov/laws-regulations/summary-energy-independence-and-security-act>. Accessed on April 28, 2021.

Criterion 5) The effects of the Project on energy resources.**(a) Electricity Resources**

LADWP's electricity generation is supplied from a variety of nonrenewable and renewable sources, such as coal, natural gas, solar, geothermal, wind, and hydropower. The LADWP's most recently adopted 2017 PSLTRP identifies adequate resources to support future generation capacity. Furthermore, LADWP confirmed the Project's electricity demand can be served by the existing facilities in the Project Site area by specifically indicating "[t]he estimated power requirement for this proposed project is part of the total load growth forecast for the City and has been taken into account in the planned growth of the City's power system."⁴⁹ Therefore, Project construction and operations would have a negligible effect on electricity supply.

(b) Natural Gas Resources

Southern California's natural gas supplies are primarily obtained from out-of-State sources. According to the USEIA, the U.S. has over 80 years of natural gas reserves based on 2015 consumption.⁵⁰ Compliance with energy standards is expected to result in more efficient use of natural gas in future years. Therefore, Project construction and operations would have a negligible effect on natural gas supply.

(c) Transportation Fuels

Based on current proven reserves of crude oil, from which gasoline and diesel transportation fuels are refined, crude oil production would be sufficient to meet over 50 years of consumption.⁵¹ As discussed above, the Project's consumption of transportation fuels would be negligible relative to statewide supplies and consumption. Additionally, the vehicles accessing the Project would comply with CAFE standards, which would result in more efficient use of transportation fuels. Therefore, Project construction and operations would have a negligible effect on transportation fuel resources.

Criterion 6) The Project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

The Project would redevelop an infill location within a Transit Priority Area (TPA), providing a mix of commercial office and restaurant uses, and retaining the existing 7,800-square-foot building. The Project Site is located within 0.5 miles of Los Angeles County Metropolitan Transportation Authority (Metro) rail and bus facilities, including the Metro L

⁴⁹ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 401 Hewitt Request for Electric Service Information (March 1, 2017). February 23. (Appendix N.)

⁵⁰ U.S. Energy Information Administration. Frequently Asked Questions. Available at: <https://www.eia.gov/tools/faqs/faq.php?id=58&t=8>. Accessed on April 28, 2021.

⁵¹ U.S. Energy Information Administration. Frequently Asked Questions. Available at: <https://www.eia.gov/tools/faqs/faq.php?id=58&t=8>. Accessed on April 28, 2021.

(Gold) Line.⁵² Additionally, the Project Site is located within approximately 1.5 miles of Union Station, which provides connections to Metro's Red and Purple Lines and Metrolink regional light rail routes, as well as Amtrak routes providing rail access to destinations beyond southern California. Local and regional bus routes with bus stops in the Project vicinity include Metro Local routes 18, 30, 53, 60, 62, 66, 106, and 251, Metro Shuttle 605, Metro Rapid Lines 751, and 760, LADOT Downtown Area Short Hop A, and Montebello Bus Lines M40 and M90. The Project Site is also located within approximately 0.1 mile of a Metro bike share station located at the intersection of 5th Street and South Hewitt Street. A variety of existing land uses are located in proximity to the Project Site, which would encourage patrons and employees to utilize alternate modes of transportation, such as walking, biking, and public transportation, which would reduce VMT and associated consumption of transportation fuels. Additionally, as discussed above, the Project would include a TMO as Project Design Feature TRANS-PDF-2 and a TDM program as Project Design Feature TRANS-PDF-3 to promote alternate modes of transportation and reduce its reliance on transportation energy use.

Criterion 7) The degree to which the Project design and/or operations incorporate energy-conservation measures, particularly those that go beyond City requirements.

To promote energy savings, the Project would incorporate energy-conservation measures, including a cool roof, Energy Star appliances, high efficiency (LED) lighting, water conserving indoor plumbing fixtures, and water efficient landscaping with a weather-based irrigation system that would not only meet applicable energy standards (Title 24 Part 6 and Part 11, and LAGBC) as required. The Project would incorporate Project Design Features GHG-PDF-1, which would allow the Project to achieve energy savings equivalent to LEED Silver certification levels. The specific energy-reducing features that would be integrated into the Project design for code compliance and/or to enable the Project to meet the LEED Silver standard may include, but would not be limited to, the following:

- Use of Energy Star rated products and appliances.
- Use of high-efficiency wall and/or roof insulation.
- Use of light-emitting diode (LED) lighting or other energy-efficient lighting technologies, such as occupancy sensors or daylight harvesting and dimming controls, where appropriate, to reduce electricity use.

⁵² The Metro L (Gold) Line, which was previously accessed from the Little Tokyo/Arts District Station located at 1st and Alameda Street, will be accessed from the new Little Tokyo/Arts District Station location at 1st Street and Central Avenue in 2022 as part of Metro's Regional Connector Transit Project (prior to the anticipated completion date of the Project).

With respect to transportation fuels consumption during operations, vehicles traveling to and from the Project are required to comply with CAFE standards as applicable. The Project would also encourage use of efficient transportation alternatives such as walking, biking, and transit use due to proximity to a variety of land uses and existing transportation facilities, and due to the provision of bicycle parking facilities, as well as due to the inclusion of a TMO and TDM as Project Design Features TRANS-PDF-2 and TRANS-PDF-3, respectively. Therefore, the Project would incorporate energy-conservation measures, including those that go beyond City requirements.

Criterion 8) Whether the Project conflicts with adopted energy conservation plans.

A detailed discussion of the Project's consistency with local planning strategies including the Green New Deal, is provided in Section IV.E, Greenhouse Gas Emissions. The Project is designed to be consistent with and not conflict with applicable renewable energy or energy efficiency plans. The Project is designed to comply with applicable regulatory requirements such as CALGreen and the LAGBC (LAMC Chapter 9, Article 9). The Project would also include features to meet the LEED Silver standard, which would include incorporating a cool roof to promote energy savings, providing Energy Star appliances and higher efficiency lighting, incorporating low-flow plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads), and including a weather-based irrigation system and water efficient landscaping that would also result in water savings. These features would provide energy and water use reductions to ensure the Project would meet applicable State and City Building Code requirements adopted for the conservation of energy.

The Project would also not conflict with regional planning strategies that address energy conservation, including the SCAG 2020-2045 RTP/SCS discussed in Section IV.E, Greenhouse Gas Emissions and IV.H, Land Use and Planning of the Draft EIR. The 2020-2045 RTP/SCS represents the region's climate change plan and aims to reduce GHG emissions within the Southern California region through transportation and sustainability investment strategies. The 2020-2045 RTP/SCS links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transit-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic, and commercial limitations. The Project Site is located in proximity to major transit corridors and within 0.5 miles of the Metro L (Gold) Line Little Tokyo/Arts District Station⁵³ and is served by several regional and local bus routes as discussed above in Criterion 6. As discussed in Section IV.L, Transportation, the Project would include project design features that would provide a TDM program to promote non-auto travel and reduce the

⁵³ This Metro rail station is currently being relocated to the intersection of 1st Street and Central Avenue, approximately 500 feet south of the previous location, scheduled to be operational in 2022 before completion of the Project.

use of single-occupant vehicle trips through provision of services and specific facilities including bicycle storage areas and electric vehicle charging stations (TRANS-PDF-3); improve walkability in the immediate vicinity of the Project Site by replacing fenced and gated surface parking lots with an 18-story Office Building that encourages pedestrian activity by introducing ground floor restaurant options and a pedestrian passageway; and provide its fair share of seed funding for the Arts District portion of a Downtown/Arts District Transit Oriented Community (TRANS-PDF-2). As discussed in Section IV.L, Transportation, the Project encourages a variety of transportation options and is consistent with the 2020-2045 RTP/SCS goal of maximizing mobility and accessibility in the region. The Project would also contribute to the productivity and use of the regional transportation system by providing employment near transit and encourage active transportation by providing new bicycle parking and active street frontages, consistent with 2020-2045 RTP/SCS goals.

As the Project would implement applicable features to ensure adequate water conservation, energy efficiency and sustainability, as well as to reduce VMT, the Project would be consistent with or not conflict with the goals and policies presented in applicable regulatory plans, including the Green New Deal, LAGBC and the 2020-2045 RTP/SCS.

(d) Conclusion Regarding Significance Threshold a

As demonstrated in the analysis of the eight criteria discussed above, the Project would not result in wasteful, inefficient, or unnecessary consumption of energy during construction or operation. The Project's demands on electricity, natural gas, and transportation energy would not significantly affect local and regional supplies or capacity. The Project's energy usage would not have a significant effect on peak and base period demands for electricity and other forms of energy. The Project would comply with all applicable energy conservation standards and would not significantly affect available energy resources. The Project would encourage the use of efficient transportation alternatives such as walking, biking, and transit use due to proximity to a variety of land uses and existing transportation facilities, and due to provision of bicycle parking facilities, as well as the inclusion of a TDM and TMO as Project Design Features TRANS-PDF-2 and TRANS-PDF-3. The Project would also include parking spaces for electric vehicles to encourage alternative fuel vehicles. The Project would incorporate energy-conservation features for code compliance and/or to enable the Project to meet the LEED Silver standard, and it would not conflict with adopted energy conservation plans. **Therefore, the Project would not cause wasteful, inefficient, and unnecessary consumption of energy during construction and operations, and impacts with respect to energy consumption would be less than significant.**

(2) Mitigation Measures

Project impacts related to the wasteful, inefficient, and unnecessary consumption of energy are less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project impacts related to the wasteful, inefficient, and unnecessary consumption of energy were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold b): Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

(1) Impact Analysis

As discussed above regarding Criterion 8, the energy conservation policies and plans relevant to the Project include Title 24 Part 6 energy efficiency standards, Title 24 Part 11 Green Building Code, and the LAGBC. As these conservation policies are mandatory under the City's Building Code, the Project would not conflict with applicable plans for renewable energy or energy efficiency. In addition, the Project would incorporate energy-reducing features for code compliance and/or to enable the Project to meet the LEED Silver standard or equivalent. With regard to transportation related energy usage, the Project would comply with the goals of the 2020-2045 RTP/SCS as it would develop an infill site served by transit that would encourage a reduction in VMT and associated transportation fuel consumption. During construction, the Project would be required to comply with CARB anti-idling regulations, and during operations vehicles accessing the Project Site would comply with CAFE standards. **Therefore, the Project would not conflict with or obstruct a State or local plan for renewable energy efficiency and impacts would be less than significant.**

(2) Mitigation Measures

Project impacts regarding conflicts with or obstructing a State or local plan for renewable energy efficiency were determined to be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

The Project's potential to conflict with or obstruct a State or local plan for renewable energy or energy efficiency would be less than significant without mitigation.

e) Cumulative Impacts

(1) Impact Analysis

Cumulative impacts occur when impacts that are significant or less than significant from a proposed project combine with similar impacts from other past, present, or reasonably foreseeable projects in a similar geographic area. The geographic context for the cumulative analysis of electricity is LADWP's service area and the geographic context for the cumulative analysis of natural gas is SoCalGas' service area. While the geographic context for transportation-related energy use is more difficult to define, it is meaningful to consider the Project in the context of statewide consumption. Growth within these geographies is anticipated to increase the demand for electricity, natural gas, and transportation energy, as well as the need for energy infrastructure, such as new or expanded energy facilities.

(a) *Wasteful, Inefficient, and Unnecessary Use of Energy*

(i) *Electricity*

Project development would result in the use of electricity resources generated by renewable and non-renewable sources during construction and operations. LADWP confirmed the Project's electricity demand can be served by the existing facilities in the Project Site area by specifically indicating "[t]he estimated power requirement for this proposed project is part of the total load growth forecast for the City and has been taken into account in the planned growth of the City's power system."⁵⁴ According to the LADWP 2018 Retail Electric Sales and Demand Forecast, LADWP anticipates retail sales of electricity for fiscal year 2025-2026, Project buildout, to be 22,380 gigawatt-hours.⁵⁵ The Project's annual operational electricity demand would be 4.82 million kilowatt-hours as shown in Table IV.C-2, which would represent approximately 0.02 percent of LADWP's forecast electricity sales at Project buildout.⁵⁶

The Project would incorporate energy conservation features to achieve code compliance and/or to enable the Project to achieve LEED Silver certification levels. Furthermore, each project within the LADWP service area would be required to comply with applicable Title 24 energy efficiency standards and, for projects within the City, the LAGBC.

The LADWP's 2017 PSLTRP document, discussed above, serves as a comprehensive 20-year plan to supply reliable electricity to the City to meet the future demands of cumulative growth within its service area by implementing regulatory and reliability

⁵⁴ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 401 Hewitt Request for Electric Service Information (March 1, 2017). February 23. (Appendix N.)

⁵⁵ LADWP. 2018. 2018 Retail Electric Sales and Demand Forecast. November 5.

⁵⁶ A Gigawatt hour is equivalent to one million kilowatt hours.

initiatives and strategic initiatives. Compliance with Title 24 energy conservation standards, the LAGBC, and other energy conservation programs on the local level will further reduce cumulative electricity demands. Additionally, LADWP is required to procure at least 33 percent of its energy supplies from renewable sources such as wind, solar, and geothermal sources. These sources accounted for 34 percent of LADWP's overall energy mix in 2019. SB 100 provided additional RPS targets of 44 percent by 2024, 52 percent by 2027, and 60 percent by 2030, and that CARB should plan for 100 percent eligible renewable energy resources and zero-carbon resources by 2045. Therefore, reliance on non-renewable energy resources to supply cumulative projects as well as the overall LADWP service area will be declining over time, and the Project and other future projects in the LADWP service area would comply with energy conservation plans and efficiency standards to ensure energy is used efficiently. **As such, the Project's contribution to cumulative impacts related to wasteful, inefficient and unnecessary use of electricity would not be cumulatively considerable and cumulative impacts would be less than significant.**

(ii) *Natural Gas*

The Project would use natural gas resources on a relatively small scale compared to future supplies and consumption. The SoCalGas forecast natural gas demand (total throughput) for average years from 2025-2035 is 2,342 million cubic feet per day,⁵⁷ or approximately 2,402.9 kilo-British Thermal Units per day.⁵⁸ The Project's daily natural gas demand during operations would be approximately 14,506.7 kilo-British Thermal Units as shown in Appendix B, which would represent approximately 0.0006 percent of the SoCalGas demand for natural gas at Project buildout.

The Project would incorporate energy-conserving features to achieve code compliance and/or to enable the Project to meet the LEED Silver standard. Future development projects within SoCalGas' service area would be required to incorporate conservation efficiency features to meet or exceed Title 24 energy efficiency standards. Therefore, the Project and other future development (cumulative) projects in the SoCalGas service area would comply with energy conservation plans and efficiency standards required to ensure energy is used efficiently. **As such, the Project's contribution to cumulative impacts related to wasteful, inefficient and unnecessary use of natural gas would not be cumulatively considerable and cumulative impacts would be less than significant.**

⁵⁷ California Gas and Electric Utilities. 2020 California Gas Report. Decision D.95-01-039.

⁵⁸ 1 million cubic feet natural gas = 1,026,000 kilo-British Thermal Units. Energy Star Portfolio Manager. Available at: <https://portfoliomanager.energystar.gov/pdf/reference/Thermal%20Conversions.pdf>. Accessed on March 11, 2022.

(iii) Transportation Fuels

Vehicles used to access the Project as well as other future projects are expected to comply with CAFE standards and CARB's Advanced Clean Cars Program, which would ultimately reduce non-renewable transportation fuel consumption. Additionally, the Project would include TDM strategies as Project Design Feature TRANS-PDF-3, including unbundled parking, promotions and marketing of alternative transportation options, and include bicycle parking per LAMC requirements, which would promote alternate modes of transportation and reduce reliance on transportation energy. Similarly, future related projects would be required to analyze impacts on transportation energy and comply with applicable LAMC requirements to promote alternate modes of transportation to reduce reliance on transportation fuels. As shown in Table IV.C-2, during operations the Project's estimated annual demand for approximately 259,473 gallons of gasoline and approximately 56,429 gallons of diesel fuel, would represent approximately 0.002 percent of the State's consumption of both gasoline and diesel fuel supplies. As with the Project, the Related Projects, which are located within approximately 1.5 miles of the Project Site, would also be located within a highly urbanized area within a High Quality Transit Area (HQTA)⁵⁹ as mapped by the Southern California Association of Governments, and would therefore be located near transit, pedestrian, and bicycle infrastructure that would promote VMT reduction. Furthermore, as described above, the Project would be consistent with the energy efficiency policies emphasized by the 2020-2045 RTP/SCS, by developing a mix of uses within an infill site located in a TPA, and would be well-served by existing public transportation. **As such, the Project's contribution to cumulative impacts related to wasteful, inefficient and unnecessary use of transportation fuels would not be cumulatively considerable and cumulative impacts would be less than significant.**

(b) Consistency with State or Local Plans

The Project would include short- and long-term bicycle spaces, shower facilities, and a bike repair area consistent with LAMC bicycle parking and siting requirements. Related Projects would be similarly required to comply with LAMC requirements to provide bicycle spaces. The Project also includes a TDM program as Project Design Feature TRANS-PDF-3 to promote alternate modes of transportation and reduce reliance on transportation energy use as described above and in Section IV.L, Transportation. The Project Site is located within a heavily urbanized portion of the City that is well-served by existing transportation facilities, and the Related Projects, which are located within approximately 1.5 mile of the Project Site, would also consist of infill development within a TPA and HQTA served by existing transportation, consistent with land use strategies provided in

⁵⁹ SCAG. High Quality Transit Areas (HQTA) 2045 – SCAG Region. Available at: <https://gisdata-scag.opendata.arcgis.com/datasets/43e6fef395d041c09deaeb369a513ca1/explore?location=34.075242%2C-118.032847%2C10.00>. Accessed on December 29, 2021.

the 2020-2045 RTP/SCS to reduce VMT. The Project and Related Projects would also be required to comply with other energy conservation and renewable energy plans and policies described above, including Title 24 Part 6 and Part 11, and the LAGBC. As the Related Projects would be required to meet applicable energy efficiency standards, potential cumulative impacts with regard to consistency with energy conservation plans would not be significant. **Therefore, the Project's potential contribution to cumulative impacts would not be cumulatively considerable and cumulative impacts would be less than significant.**

(2) Mitigation Measures

Cumulative energy impacts would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative impacts to energy were determined to be less than significant without mitigation. Therefore, no mitigation measures were required, and the impact level remains less than significant.

IV. Environmental Impact Analysis

D. Geology and Soils

1. Introduction

This section evaluates potential existing geologic and soils hazards of the Project, including the potential for the Project to cause direct or indirect impacts associated with existing environmental conditions that could cause, in whole or in part, fault rupture, ground shaking, liquefaction of soils, expansion of soils, and/or landslide. Impacts regarding these topics are based on the 2016 Geotechnical Engineering Investigation,¹ which is provided as Appendix E1 of this Draft EIR; the 2018 Update of Geotechnical Engineering Investigation² (2018 Geotechnical Update), which is provided as Appendix E2 of this Draft EIR; and the 2019 Update of Geotechnical Engineering Investigation³ (2019 Geotechnical Update), which is provided as Appendix E3 of this Draft EIR. The 2016 Geotechnical Engineering Investigation, 2018 Geotechnical Update, and 2019 Geotechnical Update were approved by the Los Angeles Department of Building and Safety (LADBS) in June 2019 and the approval letter is included as Appendix E4 of this Draft EIR.⁴ This section also evaluates the potential for the Project to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. This component of the analysis is in part based on a Phase I Cultural Resource Assessment,⁵ which is included as Appendix C1 of this Draft EIR.

2. Environmental Setting

a) Regulatory Framework

There are several plans, regulations, and programs that include policies, requirements, and guidelines regarding Geology, Soils and Paleontological Resources at the federal, State of California (State), regional, and local levels. As described below, these plans, guidelines, and laws include the following:

¹ Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation, Proposed Mixed Use Structure, 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street, Los Angeles, CA. December 29. (Appendix E1.)

² Geotechnologies, Inc. 2018. Update of Geotechnical Engineering Investigation, Proposed Mixed Use Structure, 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street, Los Angeles, CA. November 21. (Appendix E2.)

³ Geotechnologies, Inc. 2019. Update of Geotechnical Engineering Investigation, Proposed Mixed Use Structure, 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street, Los Angeles, CA. October 29. (Appendix E3.)

⁴ City of Los Angeles, Department of Building and Safety. 2019. Preliminary Soil Report Approval Letter. June 18. (Appendix E4.)

⁵ Envicom Corporation. 2022. Phase I Cultural Resource Assessment of the 4th and Hewitt Project Site. Revised January. (Appendix C1.)

- Earthquake Hazards Reduction Act
- National Pollutant Discharge Elimination System (NPDES)
- Society for Vertebrate Paleontology Standard Guidelines
- Alquist-Priolo Earthquake Act
- Seismic Hazards Mapping Act
- California Building Code
- California Division of Oil, Gas, and Geothermal Resources (CalGEM)
- California Penal Code Section 622.5
- California Public Resources Code (PRC) Section 5097.5
- Los Angeles General Plan Safety Element
- General Plan Conservation Element
- Los Angeles Municipal Code (LAMC)

(1) Federal

(a) *Earthquake Hazards Reduction Act*

The Earthquake Hazards Reduction Act was enacted in 1977 to “reduce the risks to life and property from future earthquakes in the United States through the establishment and maintenance of an effective earthquake hazards and reduction program.” To accomplish this, the Earthquake Hazards Reduction Act established the National Earthquake Hazards Reduction Program (NEHRP). This program was substantially amended by the NEHRP Reauthorization Act of 2004 (Public Law 108-360).

NEHRP’s mission includes improved understanding, characterization, and prediction of hazards and vulnerabilities; improvement of building codes and land use practices; risk reduction through post-earthquake investigations and education; development and improvement of design and construction techniques; improvement of mitigation capacity; and accelerated application of research results. The NEHRP designates the Federal Emergency Management Agency as the lead agency of the program and assigns it several planning, coordinating, and reporting responsibilities. Programs under NEHRP help inform and guide local planning and building code requirements such as emergency evacuation responsibilities and seismic code standards such as those to which a proposed project would be required to adhere.

(b) National Pollutant Discharge Elimination System (NPDES)

The NPDES Program has been responsible for substantial improvements to our nation's and State's water quality since 1972. The NPDES permit sets erosion control standards and requires implementation of nonpoint source control of surface drainage through the application of a number of Best Management Practices (BMPs). NPDES permits are required by Section 402 of the Clean Water Act.⁶

(c) Society for Vertebrate Paleontology Standard Guidelines

The Society for Vertebrate Paleontology (SVP) has established standard guidelines⁷ that outline professional protocols and practices for conducting paleontological resource assessments and surveys, monitoring and mitigation, data and fossil recovery, sampling procedures, and specimen preparation, identification, analysis, and curation. The Paleontological Resources Preservation Act (PRPA) of 2009 calls for uniform policies and standards that apply to fossils on all federal public lands. All federal land management agencies are required to develop regulations that satisfy the stipulations of the PRPA. As defined by the SVP⁸, significant nonrenewable paleontological resources are:

“Fossils and fossiliferous deposits here are restricted to vertebrate fossils and their taphonomic and associated environmental indicators. This definition excludes invertebrate or paleobotanical fossils except when present within a given vertebrate assemblage. Certain invertebrate and plant fossils may be defined as significant by a project paleontologist, local paleontologist, specialists, or special interest groups, or by lead agencies or local governments.”

As defined by the SVP,⁹ significant fossiliferous deposits are:

“A rock unit or formation which contains significant nonrenewable paleontologic resources, here defined as comprising one or more identifiable vertebrate fossils, large or small, and any associated invertebrate and plant fossils, traces, and other data that provide taphonomic, taxonomic, phylogenetic, ecologic, and stratigraphic information (ichnites and trace fossils generated by vertebrate animals, e.g., trackways, or nests and middens which provide datable material and climatic information). Paleontologic resources are considered to be older than recorded history and/or older than 5,000 years BP [before present].”

⁶ USEPA. Clean Water Act Section 402: National Pollutant Discharge Elimination System. Available at: <https://www.epa.gov/cwa-404/clean-water-act-section-402-national-pollutant-discharge-elimination-system>. Accessed on March 16, 2021.

⁷ Society of Vertebrate Paleontology. 2010. Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources.

⁸ Society of Vertebrate Paleontology. 1995. Society of Vertebrate Paleontology News Bulletin 163:22-27. January.

⁹ Society of Vertebrate Paleontology. 2010. Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources.

Based on the significance definitions of the SVP,¹⁰ all identifiable vertebrate fossils are considered to have significant scientific value. This position is adhered to because vertebrate fossils are relatively uncommon, and only rarely will a fossil locality yield a statistically significant number of specimens of the same genus. Therefore, every vertebrate fossil found has the potential to provide significant new information on the taxon it represents, its paleoenvironment, and/or its distribution. Furthermore, all geologic units in which vertebrate fossils have previously been found are considered to have high sensitivity. Identifiable plant and invertebrate fossils are considered significant if found in association with vertebrate fossils or if defined as significant by project paleontologists, specialists, or local government agencies.

(2) State

(a) *Alquist-Priolo Earthquake Act*

The Alquist-Priolo Earthquake Fault Zoning Act (formerly the Alquist-Priolo Special Studies Zone Act) was signed into law December 22, 1972 (revised in 1994) and codified into State law in the PRC as Division 2, Chapter 7.5 to address hazards from earthquake fault zones. The purpose of this law is to mitigate the hazard of surface fault rupture by regulating development near active faults. As required by the Act, the State has delineated Earthquake Fault Zones (formerly Special Studies Zones) along known active faults in California, which vary in width around the fault trace from about 200 to 500 feet on either side of the fault trace. Cities and counties affected by the zones must regulate certain development projects within the zones. The State Geologist is also required to issue appropriate maps to assist cities and counties in planning, zoning, and building regulation functions. Local agencies enforce the Alquist-Priolo Earthquake Fault Zoning Act in the development permit process, where applicable, and may be more restrictive than State law requires. According to the Alquist-Priolo Earthquake Fault Zoning Act, before a project that is within an Alquist-Priolo Earthquake Fault Zone can be permitted, cities and counties shall require a geologic investigation, prepared by a licensed geologist, to demonstrate that buildings will not be constructed across active faults. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back a distance to be established by a California Certified Engineering Geologist. Although setback distances may vary, a minimum 50-foot setback is typically required.

(b) *Seismic Hazards Mapping Act*

In order to address the effects of strong ground shaking, liquefaction, landslides, and other ground failures due to seismic events, the State passed the Seismic Hazards

¹⁰ Society of Vertebrate Paleontology. 2010. Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources.

Mapping Act of 1990 (PRC Sections 2690-2699.6). Under the Seismic Hazards Mapping Act, the State Geologist is required to delineate “seismic hazard zones.” Cities and counties must regulate certain development projects within these zones until the geologic and soil conditions of their project sites have been investigated and appropriate mitigation measures, if any, have been incorporated into development plans. The State Mining and Geology Board provides additional regulations and policies to assist municipalities in preparing the safety element of their general plans and to encourage the adaptation of land use management policies and regulations to reduce and mitigate seismic hazards to protect public health and safety. Under PRC Section 2697, cities and counties must require, prior to the approval of a project located in a seismic hazard zone, submission of a geotechnical report defining and delineating any seismic hazard.

(c) *California Building Code*

The California Building Code (CBC), which is codified in Title 24 of the California Code of Regulations (CCR), Part 2, was promulgated to safeguard the public health, safety, and general welfare by establishing minimum standards related to structural strength, means of egress facilities, and general stability of buildings. The purpose of the CBC is to regulate and control the design, construction, quality of materials, use/occupancy, location, and maintenance of all buildings and structures within its jurisdiction. Title 24 is administered by the California Building Standards Commission, which, by law, is responsible for coordinating all building standards. Under State law, all building standards must be centralized in Title 24 or those standards are not enforceable. The provisions of the CBC apply to the construction, alteration, movement, replacement, location, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures throughout California.

The 2019 edition of the CBC is based on the 2018 International Building Code published by the International Code Council. The code is updated triennially, and the 2019 edition of the CBC was published by the California Building Standards Commission on July 1, 2019, and became effective January 1, 2020. Every three years, the State adopts new codes (known collectively as the California Building Standards Code) to establish uniform standards for the construction and maintenance of buildings, electrical systems, plumbing systems, mechanical systems, and fire and life safety systems. Sections 17922, 17958 and 18941.5 of the California Health and Safety Code require that the latest edition of the California Building Standards Code apply to local construction 180 days after publication. The significant changes to Title 24 in the 2019 edition can be found at California Department of General Services website.¹¹

¹¹ Building Standards Commission. California Building Standards Code. Available at: <https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo/>. Accessed on March 16, 2021.

(d) *California Division of Oil, Gas, and Geothermal Resources (CalGEM)*

CalGEM regulates production of oil and gas, as well as geothermal resources, within the State. CalGEM requirements in preparation of environmental documents under CEQA are defined in CCR, Title 14, Division 2, Chapter 2. Staff also assists operators in avoiding or reducing environmental impacts from the development of oil, gas, and geothermal resources in California, including subsidence. PRC Sections 3315, et seq. CalGEM regulations, which are defined in CCR, Title 14, Division 2, Chapter 4, include well design and construction standards, surface production equipment and pipeline requirements, and well abandonment procedures and guidelines to ensure effectiveness in preventing migration of oil and gas from a producing zone to shallower zones, including potable groundwater zones, as well as subsidence.

(e) *California Penal Code Section 622.5*

California Penal Code Section 622.5 provides the following: “Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor.”

(f) *California PRC Section 5097.5*

California PRC Section 5097.5 provides protection for paleontological resources on public lands, where Section 5097.5(a) states, in part, that:

“No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.”

(3) **Local**

(a) *City of Los Angeles General Plan*

(i) *Safety Element*

The City of Los Angeles (City) General Plan (General Plan) Safety Element (Safety Element), which was adopted in 1996, addresses public safety risks due to natural disasters, including seismic events and geologic conditions, and sets forth guidance for emergency response during such disasters. The Safety Element also provides maps of

designated areas within Los Angeles that are considered susceptible to earthquake-induced hazards, such as fault rupture and liquefaction.

(ii) *Conservation Element*

The General Plan Conservation Element (Conservation Element) recognizes paleontological resources in Section 3: “Archeological and Paleontological” and identifies site protection as important, stating, “Pursuant to CEQA, if a land development project is within a potentially significant paleontological area, the developer is required to contact a bonafide paleontologist to arrange for assessment of the potential impact and mitigation of potential disruption of or damage to the site. Section 3 of the Conservation Element, adopted in September 2001, includes policies for the protection of paleontological resources. As stated therein, it is the City’s policy that paleontological resources be protected for historical, cultural research, and/or educational purposes. Section 3 sets as a policy to continue the identification and protection of significant paleontological sites and/or resources known to exist or that are identified during “land development, demolition, or property modification activities.”

(b) *Los Angeles Municipal Code*

Chapter IX of the LAMC contains the City’s Building Code, which incorporates by reference the CBC, with City amendments for additional requirements. The LADBS is responsible for implementing the provisions of the LAMC. To that end, LADBS issues building and grading permits for construction projects. Building permits are required for any building or structure that is erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished. Grading permits are required for all grading projects other than those specifically exempted by the LAMC. LADBS has the authority to withhold building permit issuance if a project cannot mitigate potential hazards to the project or which are associated with the project. Throughout the permitting, design, and construction phases of a building project, LADBS engineers and inspectors confirm that the requirements of the LAMC pertaining specifically to geoseismic and soils conditions are being implemented by project architects, engineers, and contractors.

The function of the City’s Building Code is to protect life safety and ensure compliance with the LAMC. Chapter IX addresses numerous topics, including earthwork and grading activities, import and export of soils, erosion and drainage control, and general construction requirements that address flood and mudflow protection, landslides, and unstable soils. Additionally, the LAMC includes specific requirements addressing seismic design, grading, foundation design, geologic investigations and reports, soil and rock testing, and groundwater.

Specifically, LAMC Section 91.1803 requires a Final Geotechnical Report with final design recommendations prepared by a California-registered geotechnical engineer and submitted to the LADBS for review prior to issuance of a grading permit. Final foundation design recommendations must be developed during final project design, and other deep foundation systems that may be suitable would be addressed in the Final Geotechnical Report. All earthwork (i.e., excavation, site preparation, any fill backfill placement, etc.) must be conducted with engineering control under observation and testing by the Geotechnical Engineer and in accordance with LADBS.

b) Existing Conditions

The Project Site is currently developed with an existing 7,800-square-foot building formerly occupied by the Architecture and Design (A+D) Museum at the southeast corner of Colyton Street and East 4th Street, a storage space associated with the 7,800-square-foot building (located southeast of the 7,800-square-foot building in a separate 1,000-square-foot structure), a one-story office structure and related garage/storage space (6,030 square feet combined), and associated surface parking lots (approximately 39,751 square feet). The existing 7,800-square-foot building would remain on-site while all other structures and existing improvements would be demolished as part of the Project. Overall, the Project Site is relatively flat, with a maximum elevation gain of three feet across the Project Site (the higher elevations occur in the middle of the Project Site and along the eastern boundary). Stormwater runoff is collected and conveyed by sheetflow across the Project Site and onto public streets and drainage infrastructure.

(1) Regional Geologic Setting

The Project Site is situated in the Los Angeles Basin, which is in the northern portion of the Peninsular Ranges Geomorphic Province. The Peninsular Ranges are northwest-trending blocks of mountain ridges with sediment-floored valleys. Northwest-trending fault zones are the dominant geologic structural features, and these either die out to the northwest or terminate where they reach east-trending reverse faults forming the southern edge of the Transverse Ranges.

The Los Angeles Basin is bounded to the east and southeast by the Santa Ana Mountains and San Joaquin Hills, and by the Santa Monica Mountains to the northwest. The Los Angeles Basin was a deep marine basin formed by tectonic forces between the North American and Pacific plates over 22 million years ago. Since then, the Basin has been filled with over five miles of marine and non-marine sedimentary rock as well as intrusive and extrusive igneous rocks. Throughout the Pleistocene and Holocene epochs spanning the last two million years, the Los Angeles Basin and adjacent mountain ranges have been uplifted to form the present-day landscape. Areas where this uplift was subtle now experience gully erosion, and the erosion events of adjacent mountain ranges have

deposited unconsolidated sediments in low-lying river areas such as the Los Angeles River.

A Geotechnical Engineering Investigation was prepared for the Project by Geotechnologies, Inc. in December 2016 (attached in Appendix E1), which included drilling six exploratory borings on November 8th and 9th, 2016, ranging from 50 to 80 feet below existing grade. Fill materials were discovered in all exploratory excavations to depths of between 2.5 to 5 feet below existing grade. These materials consist of a mixture of sands and silty sands, dark yellowish brown to dark brown, moist, medium dense, and fine grained. Native alluvial soils underlie the fill, comprising interlayered mixtures of silty sands and sands. These soils are yellowish gray to dark yellowish brown in color, and slightly moist to wet, medium dense to very dense, and fine to coarse grained, with occasional gravel and cobbles.¹²

(2) Oil Wells

The Project Site is located within the limits of the Union Station Oil Field. However, no oil or gas wells have been drilled at the Project Site. The closest drilled area is located approximately 1,000 feet southwest of the Project Site.

(3) Methane

LAMC Article 1, Division 71 sets forth the City's minimum requirements for control of methane intrusion emanating from geologic formations. This generally requires that subsurface soil gas sampling shall be conducted prior to any development on properties within the Methane Zone that is mapped by the LADBS. As described in the Phase II Subsurface Site Investigation prepared by Citadel Environmental Services, Inc. (attached in Appendix G2, Phase II Subsurface Site Investigation), the Project Site is located in the Methane Zone designated by the LADBS. Soil gas probes were installed at the Project Site, but the investigation revealed that methane was not detected above the minimum detection range in any of the probes.¹³ Additional details regarding methane conditions and the Phase II Subsurface Site Investigation are provided in Section IV.F, Hazards and Hazards Materials.

(4) Groundwater

According to the Phase II Subsurface Site Investigation (Appendix G2), groundwater was encountered at an approximate depth of 78 feet below the existing grade during the drilling of Boring 3, which was located in the southeastern corner of the Project Site.

¹² Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation Proposed Mixed Use Structure 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street Los Angeles California, December 29. (Appendix E1.)

¹³ Citadel Environmental Services, Inc. 2017. Phase II Subsurface Site Investigation, 405-411 South Hewitt Street, 900, 910 and 926 East 4th Street, and 412 Colyton Street. Revised May 16. (Appendix G2.)

Historically, the highest groundwater level in the vicinity of the Project Site was 84 feet below ground surface. Fluctuations may occur in groundwater depth due to variations in rainfall, temperature, and other factors that were not present at the time of the Geotechnical Engineering Investigation. Groundwater depth may also vary across the Project Site.¹⁴

(5) Seismicity and Seismic Hazards

Seismic hazards include ground rupture, ground shaking, liquefaction, settlement, lateral spread, landslides, slope instability, subsidence, and expansive soils. Existing seismic hazard conditions in the vicinity of the Project Site are described below.

(a) *Ground Rupture and Ground Shaking*

Ground rupture is defined as surface displacement which occurs along the surface trace of the causative fault during an earthquake. The California Geologic Survey categorizes faults as active, potentially active, or inactive. An active fault is defined as those which show evidence of surface displacement within the last 11,000 years (Holocene age). Potentially active faults have only shown evidence of displacement within the last 1.6 million years (Quaternary age). Faults that show no evidence of surface displacement within this time period are considered inactive for most purposes, except for the design of some critical structures.

Buried thrust faults do not have a surface expression but are a significant source of seismic activity. Since they are buried, their presence is not usually known until they produce an earthquake. While it is considered that the risk for surface rupture from buried thrust faults is low, the seismic risk of their recurrence and maximum potential magnitude is not well established. This means that the potential for surface rupture at magnitudes greater than 6.0 cannot be precluded.¹⁵

The results of Project Site reconnaissance and research of available literature indicate that there are no known active or potentially active underlying faults at the Project Site, and the Project Site is not located with an Alquist-Priolo Earthquake Fault Zone. However, the closest fault to the Project Site is the Puente Hills Blind Thrust, located 1.1 miles away.¹⁶ According to the Geotechnical Engineering Investigation, the primary geologic hazard at the Project Site is moderate to strong ground motion (acceleration) that is caused by a local or regional fault.

¹⁴ Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation Proposed Mixed Use Structure 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street Los Angeles California, December 29. (Appendix E1.)

¹⁵ Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation Proposed Mixed Use Structure 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street Los Angeles California, December 29. (Appendix E1.)

¹⁶ City of Los Angeles, Department of City Planning. 2021. Zoning Information and Mapping Access System (ZIMAS), Parcel Profile Report: 926 E 4th St. Generated March 16.

(b) *Liquefaction*

Liquefaction is a phenomenon in which saturated silty to cohesionless soils below the groundwater table are subject to a temporary loss of strength due to the buildup of excess pore pressure during cyclic loading conditions, such as those induced by an earthquake. Liquefaction-related effects include loss of bearing strength, amplified ground oscillations, lateral spreading, and flow failures. According to the Geotechnical Engineering Investigation, based on groundwater records, soil type, and distance to a fault capable of producing a substantial earthquake, the Project Site is not located within a liquefiable area. Further, pursuant to the Safety Element, the Project Site is not located in a City-designated liquefaction zone. Based on the density of the soils underlying the Project Site and the current and historically highest groundwater levels described above, soils underlying the Project Site are not anticipated to be capable of liquefaction.¹⁷

(c) *Dynamic Dry Settlement*

Seismically induced settlement, or the compaction of dry or moist, cohesionless soils can be an effect related to earthquake ground motion. These types of settlement are typically most damaging when the settlements are differential in nature across the length of structures. Some amount of dynamic dry settlement of the proposed structures should be expected in response to strong ground-shaking, however, given the uniform nature of the underlying geologic materials, excessive differential settlements are not expected to occur.

(d) *Landslides, Slope Stability, Lateral Spreads, Subsidence, and Collapse*

The Project Site is not located within a City-designated Hillside Area,¹⁸ is not subject to the City's Baseline Hillside Ordinance,¹⁹ and is not located in a City-designated Landslide area.²⁰ Additionally, the Project Site is located on the eastern edge of Downtown Los Angeles, not in close proximity to mountains or steep slopes, and there is a general lack of elevation difference across or adjacent to the Project Site.²¹ Therefore, the potential for landslides to occur on or near the Project Site is unlikely.

¹⁷ Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation, Proposed Mixed Use Structure, 405-411 South Hewitt Street, 900-926 East 4th Street, and 412 Colyton Street, Los Angeles, California. December 29. (Appendix E1.)

¹⁸ City of Los Angeles, Department of City Planning. 1996. Safety Element of the Los Angeles City General Plan, Exhibit C: Landslide Inventory & Hillside Areas. Adopted November 26.

¹⁹ City of Los Angeles, Department of City Planning. 2021. Zoning Information and Mapping Access System (ZIMAS), Parcel Profile Report: 926 E 4th St. Generated March 16.

²⁰ City of Los Angeles, Department of City Planning. 1996. Safety Element of the Los Angeles City General Plan, Exhibit C: Landslide Inventory & Hillside Areas. Adopted November 26.

²¹ Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation, Proposed Mixed Use Structure, 405-411 South Hewitt Street, 900-926 East 4th Street, and 412 Colyton Street, Los Angeles, California. December 29. (Appendix E1.)

Lateral spreads are a type of landslide that occur on very gentle slopes or flat terrain. Ground failure in these cases are typically caused by liquefaction, and the failure is usually triggered by rapid ground motion, such as an earthquake.²² As soils underlying the Project Site are not anticipated to be capable of liquefaction and the potential for landslides on the Project Site is unlikely; the potential for lateral spread is also low.

Subsidence is a gradual settling or sudden sinking of the earth's surface, resulting from subsurface movement of earth materials. Typical causes of subsidence include aquifer-system compaction; drainage and decomposition of organic soils; underground mining, oil, and gas extraction; hydrocompaction, natural compaction; and sinkholes.²³ Subsidence is a type of ground failure that may range from local collapses to regional lowering of the earth's surface.²⁴ The Project Site is located within the boundaries of the Union Station Oil Field;²⁵ however, as previously discussed, no oil wells are located on the Project Site.

(e) *Expansive Soils*

Expansive soils shrink or swell as the moisture content decreases or increases. Structures built on such soils may experience shifting, cracking, and breaking damage as the soils shrink and subside or expand.²⁶ Based on initial Project Site investigation, geologic materials underlying the Project Site include fill material to depths ranging from 2.5 to five feet below the existing grade, consisting of a mixture of silty sands and sands. Fill materials are underlain by native alluvial soils. The on-site geologic materials were tested for expansion in accordance with Expansion Index testing procedures described in the most recent revision of American Society for Testing and Materials (ASTM) D 4829. The Expansion Index indicates the swelling potential of a compacted soil.²⁷ On-site geologic materials were found to be 3 and 4 on the Expansion Index for representative bulk samples, which indicates very low expansion potential.²⁸ Medium potential for expansion on the Expansion Index falls in the 51 to 90 range, and very high potential for expansion on the Expansion Index is greater than 130.²⁹

²² USGS. Landslide Types and Processes. Available at: <https://pubs.usgs.gov/fs/2004/3072/fs-2004-3072.html>. Accessed on March 16, 2021.

²³ USGS, California Water Science Center. Land Subsidence in California. Available at: https://ca.water.usgs.gov/land_subsidence/. Accessed on March 16, 2021.

²⁴ USGS, California Water Science Center. Land Subsidence in California. Available at: https://ca.water.usgs.gov/land_subsidence/california-subsidence-cause-effect.html. Accessed on March 16, 2021.

²⁵ CalGEM. Well Finder. Available at: <https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-118.23622/34.04339/18>. Accessed on March 16, 2021.

²⁶ USGS. Landslides Glossary. Available at: https://www.usgs.gov/natural-hazards/landslide-hazards/science/landslides-glossary?qt-science_center_objects=0#qt-science_center_objects. Accessed on March 16, 2021.

²⁷ ASTM International. Standard Test Method for Expansion Index of Soils. Available at: <https://www.astm.org/Standards/D4829.htm>. Accessed on March 16, 2021.

²⁸ Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation, Proposed Mixed Use Structure, 405-411 South Hewitt Street, 900-926 East 4th Street, and 412 Colyton Street, Los Angeles, California. December 29. (Appendix E1.)

²⁹ ASTM International. Standard Test Method for Expansion Index of Soils. Available at: <https://www.astm.org/Standards/D4829.htm>. Accessed on March 16, 2021.

(6) Paleontological Context

According to the Conservation Element, the City is rich in paleontological sites. Most of the fossil sites are located in the local mountains, and fossils have been found mostly in exposed sedimentary rock. In addition, the most abundant fossil resource is La Brea Tar Pits, which are owned and operated by the County of Los Angeles (County). The tar pits have provided both animal and plant fossils, most of which are from the Pleistocene epoch (Ice Age) and date as far back as 40,000 years. Fossil finds include mammoths, saber-tooth cats, insects and birds.³⁰ The Project Site is not located in a Vertebrate Paleontological Site Area and an area where surface sediments have “unknown fossil potential,” as discussed in the Cultural Resources Section of the General Plan Framework Element EIR.³¹

The Project Site has been previously graded, developed, and paved. According to the 2016 Geotechnical Engineering Investigation (Appendix E1), fill materials (silty sands and sands) were encountered in all exploratory excavations to depths ranging from 2.5 to 5 feet below grade. The fill is underlain by native alluvial soils, consisting of interlayered mixtures of silty sands and sands. Borings logs also show that native soils are present at depths as shallow as 2.5 feet.³² Recent alluvial material does not normally contain significant paleontological resources; however, the Project will require grading and excavation for building foundations and subterranean parking to a potential depth of approximately 38 feet.³³ Excavation to this depth has the potential to encounter older alluvial deposits, which may potentially uncover paleontological resources given past fossil discoveries throughout the City.

(7) Paleontological Resources

(a) *Natural History Museum of Los Angeles County Record Search Findings*

The Natural History Museum (NHM) of Los Angeles County houses records and collections of paleontological resources for the County. A paleontological record search was requested of the NHM on June 1, 2017 as part of the Phase I Cultural Resource Assessment prepared for the Project (Appendix C1). The NHM submitted its response on

³⁰ City of Los Angeles, Department of City Planning. 2001. Conservation Element of the City of Los Angeles General Plan. Adopted September 26.

³¹ City of Los Angeles. 1996. Los Angeles Citywide General Plan Framework EIR, Figures CR-2, Vertebrate Paleontological Resources in the City of Los Angeles and CR-3, Invertebrate Paleontological Resource Sensitivity Areas in the City of Los Angeles. June.

³² Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation, Proposed Mixed Use Structure, 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street, Los Angeles, California. December 29. (Appendix E1.)

³³ Geotechnologies, Inc. 2018. Update of the Geotechnical Engineering Investigation, Proposed Mixed Use Structure, 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street, Los Angeles, California. November 21. (Appendix E2.)

June 15, 2017, with negative findings for the Project Site.³⁴ However, the NHM stated that, “[s]hallow excavations in the younger Quaternary Alluvium exposed throughout the proposed project area are unlikely to uncover significant fossil vertebrate remains. Deeper excavations in the proposed project area that extend down into the older Quaternary sediment, however, may well [encounter] significant vertebrate fossils. Any substantial excavations in the proposed project area, therefore, should be closely monitored to quickly and professionally recover any potential vertebrate fossils without impeding development.”

This determination of the NHM is based on the following findings. The NHM reported that the closest known vertebrate fossil locality from older Quaternary deposits is located west-southwest of the Project Site near the Hill Street and 12th Street intersection (approximately 1.5 miles from the Project Site) and produced a fossil specimen of horse at 43 feet below the ground surface. The next closest vertebrate fossil locality from older Quaternary deposits beneath younger Alluvium is located northeast of the Project Site near the Mission Road and Daly Street intersection (approximately 1.7 miles from the Project Site) and produced fossil specimens of pond turtle, ground sloth, horse, and camel, at depth between 20 and 35 feet below the ground surface. North of this locality, additional fossil specimens of turkey, sabre-toothed cat, horse, and deer have been uncovered at unstated depths during excavations for a storm drain.

3. Project Impacts

a) Thresholds of Significance

In accordance with Appendix G of the CEQA Guidelines, a project would have a significant impact related to geology, soils and paleontological resources if it would:

Threshold a): Directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving:

- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault. Refer to Division of Mines and Geology³⁵ Special Publication 42; or***
- ii. Strong seismic ground shaking; or***

³⁴ Envicom Corporation. 2022. Phase I Cultural Resource Assessment of the 4th and Hewitt Project Site. Revised January. (Appendix C1.) (Refer to Appendix C of the Phase I Cultural Resource Assessment: Natural History Museum, Record search request response from Samuel A. McLeod, Ph.D., June 15, 2017.)

³⁵ Now the California Geological Survey.

- iii. Seismic-related ground failure, including liquefaction; or*
- iv. Landslides; or*

Threshold b): Result in substantial soil erosion or the loss of topsoil; or

Threshold c): Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; or

Threshold d): Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property; or

Threshold e): Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater; or

Threshold f): Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

For this analysis, the Appendix G Thresholds are relied upon. The analysis utilizes factors and considerations identified in the L.A. CEQA Thresholds Guide, as appropriate, to assist in answering the Appendix G Threshold questions. The criteria to evaluate geology, soils and paleontological resources include:

Geologic Hazards

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

Sedimentation and Erosion

- *Constitute a geologic hazard to other properties by causing or accelerating instability from erosion; or*
- *Accelerate natural processes of wind and water erosion and sedimentation, resulting in sediment runoff or deposition which would not be contained or controlled on-site.*

Landform Alteration

- *Cause one or more distinct and prominent geologic or topographic features to be destroyed, permanently covered, or materially and adversely modified as a result of the project. Such features may include, but are not limited to, hilltops, ridges,*

hillslopes, canyons, ravines, rock outcrops, water bodies, streambeds, and wetlands.

Paleontological Resources

- *Whether, or the degree to which, the Project might result in the permanent loss of, or loss of access to, a paleontological resource; and*
- *Whether the paleontological resource is of regional or statewide significance.*

b) Methodology

In addition to the thresholds of significance, the analysis of Project impacts is based on the 2016 Geotechnical Engineering Investigation (Appendix E1), 2018 Geotechnical Update (Appendix E2), and 2019 Geotechnical Update (Appendix E3), which were prepared by Geotechnologies, Inc. The Geotechnical Engineering Investigation and 2018 and 2019 Geotechnical Updates provide recommendations for Project Site development, including excavations, earthwork, seismic design, retaining walls, shoring, and foundation design. These recommendations were conditionally approved by the LADBS on June 18, 2019, as shown in the Soils Report Approval Letter (Appendix E4). These recommendations are based on the laboratory analysis of soil samples taken from six exploratory drillings at the Project Site, a literature review of published geologic data and regulatory considerations, a review of geotechnical engineering information, and engineering analysis. In doing so, the reports provide relevant information regarding geologic hazards present at the Project Site, which are utilized to substantiate the impact determinations that are conveyed in Subsection d, Analysis of Project Impacts, below.

The analysis of paleontological resources in this section of the Draft EIR is based on the Phase I Cultural Resource Assessment prepared by Envicom Corporation (Appendix C1), in addition to the 2016 Geotechnical Engineering Investigation (Appendix E1), 2018 Geotechnical Update (Appendix E2), and 2019 Geotechnical Update (Appendix E3). The Phase I Cultural Resource Assessment analysis included a review of the NHM paleontological records search results and the geotechnical investigations provide relevant information pertaining to subsurface geological conditions at the Project Site. Specifically, the NHM records and geotechnical investigations convey whether paleontological localities have been previously identified within the Project Site, vicinity, or in similar geologic formations as those that underlay the Project Site, which assist in the determination of whether the potential exists for excavations associated with Project development to encounter paleontological resources.

c) Project Design Features

No specific project design features are proposed with regard to geology, soils, seismicity, or paleontological resources.

d) Analysis of Project Impacts

Threshold a): Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault. Refer to Division of Mines and Geology³⁶ Special Publication 42?**

(1) Impact Analysis

A significant impact may occur if the Project would expose people or structures to potential substantial adverse effects related to the rupture of a known earthquake fault, as delineated on the most recent Alquist Priolo Earthquake Fault Zone Map issued by the State Geologist. The Project Site is not located on known active or potentially active underlying faults, and the Project Site is not located with an Alquist-Priolo Earthquake Fault Zone. The closest fault to the Project Site is the Puente Hills Blind Thrust, located 1.1 miles to the east. As no active or potentially active faults with the potential for surface fault rupture are known to pass directly beneath the Project Site, the potential for surface ground rupture at the Project Site is considered low. **Therefore, the Project would not exacerbate existing environmental conditions related to fault rupture, and the impact would be less than significant.**

(2) Mitigation Measures

Impacts regarding fault rupture were determined to be less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts regarding fault rupture were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

³⁶ Now the California Geological Survey.

Threshold a): Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

ii. Strong seismic ground shaking?

(1) Impact Analysis

The Project proposes development that is typical of urban environments. While it would entail excavation for subterranean parking, it would not involve mining operations, deep excavation into the Earth, or boring of large areas that would create unstable seismic conditions, especially as no active or potentially active faults traverse the Project Site. Based on this information, development of the Project would not exacerbate seismic conditions on the Project Site or in the area.

In addition, the Project would be required to comply with all applicable sections of the City's Building Code, which, along with local amendments, incorporate the most recent updates of the CBC. Compliance with the City's Building Code incorporates all seismic standards pertaining to the Project Site and its seismic design category. Certain design features of modern buildings create resistance to ground shaking through the use of shear panels, moment frames, and reinforcement in accordance with the City's Building Code. Further, the Project would be required to comply with all City-approved design recommendations in the Project's Geotechnical Engineering Investigation and 2018 and 2019 Geotechnical Updates, which include seismic design considerations. The Project is also subject to the conditions of approval of the LADBS Grading Division. The required compliance with the City's Building Code and LADBS Conditions of Approval, as well as implementation of the City-approved Geotechnical Engineering Investigation and recommendations of the 2018 and 2019 Geotechnical Updates, would ensure that the Project is constructed to a level such that it can withstand an acceptable level of seismic risk.

Therefore, the Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking and impacts would be less than significant.

(2) Mitigation Measures

Impacts regarding strong seismic ground shaking were determined to be less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts regarding strong seismic ground shaking were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold a): Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

iii. Seismic-related ground failure, including liquefaction?

(1) Impact Analysis

As discussed in the Existing Conditions section, pursuant to the Safety Element, the Project Site is not located in a City-designated liquefaction zone.³⁷ In addition, while groundwater was encountered during exploration of the Project Site at an approximate depth of 78 feet below grade, the Project is only anticipated to require excavation to a depth of approximately 38 feet for subterranean parking levels. Based on these conditions, the Geotechnical Engineering Investigation determined that soils underlying the Project Site are not anticipated to be capable of liquefaction during seismic ground motion. Further, the Project would be required to comply with the City's current Building Code, which incorporates the latest edition of the CBC, as well as meet the conditions of approval of the LADBS Grading Division. Such compliance incorporates seismic standards appropriate to the Project Site and considers seismic-related ground failure. Required compliance with the recommendations put forth in the Geotechnical Engineering Investigation and 2018 and 2019 Geotechnical Updates for the Project would ensure that the Project is built to withstand an acceptable level of seismic-related ground failure risk, including liquefaction. **Therefore, impacts related to seismic-related ground failure, including liquefaction, would be less than significant.**

(2) Mitigation Measures

Impacts regarding seismic-related ground failure were determined to be less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts regarding seismic-related ground failure were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

³⁷ City of Los Angeles, Department of City Planning. 1996. Safety Element of the Los Angeles City General Plan. Adopted November 26.

Threshold a): Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

iv. Landslides?

As discussed in Section V.A, Impacts Found not to be Significant, and in the IS (Appendix A2, Initial Study), the Project Site is not located within a City-designated Hillside Area, is not subject to the City's Baseline Hillside Ordinance, and is not located in a City-designated Landslide area. Additionally, the Project Site is not located in close proximity to mountains or steep slopes, the Project Site is relatively flat with a maximum elevation gain of three feet across the Project Site, and the Project would not alter a prominent geologic feature or landform. **Therefore, no impact related to landslides would occur, and no further analysis is required.**

Threshold b): Would the project result in substantial soil erosion or the loss of topsoil?

(1) Impact Analysis

(a) Construction

The Project Site lacks topsoil that is subject to erosion due to the relatively flat topography of the Project Site and immediate vicinity, as well as the developed (i.e., paved) nature of the Project area. Therefore, the potential for soil erosion and the loss of topsoil is low. Nevertheless, the Project Site would be subject to ground-disturbing activities during construction (including excavation, grading, foundation construction, and the installation of utilities), activities which would temporarily expose soils, allowing for possible erosion. This potential occurrence would be reduced through adherence to stringent controls imposed by grading and building regulations. All grading activities would require permits from the LADBS, including requirements to limit the potential impacts associated with erosion. Further, all grading and site preparation must comply with all applicable provisions in Chapter IX, Division 70 of the LAMC, which addresses grading, excavation, and fills. In addition, the Project would be required to submit an erosion control plan for LADBS approval (as well as a Storm Water Pollution Prevention Plan per the NPDES permit requirements, which would be implemented during construction to reduce sedimentation and erosion levels to the maximum extent possible, as described in Section IV.G, Hydrology and Water Quality). Following required implementation of the conditions from the LADBS Grading Division, City-approved recommendations of the Geotechnical Engineering Investigation and 2018 and 2019 Geotechnical Updates, and compliance with regulatory requirements, Project construction would result in a less than significant impact related to substantial soil erosion or the loss of topsoil. **Therefore, construction impacts of the Project related to soil erosion would be less than significant.**

(b) *Operation*

Once constructed, all surfaces would be covered by pavement, landscaping, or buildings. In addition, as described in Section IV.G, Hydrology and Water Quality, the Project would be required to prepare and implement a Standard Urban Stormwater Mitigation Plan (SUSMP) for the operational life of the Project, as well as comply with the City's Low Impact Development Ordinance (LID). The SUSMP includes BMPs that would reduce on-site erosion, and the LID includes specific techniques to control the amount of impervious surface, increase infiltration, and improve water quality by reducing runoff from development sites. **Therefore, operational impacts of the Project related to soil erosion would be less than significant.**

(2) *Mitigation Measures*

Impacts regarding substantial soil erosion or the loss of topsoil during Project construction were determined to be less than significant without mitigation and no impact would occur during Project operation. Therefore, no mitigation measures are required.

(3) *Level of Significance After Mitigation*

Impacts regarding substantial soil erosion or the loss of topsoil during Project construction were determined to be less than significant without mitigation, and no impact would occur during Project operation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold c): Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

(1) *Impact Analysis*

(a) *Construction*

The Project Site is not susceptible to liquefaction, lateral spreading, subsidence, or impacts associated with landslides. Further, according to the Geotechnical Engineering Investigation, soils underlying the Project Site are not considered capable of liquefaction. Given the nature of the underlying geologic materials and that the Project Site is not likely to be susceptible to liquefaction, excessive settlement is not expected to occur. No oil or groundwater wells are located on the Project Site, and the Project does not propose to develop wells or to perform the extraction of such materials. However, the Project would include excavation across the majority of the Project Site to a depth of approximately 38

feet to accommodate the subterranean parking levels. This grading activity³⁸ would result in the excavation and export of approximately 75,200 cubic yards of soil from the Project Site. The Project would be constructed in accordance with the CBC and the City's Building Code, and would also be required to implement the recommendations of the LADBS-approved final geotechnical report as well as conditions of approval of the LADBS Grading Division.

With regard to soil stability, the Geotechnical Engineering Investigation revealed that fill materials were discovered in all exploratory excavations to depths of between 2.5 to 5 feet below existing grade. These materials consist of a mixture of sands and silty sands, which are moist, medium dense, and fine grained. These fill materials would be unsuitable for supporting the proposed structure's foundation and concrete slabs on-grade, but they will be removed during excavation for the proposed subterranean parking levels. Native alluvial soils underlie the existing fill, comprising interlayered mixtures of silty sands and sands. These soils are slightly moist to wet, medium dense to very dense, and fine to coarse grained, with occasional gravel and cobbles. According to the Geotechnical Engineering Investigation, the proposed structure may be supported by conventional foundations bearing in the native alluvial soils. The Project would be required to implement the City-approved recommendations of the Geotechnical Engineering Investigation and LADBS-approved final geotechnical report. Such recommendations include, but would not be limited to, temporary shoring in order to provide stability during excavation.

Therefore, the Project would not exacerbate geologic hazards related to lateral spreading, seismically induced settlement, subsidence or collapse, which would result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury. **Project construction impacts associated with unstable soils would be less than significant.**

(b) Operation

Once constructed, all surfaces would be covered by pavement, landscaping, or buildings. **Therefore, Project operation would have no impact related to unstable soil conditions.**

³⁸ Construction is anticipated to require excavation across the majority of the Project Site to a depth of approximately 38 feet to accommodate the subterranean parking levels. However, for purposes of providing a conservative estimate for the amount of soil that would be exported during site preparation, excavation to a depth of 42 feet is assumed in order to calculate the quantity of soil export.

(2) Mitigation Measures

Impacts regarding unstable soils during Project construction were determined to be less than significant without mitigation, and no impact would occur during Project operation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts regarding unstable soils during Project construction would be less than significant without mitigation, and no impact would occur during Project operation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold d): Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

(1) Impact Analysis

(a) Construction

Based on initial Project Site investigation, geologic materials underlying the Project Site include fill material underlain by native alluvial soils. The on-site geologic materials were tested for expansion in accordance with Expansion Index testing procedures described in the most recent revision of the ASTM D 4829. The Expansion Index indicates the swelling potential of a compacted soil.³⁹ On-site geologic materials were found to have very low expansion potential. In addition, the Project would be required to comply with the CBC and the City's Building Code, as well as implement the conditions of approval of the LADBS Grading Division and the final geotechnical report, and would not exacerbate existing conditions related to expansive soil. **Therefore, Project impacts related to expansive soils would be less than significant.**

(b) Operation

Once constructed, all surfaces would be covered by pavement, landscaping, or buildings, and all shallow soils that may have been susceptible to expansion would have been removed. **Therefore, Project operation would have no impact related to expansive soil conditions.**

³⁹ ASTM International. Standard Test Method for Expansion Index of Soils. Available at: <https://www.astm.org/Standards/D4829.htm>. Accessed on March 16, 2021.

(2) Mitigation Measures

Impacts regarding expansive soils during Project construction would be less than significant, and no impact would occur during Project operation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts regarding expansive soils during Project construction would be less than significant without mitigation, and no impact would occur during Project operation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold e): Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?

As discussed in Section V.A, Impacts Found not to be Significant and, in the IS (Appendix A2, Initial Study), the Project Site is served by and would continue to be serviced by existing sewage infrastructure, and would not require the use of septic tanks or alternative wastewater disposal systems. **Therefore, no impact would occur, and no further analysis is required.**

Threshold f): Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

(1) Impact Analysis

The paleontological record search findings provided by the NHM of Los Angeles County were negative for the Project Site. However, the Project Site and area are considered sensitive for paleontological resources, as paleontological resources have been discovered within a 0.25-mile radius of the Project Site. Although more recent alluvial material that is present across the Project Site does not typically contain significant paleontological resources, the grading and excavation to the depth of 38 feet, which is required to develop the Project's subterranean parking levels, has the potential to inadvertently encounter older Quaternary deposits that are known to yield fossiliferous material.

While no paleontological resources have been located on the Project Site, the City has established a standard Condition of Approval under its police power and land use authority to address the inadvertent discovery of a paleontological resource. In the event that a paleontological resource is inadvertently discovered during the Project development activities, the Project Applicant would be required to comply with the City's

standard Condition of Approval for the treatment of inadvertent paleontological resource discoveries, as follows:

If a probable paleontological resource is uncovered during earthwork or construction, all work shall cease within a minimum distance of 50 feet from the find until a Qualified Paleontologist has been retained to evaluate the find in accordance with the Society of Vertebrate Paleontology's Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources. Temporary flagging shall be installed around the find in order to avoid any disturbance from construction equipment. Any paleontological materials that are uncovered shall not be moved or collected by anyone other than a Qualified Paleontologist, or his/her designated representative, such as a Paleontological Monitor. If cleared by the Qualified Paleontologist, Ground Disturbance Activities may continue unimpeded on other portions of the site. The found deposit(s) shall be treated in accordance with the Society of Vertebrate Paleontology's Standard Procedures. Ground Disturbance Activities in the area where resource(s) were found may recommence once the identified resources are properly assessed and processed by Qualified Paleontologist. A report that describes the resource and its disposition, as well as the assessment methodology, shall be prepared by the Qualified Paleontologist according to current professional standards and maintained pursuant to the proof of compliance requirements in Subsection I.D.6. If appropriate, the report should also contain the Qualified Paleontologist's recommendations for the preservation, conservation, and curation of the resource at a suitable repository, such as the Natural History Museum of Los Angeles County, with which the Applicant or Owner must comply.

Therefore, with required adherence to the City's standard Condition of Approval for the treatment of inadvertent paleontological resource discoveries, the Project would not result in a substantial adverse change in the significance of a paleontological resource, and impacts would be less than significant.

(2) Mitigation Measures

Impacts to paleontological resources were determined to be less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts related to paleontological resources were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

e) Cumulative Impacts

(1) Impact Analysis

Development throughout the City would potentially encounter geological hazards related to unstable soils, ground rupture, and shaking. However, soil and seismicity impacts are generally confined to a project site and the properties within its immediate vicinity. Construction of a series of properties that are located in close proximity could be subject to similar soil characteristics and the same fault rupture system. Therefore, development located where such hazards are present could potentially exacerbate these existing geologic hazards.

The Project and the Related Projects would be required to comply with the CBC and the City's Building Code, as well as implement the conditions of the approval of the LADBS Grading Division and the recommendations of the LADBS-approved final geotechnical report, all of which address seismic loads, structural design, and foundation design. **Therefore, with adherence to applicable regulations, the Project's contribution to cumulative impacts would not be cumulatively considerable, and cumulative impacts regarding geology and soils would be less than significant.**

With regard to potential cumulative paleontological resource impacts, the Project and Related Projects are located within a highly urbanized area that has been previously disturbed. Impacts to these resources would be site specific. As with the Project, each Related Project would be required to comply with the City's standard Condition of Approval as part of the City's environmental review process, to address project grading activities that may inadvertently uncover paleontological resources. Such standards ensure the proper identification of resources, as well as resource treatment, preservation, and curation of discovered resources where applicable. However, where record searches or surveys of any Related Projects show the presence or likely presence of paleontological resources on a site, and where development activities have the potential to adversely affect such resources, the Department of City Planning would require the implementation of project-specific mitigation measures to address impacts to paleontological resources. **Therefore, the Project's contribution to impacts on paleontological resources would not be cumulatively considerable and cumulative impacts would be less than significant.**

(2) Mitigation Measures

The Project's contribution to cumulative impacts on geology and soils and paleontological resources would be less than significant and do not require mitigation.

(3) Level of Significance After Mitigation

The Project's contribution to cumulative impacts on geology and soils and paleontological resources would be cumulatively less than significant and do not require mitigation.

IV. Environmental Impact Analysis

E. Greenhouse Gas Emissions

1. Introduction

This section compares the Project's characteristics with applicable regulations, plans, and policies set forth by the State of California (State), the Southern California Association of Governments (SCAG) and the City of Los Angeles (City) to reduce greenhouse gas (GHG) emissions to determine whether the Project is consistent with and/or would conflict with the provisions of these plans. To assist in analyzing the Project's potential to conflict with applicable regulations, plans and policies, this section also estimates the Project's GHG emissions generated by Project construction and operations, taking into account mandatory and voluntary energy and resource conservation measures that have been incorporated into the Project to reduce GHG emissions. Details of the GHG analysis are provided in Appendix F, Greenhouse Gas Emissions Estimates, of this Draft EIR, and are incorporated by reference.

2. Environmental Setting

Global climate change refers to changes in average climatic conditions on Earth as a whole, including changes in temperature, wind patterns, precipitation, and severe weather events. Global warming, a related concept, is the observed increase in average temperature of Earth's surface and atmosphere. One identified cause of global warming is an increase of GHGs in the atmosphere. GHGs are those compounds in Earth's atmosphere that play a critical role in determining Earth's surface temperature.

Earth's natural warming process is known as the "greenhouse effect." It is called the greenhouse effect because Earth and the atmosphere surrounding it are similar to a greenhouse with glass panes in that the glass allows solar radiation (sunlight) into Earth's atmosphere but prevents radiative heat from escaping, thus warming Earth's atmosphere. Some levels of GHGs keep the average surface temperature of Earth close to a hospitable 60 degrees Fahrenheit. However, as GHG from human activities increase, they build up in the atmosphere and warm the climate, leading to many other changes around the world - in the atmosphere, on land, and in the oceans, with associated adverse climatic and ecological consequences.¹

¹ USEPA. Climate Change Indicators: Greenhouse Gases. Available at: <https://www.epa.gov/climate-indicators/greenhouse-gases>. Accessed on December 14, 2021.

Scientists studying the particularly rapid rise in global temperatures have determined that human activity has resulted in increased emissions of GHGs, primarily from the burning of fossil fuels (from motor vehicle travel, electricity generation, consumption of natural gas, industrial activity, manufacturing, etc.), deforestation, agricultural activity, and the decomposition of solid waste. Scientists refer to the global warming context of the past century as the “enhanced greenhouse effect” to distinguish it from the natural greenhouse effect.²

Global GHG emissions due to human activities have grown since pre-industrial times. As reported by the United States Environmental Protection Agency (USEPA), global carbon emissions from fossil fuels increased by over 16 times between 1900 and 2008 and by about 43 percent between 1990 and 2015. In addition, in the Global Carbon Budget 2019 report, published in December 2019, atmospheric carbon dioxide (CO₂) concentrations in 2018 were found to be 47 percent above the concentration at the start of the Industrial Revolution, and the present concentration is the highest during at least the last 800,000 years.³ Global increases in CO₂ concentrations are due primarily to fossil fuel use, with land use change providing another significant but smaller contribution. Regarding emissions of non-CO₂ GHGs, these have also increased significantly since 1990.⁴ In particular, studies have concluded that it is very likely that the observed increase in methane (CH₄) concentration is predominantly due to agriculture and fossil fuel use.⁵

In August 2007, international climate talks held under the auspices of the United Nations Framework Convention on Climate Change led to the official recognition by the participating nations that global emissions of GHG must be reduced. According to the “Ad Hoc Working Group on Further Commitments of Annex I Parties under the Kyoto Protocol,” avoiding the most catastrophic events forecast by the United Nations Intergovernmental Panel on Climate Change (IPCC) would entail emissions reductions by industrialized countries in the range of 25 to 40 percent below 1990 levels. Because of the Kyoto Protocol’s Clean Development Mechanism, which gives industrialized countries credit for financing emission-reducing projects in developing countries, such an emissions goal in industrialized countries could ultimately spur efforts to cut emissions in developing countries as well.⁶

² Pew Center on Global Climate Change. Climate Change 101: Understanding and Responding to Global Climate Change.

³ P. Friedlingstein et al. 2019. Global Carbon Budget 2019.

⁴ USEPA. Global Greenhouse Gas Emissions Data. Available at: www.epa.gov/ghgemissions/global-greenhouse-gas-emissions-data. Accessed on December 14, 2021.

⁵ USEPA. Climate Change Indicators: Atmospheric Concentrations of Greenhouse Gas. Available at: <https://www.epa.gov/climate-indicators/climate-change-indicators-atmospheric-concentrations-greenhouse-gases>. Accessed on December 15, 2021.

⁶ United Nations Framework Convention on Climate Change. 2007. Press Release—Vienna UN Conference Shows Consensus on Key Building Blocks for Effective International Response to Climate Change. August 31.

In December 2015, the US entered into the Paris Agreement which has a goal of keeping a global temperature rise this century below 2 degrees Celsius above pre-industrial levels and limit the temperature increase further to 1.5 degrees Celsius. This agreement requires that all parties report regularly on emissions and implementation efforts to achieve these goals.

Regarding the adverse effects of global warming, as reported by SCAG:

Global warming poses a serious threat to the economic well-being, public health and natural environment in southern California and beyond. The potential adverse impacts of global warming include, among others, a reduction in the quantity and quality of water supply, a rise in sea level, damage to marine and other ecosystems, and an increase in the incidences of infectious diseases. Over the past few decades, energy intensity of the national and state economy has been declining due to the shift to a more service-oriented economy. California ranked fifth lowest among the states in CO₂ emissions from fossil fuel consumption per unit of Gross State Product. However, in terms of total CO₂ emissions, California is second only to Texas in the nation and is the 12th largest source of climate change emissions in the world, exceeding most nations. The SCAG region, with close to half of the State's population and economic activities, is also a major contributor to the global warming problem.⁷

a) GHG Fundamentals

GHGs are those compounds in the Earth's atmosphere that play a critical role in determining temperature near the Earth's surface. GHGs include CO₂, CH₄, nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF₆), and nitrogen trifluoride (NF₃).⁸ More specifically, these gases allow high-frequency shortwave solar radiation to enter the Earth's atmosphere, but retain some of the low frequency infrared energy, which is radiated back from the Earth towards space, resulting in a warming of the atmosphere. Compounds that are regulated as GHGs are discussed in Table IV.E-1, Description of Identified GHGs below.⁹¹⁰

⁷ SCAG. 2006. The State of the Region—Measuring Regional Progress, Page 121. December.

⁸ As defined by California Assembly Bill (AB) 32 and Senate Bill (SB) 104.

⁹ IPCC. 1995. Second Assessment Report, Working Group I: The Science of Climate Change.

¹⁰ IPCC. 2007. Fourth Assessment Report, Working Group I Report: The Physical Science Basis, Table 2.14.

**Table IV.E-1
Description of Identified GHGs**

Greenhouse Gas ^a	General Description
Carbon Dioxide (CO₂)	An odorless, colorless GHG, which has both natural and anthropocentric sources. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic (human-caused) sources of CO ₂ are burning coal, oil, natural gas, and wood.
Methane (CH₄)	A flammable gas and the main component of natural gas. When one molecule of CH ₄ is burned in the presence of oxygen, one molecule of CO ₂ and two molecules of water are released. A natural source of CH ₄ is the anaerobic decay of organic matter. Geological deposits, known as natural gas fields, also contain CH ₄ , which is extracted for fuel. Other sources are from landfills, fermentation of manure, and cattle.
Nitrous Oxide (N₂O)	A colorless GHG. High concentrations can cause dizziness, euphoria, and sometimes slight hallucinations. N ₂ O is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is used in rocket engines, race cars, and as an aerosol spray propellant.
Hydrofluorocarbons (HFCs)	Chlorofluorocarbons (CFCs) are gases formed synthetically by replacing all hydrogen atoms in CH ₄ or ethane (C ₂ H ₆) with chlorine and/or fluorine atoms. CFCs are non-toxic, non-flammable, insoluble, and chemically unreactive in the troposphere (the level of air at Earth's surface). CFCs were first synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. Because they destroy stratospheric ozone, the production of CFCs was stopped as required by the Montreal Protocol in 1987. HFCs are synthetic man-made chemicals that are used as a substitute for CFCs as refrigerants. HFCs deplete stratospheric ozone, but to a much lesser extent than CFCs.
Perfluorocarbons (PFCs)	PFCs have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. High-energy ultraviolet rays about 60 kilometers above Earth's surface are able to destroy the compounds. PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane and hexafluoroethane. The two main sources of PFCs are primary aluminum production and semi-conductor manufacturing.
Sulfur Hexafluoride (SF₆)	An inorganic, odorless, colorless, non-toxic, and non-flammable gas. SF ₆ is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semi-conductor manufacturing, and as a tracer gas for leak detection.
Nitrogen Trifluoride (NF₃)	An inorganic, non-toxic, odorless, non-flammable gas. NF ₃ is used in the manufacture of semi-conductors, as an oxidizer of high energy fuels, for the preparation of tetrafluorohydrazine, as an etchant gas in the electronic industry, and as a fluorine source in high power chemical lasers.
Source: Association of Environmental Professionals. 2007. Alternative Approaches to Analyze Greenhouse Gas Emissions and Global Climate Change in CEQA Documents. Final. June 29. USEPA. 2009. Acute Exposure Guideline Levels (AEGLs) for Nitrogen Trifluoride. January.	
^a GHGs identified in this table are ones identified in the Kyoto Protocol and other synthetic gases recently added to the IPCC's Fifth Assessment Report.	

Not all GHGs possess the same ability to induce climate change. CO₂ is the most abundant GHG in Earth's atmosphere. Other GHGs are less abundant but have higher global warming potential (GWP) than CO₂. Thus, emissions of other GHGs are commonly quantified in the units of equivalent mass of carbon dioxide (CO₂e). GWP is based on several factors, including the radiative efficiency (heat-absorbing ability) of each gas relative to that of CO₂, as well as the decay rate of each gas (the amount removed from the atmosphere over a given number of years otherwise referred to as atmospheric lifetime) relative to that of CO₂.

The larger the GWP, the more that a given gas warms the Earth compared to CO₂ over that time.¹¹ These GWP ratios are available from the IPCC. Historically, GHG emission inventories have been calculated using the GWPs from the IPCC's Second Assessment Report (SAR). The IPCC updated the GWP values in its Fourth Assessment Report (AR4). The GWPs in the IPCC AR4 are used by California Air Resources Board (CARB) for reporting statewide GHG emissions inventories, consistent with international reporting standards. By applying the GWP ratios, Project-related CO₂e emissions can be tabulated in metric tons per year. Typically, the GWP ratio corresponding to the warming potential of CO₂ over a 100-year period is used as a baseline.

The IPCC has issued an updated Fifth Assessment Report (AR5), which has revised down the majority of the GWP for key regulated pollutants. As CARB still uses AR4 values and the modeling software CalEEMod is built on these assumptions, AR4 GWP values are used for the Project. Generally, the changes from AR4 to AR5 are reductions in warming potential for the GHG most associated with construction and operation of typical development projects. The GWP from AR4 and AR5 and atmospheric lifetimes for key regulated GHGs are provided in Table IV.E-2, Atmospheric Lifetimes and Global Warming Potentials.

¹¹ GWPs and associated CO₂e values were developed by the IPCC, and published in its SAR in 1996. Historically, GHG emission inventories have been calculated using the GWPs from the IPCC's SAR. The IPCC updated the GWP values based on the latest science in its AR4. CARB has begun reporting GHG emission inventories for California using the GWP values from the IPCC AR4.

Table IV.E-2
Atmospheric Lifetimes and Global Warming Potentials

Gas	Atmospheric Lifetime (Years)	Global Warming Potential (100-Year Time Horizon) (AR4 Assessment)	Global Warming Potential (100-Year Time Horizon) (AR5 Assessment)
Carbon Dioxide (CO ₂)	50-200	1	1
Methane (CH ₄)	12 (+/-3)	25	28
Nitrous Oxide (N ₂ O)	114	298	265
HFC-23: Fluoroform (CHF ₃)	270	14,800	12,400
HFC-134a: 1,1,1,2-Tetrafluoroethane (CH ₂ FCF ₃)	14	1,430	1,300
HFC-152a: 1,1-Difluoroethane (C ₂ H ₄ F ₂)	1.4	124	138
PFC-14: Tetrafluoromethane (CF ₄)	50,000	7,390	6,630
PFC-116: Hexafluoroethane (C ₂ F ₆)	10,000	12,200	11,100
Sulfur Hexafluoride (SF ₆)	3,200	22,800	23,500
Nitrogen Trifluoride (NF ₃)	740	17,200	16,100

Source: IPCC. Climate Change 2007: Working Group I: The Physical Science Basis, Direct Global Warming Potentials.

b) Projected Impacts of Global Warming in California

In 2009, California adopted a statewide Climate Adaptation Strategy (CAS) that summarizes climate change impacts and recommends adaptation strategies across seven sectors: Public Health, Biodiversity and Habitat, Oceans and Coastal Resources, Water, Agriculture, Forestry, and Transportation and Energy. The California Natural Resources Agency will be updating the CAS and is responsible for preparing reports to the Governor on the status of the CAS. The Natural Resources Agency has produced climate change assessments which detail impacts of global warming in California.¹² These include:

- Sea level rise, coastal flooding and erosion of California's coastlines would increase, as well as sea water intrusion.
- The Sierra snowpack would decline between 70 and 90 percent, threatening California's water supply.

¹² State of California, Department of Justice. Office of the Attorney General, Climate Change Impacts in California. Available at: <https://oag.ca.gov/environment/impact>. Accessed on December 14, 2021.

- Higher risk of forest fires resulting from increasing temperatures and making forests and brush drier. Climate change will affect tree survival and growth.
- Attainment of air quality standards would be impeded by increasing emissions, accelerating chemical processes, and raising inversion temperatures during stagnation episodes resulting in public health impacts.
- Habitat destruction and loss of ecosystems due to climate change affecting plant and wildlife habitats.
- Global warming can cause drought, warmer temperatures and saltwater contamination resulting in impacts to California's agricultural industry.

With regard to public health, as reported by the Center for Health and the Global Environment at the Harvard Medical School, the following are examples of how climate change can affect cardio-respiratory disease: (1) pollen is increased by higher levels of atmospheric CO₂; (2) heat waves can result in temperature inversions, leading to trapped masses or unhealthy air contaminants by smog, particulates, and other pollutants; and (3) the incidence of forest fires is increased by drought secondary to climate change and to the lack of spring runoff from reduced winter snows. These fires can create smoke and haze, which can settle over urban populations causing acute and exacerbating chronic respiratory illness.¹³

c) Regulatory Framework

There are a number of plans, regulations, programs, and agencies that provide policies, requirements, and guidelines regarding GHG emissions at the federal, State, regional, and local levels. As described below, these plans, guidelines, and laws include the following:

- Federal Clean Air Act
- Corporate Average Fuel Economy (CAFE) Standards
- Energy Independence and Security Act
- California Air Resources Board
- California Greenhouse Gas Reduction Targets
- California Global Warming Solutions Act (Assembly Bill [AB] 32)
- Climate Change Scoping Plan
- Cap-and-Trade Program
- Emission Performance Standards

¹³ Paul R. Epstein, et al. 2003. Urban Indicators of Climate Change, Report from the Center for Health and the Global Environment (Harvard Medical School and the Boston Public Health Commission. August. Unpaginated.

- Renewables Portfolio Standard (RPS) Program
- Clean Energy and Pollution Reduction Act
- Pavley Standards
- California Low Carbon Fuel Standard
- Advanced Clean Cars Regulations
- Sustainable Communities and Climate Protection Act (SB 375)
- California Senate Bill 743
- California Executive Order N-79-20
- California Appliance Efficiency Regulations
- California Title 24, Building Standards Code and CALGreen Code
- CEQA Guidelines
- South Coast Air Quality Management District
- Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)
- Green New Deal
- City of Los Angeles Green Building Code
- City of Los Angeles Solid Waste Programs and Ordinances
- City of Los Angeles General Plan
- Traffic Study Policies and Procedures

(1) Federal

(a) *Federal Clean Air Act*

The USEPA is responsible for implementing federal policy to address GHGs. The United States Supreme Court (Supreme Court) ruled in *Massachusetts v. Environmental Protection Agency*, 127 S. Ct. 1438 (2007), that CO₂ and other GHGs are pollutants under the federal Clean Air Act, which the USEPA must regulate if it determines they pose an endangerment to public health or welfare. In December 2009, U.S. EPA issued an endangerment finding for GHGs under the Clean Air Act, setting the stage for future regulation.

The Federal Government administers a wide array of public-private partnerships to reduce the GHG intensity generated in the United States. These programs focus on energy efficiency, renewable energy, CH₄ and other non-CO₂ gases, agricultural practices, and implementation of technologies to achieve GHG reductions. USEPA implements numerous voluntary programs that contribute to the reduction of GHG emissions. These programs (e.g., the ENERGY STAR labeling system for energy-

efficient products) play a significant role in encouraging voluntary reductions from large corporations, consumers, industrial and commercial buildings, and many major industrial sectors.

(b) *Corporate Average Fuel Economy (CAFE) Standards*

In response to the *Massachusetts v. Environmental Protection Agency* ruling, President George W. Bush issued Executive Order 13432 in 2007, directing the USEPA, the United States Department of Transportation (USDOT), and the United States Department of Energy (USDOE) to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. The National Highway Traffic Safety Administration (NHTSA) subsequently issued multiple final rules regulating fuel efficiency for and GHG emissions from cars and light-duty trucks for model year 2011 and later for model years 2012-2016, and 2017-2021. In March 2020, the USDOT and the USEPA issued the final Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule, which amends existing CAFE standards and tailpipe CO₂ emissions standards for passenger cars and light trucks and establishes new standards covering model years 2021 through 2026¹⁴. These standards set a combined fleet wide average of 36.9 to 37 for the model years affected.¹⁵

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011 the USEPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018. The standards for CO₂ emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the USEPA, this regulatory program would reduce GHG emissions and fuel consumption for the affected vehicles by 6 to 23 percent over the 2010 baselines. Building on the first phase of standards, in August 2016, the EPA and NHTSA finalized Phase 2 standards for medium and heavy-duty vehicles through model year 2027 that will improve fuel efficiency and cut carbon pollution. The Phase 2 standards are expected to lower CO₂ emissions by approximately 1.1 billion metric tons.¹⁶

(c) *Energy Independence and Security Act*

The Energy Independence and Security Act of 2007 (EISA) facilitates the reduction of national GHG emissions by requiring the following:

¹⁴ USEPA. 2020. Final Rule for Model Year 2021 - 2026 Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards. Published April 30.

¹⁵ NHTSA. Corporate Average Fuel Economy Standards.

¹⁶ USEPA. 2016. EPA and NHTSA Adopt Standards to Reduce GHG and Improve Fuel Efficiency of Medium- and Heavy-Duty Vehicles for Model Year 2018 and Beyond. August.

- Increasing the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard (RFS) that requires fuel producers to use at least 36 billion gallons of biofuel in 2022;
- Prescribing or revising standards affecting regional efficiency for heating and cooling products, procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances;
- Requiring approximately 25 percent greater efficiency for light bulbs by phasing out incandescent light bulbs between 2012 and 2014; requiring approximately 200 percent greater efficiency for light bulbs, or similar energy savings, by 2020; and
- While superseded by the USEPA and NHTSA actions described above, (i) establishing miles per gallon targets for cars and light trucks and (ii) directing the NHTSA to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for trucks.

Additional provisions of EISA address energy savings in government and public institutions, promote research for alternative energy, additional research in carbon capture, international energy programs, and the creation of “green jobs.”¹⁷

(2) State

(a) *California Air Resources Board*

The CARB, a part of the California Environmental Protection Agency (CalEPA), is responsible for the coordination and administration of both federal and State air pollution control programs within California. In this capacity, CARB conducts research, sets the California Ambient Air Quality Standards, compiles emission inventories, develops suggested control measures, and provides oversight of local programs. CARB establishes emissions standards for motor vehicles sold in California, consumer products (such as hairspray, aerosol paints, and barbecue lighter fluid), and various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions. CARB has primary responsibility for the development of California’s State Implementation Plan (SIP), for which it works closely with the federal government and the local air districts. The SIP is required for the State to take over implementation of the Federal Clean Air Act. CARB also has primary responsibility for adopting regulations to meet the State’s goal of reducing GHG emissions. The State has met its goals to reduce GHG emissions to 1990 levels by 2020. Subsequent State

¹⁷ A green job, as defined by the United States Department of Labor, is a job in business that produces goods or provides services that benefit the environment or conserve natural resources.

goals include reducing GHG emissions to 40 percent below 1990 levels by 2030 and to 80 percent below 1990 levels by 2050.

(b) *California Greenhouse Gas Reduction Targets*

(i) *California Executive Order S-3-05*

Governor Arnold Schwarzenegger announced on June 1, 2005, through Executive Order S-3-05, the following GHG emission reduction targets:

- By 2010, California shall reduce GHG emissions to 2000 levels;
- By 2020, California shall reduce GHG emissions to 1990 levels; and
- By 2050, California shall reduce GHG emissions to 80 percent below 1990 levels.

In accordance with Executive Order S-3-05, the Secretary of CalEPA is required to coordinate efforts of various agencies, which comprise the California Climate Action Team (CAT), in order to collectively and efficiently reduce GHGs. The CAT provides periodic reports to the governor and legislature on the state of GHG reductions in the State as well as strategies for mitigating and adapting to climate change.

The CAT stated that smart land use is an umbrella term for strategies that integrate transportation and land-use decisions. Such strategies generally encourage jobs/housing proximity, promote transit-oriented development, and encourage high-density residential/commercial development along transit corridors. These strategies develop more efficient land-use patterns within each jurisdiction or region to match population increases, workforce, and socioeconomic needs for the full spectrum of the population.

(ii) *California Executive Order B-30-15*

On April 29, 2015, Governor Brown issued Executive Order B-30-15. Therein, the Governor directed the following:

- Established a new interim statewide reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030.
- Ordered all State agencies with jurisdiction over sources of GHG emissions to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 reduction targets.
- Directed CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of CO₂ equivalent (MMTCO₂e).

(iii) California Executive Order B-55-18

Executive Order B-55-18, issued by Governor Brown in September 2018, establishes a new statewide goal to achieve carbon neutrality as soon as possible, but no later than 2045, and achieve and maintain net negative emissions thereafter. Based on this executive order, CARB would work with relevant State agencies to develop a framework for implementation and accounting that tracks progress towards this goal as well as ensuring future scoping plans identify and recommend measures to achieve the carbon neutrality goal.

(c) California Global Warming Solutions Act of 2006

In 2006, the California State Legislature adopted AB 32 (codified in the California Health and Safety Code (HSC), Division 25.5 – California Global Warming Solutions Act of 2006), which focuses on reducing GHG emissions in California to 1990 levels by 2020. HSC Division 25.5 defines regulated GHGs as CO₂, CH₄, N₂O, HFCs, PFCs, and SF₆ and represents the first enforceable statewide program to limit emissions of these GHGs from all major industries, with penalties for noncompliance. The law further requires that reduction measures be technologically feasible and cost effective. Under HSC Division 25.5, CARB has the primary responsibility for reducing GHG emissions. CARB is required to adopt rules and regulations directing State actions that would achieve GHG emissions reductions.

To achieve these goals, AB 32 mandates that CARB establish a quantified emissions cap, institute a schedule to meet the cap, implement regulations to reduce statewide GHG emissions from stationary sources consistent with the CAT strategies, and develop tracking, reporting, and enforcement mechanisms to ensure that reductions are achieved. In order to achieve the reduction targets, AB 32 requires CARB to adopt rules and regulations in an open public process that achieve the maximum technologically feasible and cost-effective GHG reductions.¹⁸

In 2016, the California State Legislature adopted Senate Bill (SB) 32 and its companion bill AB 197, and both were signed by Governor Brown. SB 32 and AB 197 amend HSC Division 25.5, establish a new climate pollution reduction target of 40 percent below 1990 levels by 2030 and include provisions to ensure that the benefits of State climate policies reach disadvantaged communities. The new goals outlined in SB 32 update the scoping plan requirement of AB 32 and involve increasing renewable energy use, imposing tighter limits on the carbon content of gasoline and diesel fuel, putting more

¹⁸ CARB's list of discrete early action measures that could be adopted and implemented before January 1, 2010, was approved on June 21, 2007. The three adopted discrete early action measures are: (1) a low-carbon fuel standard, which reduces carbon intensity in fuels statewide; (2) reduction of refrigerant losses from motor vehicle air conditioning system maintenance; and (3) increased methane capture from landfills, which includes requiring the use of state-of-the-art capture technologies.

electric cars on the road, improving energy efficiency, and curbing emissions from key industries.

AB 197, signed September 8, 2016, is a bill linked to SB 32 and signed on September 8, 2016, prioritizes efforts to cut GHG emissions in low-income or minority communities. AB 197 requires CARB to make available, and update at least annually, on its website the emissions of GHGs, criteria pollutants, and toxic air contaminants for each facility that reports to CARB and air districts. In addition, AB 197 adds two members of the legislature to the CARB board as ex officio, non-voting members and creates the Joint Legislative Committee on Climate Change Policies to ascertain facts and make recommendations to the legislature and the houses of the legislature concerning the State's programs, policies, and investments related to climate change.

(d) Climate Change Scoping Plan

AB 32 required CARB to prepare a Climate Change Scoping Plan for achieving the maximum technologically feasible and cost-effective GHG emission reduction by 2020 (HSC section 38561 (h)). The 2008 Climate Change Scoping Plan proposed a “comprehensive set of actions designed to reduce overall carbon GHG emissions in California, improve our environment, reduce our dependence on oil, diversify our energy sources, save energy, create new jobs, and enhance public health.”¹⁹ The 2008 Climate Change Scoping Plan had a range of GHG reduction actions which included direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms, such as a cap-and-trade system, and an AB 32 implementation fee to fund the program.

The 2008 Climate Change Scoping Plan called for a “coordinated set of solutions” to address all major categories of GHG emissions. Transportation emissions were addressed through a combination of higher standards for vehicle fuel economy, implementation of the Low Carbon Fuel Standard (LCFS), and greater consideration to reducing trip length and generation through land use planning and transit-oriented development. Buildings, land use, and industrial operations were encouraged and, sometimes, required to use energy more efficiently. Utility energy providers were required to include more renewable energy sources through implementation of the RPS.²⁰ Additionally, the 2008 Climate Change Scoping Plan emphasized opportunities for households and businesses to save energy and money through increasing energy efficiency. It indicates that substantial savings of electricity and natural gas will be accomplished through “improving energy efficiency by 25 percent.”

¹⁹ CARB. 2008. Climate Change Scoping Plan. December.

²⁰ For a discussion of Renewables Portfolio Standard, refer to subsection California Renewables Portfolio Standard.

The 2008 Climate Change Scoping Plan identified several specific issues relevant to the development projects, including:

- The potential of using the green building framework as a mechanism, which could enable GHG emissions reductions in other sectors (i.e., electricity, natural gas), noting that:

A Green Building strategy will produce greenhouse gas savings through buildings that exceed minimum energy efficiency standards, decrease consumption of potable water, reduce solid waste during construction and operation, and incorporate sustainable materials. Combined, these measures can also contribute to healthy indoor air quality, protect human health, and minimize impacts to the environment.

- The importance of supporting the Department of Water Resources' work to implement the Governor's objective to reduce per capita water use by 20 percent by 2020. Specific measures to achieve this goal include water use efficiency, water recycling, and reuse of urban runoff. The *Climate Change Scoping Plan* notes that water use requires significant amounts of energy, including approximately one-fifth of statewide electricity.
- Encouraging local governments to set quantifiable emission reduction targets for their jurisdictions and use their influence and authority to encourage reductions in emissions caused by energy use, waste and recycling, water and wastewater systems, transportation, and community design.

As required by HSC Division 25.5, CARB approved the 1990 GHG emissions inventory, thereby establishing the emissions reduction target for 2020. The 2020 emissions reduction target was originally set at 427 MMTCO₂e using the GWP values from the IPCC SAR. Forecasting the amount of emissions that would occur in 2020 if no actions are taken was necessary to assess the scope of the reductions California must make to return to the 1990 emissions level by 2020 as required by AB 32. CARB originally defined the "business-as-usual" or BAU scenario as emissions in the absence of any GHG emission reduction measures discussed in the 2008 Climate Change Scoping Plan, as approximately 596 MMTCO₂e (using GWP values from the IPCC SAR). For example, in further explaining CARB's BAU methodology, CARB assumed that all new electricity generation would be supplied by natural gas plants, no further regulatory action would impact vehicle fuel efficiency, and building energy efficiency codes would be held at 2005 standards. Therefore, under these original projections, the State would have had to reduce its 2020 BAU emissions by 28.4 percent to meet the 1990 target of 427 MMTCO₂e.

(i) 2014 Update to the Climate Change Scoping Plan

The First Update to the Scoping Plan (First Update) was approved by CARB in May 2014 and built upon the initial Scoping Plan with new strategies and recommendations.²¹ In 2014, CARB revised the target using the GWP values from the IPCC AR4 and determined the 1990 GHG emissions inventory and 2020 GHG emissions limit to be increased to 431 MMTCO₂e. CARB also updated the State's 2020 BAU emissions estimate to account for the effect of the 2007–2009 economic recession, new estimates for future fuel and energy demand, and the reductions required by regulation that had recently been adopted for motor vehicles and renewable energy. CARB's projected statewide 2020 emissions estimate using the GWP values from the IPCC AR4 was 509.4 MMTCO₂e. Therefore, under the First Update, the emission reductions necessary to achieve the 2020 emissions target of 431 MMTCO₂e would have been 78.4 MMTCO₂e, or a reduction of GHG emissions by approximately 15.4 percent, (down from 28.4 percent).

The stated purpose of the First Update was to “highlight... California’s success to date in reducing its GHG emissions and lay... the foundation for establishing a broad framework for continued emission reductions beyond 2020, on the path to 80 percent below 1990 levels by 2050.”²² The First Update found that California was on track to meet the 2020 emissions reduction mandate established by AB 32 and noted that California could reduce emissions further by 2030 to levels squarely in line with those needed to stay on track to reduce emissions to 80 percent below 1990 levels by 2050 if the State realizes the expected benefits of existing policy goals.²³

In conjunction with the First Update, CARB identified “six key focus areas comprising major components of the State’s economy to evaluate and describe the larger transformative actions that will be needed to meet the State’s more expansive emission reduction needs by 2050.”²⁴ Those six areas are: (1) energy; (2) transportation (vehicles/equipment, sustainable communities, housing, fuels, and infrastructure); (3) agriculture; (4) water; (5) waste management; and (6) natural and working lands. The First Update identifies key recommended actions for each sector that will facilitate achievement of the 2050 reduction target.

Based on CARB’s research efforts, it has a “strong sense of the mix of technologies needed to reduce emissions through 2050.”²⁵ Those technologies include energy demand reduction through efficiency and activity changes; large-scale electrification of

²¹ CARB. 2014. First Update to the AB 32 Scoping Plan.

²² CARB. 2014. First Update to the AB 32 Scoping Plan, Page 4.

²³ CARB. 2014. First Update to the AB 32 Scoping Plan, Page 34.

²⁴ CARB. 2014. First Update to the AB 32 Scoping Plan, Page 6.

²⁵ CARB. 2014. First Update to the AB 32 Scoping Plan, Page 32.

on-road vehicles, buildings, and industrial machinery; decarbonizing electricity and fuel supplies; and the rapid market penetration of efficient and clean energy technologies.

The First Update discussed new residential and commercial building energy efficiency improvements, specifically identifying progress towards zero net energy buildings as an element of meeting mid-term and long-term GHG reduction goals. The First Update expressed CARB's commitment to working with the California Public Utilities Commission (CPUC) and California Energy Commission (CEC) to facilitate further achievements in building energy efficiency.

(ii) 2017 Update to Climate Change Scoping Plan

In response to the passage of SB 32 and the identification of the 2030 GHG reduction target, CARB adopted the 2017 Climate Change Scoping Plan (2017 Update) in December 2017.²⁶ The 2017 Update builds upon the framework established by the 2008 Climate Change Scoping Plan and the First Update while identifying new, technologically feasible, and cost-effective strategies to ensure that California meets its GHG reduction targets in a way that promotes and rewards innovation, continues to foster economic growth, and delivers improvements to the environment and public health. The 2017 Update includes policies to require direct GHG reductions at some of the State's largest stationary sources and mobile sources. These policies include the use of lower GHG fuels, efficiency regulations, and the Cap-and-Trade program, which constraints and reduces emissions at covered sources.²⁷

CARB's projected statewide 2030 emissions takes into account 2020 GHG reduction policies and programs.²⁸ The 2017 Scoping Plan also addresses GHG emissions from natural and working lands of California, including the agriculture and forestry sectors. Under the Scoping Plan Scenario, the majority of the reductions would result from the continuation of the Cap-and-Trade regulation. Additional reductions would be achieved from electricity sector standards (i.e., utility providers to supply 50 percent renewable electricity by 2030), doubling the energy efficiency savings at end uses, additional reductions from the LCFS, implementing the short-lived GHG strategy (e.g., HFCs), and implementing the mobile source strategy and sustainable freight action plan. Implementation of mobile source strategies (cleaner technology and fuels) include the following:

- At least 1.5 million zero emission and plug-in hybrid light-duty electric vehicles by 2025.

²⁶ CARB. 2017. California's 2017 Climate Change Scoping Plan. November.

²⁷ CARB. 2017. California's 2017 Climate Change Scoping Plan, Page 6. November.

²⁸ CARB. 2017. California's 2017 Climate Change Scoping Plan. November.

- At least 4.2 million zero emission and plug-in hybrid light-duty electric vehicles by 2030.
- Further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean Cars regulations.
- Medium- and heavy-duty GHG Phase 2.
- Innovative Clean Transit: Transition to a suite of to-be-determined innovative clean transit options. Assumed 20 percent of new urban buses purchased beginning in 2018 will be zero emission buses with the penetration of zero-emission technology ramped up to 100 percent of new sales in 2030. Also, new natural gas buses, starting in 2018, and diesel buses, starting in 2020, meet the optional heavy-duty low-NO_x standard.
- Last Mile Delivery: New regulation that would result in the use of low NO_x or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for Class 3–7 last mile delivery trucks in California. This measure assumes Zero-Emission Vehicles (ZEVs) comprise 2.5 percent of new Class 3–7 truck sales in local fleets starting in 2020, increasing to 10 percent in 2025 and remaining flat through 2030.
- Further reduce VMT through continued implementation of SB 375 and regional Sustainable Communities Strategies; forthcoming statewide implementation of SB 743; and potential additional VMT reduction strategies not specified in the Mobile Source Strategy but included in the document “Potential VMT Reduction Strategies for Discussion.”

The alternatives in the Scoping Plan are designed to consider various combinations of these programs, as well as consideration of a carbon tax in the event the Cap-and-Trade regulation is not continued. However, in July 2017, the California Legislature voted to extend the Cap-and-Trade regulation to 2030.

The 2017 Scoping Plan discusses the role of local governments in meeting the State’s GHG reductions goals because local governments have jurisdiction and land use authority related to: community-scale planning and permitting processes, local codes and actions, outreach and education programs, and municipal operations.²⁹ Furthermore, local governments may have the ability to incentivize renewable energy, energy efficiency, and water efficiency measures.³⁰

For individual projects under CEQA, the 2017 Scoping Plan states that local governments can support climate action when considering discretionary approvals and

²⁹ CARB. 2017. California’s 2017 Climate Change Scoping Plan, Page 97. November.

³⁰ CARB. 2017. California’s 2017 Climate Change Scoping Plan, Page 97. November.

entitlements. According to the 2017 Scoping Plan, lead agencies have the discretion to develop evidence-based numeric thresholds consistent with the Scoping Plan, the State’s long-term goals, and climate change science.³¹

The City has not developed per capita targets for 2030 or 2050; however, the City recognizes that GHG emissions reductions are necessary in the public and private sectors. The City has taken the initiative in combating climate change by developing programs such as the Green New Deal and Green Building Code. Each of these programs is discussed further below.

A summary of the GHG emissions reductions required under HSC Division 25.5 is provided in Table IV.E-3, Estimated Statewide Greenhouse Gas Emissions Reductions Required by HSC Division 25.5.

Table IV.E-3
Estimated Statewide Greenhouse Gas Emissions Reductions
Required by HSC Division 25.5

Emissions Scenario	GHG Emissions (MMTCO ₂ E)
2008 Scoping Plan (IPCC SAR)	
2020 BAU Forecast (CARB 2008 Scoping Plan Estimate)	596
2020 Emissions Target Set by AB 32 (i.e., 1990 level)	427
Reduction below Business-As-Usual necessary to achieve 1990 levels by 2020	169 (28.4%) ^a
2014 Scoping Plan Update (IPCC AR4)	
2020 BAU Forecast (CARB 2014 Scoping Plan Estimate)	509.4
2020 Emissions Target Set by AB 32 (i.e., 1990 level)	431
Reduction below Business-As-Usual necessary to achieve 1990 levels by 2020	78.4 (15.4%) ^b
2017 Scoping Plan Update	
2030 BAU Forecast (“Reference Scenario” which includes 2020 GHG reduction policies and programs)	389
2030 Emissions Target Set by HSC Division 25.5 (i.e., 40% below 1990 Level)	260
Reduction below Business-As-Usual Necessary to Achieve 40% below 1990 Level by 2030	129 (33.2%) ^c
MMTCO ₂ e = million metric tons of CO ₂ equivalents.	
^a 596 – 427 = 169 / 596 = 28.4%	
^b 509.4 – 431 = 78.4 / 509.4 = 15.4%	
^c 389 – 260 = 129 / 389 = 33.2%	
Source: CARB. 2011. Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document (FED), Attachment D. August 19.	
CARB. 2017. 2020 Business-as-Usual (BAU) Emissions Projection, 2014 Edition, Available at: http://www.arb.ca.gov/cc/inventory/data/bau.htm . Accessed on December 16, 2021.	
CARB. California’s 2017 Climate Change Scoping Plan. November.	

³¹ CARB. 2017. California’s 2017 Climate Change Scoping Plan, Page 100. November.

Under the Scoping Plan Scenario, continuation of the Cap-and-Trade regulation (or carbon tax) is expected to cover approximately 34 to 79 MMTCO₂ of the 2030 reduction obligation.³² The State's short-lived climate pollutants strategy, which is for GHGs that remain in the atmosphere for shorter periods of time compared to longer-lived GHGs like CO₂, is expected to cover approximately 17 to 35 MMTCO₂e. The RPS with 50 percent renewable electricity by 2030 is expected to cover approximately 3 MMTCO₂. The mobile source strategy and sustainable freight action plan includes maintaining the existing vehicle GHG emissions standards, increasing the number of zero emission vehicles and improving the freight system efficiency, and is expected to cover approximately 11 to 13 MMTCO₂. Under the Scoping Plan Scenario, CARB expects that the reduction in GHGs from doubling of the energy efficiency savings in natural gas and electricity end uses in the CEC 2015 Integrated Energy Policy Report by 2030 would cover approximately 7 to 9 MMTCO₂ of the 2030 reduction obligation. The other strategies would be expected to cover the remaining 2030 reduction obligations.

(e) *Cap-and-Trade Program*

The Climate Change Scoping Plan identifies a Cap-and-Trade Program as one of the strategies California would employ to reduce GHG emissions. CARB asserts that this program will help put California on the path to meet its goal of ultimately achieving an 80 percent reduction from 1990 levels by 2050. Under Cap-and-Trade, an overall limit on GHG emissions from capped sectors is established and facilities subject to the cap will be able to trade permits to emit GHGs.

CARB designed and adopted a California Cap-and-Trade Program³³ pursuant to its authority under AB 32. The Cap-and-Trade Program is designed to reduce GHG emissions from public and private major sources (deemed "covered entities") by setting a firm cap on statewide GHG emissions and employing market mechanisms to achieve the State's emission-reduction mandates. The statewide cap for GHG emissions from the capped sectors³⁴ (e.g., electricity generation, petroleum refining, and cement production) commenced in 2013 and will decline over time, achieving GHG emission reductions throughout the Program's duration.

Under the Cap-and-Trade Program, CARB issues allowances equal to the total amount of allowable emissions over a given compliance period and distributes these to regulated entities. Covered entities that emit more than 25,000 MTCO₂e per year must comply with the Cap-and-Trade Program.³⁵ Triggering of the 25,000 MTCO₂e per year "inclusion threshold" is measured against a subset of emissions reported and verified

³² CARB. 2017. California's 2017 Climate Change Scoping Plan, Appendix G. November.

³³ 17 California Code of Regulations Section 95800 to 96023.

³⁴ 17 California Code of Regulations Sections 95811 and 95812.

³⁵ 17 California Code of Regulations Section 95812.

under the California Regulation for the Mandatory Reporting of Greenhouse Gas Emissions (Mandatory Reporting Rule or “MRR”).³⁶

Each covered entity with a compliance obligation is required to surrender “compliance instruments”³⁷ for each MTCO₂e of GHG they emit. Covered entities are allocated free allowances in whole or part (if eligible), and can buy allowances at auction, purchase allowances from others, or purchase offset credits.

The Cap-and-Trade Regulation provides a firm cap, ensuring that the statewide emission limits will not be exceeded. In sum, the Cap-and-Trade Program will achieve aggregate, rather than site-specific or project-level, GHG emissions reductions. Also, due to the regulatory framework adopted by CARB in AB 32, the reductions attributed to the Cap-and-Trade Program can change over time depending on the State’s emissions forecasts and the effectiveness of direct regulatory measures.

The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, whether generated in-state or imported.³⁸ Accordingly, for projects that are subject to the CEQA, GHG emissions from electricity consumption are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and from combustion of other fossil fuels not directly covered at large sources in the Program’s first compliance period.³⁹

The Cap-and-Trade Program applies to emissions that cover approximately 80 percent of the State’s GHG emissions. Demonstrating the efficacy of AB 32 policies, California achieved its 2020 GHG Reduction Target four years earlier than mandated. The largest reductions were the result of increased renewable electricity in the electricity sector, which is a covered sector in the Cap-and-Trade Program.

AB 398 was enacted in 2017 to extend and clarify the role of the State’s Cap-and-Trade Program through December 31, 2030. As part of AB 398, refinements were made to the Cap-and-Trade program to establish updated protocols and allocation of proceeds to reduce GHG emissions.

³⁶ 17 California Code of Regulations Section 95100-95158.

³⁷ Compliance instruments are permits to emit, the majority of which will be “allowances,” but entities also are allowed to use CARB-approved offset credits to meet up to 8% of their compliance obligations.

³⁸ 17 California Code of Regulations Section 95811(b).

³⁹ 17 California Code of Regulations Sections 95811 and 95812(d).

*(f) Energy-Related (Stationary) Sources**(i) Emission Performance Standards*

SB 1368, signed September 29, 2006, is a companion bill to AB 32, which requires the CPUC and the CEC to establish GHG emission performance standards for the generation of electricity. These standards also generally apply to power that is generated outside of California and imported into the State. SB 1368 provides a mechanism for reducing the emissions of electricity providers, thereby assisting CARB to meet its mandate under AB 32.

(ii) Renewables Portfolio Standard

SB 1078 (Chapter 516, Statutes of 2002) required retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017 as a RPS. Subsequent amendments provided additional targets throughout the years. Most recently, on October 7, 2015, SB 350 (Chapter 547, Statutes of 2015), also known as the Clean Energy and Pollution Reduction Act, further increased the RPS to 50 percent by 2030. The legislation also included interim targets of 40 percent by 2024 and 45 percent by 2027. SB 350 also requires the State to double statewide energy efficiency savings in electricity and natural gas end uses by 2030. The 2017 Climate Change Scoping Plan incorporated the SB 350 standards and estimated the GHG reductions would account for approximately 21 percent of the Scoping Plan reductions.⁴⁰ On September 10, 2018, SB 100, provided additional RPS targets of 44 percent by 2024, 52 percent by 2027, and 60 percent by 2030, and that CARB should plan for 100 percent eligible renewable energy resources and zero-carbon resources by 2045.⁴¹

*(g) Mobile Sources**(i) Pavley Standards*

AB 1493 (Chapter 200, Statutes of 2002), enacted on July 22, 2002, required CARB to set GHG emission standards for passenger vehicles, light duty trucks, and other vehicles whose primary use is non-commercial personal transportation manufactured in and after 2009. In 2004, CARB approved the Pavley regulation to require automakers to control GHG emissions from new passenger vehicles for the 2009 through 2016 model years. Upon adoption of subsequent federal GHG standards by the USEPA that preserved the benefits of the Pavley regulations, the Pavley regulations were revised to accept compliance with the federal standards as compliance with California's standards

⁴⁰ CARB. 2017. California's 2017 Climate Change Scoping Plan, Table 3, Page 31. November. Calculated as: $(108 - 53) / 260 = 21$ percent.

⁴¹ California Legislative Information. SB-100 California Renewables Portfolio Standard Program: Emissions of Greenhouse Gases.

in the 2012 through 2016 model years. This is referred to as the “deemed to comply” option.

In January 2012, CARB approved GHG emission regulations which require further reductions in passenger GHG emissions for 2017 and subsequent vehicle model years. As noted above, in August 2012, the USEPA and USDOT adopted GHG emission standards for model year 2017 through 2025 vehicles.⁴² On November 15, 2012, CARB approved an amendment that allows manufacturers to comply with the 2017-2025 national standards to meet State law. Automobile manufacturers generally comply with these standards through a combination of improved energy efficiency in vehicle equipment (e.g., air conditioning systems) and engines as well as sleeker aerodynamics, use of strong but lightweight materials, and lower-rolling resistance tires.⁴³

In 2018, the USEPA proposed the SAFE rule, which would roll back fuel economy standards and revoke California’s waiver. The rule amended certain average fuel economy and GHG standards for passenger cars covering model years 2021 through 2026. On March 30, 2020, the SAFE Rule was finalized and published in the Federal Register, commencing a review period. Subsequent legal challenges from a coalition of states, including California, and private industry groups were issued. In August 2021, USEPA proposed to revise and strengthen the emissions standards for passenger cars and light trucks for model years 2023-2026.

On September 27, 2019, the USEPA withdrew the waiver it had previously provided to California for the State’s GHG and ZEV programs under Section 209 of the Clean Air Act.⁴⁴ The withdrawal of the waiver was effective November 26, 2019. In response, several states including California filed a lawsuit challenging the withdrawal of the EPA waiver.⁴⁵ In April 2021, the USEPA announced it will move to reconsider its previous withdrawal and grant California permission to set more stringent climate requirements for cars and SUVs.⁴⁶

(ii) *California Low Carbon Fuel Standard*

Executive Order S-01-07 was enacted on January 18, 2007. The order mandates the following: (1) that a statewide goal be established to reduce the carbon intensity of California’s transportation fuels by at least 10 percent by 2020; and (2) that a LCFS for

⁴² USEPA. 2012. Regulatory Announcement- EPA and NHTSA Set Standards to Reduce Greenhouse Gases and Improve Fuel Economy for Model Years 2017-2025 Cars and Light Trucks. August.

⁴³ CARB. 2017. California’s Advanced Clean Cars Midterm Review, Pages ES-17, C-9.

⁴⁴ 84 Code of Federal Regulations Section 51310.

⁴⁵ United States District Court for the District Court of Columbia. 2019. State of California vs. Chao. Case 1:19-cv-02826.

⁴⁶ United States Federal Register. 2021. California State Motor Vehicle Pollution Control Standards; Advanced Clean Car Program; Reconsideration of a Previous Withdrawal of a Waiver of Preemption; Opportunity for Public Hearing and Public Comment (Document Number: 2021-08826). April 28.

transportation fuels be established in California. The final regulation was approved by the Office of Administrative Law and filed with the Secretary of State on January 12, 2010; the LCFS became effective on the same day. In September 2015, CARB approved the re-adoption of the LCFS, which became effective on January 1, 2016, to address procedural deficiencies in the way the original regulation was adopted.⁴⁷

The development of the 2017 Scoping Plan Update has identified LCFS as a regulatory measure to reduce GHG emission to meet the 2030 emissions target. In September 2018, the standards were amended by CARB to require a 20 percent reduction in carbon intensity by 2030, aligning with California's 2030 targets set by SB 32.⁴⁸

(iii) Advanced Clean Cars Regulations

In 2012, CARB approved the Advanced Clean Cars program, an emissions-control program for model years 2015–2025.⁴⁹ The components of the Advanced Clean Cars program include the Low-Emission Vehicle (LEV) regulations that reduce criteria pollutants and GHG emissions from light- and medium-duty vehicles, and the ZEV regulation, which requires manufacturers to produce an increasing number of pure ZEVs (meaning battery electric and fuel cell electric vehicles), with provisions to also produce plug-in hybrid electric vehicles in the 2018 through 2025 model years.⁵⁰ During the March 2017 Midterm Review, CARB voted unanimously to continue with the vehicle GHG emission standards and the ZEV program for cars and light trucks sold in California through 2025.⁵¹ Effective November 26, 2019, the federal SAFE Vehicles Rule Part One: One National Program withdrew the California waiver for the GHG and ZEV programs under section 209 of the Clean Air Act, which revokes California's authority to implement the Advanced Clean Cars and ZEV mandates. In response, several states including California filed a lawsuit challenging the withdrawal of the EPA waiver.⁵² In April 2021, the USEPA announced it will move to reconsider its previous withdrawal of the waiver.⁵³

In addition, Governor Gavin Newsom signed an executive order (Executive Order No. N-79-20) on September 23, 2020 that would phase out sales of new gas-powered

⁴⁷ CARB. Low Carbon Fuel Standard – About. Available at: <https://ww2.arb.ca.gov/our-work/programs/low-carbon-fuel-standard/about>. Accessed on December 15, 2021.

⁴⁸ CARB. 2018. CARB amends Low Carbon Fuel Standard for wider impact. Available at: <https://ww2.arb.ca.gov/index.php/news/carb-amends-low-carbon-fuel-standard-wider-impact>. Accessed on December 15, 2021.

⁴⁹ CARB. Advanced Clean Cars Program – About. Available at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program/about>. Accessed on December 15, 2021.

⁵⁰ CARB. Advanced Clean Cars Program – About. Available at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program/about>. Accessed on December 15, 2021.

⁵¹ CARB. News Release: CARB finds vehicle standards are achievable and cost-effective. Available at: ww2.arb.ca.gov/news/carb-finds-vehicle-standards-are-achievable-and-cost-effective, Accessed on December 15, 2021.

⁵² United States District Court for the District Court of Columbia. 2019. State of California vs. Chao. Case 1:19-cv-02826.

⁵³ United States Federal Register. 2021. California State Motor Vehicle Pollution Control Standards; Advanced Clean Car Program; Reconsideration of a Previous Withdrawal of a Waiver of Preemption; Opportunity for Public Hearing and Public Comment (Document Number: 2021-08826). April 28.

passenger cars by 2035 in California with an additional 10-year transition period for heavy vehicles. The State would not restrict used car sales, nor forbid residents from owning gas-powered vehicles. In accordance with the Executive Order, CARB is developing a 2020 Mobile Source Strategy, a comprehensive analysis that presents scenarios for possible strategies to reduce the carbon, toxic and unhealthy pollution from cars, trucks, equipment, and ships. The strategies will provide important information for numerous regulations and incentive programs going forward by conveying what is necessary to address the aggressive emission reduction requirements.

The primary mechanism for achieving the ZEV target for passenger cars and light trucks is CARB's Advanced Clean Cars II (ACC II) Program. The ACC II regulations will focus on post-2025 model year light-duty vehicles, as requirements are already in place for new vehicles through the 2025 model year. A rulemaking package is anticipated to be presented to the Board in June 2022.

(iv) Sustainable Communities and Climate Protection Act (SB 375)

The Sustainable Communities and Climate Protection Act of 2008, or SB 375 (Chapter 728, Statutes of 2008), establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions, was adopted by the State on September 30, 2008. SB 375 finds that the “transportation sector is the single largest contributor of greenhouse gases of any sector.”⁵⁴ Under SB 375, CARB is required, in consultation with the Metropolitan Planning Organizations, to set regional GHG reduction targets for the passenger vehicle and light-duty truck sector for 2020 and 2035. SCAG is the Metropolitan Planning Organization in which the City is located. CARB set targets for 2020 and 2035 for each of the 18 metropolitan planning organization regions in 2010, and updated them in 2018.⁵⁵ In March 2018, the CARB updated the SB 375 targets for the SCAG region to require an 8 percent reduction by 2020 and a 19 percent reduction by 2035 in per capita passenger vehicle GHG emissions.⁵⁶ As discussed further below, SCAG has adopted an updated Regional Transportation Plan / Sustainable Community Strategies (RTP/SCS) subsequent to the update of the emission targets. The 2020–2045 RTP/SCS is expected to reduce per capita transportation emissions by 19 percent by 2035, which is consistent with SB 375 compliance with respect to meeting the State’s GHG emission reduction goals.⁵⁷

⁵⁴ State of California. 2008. Senate Bill No. 375. September 30.

⁵⁵ CARB. Sustainable Communities & Climate Protection Program – About. Available at: <https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-climate-protection-program/about>. Accessed on December 15, 2021.

⁵⁶ CARB. 2018. SB 375 Regional Greenhouse Gas Emissions Reduction Targets.

⁵⁷ SCAG. 2020. Final 2020–2045 RTP/SCS, Chapter 0: Making Connections, Page 5.

Under SB 375, the target must be incorporated within that region's Regional Transportation Plan (RTP), which is used for long-term transportation planning, in a Sustainable Communities Strategy (SCS). Certain transportation planning and programming activities would then need to be consistent with the SCS; however, SB 375 expressly provides that the SCS does not regulate the use of land, and further provides that local land use plans and policies (e.g., general plans) are not required to be consistent with either the RTP or SCS.

(v) *California Senate Bill 743*

Governor Brown signed Senate Bill (SB) 743 in 2013, which creates a process to change the way that transportation impacts are analyzed under CEQA. Specifically, SB 743 requires the Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to level of service methodology for evaluating transportation impacts. Particularly within areas served by transit, the required alternative criteria must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." Measurements of transportation impacts may include "vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated."

(h) *Building Standards and Other Regulations*

(i) *California Appliance Efficiency Regulations*

The Appliance Efficiency Regulations (Title 20, Sections 1601 through 1608), adopted by the CEC, include standards for new appliances (e.g., refrigerators) and lighting, if they are sold or offered for sale in California. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

(ii) *California Title 24, Building Standards Code and CALGreen Code*

The CEC first adopted the Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR, Title 24, Part 6) in 1978 in response to a legislative mandate to reduce energy consumption in the State. Although not originally intended to reduce GHG emissions, increased energy efficiency, and reduced consumption of electricity, natural gas, and other fuels would result in fewer GHG emissions from residential and nonresidential buildings subject to the standard. The standards are updated periodically to allow for the consideration and inclusion of new energy efficiency technologies and methods.

Part 11 of the Title 24 Building Standards is referred to as the California Green Building Standards (CALGreen) Code and was developed to help the State achieve its GHG reduction goals under HSC Division 25.5 (e.g., AB 32) by codifying standards for reducing building-related energy, water, and resource demand, which in turn reduces GHG emissions from energy, water, and resource demand. The purpose of the CALGreen Code is to “improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: (1) Planning and design; (2) Energy efficiency; (3) Water efficiency and conservation; (4) Material conservation and resource efficiency; and (5) Environmental air quality.”⁵⁸ The CALGreen Code is not intended to substitute for or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission. The CALGreen Code establishes mandatory measures for new residential and non-residential buildings. Such mandatory measures include energy efficiency, water conservation, material conservation, planning and design and overall environmental quality.⁵⁹

On May 9, 2018, the CEC adopted the 2019 Title 24 Standards, which went into effect on January 1, 2020. The 2019 standards continue to improve upon the previous (2016) Title 24 standards for new construction of, and additions and alterations to, residential and non-residential buildings.⁶⁰ The 2019 Title 24 Standards ensure that builders use the most energy efficient and energy conserving technologies and construction practices. As described in the 2019 Title 24 Standards represent “challenging but achievable design and construction practices” that represent “a major step towards meeting the Zero Net Energy goal.” Single-family homes built with the 2019 Title 24 Standards are projected to use approximately seven percent less energy due to energy efficiency measures versus those built under the 2016 standards. Once the mandated rooftop solar electricity generation is factored in, homes built under the 2019 standards will use about 53 percent less energy than those under the 2016 standards. Nonresidential buildings are projected to use approximately 30 percent less energy due mainly to lighting upgrades.⁶¹ Compliance with Title 24 is enforced through the building permit process.

(iii) CEQA Guidelines

In August 2007, the California State Legislature adopted Senate Bill 97 (SB 97) (Chapter 185, Statutes of 2007), requiring the Governor’s OPR to prepare and transmit new

⁵⁸ California Building Standards Commission. 2010. 2010 California Green Building Standards Code.

⁵⁹ California Building Standards Commission. 2010. 2010 California Green Building Standards Code.

⁶⁰ CEC. 2018. 2019 Building Energy Efficiency Standards for Residential and Nonresidential Buildings. December.

⁶¹ CEC. 2018. 2019 Building Energy Efficiency Standards, Fact Sheet. March.

CEQA guidelines for the mitigation of GHG emissions or the effects of GHG emissions to the Resources Agency by July 1, 2009. In response to SB 97, the OPR adopted CEQA guidelines that became effective on March 18, 2010.

However, neither a threshold of significance nor any specific mitigation measures are included or provided in the guidelines.⁶² The guidelines require a lead agency to make a good-faith effort, based on the extent possible on scientific and factual data, to describe, calculate, or estimate the amount of GHG emissions resulting from a project. Discretion is given to the lead agency whether to: (1) use a model or methodology to quantify GHG emissions resulting from a project, and which model or methodology to use; or (2) rely on a qualitative analysis or performance-based standards. Furthermore, three factors are identified that should be considered in the evaluation of the significance of GHG emissions:

1. The extent to which a project may increase or reduce GHG emissions as compared to the existing environmental setting;
2. Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; and
3. The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.⁶³

The administrative record for the Guidelines Amendments also clarifies “that the effects of greenhouse gas emissions are cumulative, and should be analyzed in the context of California Environmental Quality Act’s requirements for cumulative impact analysis.”⁶⁴

(3) Regional

(a) *South Coast Air Quality Management District CEQA Guidance*

The City is located in the South Coast Air Basin (Air Basin), which consists of Orange County, Los Angeles County (excluding the Antelope Valley portion), and the western, non-desert portions of San Bernardino and Riverside Counties, in addition to the San Gorgonio Pass area in Riverside County. The South Coast Air Quality Management District (SCAQMD) is responsible for air quality planning in the Air Basin and developing rules and regulations to bring the area into attainment of the ambient air quality

⁶² See 14 California Code of Regulations Sections 15064.7 (generally giving discretion to lead agencies to develop and publish thresholds of significance for use in the determination of the significance of environmental effects), and 15064.4 (giving discretion to lead agencies to determine the significance of impacts from GHGs).

⁶³ 14 California Code of Regulations Section 15064.4(b).

⁶⁴ Letter from Cynthia Bryant. 2009. Director of the Governor’s Office of Planning and Research to Mike Chrisman, California Secretary for Natural Resources. April 13.

standards. This is accomplished through air quality monitoring, evaluation, education, implementation of control measures to reduce emissions from stationary sources, permitting and inspection of pollution sources, enforcement of air quality regulations, and by supporting and implementing measures to reduce emissions from motor vehicles.

In 2008, SCAQMD released draft guidance regarding interim CEQA GHG significance thresholds.⁶⁵ A GHG Significance Threshold Working Group was formed to further evaluate potential GHG significance thresholds.⁶⁶ The SCAQMD proposed the use of a percent emission reduction target to determine significance for commercial/residential projects that emit greater than 3,000 MTCO₂e per year. Under this proposal, commercial/residential projects that emit fewer than 3,000 MTCO₂e per year would be assumed to have a less than significant impact on climate change. On December 5, 2008, the SCAQMD Governing Board adopted the staff proposal for an interim GHG significance threshold of 10,000 MTCO₂e per year for stationary source/industrial projects where the SCAQMD is the lead agency. However, the SCAQMD has yet to adopt a GHG significance threshold for land use development projects (e.g., residential/commercial projects). The Working Group has been inactive since 2011, and SCAQMD has not formally adopted any GHG significance threshold for other jurisdictions.

(b) SCAG Regional Transportation Plan/Sustainable Communities Strategy

To implement SB 375 and reduce GHG emissions by correlating land use and transportation planning, SCAG adopted the 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (2020–2045 RTP/SCS) in October 2020. The vision for the region incorporates a range of best practices for increasing transportation choices, reducing dependence on personal automobiles, further improving air quality, and encouraging growth in walkable, mixed-use communities with ready access to transit infrastructure and employment. More and varied housing types and employment opportunities would be located in and near job centers, transit stations and walkable neighborhoods where goods and services are easily accessible via shorter trips. To support shorter trips, people would have the choice of using neighborhood bike networks, car share or micro-mobility services like shared bicycles or scooters. For longer commutes, people would have expanded regional transit services and more employer incentives to carpool or vanpool. Other longer trips would be supported by on-demand services such as microtransit, carshare, and citywide partnerships with ride

⁶⁵ SCAQMD. Board Meeting, December 5, 2008, Agenda No. 31. Available at: <http://www3.aqmd.gov/hb/2008/December/081231a.htm>. Accessed on December 15, 2021.

⁶⁶ SCAQMD. Greenhouse Gases CEQA Significance Thresholds. Available at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ghg-significance-thresholds>. Accessed on December 15, 2021.

hailing services. For those that choose to drive, hotspots of congestion would be less difficult to navigate due to cordon pricing and using an electric vehicle will be easier thanks to an expanded regional charging network.

The 2020–2045 RTP/SCS states that the SCAG region was home to about 18.8 million people in 2016 and currently includes approximately 6.0 million homes and 8.4 million jobs.⁶⁷ By 2045, the integrated growth forecast projects that these figures will increase by 3.7 million people, with nearly 1.6 million more homes and 1.6 million more jobs. Transit Priority Areas⁶⁸ (TPAs) will account for less than 1 percent of regional total land but are projected to accommodate 30 percent of future household growth between 2016 and 2045. The 2020–2045 RTP/SCS overall land use pattern reinforces the trend of focusing new housing and employment in the region’s TPAs. TPAs are a cornerstone of land use planning best practice in the SCAG region because they concentrate roadway repair investments, leverage transit and active transportation investments, reduce regional life cycle infrastructure costs, improve accessibility, create local jobs, and have the potential to improve public health and housing affordability.

The 2020–2045 RTP/SCS is expected to reduce per capita transportation emissions by 19 percent by 2035, which is consistent with SB 375 compliance with respect to meeting the State’s GHG emission reduction goals.⁶⁹ Due to fuel economy and efficiency improvements, GHG emission rates of model year 2017 vehicles have decreased by 15 to 20 percent when compared to model year 2008 and earlier vehicles. However, for purposes of SB 375 emissions reduction targets, the fuel economy improvements have been largely excluded from the reduction calculation. The SB 375 target focuses on the amount of vehicle travel per capita. As discussed above, OPR recommended that achieving 15 percent lower per capita (residential) or per employee (office) VMT than existing development is both generally achievable and is supported by evidence that connects this level of reduction to the State’s emissions goals (i.e., SB 375 goal). The reductions generated by fuel economy improvements are already included as part of the State’s GHG emissions reduction program and are not double counted in the SB 375 target calculation.

(4) Local

(a) *Green New Deal*

The City addressed the issue of global climate change in Green LA, An Action Plan to Lead the Nation in Fighting Global Warming (“LA Green Plan/ClimateLA”) in 2007. This

⁶⁷ 2020–2045 RTP/SCS population growth forecast methodology includes data for years 2010, 2010, 2016, and 2045.

⁶⁸ Defined by the 2020–2045 RTP/SCS as generally walkable transit villages or corridors that are within 0.5 mile of a major transit stop (rail or bus rapid transit station) with 15-minute or less service frequency during peak commute hours

⁶⁹ SCAG. 2020. Final 2020–2045 RTP/SCS, Chapter 0: Making Connections, Page 5.

document outlines the goals and actions the City has established to reduce the generation and emission of GHGs from both public and private activities.

In April 2019, the Green New Deal (Sustainable City Plan 2019), was released, consisting of a program of actions designed to create sustainability-based performance targets through 2050 designed to advance economic, environmental, and equity objectives.⁷⁰ L.A.'s Green New Deal is the first four-year update to the City's first Sustainable City Plan that was released in 2015.⁷¹ It augments, expands, and elaborates L.A.'s vision for a sustainable future and tackles the climate emergency with accelerated targets and new aggressive goals.

While not a plan adopted solely to reduce GHG emissions, within the Green New Deal, "Climate Mitigation," or reduction of GHG is one of eight explicit benefits that help define its strategies and goals. These include reducing GHG emissions through near-term outcomes:

- Reduce potable water use per capita by 22.5 percent by 2025; 25 percent by 2035; and maintain or reduce 2035 per capita water use through 2050.
- Reduce building energy use per square feet for all building types 22 percent by 2025; 34 percent by 2035; and 44 percent by 2050 (from a baseline of 68 mBTU/sq.ft in 2015).
- All new buildings will be net zero carbon by 2030 and 100 percent of buildings will be net zero carbon by 2050.
- Increase cumulative new housing unit construction to 150,000 by 2025; and 275,000 units by 2035.
- Ensure 57 percent of new housing units are built within 1,500 feet of transit by 2025; and 75 percent by 2035.
- Increase the percentage of all trips made by walking, biking, micro-mobility/matched rides, or transit to at least 35 percent by 2025, 50 percent by 2035, and maintain at least 50 percent by 2050.
- Reduce VMT per capita by at least 13 percent by 2025; 39 percent by 2035; and 45 percent by 2050.
- Increase the percentage of electric and zero emission vehicles in the City to 25 percent by 2025; 80 percent by 2035; and 100 percent by 2050.
- Increase landfill diversion rate to 90 percent by 2025; 95 percent by 2035 and 100 percent by 2050.

⁷⁰ City of Los Angeles. 2019. L.A.'s Green New Deal.

⁷¹ City of Los Angeles. 2015. Sustainable City Plan. April.

- Reduce municipal solid waste generation per capita by at least 15 percent by 2030, including phasing out single-use plastics by 2028 (from a baseline of 17.85 lbs. of waste generated per capita per day in 2011).
- Eliminate organic waste going to landfill by 2028.
- Reduce urban/rural temperature differential by at least 1.7 degrees by 2025; and 3 degrees by 2035.
- Ensure the proportion of Angelenos living within 1/2 mile of a park or open space is at least 65 percent by 2025; 75 percent by 2035; and 100 percent by 2050.

(b) City of Los Angeles Green Building Code

On December 11, 2019, the Los Angeles City Council approved Ordinance No. 186,488, which amended Chapter IX of the Los Angeles Municipal Code (LAMC), referred to as the Los Angeles Green Building Code, by adding a new Article 9 to incorporate various provisions of the 2019 CALGreen Code. Projects filed on or after January 1, 2020, must comply with the provisions of the Los Angeles Green Building Code. Specific mandatory requirements and elective measures are provided for three categories: (1) low-rise residential buildings; (2) nonresidential and high-rise residential buildings; and (3) additions and alterations to nonresidential and high-rise residential buildings. Article 9, Division 5 includes mandatory measures for newly constructed nonresidential and high-rise residential buildings.

(c) City of Los Angeles Solid Waste Programs and Ordinances

The recycling of solid waste materials also contributes to reduced energy consumption. Specifically, when products are manufactured using recycled materials, the amount of energy that would have otherwise been consumed to extract and process virgin source materials is reduced as well as disposal energy averted. In 1989, California enacted AB 939, the California Integrated Waste Management Act, which establishes a hierarchy for waste management practices such as source reduction, recycling, and environmentally safe land disposal.

The City has developed and is in the process of implementing the Solid Waste Integrated Resources Plan, also referred to as the Zero Waste Plan, whose goal is to lead the City towards being a “zero waste” City by 2030. These waste reduction plans, policies, and regulations, along with Mayoral and City Council directives, have increased the level of waste diversion for the City to 76 percent as of 2013.⁷² The RENEW LA Plan, aims to achieve a zero waste goal through reducing, reusing,

⁷² City of Los Angeles. Department of Public Works, LA Sanitation, Recycling. Available at: https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-s/s-lsh-wwd-s-r?_adf.ctrl-state=kq9mn3h5a_188. Accessed on December 15, 2021.

recycling, or converting the resources not going to disposal and achieving a diversion rate of 90 percent or more by 2025.⁷³ The City has also approved the Waste Hauler Permit Program (Ordinance No. 181,519, LAMC Chapter VI, Article 6, Section 66.32-66.32.5), which requires private waste haulers to obtain AB 939 Compliance Permits to transport construction and demolition waste to City-certified construction and demolition waste processors. The City's Exclusive Franchise System Ordinance (Ordinance No. 182,986), among other requirements, sets a maximum annual disposal level and diversion requirements for franchised waste haulers to promote waste diversion from landfills and support the City's zero waste goals. These programs reduce the number of trips to haul solid waste and therefore reduce the amount of petroleum-based fuels and energy used to process solid waste.

(d) *City of Los Angeles General Plan*

The City does not have a General Plan Element specific to climate change and GHG emissions, and its General Plan does not have any stated goals, objectives, or policies specifically addressing climate change and GHG emissions. However, the following five goals from the City's General Plan Air Quality Element would also lead to GHG emission reductions:⁷⁴

- Less reliance on single-occupancy vehicles with fewer commute and non-work trips;
- Efficient management of transportation facilities and system infrastructure using cost-effective system management and innovative demand-management techniques;
- Minimal impacts of existing land use patterns and future land use development on air quality by addressing the relationship between land use, transportation, and air quality;
- Energy efficiency through land use and transportation planning, the use of renewable resources and less-polluting fuels, and the implement of conservation measures, including passive measures, such as site orientation and tree planting; and
- Citizen awareness of the linkages between personal behavior and air pollution and participation in efforts to reduce air pollution.

(e) *Traffic Study Policies and Procedures*

The City of Los Angeles Department of Transportation (LADOT) has developed the City Transportation Assessment Guidelines (TAG) (July 2019, updated July 2020) to provide

⁷³ City of Los Angeles. 2011. RENEW LA, Five-Year Milestone Report.

⁷⁴ City of Los Angeles. 1991. Air Quality Element, Pages IV-1 to IV-4. June.

the public, private consultants, and City staff with standards, guidelines, objectives, and criteria to be used in the preparation of a transportation assessment. The TAG establishes the reduction of vehicle trips and VMT as the threshold for determining transportation impacts and thus is an implementing mechanism of the City's strategy to reduce land use transportation-related GHG emissions consistent with AB 32, SB 32, and SB 375.

d) Existing Conditions

(5) Existing Statewide GHG Emissions

The CARB is responsible for maintaining and updating the State's GHG emissions inventory, which includes estimates of anthropogenic GHG emissions within California and GHG emissions associated with imported electricity. Natural sources of GHGs are not included in the inventory. The inventory is a tool for establishing historical emission trends and tracking the State's progress towards reducing GHGs. The inventory includes estimates for CO₂, CH₄, N₂O, and fluorinated gases with high GWP; HFCs, PFCs, SF₆, and NF₃. Data used in the inventory is collected through various AB 32 programs (discussed in the Regulatory Framework, above). The annual statewide GHG emission inventory published by CARB shows a total of 418.2 MMTCO₂e GHG emissions statewide in 2019. By sector, transportation sources were the largest contributor of GHG emissions in the State, at 40 percent of the total statewide emissions in 2019, followed by the industrial sector at 21 percent and the electricity sector at 14 percent.⁷⁵

(6) Existing Project Site Emissions

The Project Site currently houses 6,030 square feet of office space and related garage space and a 7,800-square-foot building that was formerly occupied by the A+D Museum,⁷⁶ in addition to 1,000 square feet of storage space associated with the 7,800-square-foot building and approximately 39,751 square feet of surface parking lots. Although the existing 7,800-square-foot building would remain on the Project Site following construction of the Office Building, the current office, storage space, and surface parking lots would be demolished and replaced by the Project. Current sources of GHG emissions from the Project Site mainly include mobile sources, energy consumption (electricity and natural gas), water (energy used in water conveyance),

⁷⁵ CARB. California Greenhouse Gas Emissions for 2000 to 2019.

⁷⁶ At the time that the Notice of Preparation for the Project was issued (September 20, 2017), the CEQA baseline for this Project, the building was occupied by the A+D Museum. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. The Project's requested discretionary approvals would not physically alter the 7,800-square-foot building.

and waste collection and processing. The Project Site also generates a minimal amount of GHG emissions from area sources, such as those derived from organic compounds from cleaning products, architectural coatings, consumer aerosol products, and landscape maintenance. As described above, GHG emissions generated by the existing on-site uses are limited. For a conservative analysis, this evaluation does not consider GHG reductions resulting from the removal of existing uses. In addition, the existing 7,800-square-foot building that would be retained on the Project Site would generate a similar level of GHG emissions as under existing conditions. Therefore, the quantification of the GHG emissions for the existing uses is not provided for this evaluation and only the emissions associated with the proposed Office Building are quantified.

3. Project Impacts

a) Thresholds of Significance

(1) State CEQA Guidelines Appendix G

In accordance with Appendix G of the State CEQA Guidelines, the Project would have a significant impact related to GHG emissions if it would:

Threshold a): Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or

Threshold b): Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

According to Section 15064.4 of the CEQA Guidelines, in determining the significance of GHG emissions, the “lead agency shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of GHG emissions resulting from a project.” Section 15064.4 also states that a lead agency shall have discretion to determine, in the context of a particular project, whether to (1) quantify GHG emissions resulting from a project and/or (2) rely on a qualitative analysis or performance-based standards. Lead agencies should consider several factors when determining the significance of GHG emissions from a project:

- The extent to which the project may increase or reduce GHG emissions as compared to the existing environmental setting.
- Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.

- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

CEQA Guidelines Section 15064.4 does not establish a threshold of significance. Lead agencies have the discretion to establish significance thresholds for their respective jurisdictions, and in establishing those thresholds, a lead agency may appropriately look to thresholds developed by other public agencies, or suggested by other experts, such as the California Air Pollution Control Officers Association (CAPCOA), as long as any threshold chosen is supported by substantial evidence (see CEQA Guidelines Section 15064.7(c)). The CEQA Guidelines also clarify that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impact analysis (see CEQA Guidelines Section 15130(f)). As a note, the CEQA Guidelines were amended in response to SB 97. In particular, the CEQA Guidelines were amended to specify that compliance with a GHG emissions reduction plan renders a cumulative impact insignificant.

Per CEQA Guidelines Section 15064(h)(3), a project's incremental contribution to a cumulative impact can be found not cumulatively considerable if the project would comply with an approved plan or mitigation program that provides specific requirements that would avoid or substantially lessen the cumulative problem within the geographic area of the project.⁷⁷ To qualify, such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency.⁷⁸ Examples of such programs include a "water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plans [and] plans or regulations for the reduction of greenhouse gas emissions."⁷⁹ Therefore, CEQA Guidelines Section 15064(h)(3) allows a lead agency to make a finding of a less than significant impact for GHG emissions if a project complies with adopted programs, plans, policies and/or other regulatory strategies to reduce GHG emissions.⁸⁰

⁷⁷ 14 California Code of Regulations Section 15064(h)(3).

⁷⁸ 14 California Code of Regulations Section 15064(h)(3).

⁷⁹ 14 California Code of Regulations Section 15064(h)(3).

⁸⁰ See, for example, San Joaquin Valley Air Pollution Control District, CEQA Determinations of Significance for Projects Subject to ARB's GHG Cap-and-Trade Regulation, APR—2030 (June 25, 2014), in which the SJVAPCD "determined that GHG emissions increases that are covered under ARB's Cap-and-Trade regulation cannot constitute significant increases under CEQA. . ." Further, the South Coast Air Quality Management District (SCAQMD) has taken this position in CEQA documents it has produced as a lead agency. SCAQMD has prepared three Negative Declarations and one Draft Environmental Impact Report that demonstrate SCAQMD has applied its 10,000 MTCO₂e/yr. significance threshold in such a way that GHG emissions covered by the Cap-and-Trade Program do not constitute emissions that must be measured against the threshold. See: SCAQMD, Final Negative Declaration for: Ultramar Inc. Wilmington Refinery Cogeneration Project, SCH No. 2012041014 (October 2014); SCAQMD, Final Negative Declaration for Phillips 66 Los Angeles Refinery Carson Plant—Crude Oil Storage Capacity Project, SCH No. 2013091029 (December 2014); Final Mitigated Negative Declaration for Toxic Air Contaminant Reduction for Compliance with SCAQMD Rules 1420.1 and 1402 at the Exide Technologies Facility in Vernon, CA, SCH No. 2014101040 (December 2014); and Draft Environmental Impact Report for the Breitburn Santa Fe Springs Blocks 400/700 Upgrade Project, SCH No. 2014121014 (April 2014).

The City has not adopted a numeric threshold for the analysis of GHG impacts. In the absence of any applicable adopted numeric threshold, the significance of the Project's GHG emissions is evaluated consistent with CEQA Guidelines Section 15064.4(b)(3) by considering whether the Project complies with applicable plans, policies, regulations and requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. For the Project, as a land use development, the applicable adopted regulatory plan to reduce GHG emissions is SCAG's 2020-2045 RTP/SCS, which is designed to achieve regional GHG reductions from the land use and transportation sectors as required by SB 375 and the State's long-term climate goals. This analysis also considers qualitative consistency with regulations or requirements adopted by AB 32's 2008 Climate Change Scoping Plan and subsequent updates and the L.A.'s Green New Deal.

(2) SCAQMD Thresholds

In 2008, the SCAQMD Governing Board adopted an interim quantitative GHG significance threshold of 10,000 MTCO_{2e} per year for industrial projects in cases where the SCAQMD acted as the lead agency. The SCAQMD has not adopted numerical significance thresholds for non-industrial projects. The interim GHG significance threshold for industrial projects is not applicable to the Project since it does not propose industrial uses and SCAQMD is not the lead agency. No numeric GHG screening thresholds have been adopted by the SCAQMD or other local agencies that would apply to the Project.

(3) 2006 L.A. CEQA Thresholds Guide

The L.A. CEQA Thresholds Guide does not identify criteria to evaluate GHG emissions impacts. Thus, the potential for the Project to result in impacts from GHG emissions is based on the CEQA Guidelines Appendix G thresholds above. To answer both of those threshold questions, the City considers whether the Project is consistent with AB 32's 2008 Scoping Plan and subsequent updates, SCAG's 2020-2045 RTP/SCS consistent with SB 375, the LAGBC, and L.A.'s Green New Deal.

b) Methodology

This analysis of GHG impacts is based on the Greenhouse Gas Emissions Estimates (Appendix F of this Draft EIR). As stated above, the sole criteria being used for determining the significance of the Project's GHG emissions for this evaluation is a qualitative assessment of the Project's consistency with plans containing specific requirements that result in reductions of GHG emissions. However, pursuant to the CEQA Guidelines Section 15064.4, this evaluation also provides a quantification of the Project's GHG emissions for discussion purposes, and a quantification of potential

emissions of a No Action Taken scenario, for comparison. The following discussion outlines the methodology used in calculating emissions for discussion purposes, as well as the plan consistency evaluation on which the significance of GHG emissions impacts is based.

(1) Project Consistency with Applicable Plans and Policies

The significance of the Project's potential GHG emissions impacts are evaluated based on the consistency of the Project with applicable plans and regulations that have been adopted to reduce GHG emissions, including plans at the State, regional, and local levels. This evaluation considers the consistency of the Project with the AB 32 Scoping Plan and subsequent updates, the 2020-2045 RTP/SCS, the LAGBC, and L.A.'s Green New Deal. The consistency analysis considers the Project characteristics, including the Project Site location within a Transit Priority Area (TPA), 0.5 mile from a major transit station (the L Line [Gold] at the County of Los Angeles Metropolitan Transportation Authority [Metro] Little Tokyo/Arts District Station).⁸¹ In addition, the project design features, described later herein, would result in GHG reductions that meet or exceed applicable regulations.

(2) Quantification of GHG Emissions

For informational purposes, the Project's GHG emissions are calculated in accordance with Section 15064.4(a) of the CEQA Guidelines, which requires that the "lead agency shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of GHG emissions resulting from a project." The quantification of the Project's GHG emissions inventory would also determine if there is a reduction in the Project's incremental contribution of GHG emissions as a result of compliance with regulations and requirements adopted to implement plans for the reduction or mitigation of GHG emissions. As previously stated, the significance of the Project's GHG emissions impacts is not based on the amount of GHG emissions resulting from the Project.

The Project's potential GHG emissions during construction and operations were calculated using CalEEMod, Version 2016.3.2, the statewide land use emissions computer model designed to provide a uniform platform to quantify air quality and GHG emissions associated with both construction and operations for a variety of land use projects. CalEEMod was developed for CAPCOA in collaboration with the California Air Districts, and includes default data (e.g., emission factors, trip lengths, meteorology, source inventory, etc.) provided by the various California Air Districts to account for local

⁸¹ The Metro L Line (Gold) was previously accessed from the Little Tokyo/Arts District Station located at 1st and Alameda Street; however, as part of Metro's Regional Connector Transit Project, that location has been closed, and a new Little Tokyo/Arts District Station is under construction and will be located at 1st Street and Central Avenue. The new station will be operational in 2022 (prior to the anticipated completion date of the Project).

requirements and conditions. SCAQMD staff recommends all projects evaluate emissions with CalEEMod if they use software for their analysis.

In quantifying the Project's net construction and operational GHG emissions, this analysis considers GHG emission categories that are included in the State's GHG inventory. The California Climate Action Registry (Climate Registry) has prepared the General Reporting Protocol for calculating and reporting GHG emissions from a number of general and industry-specific activities. The General Reporting Protocol recommends separating GHG emissions into three categories that reflect different aspects of ownership or control over the emissions sources. These categories include the following:

- Scope 1: Direct, on-site combustion of fossil fuels (e.g., natural gas, propane, gasoline, and diesel).
- Scope 2: Indirect, off-site emissions associated with purchased electricity or purchased steam.
- Scope 3: Indirect emissions associated with other emissions sources, such as third-party vehicles and embodied energy (e.g., energy used to convey, treat, and distribute water and wastewater).

Due to the global nature of GHG emissions, changes in GHG emissions attributed to operations of a single development project are difficult to discern, as a project may cause only a shift in the locale for some type of GHG emissions, rather than causing "new" GHG emissions (i.e., mobile emissions from an individual employee's vehicle use would presumably occur elsewhere in the absence of a project, as the employee would likely still commute to a job somewhere else). As a result, there is a lack of clarity as to whether a project's GHG emissions represent a net global increase, a net global reduction, or no net global change in GHG emissions that would exist if the project were not implemented. Therefore, the analysis of the Project's GHG emissions is particularly conservative in that it assumes all of the Project's net GHG emissions are new additions to the atmosphere, and that no portion consists of already existing emissions that would simply be shifted from one location to another.

(a) *Construction Emissions*

For the purposes of this analysis, it is reasonable to consider GHG emissions the Project would cause resulting from construction activities consistent with the assumptions made in the Air Quality analysis in Section IV.B, Air Quality, of this Draft EIR. These values used in CalEEMod were adjusted to be Project-specific based on anticipated timing and duration of each construction phase, heavy equipment pieces to be used on-site, and volumes of demolition and soil export material requiring off-site hauling.

Pursuant to SCAQMD guidance regarding the evaluation of construction-related GHG emissions, the total GHG emissions from Project construction are amortized (i.e., averaged annually) over a 30-year “lifetime” of the Project. The amortized amount of construction-related GHG emissions are added to the Project’s operational emissions to determine an annual rate of GHG emissions resulting from the Project. A more detailed discussion of the assumptions used to calculate the Project’s construction emissions, including descriptions of the Project’s construction phasing and equipment list, are available in the Air Quality Impact Analysis, which is in Appendix B of this Draft EIR. The detailed estimated GHG emissions from Project construction are shown in the Greenhouse Gas Emissions Estimates, provided in Appendix F of this Draft EIR, and are summarized in the Analysis of Project Impacts in this section.

(b) *Operational Emissions*

The Project’s operational GHG emissions were also modeled using CalEEMod, are detailed in the Greenhouse Gas Emissions Estimates provided in Appendix F of this Draft EIR, and are summarized in the Analysis of Project Impacts in this section. This analysis includes an estimation of the Project’s GHG emissions as proposed (Project scenario), incorporating characteristics and design features that reduce GHG emissions as calculated by CalEEMod. To demonstrate that the Project’s characteristics and design features result in a reduction of GHG emissions, CalEEMod was also used to estimate the GHG emissions that would have been generated by the Project if not for its specific characteristics (the No Action Taken, or NAT, scenario). The NAT scenario is conveyed as a point of comparison to show that GHG emissions generated by the Project as proposed would be less than those that could be generated by a similar scale development in the absence of any reduction features or mitigation measures beyond those required by federal, State, and local regulations.

CalEEMod was used to calculate Project-related annual GHG emissions from area source emissions, energy emissions, mobile source emissions (transportation), water use, and solid waste generation. The methodology applied to CalEEMod to estimate the quantity of GHG emissions from each source is described below.

- **Area Source Emissions.** Area source emissions during operations were estimated to capture the relatively small quantities of emissions derived from organic compounds from cleaning products, architectural coatings, consumer aerosol products, and landscape maintenance equipment, based on the size of the proposed land uses. There were no differences in the CalEEMod inputs for calculating area source emissions for the NAT scenario and the Project scenario.
- **Energy Emissions.** Electricity and natural gas emissions generated by the Project were calculated by CalEEMod, based on applicable emissions factors specific to each utility provider. For the Project, GHG intensity factors for the

LADWP were selected within CalEEMod. To account for additional reductions due to the 2019 Title 24 requirements compared to the 2016 Title 24 requirements that are assumed by CalEEMod, the Title 24 electricity energy intensity and lighting energy intensity rates determined by CalEEMod were reduced by 30 percent⁸² for both the NAT scenario and the Project scenario, as the NAT scenario and Project scenario timelines would be the same. Therefore, there were no differences in the energy use inputs for the NAT scenario and the Project scenario.

- **Water Use.** GHG emissions associated with the use of energy to convey, treat, and distribute water to the Project Site were calculated using CalEEMod. For the NAT Scenario, the base water demand estimate, including ordinance-required reductions, determined by the Project's Water Supply Assessment (WSA)⁸³ was used to adjust the CalEEMod-assumed annual water use inputs. For the Project scenario, the WSA-proposed water demand estimate, including the ordinance-required reductions as well as additional conservation measures to be implemented by the Project, was used to adjust the CalEEMod annual water use inputs.
- **Solid Waste Generation.** GHG emissions associated with the disposal of solid waste were calculated using CalEEMod. For both the NAT scenario and the Project scenario, the CalEEMod solid waste generation inputs were adjusted to reflect a 75 percent reduction in solid waste disposal per AB 341, which is the statewide goal for 2020. There were no differences in the solid waste generation inputs for the NAT scenario and the Project scenario, as the NAT scenario and Project scenario timelines would be the same, with both scenarios being operational after 2020.
- **Mobile Source Emissions.** The Project would generate vehicular traffic that would result in the consumption of fuels for travel to and from the Project Site. CalEEMod-assumed trip generation and VMT rates, which are based on Institute of Transportation Engineers rates, were adjusted as specified by the Project's Transportation Impact Study (TIS).⁸⁴ To account for trip reductions for multi-use developments in an urban area, the USEPA has developed equations known as the Mixed Use Development (MXD) model to calculate reductions in trip volumes for mixed-use developments.⁸⁵ The LADOT VMT Calculator incorporates the USEPA MXD model and accounts for project features such as increased density and proximity to transit, which would reduce VMT and associated fuel usage in

⁸² CEC. 2018. Energy Commission Adopts Standards Requiring Solar Systems for New Homes, First in Nation. May 9.

⁸³ LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4th and Hewitt Project. January 20. (Appendix O1.)

⁸⁴ Gibson Transportation Consulting, Inc. 2022. Transportation Impact Study for the 4th & Hewitt Project. April (Revised). (Appendix L1.)

⁸⁵ USEPA. Mixed Use Trip Generation Model. Available at: <https://www.epa.gov/smartgrowth/mixed-use-trip-generation-model>. Accessed on May 5, 2021.

comparison to free-standing, or single-use developments. The NAT scenario trips and VMT in CalEEMod were specified based on the LADOT VMT Calculator “Unadjusted Trips” figure, shown in the Project TIS VMT Analysis worksheets (refer to the TIS in Appendix L1 of this Draft EIR). The Project scenario trips and VMT in CalEEMod were specified based on the LADOT VMT Calculator MXD Methodology figure that includes a transportation demand management (TDM) measure. It is important to note that the “TDM” verbiage used in the VMT Analysis worksheets of the LADOT VMT Calculator does not refer to the Project Transportation Management Organization (TMO) or TDM that are described in Section IV.L, Transportation as Project Design Features TRANS-PDF-2 and TRANS-PDF-3. The VMT Analysis worksheets TDM that were applied to the VMT Calculator for the Project and that reduce VMT of the Project as compared to the NAT scenario are regulatory compliance measures and the Project’s locational features, including:

- Bicycle parking supply per LAMC requirements; and
- Pedestrian network improvements within the Project Site and connecting to off-site pedestrian facilities.

c) Project Design Features

The following project design feature would further reduce the Project’s GHG emissions. CalEEMod was not adjusted to account for reductions associated with implementation of this project design feature. Therefore, GHG emissions of the Project would be less than those reported in the Analysis of Project Impacts section below.

GHG-PDF-1e The Office Building 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. Prior to the issuance of building permits, documentation that indicates the Office Building is designed to achieve the number of points that would be required for LEED Silver Certification will be provided to the City. The specific sustainability features that will be integrated into the Project design to enable the Project to meet this standard may include, but will not be limited to, the following:

- Use of Energy Star rated products and appliances.
- Use of high-efficiency wall and/or roof insulation.
- Use of light-emitting diode (LED) lighting or other energy-efficient lighting technologies, such as occupancy sensors or daylight harvesting and dimming controls, where appropriate, to reduce electricity use.

d) Analysis of Project Impacts

Threshold a): Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or

Threshold b): Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

(1) Impact Analysis

(a) Project Consistency with Applicable Plans and Policies

As discussed above, in the absence of any adopted quantitative threshold, the significance of the Project's GHG emissions is evaluated consistent with CEQA Guidelines Section 15064.4(b)(2) by considering whether the Project complies with applicable plans, policies, regulations and requirements adopted for the purpose of reducing the emissions of GHGs.

The analyses below demonstrate that the Project is consistent with, and would not conflict with, applicable statewide, regional, and local GHG emission reduction plans, including the AB 32 Scoping Plan and subsequent updates, the 2020-2045 RTP/SCS, the LAGBC, and L.A.'s Green New Deal.

(i) Assembly Bill 32 Scoping Plan

AB 32 and the resulting 2008 Scoping Plan required California, by the year 2020, to reduce its statewide GHG emissions to 1990 levels. Further, the Scoping Plan Update of 2017 identifies how the State can reach its 2030 climate target to reduce GHG emissions by 40 percent from 1990 levels and substantially advance toward the 2050 climate goal to reduce GHG emissions by 80 percent below 1990 levels. As shown by the policy consistency analysis below in Table IV.E-4, Project Consistency with the 2008 AB 32 Scoping Plan Greenhouse Gas Emissions Reduction Measures, the Project would reduce GHG emissions in a manner that would not conflict with, nor impede the implementation of, AB 32 and the 2008 Scoping Plan policies.

Table IV.E-4
Project Consistency with the 2008 AB 32 Scoping Plan
Greenhouse Gas Emissions Reduction Measures

Strategy	Project Consistency
<p><u>California Cap-and-Trade Program</u> Implement a broad-based California Cap-and-Trade Program to provide a firm limit on emissions. Link the California Cap-and-Trade Program other Western Climate Initiative Partner programs to create a regional market system to achieve greater environmental and economic benefits for California. Ensure California's program meets all applicable AB 32 requirements for market-based mechanisms.</p>	<p>Not Applicable. The statewide Cap-and-Trade Program does not apply directly to the Project. The goal of the program is to reduce GHG emissions from major sources (covered entities), such as electricity generation and large stationary sources (including refineries, cement production facilities, oil and gas production facilities, glass manufacturing facilities, and food processing plants), rather than from private commercial development such as the Project.</p>
<p><u>California Light-Duty Vehicle GHG Standards</u> Implement the adopted Pavley Standards and the planned second phase of the program. Align ZEV, alternative, and renewable fuel and vehicle technology programs with long-term climate change goals.</p>	<p>Not Applicable. The development and implementation of statewide Pavley Standards is not the responsibility of individual development or the Project. However, the Project would provide EV charging, which would promote the use of ZEVs in general.</p>
<p><u>Energy Efficiency</u> Maximize energy efficiency building and appliance standards, and pursue additional efficiency efforts, including new technologies and new policy and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California.</p>	<p>No Conflict. The Project is designed to the LEED Silver standard (GHG-PDF-1), to reduce energy consumption and comply with the performance standards of CALGreen and the LAGBC. For example, the Project would utilize Energy Star rated products and appliances, high-efficiency wall and/or roof insulation, and/or high efficiency lighting (such as LED lighting instead of incandescent).</p>
<p><u>RPS</u> Achieve a 33 percent renewable energy mix statewide.</p>	<p>Not Applicable. The Project would utilize energy supplied by the LADWP, which has adopted policies to achieve a 33 percent renewable energy mix by 2020. As of calendar year 2019, LADWP reports a 34 percent of its power resources were from renewable energy sources.</p>
<p><u>LCFS</u> Develop and adopt the LCFS, which would reduce the carbon intensity of California's transportation fuels by at least ten percent by 2020.</p>	<p>Not Applicable. The LCFS would reduce the carbon intensity of transportation fuels that are consumed in California. However, it is not the responsibility of the Project to develop, adopt, or update the LCFS program.</p>
<p><u>Regional Transportation-Related GHG Targets</u> Develop regional GHG emissions reduction targets for passenger vehicles.</p>	<p>Not Applicable. The regional GHG targets program are to be developed by regional councils of governments, such as SCAG, and as such, does not directly apply to the Project. However, as the Project Site is located in a TPA near several public transit stations and bus stops, the Project would be consistent with the 2020-2045 RTP/SCS's smart growth initiatives.</p>

Strategy	Project Consistency
<p><u>Vehicle Efficiency Measures</u> Implement light-duty vehicle efficiency measures.</p>	<p>Not Applicable. The implementation of vehicle efficiency measures is the responsibility of State agencies and does not directly apply to the Project.</p>
<p><u>Goods Movement</u> Implement adopted regulations for the use of shore power for ships at berth. Improve efficiency in goods movement activities.</p>	<p>Not Applicable. The implementation of vehicle efficiency measures is the responsibility of State agencies and does not directly apply to the Project, which does not include any goods movement activities.</p>
<p><u>Million Solar Roofs Program</u> Install 3,000 megawatts (MW) of solar-electric capacity under California's existing solar programs.</p>	<p>Not Applicable. The Project does not propose to install solar roofs or participate in this statewide effort; however, space to accommodate solar panels on the Office Building rooftop is provided.</p>
<p><u>Medium/Heavy-Duty Vehicles</u> Adopt medium and heavy-duty vehicle efficiency measures.</p>	<p>Not Applicable. The implementation of vehicle efficiency measures is the responsibility of State agencies and does not directly apply to the Project.</p>
<p><u>Industrial Emissions</u> Require assessment of large industrial sources to determine whether individual sources within a facility can cost-effectively reduce GHG emissions and provide other pollution reduction co-benefits. Reduce GHG emissions from fugitive emissions from oil and gas extraction and gas transmission. Adopt and implement regulations to control fugitive methane emissions and reduce flaring at refineries.</p>	<p>Not Applicable. The Project does not include industrial land uses and therefore would not generate emissions from industrial facilities.</p>
<p><u>High Speed Rail</u> Support implementation of a high speed rail system.</p>	<p>Not Applicable. It is the responsibility of State agencies, such as the California High Speed Rail Authority, to support implementation of the high speed rail system. This measure does not directly apply to the Project.</p>
<p><u>Green Building Strategy</u> Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.</p>	<p>No Conflict. The Project would comply with CALGreen building standards and would include sustainability features, such as a cool roof, EV charging stations, and low flow water features. The Project is designed to the LEED Silver standard (GHG-PDF-1), to reduce energy consumption and comply with the performance standards of the LAGBC.</p>
<p><u>High GWP Gases</u> Adopt measures to reduce high GWPs.</p>	<p>Not Applicable. State agencies are responsible for implementing GWP reduction measures. This measure does not directly apply to the Project.</p>
<p><u>Recycling and Waste</u> Reduce methane emissions at landfills. Increase waste diversion, composting and other beneficial uses of organic materials, and mandate commercial recycling. Move toward zero-waste.</p>	<p>No Conflict. The Project is subject to the City's current waste diversion program, which requires that construction waste be reduced by at least 50 percent and that at least 75 percent of operational waste be diverted through reduction, recycling, and composting efforts.</p>

Strategy	Project Consistency
<p>Sustainable Forests Preserve forest sequestration and encourage the use of forest biomass for sustainable energy generation.</p>	<p>Not Applicable. The Resources Agency and its departments are the primary agencies responsible for implementing this measure. This measure does not directly apply to the Project.</p>
<p>Water Continue efficiency programs and use cleaner energy sources to move and treat water.</p>	<p>No Conflict. The Project would implement WS-PDF-1, which would include low flow plumbing features and fittings, as well as water efficient landscaping to reduce GHG emissions associated with water conveyance and wastewater processing.</p>
<p>Agriculture In the near-term, encourage investment in manure digesters and at the five-year Scoping Plan update, determine if the program should be made mandatory by 2020.</p>	<p>Not Applicable. The Project does not contain agricultural land or resources and therefore this measure is not directly applicable.</p>
Source: CARB. 2008. Climate Change Scoping Plan: A Framework for Change. December.	

(ii) *2017 Scoping Plan Update*

The 2017 Scoping Plan updated the 2008 Scoping Plan in response to SB 32, to identify how the State can reach its 2030 target to reduce GHG emissions by 40 percent from 1990 levels and substantially advance toward the 2050 climate goal to reduce GHG emissions by 80 percent below 1990 levels. As shown by the policy consistency analysis below in Table IV.E-5, Project Consistency with the 2017 Scoping Plan, the Project would reduce GHG emissions in a manner that would not conflict with, nor impede the implementation of, the 2017 Scoping Plan policies.

Table IV.E-5
Project Consistency with the 2017 Scoping Plan

Policy	Primary Objective	Consistency
SB 350	Reduce GHG emissions in the electricity sector through the implementation of the 50 percent RPS, doubling of energy savings, and other actions as appropriate to achieve GHG emissions reductions planning targets in the Integrated Resource Plan (IRP) process.	Not Applicable. The LADWP would be the electricity provider for the Project and would be responsible for meeting the applicable RPS standards. Nonetheless, the Project supports this policy and objective since it would be designed to the LEED Silver standard (see GHG-PDF-1), and would meet or exceed the mandatory performance standards of CALGreen and the LAGBC. Thus, the Project would reduce energy use and the associated GHG emissions, and therefore, would not conflict with this policy.

Policy	Primary Objective	Consistency
LCFS	Transition to cleaner/less-polluting fuels that have a lower carbon footprint.	Not Applicable. The LCFS would reduce the carbon intensity of transportation fuels that are consumed in California. However, it is not the responsibility of the Project to develop, adopt, or update the LCFS program.
Mobile Source Strategy (Cleaner Technology and Fuels [CTF] Scenario)	Reduce GHGs and other pollutants from the transportation sector through transition to zero emission and LEVs, cleaner transit systems and reduction of vehicle miles traveled.	No Conflict. It is not the responsibility of the Project to introduce ZEVs or LEVs. However, the Project would provide EV charging, which would promote the use of EVs in general. Additionally, the Project Site represents an urban/compact infill location within a TPA, with nearby transit facilities, pedestrian sidewalks, and bike lanes, which would reduce VMT.
SB 1383	Approve and Implement Short-Lived Climate Pollutant strategy to reduce highly potent GHGs	Not Applicable. The Project would not be responsible for implementing a Short-Lived Climate Pollutant strategy to reduce highly potent GHGs.
California Sustainable Freight Action Plan	Improve freight efficiency, transition to zero emission technologies, and increase competitiveness of California's freight system.	Not Applicable. The Project would not be responsible for improving freight efficiency. The Project would consist of office space and commercial/restaurant space, which would not include freight transportation or logistics centers.
Post-2020 Cap-and-Trade Program	Reduce GHGs across largest GHG emissions sources	Not Applicable. The Project would not be responsible for implementing a cap-and-trade program for large GHG emissions sources.
Source: CARB. 2017. California's 2017 Climate Change Scoping Plan. November.		

(iii) *The 2020-245 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments*

Project conflicts with the 2020-2045 RTP/SCS strategies are addressed in Appendix I, Land Use Policy Consistency Tables, of this Draft EIR (refer to Table IV.H-1, Project Conflicts with Applicable Goals of 2020-2045 RTP/SCS). As shown in Table IV.H-1 of Appendix I, the Project's office and commercial land uses would increase jobs in the Project area; develop a commercial building on a currently underutilized site within walking distance of existing bus stops and a transit station and in proximity to other commercial development, as well as multi-family and live/work residential land uses; provide electric vehicle and short- and long-term bicycle parking, bike repair, and shower facilities; and improve pedestrian walkability in the Project Site vicinity. These features would maximize the potential for mobility and accessibility for people, reduce

VMT, and reduce GHG emissions. As concluded in Section IV.H. Land Use and Planning, the Project would not conflict with the applicable strategies of the RTP/SCS.

(iv) City of Los Angeles Green Building Code

The Project would comply with the LAGBC by incorporating sustainability features such as a cool roof and EV chargers. The Project would also incorporate sustainability features to achieve the equivalent of the USGBC LEED Silver Certification level for new buildings as described in GHG-PDF-1 including Energy Star appliances and higher efficiency lighting fixtures that would reduce GHG emissions. In addition, the CEC estimates that the 2019 Title 24 standards will reduce nonresidential building energy use by 30 percent compared to those built under the 2016 standards, mainly due to lighting upgrades.⁸⁶ The Project would also reduce water use by installing low-flow plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) through WS-PDF-1. Through regulatory compliance and the additional Project features noted above, the Project would not conflict with the requirements of the LAGBC.

(v) L.A.'s Green New Deal

The Project would not conflict with the emissions reduction and energy and water efficiency targets of the Green New Deal, as it includes several PDFs that support GHG reduction programs such as a cool roof, EV chargers, higher efficiency lighting, and Energy Star appliances. A reduction in water use would be achieved by installing low-flow plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) that comply with the performance requirements specified in the City of Los Angeles Building Code. Additionally, the Project would incorporate a weather-based irrigation system and water efficient landscaping (WS-PDF-1). The Project is also designed to the LEED Silver standard to reduce energy consumption (GHG-PDF-1). In addition, the Project would be consistent with the mobility and public transit targets of the Green New Deal, as the project design features and Project Site location in an urban area with proximate public transit options are characteristics that are compatible with increasing trips made by walking, biking, micro-mobility/matched rides or transit, and that would reduce per capita VMT (TRANS-PDF-2 and TRANS-PDF-3). Therefore, the Project's features promote GHG reductions and would not conflict with the applicable actions of the Green New Deal that would serve to reduce GHG emissions, as shown in Table IV.E-6, Project Consistency with L.A.'s Green New Deal.

⁸⁶ CEC. 2018. 2019 Building Energy Efficiency Standards, Fact Sheet. March.

**Table IV.E-6
Project Consistency with L.A.'S Green New Deal**

Action	Consistency
Local Water	
Reduce potable water use per capita by 22.5% by 2025; 25% by 2035; and maintain or reduce 2035 per capita water use through 2050.	No Conflict. This action is the responsibility of the City and LADWP. However, the Project would comply with CalGreen, LAGBC, State and City Plumbing Codes, and water conservation requirements specified in the City's Ordinance 184,248. In addition, the Project includes WS-PDF-1 to further reduce water demand, thereby reducing GHG emissions associated with the conveyance and treatment of water (and wastewater).
Clean and Healthy Buildings	
All new buildings will be net zero carbon by 2030; and 100% of buildings will be net zero carbon by 2050.	Not Applicable. Construction of the Project would begin in 2022 and would be completed in 2025, well before 2030. However, the Project would comply with CalGreen, LAGBC, and State and City Building Code requirements, as well as with Title 24 requirements in effect at the time building permits are obtained. In addition, the Project includes GHG-PDF-1 to further reduce energy demand and associated GHG emissions.
Reduce building energy use per sf for all building types 22% by 2025; 34% by 2035; and 44% by 2050.	No Conflict. This goal applies citywide. However, the Project would comply with CalGreen, LAGBC, and State and City Building Code requirements, as well as with Title 24. In addition, the Project includes GHG-PDF-1 to further reduce energy demand and GHG emissions. The CEC estimates that the 2019 Title 24 standards will reduce nonresidential building energy use by 30 percent compared to those built under the 2016 standards, mainly due to lighting upgrades. ⁸⁷

⁸⁷ CEC, Efficiency Division. 2019 Building Energy Efficiency Standards Frequently Asked Questions. Available at: https://www.energy.ca.gov/sites/default/files/2020-03/Title_24_2019_Building_Standards_FAQ_ada.pdf. Accessed on December 7, 2021.

Action	Consistency
Housing and Development	
Ensure 57% of new housing units are built within 1500 ft [feet] of transit by 2025; and 75% by 2035.	Not Applicable. This action is primarily the responsibility of the City, and the Project would neither remove existing housing nor provide new housing.
Mobility and Public Transit	
Increase the percentage of all trips made by walking, biking, micro-mobility/matched rides or transit to at least 35 percent by 2025; 50 percent by 2035; and maintain at least 50 percent by 2050.	No Conflict. While this goal is to be achieved throughout the City, the Project would encourage the use of alternative transportation (mass transit, walking, ridesharing/carpooling, and bicycling). The Project Site is located within 0.5 miles south of the L (Gold) Line Little Tokyo/Arts District Metro Station and is served by bus transit along 1 st Street, 3 rd Street, 4 th Street, 6 th Street, 7 th Street, Olympic Boulevard, Central Avenue, Boyle Avenue, and Soto Street. The Project would also provide sidewalks along its Colyton Street and South Hewitt Street frontages, as well as short- and long-term bicycle facilities, a bike repair area, showers, and a pedestrian passageway that links Colyton Street and South Hewitt Street. The Project also includes Project Design Features TRANS-PDF-2 and TRANS-PDF-3 (fair share of seed funding for the Arts District portion of a Downtown/Arts District TMO and a TDM that would further reduce VMT).
Reduce VMT per capita by at least 13 percent by 2025; 39 percent by 2035; and 45 percent by 2050.	No Conflict. While this goal is to be achieved throughout the City, the Project would reduce VMT through its location in a TPA in proximity to Metro transit and bus stations and stops, by providing sidewalks along its Colyton Street and South Hewitt Street frontages, and by providing short- and long-term bicycle facilities, a bike repair area, showers, and a pedestrian passageway that links Colyton Street and South Hewitt Street. The Project also includes Project Design Features TRANS-PDF-2 and TRANS-PDF-3, a TMO and TDM, that would further reduce VMT.
Zero Emission Vehicles	
Increase the percentage of electric and zero emission vehicles in the City to 25% by 2025; 80% by 2035; and 100% by 2050.	No Conflict. The Project would be consistent with this action by providing the City-required amount of EV charging and EV-wired parking.
Source: City of Los Angeles. 2019. L.A.'s Green New Deal.	

(vi) Post-2030 Analysis

Recent studies show that the State's existing and proposed regulatory framework will put the State on a pathway to reduce its GHG emissions level to 40 percent below 1990 levels by 2030, and to 80 percent below 1990 levels by 2050, if additional appropriate reduction measures are adopted.⁸⁸ Even though these studies did not provide an exact regulatory and technological roadmap to achieve the 2030 and 2050 goals, they demonstrated that various combinations of policies could allow the State to meet the 2050 target.

SB 32 was enacted on September 8, 2016 and required that statewide GHG emissions be reduced to 40 percent below the 1990 level by 2030. As discussed above, the 2017 Scoping Plan identifies how the State can reach the SB 32 reduction goals by 2030 and substantially advance toward the 2050 climate goal to reduce GHG emissions by 80 percent below 1990 levels. The 2017 Scoping Plan involves increasing renewable energy use, imposing tighter limits on the carbon content of gasoline and diesel fuel, putting more electric cars on the road, improving energy efficiency, and curbing emissions from key industries. The Project would advance the Scoping Plan goals by reducing VMT, encouraging the use of electric vehicles, improving energy efficiency, and reducing water usage.

The 2017 Scoping Plan emissions modeling projected 2030 statewide emissions considering known commitments (reduction measures), such as implementation of SB 375, SB 350, and other measures shown in Table IV.E-5. The emissions inventory indicated that emissions reductions due to known commitments would not be enough to achieve the 2030 target alone. However, the 2017 Scoping Plan envisioned a scenario in which the Cap-and-Trade Program would provide credits to achieve additional reductions necessary to achieve the 2030 emissions target. Although the Project is consistent with the 2017 Scoping Plan, additional measures to achieve the 2030 and 2050 statewide targets would be beyond the Project's control. Therefore, any evaluation of post-2030 Project GHG emissions would be speculative.

As previously described, S-3-05 included the following GHG emission reduction targets: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; and by 2050, reduce GHG emissions to 80 percent below 1990 levels. While this goal has not been codified, according to the 2008 Scoping Plan, this results

⁸⁸ Energy and Environmental Economics (E3). "Summary of the California State Agencies' PATHWAYS Project: Long-term Greenhouse Gas Reduction Scenarios" (April 2015); Greenblatt, Jeffrey, Energy Policy, "Modeling California Impacts on Greenhouse Gas Emissions" (Volume 78, Pages 158-172). The California Air Resources Board, California Energy Commission, California Public Utilities Commission, and the California Independent System Operator engaged E3 to evaluate the feasibility and cost of a range of potential 2030 targets along the way to the state's goal of reducing GHG emissions to 80 percent below 1990 levels by 2050. With input from the agencies, E3 developed scenarios that explore the potential pace at which emission reductions can be achieved, as well as the mix of technologies and practices deployed. E3 conducted the analysis using its California PATHWAYS model. Enhanced specifically for this study, the model encompasses the entire California economy with detailed representations of the buildings, industry, transportation and electricity sectors.

in a 2050 target of about 85 MMTCO₂e (total emissions), as compared to the 1990 level (also the 2020 target) of 427 MMTCO₂e. To stay on course toward the 2050 target, the State's GHG emissions need to be reduced to below 300 MMTCO₂e by 2030. The 2008 Scoping Plan asserts that the measures needed to meet the 2050 goal are too far in the future to define in detail, but that the policies needed to keep the State on the correct trajectory through 2030 can still be examined and that the necessary reductions are possible. The 2008 Scoping Plan also states that the necessary measures to achieve the State's 2030 goals are logical expansions of the programs that were recommended in the 2008 Scoping Plan to get the State to the 2020 goal. The 2008 Scoping Plan further specifies that the State could keep on track to achieving future GHG reduction goals through 2030 by extending programs in the 2008 Scoping Plan in the following ways:

- Using a regional or national cap-and-trade system to further limit emissions from the 85 percent of GHG emissions in capped sectors (Transportation Fuels and other fuel use, Electricity, Residential/Commercial Natural Gas, and Industry). By 2030 a comprehensive cap-and-trade program could lower emissions in the capped sectors from 365 MMTCO₂e in 2020 to around 250 MMTCO₂e in 2030;
- Achieving a 40 percent fleet-wide passenger vehicle reduction by 2030, approximately double the almost 20 percent expected in 2020;
- Increasing California's use of renewable energy;
- Reducing the carbon intensity of transportation fuels by 25 percent (a further decrease from the 10 percent level set for 2020);
- Increasing energy efficiency and green building efforts so that the savings achieved in the 2020 to 2030 timeframe are approximately double those accomplished in 2020; and
- Continuing to implement sound land use and transportation policies to lower VMT and shift travel modes.

As concluded in the 2008 Scoping Plan, these measures would produce reductions to bring California's GHG emissions to an estimated 284 MMTCO₂e in 2030, demonstrating that the measures in the Scoping Plan provide an expandable framework for long-term GHG emissions reductions in California.⁸⁹

Although the Project's emissions levels in 2050 cannot be reliably quantified, the preceding discussion demonstrates that statewide efforts are being implemented to facilitate achievement of the 2030 and 2050 goals, and that the Project's emissions would decline as regulatory initiatives identified by CARB and the Scoping Plan are implemented and as technical innovations evolve. Among the measures that will further reduce GHG emissions are the RPS under SB 100 that requires 100 percent renewable energy by 2045. The Project's GHG emissions during construction and operation are

⁸⁹ CARB. 2008. Climate Change Scoping Plan: A Framework for Change, Pages 217-220. December.

presented later in this section, and, for operations, do not include additional GHG emissions reductions from implementation of Project Design Feature GHG-PDF-1, TRANS-PDF-2, or TRANS-PDF-3. As a result of SB 100, the Project's GHG emissions related to energy consumption would decline as LADWP approaches the year 2045 100 percent renewable energy mandate. Therefore, the Project would not conflict with S-3-05 and the 2050 goal.

Further, as discussed in Section IV.H. Land Use and Planning, the Project would not conflict with the applicable strategies of the RTP/SCS. The 2020-2045 RTP/SCS would result in per capita GHG emission reductions relative to 2005 levels of eight percent in 2020, and 19 percent in 2035, thereby meeting the GHG reduction targets established by the CARB for the SCAG region. The Project is the type of land use development that is encouraged by the RTP/SCS to reduce VMT and expand multi-modal transportation options. As shown in Section IV.L Transportation, the Project's VMT per employee would be 7.2, which is approximately 35 percent of the overall SCAG region's daily per capita VMT average of 20.7 and approximately 38 percent of Los Angeles County's daily per capita VMT average of 19.2 for the 2045 Plan Year of the 2020-2045 RTP/SCS. The Project's 7.2 VMT per employee would represent a reduction of approximately 69 percent when compared to the 2020-2045 RTP/SCS baseline (2016) of 23.2 daily per capita VMT. The Project's consistency with SCAG's 2020-2045 RTP/SCS further demonstrates that the Project would be consistent with post-2030 GHG reduction goals.

(vii) Conclusion

The preceding policy consistency analysis demonstrates that the Project would meet or exceed the GHG reduction strategies of the applicable plans, policies, and regulations that have been adopted to reduce GHG emissions. **Therefore, the Project would not conflict with applicable plans, policies, and regulations that have been adopted to reduce GHG emissions and impacts would be less than significant.**

(b) GHG Emissions Quantification

As discussed in Methodology, there are no adopted numerical significance thresholds that would be applicable to the Project. As such, the significance of the GHG emissions impacts have been determined based on the consistency of the Project with applicable plans and regulations adopted to reduce GHG emissions, as evaluated above. However, as discussed above in Methodology, Section 15064.4 of the CEQA Guidelines states that the "lead agency shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of GHG emissions resulting from a project." Therefore, pursuant to Section

15064.4 of the CEQA Guidelines, the following quantification of the Project's potential GHG emissions is provided for informational purposes.

(i) *Construction Emissions*

The GHG emissions associated with construction of the Project were calculated for each year of construction using CalEEMod. The Project data inputs used in the model, as well as the detailed model results, are provided in Appendix F of this Draft EIR. This calculation of the Project's construction emissions is based on a construction period of 28 months, beginning in 2022. The Project development schedule has been revised assuming that construction would begin in late 2022 and conclude in 2025. The emissions that have been modeled with CalEEMod and reported in this analysis are based on an earlier construction schedule beginning in 2021. As construction equipment and vehicles are generating fewer emissions over time as increasingly stringent federal, State, and local regulations are implemented to reduce pollutants in the atmosphere, the Project's construction emissions for a later start date would be the same or less than those reported in this evaluation. As such, this analysis provides a more conservative estimate of emissions as the Project's actual construction emissions would be anticipated to be reduced by use of more efficient vehicles and fuels that would be available and/or required in the future.

The Project would generate GHG emissions during construction from the use of diesel-fueled construction equipment on the site, soil export hauling activities, delivery of materials, and transportation of workers. A more detailed discussion of the assumptions used to calculate the Project's construction emissions, including descriptions of the Project's export hauling, construction phasing, and equipment list, are available in Appendix B, Air Quality Impact Analysis, of this Draft EIR. The estimated construction emissions that would be produced over the three years of construction are shown in Table IV.E-7, Construction Period Emissions of the Project.

Table IV.E-7
Construction Period Emissions of the Project

Year	Construction Emissions (MTCO _{2e})
2021 ^a	829
2022	825
2023	787
Total	2,441
Amortized	81
Source: CalEEMod Output provided in Appendix F of this Draft EIR.	
Totals may not add due to rounding.	
^a Estimated for a 70-day grading/soil export duration. The Project's updated haul route would limit soil export activities to 60 truck loads per day, which would require approximately 90 days for the grading/soil export duration (75,200 cy export/14 cy truck load/60 truck loads = 89.5 days). Extending the number of days for soil export hauling or adjusting the allowable hours over which soil export hauling would occur within a 24-hour period would not affect the GHG emissions from off-site soil export hauling (which accounts for 87 percent of GHG emissions during Project grading/soil export activities), as it would require the same total number of trips for disposal of the excavated quantity.	

As shown, the total emissions resulting from construction would be 2,441 MTCO₂e. In accordance with SCAQMD guidance, the GHG emissions from construction were amortized over thirty years resulting in 81 MTCO₂e annually. The Project's annual construction GHG emissions is added to the operational GHG emissions presented below to determine the Project's total annual GHG emissions.

(ii) *Operations Emissions*

The Project would generate GHG emissions during operations from area sources, energy use (natural gas and electricity), mobile sources (transportation), water conveyance, and solid waste collection, as described in Methodology. The Project's operational GHG emissions were calculated with CalEEMod for the Project scenario and the NAT scenario. The CalEEMod default input assumptions were adjusted as described above in Methodology. The results of these calculations are presented in Table IV.E-8, Operational GHG Emissions of the Project, as well as the percentage reduction of GHG emissions under the Project scenario when compared to the NAT scenario. The existing 7,800-square-foot building on the Project Site would be retained by the Project, and as such, emissions associated with that existing use are not included in this evaluation of the Project's increase in GHG emissions over existing conditions. This evaluation also conservatively assumes no "credit" for GHG reductions associated with the removal of existing buildings from the Project Site, due to relatively small size of the structures that would be removed (7,030 square feet), or reductions from Project Design Features GHG-PDF-1, TRANS-PDF-2, and TRANS-PDF-3. Therefore, the net increase in GHG emissions generated by the Project would be incrementally less than those reported in Table IV.E-8.

Table IV.E-8
Operational GHG Emissions of the Project

Source	NAT Scenario (MTCO ₂ e/year)	Project Scenario (MTCO ₂ e/year)	Project Scenario Reduction from NAT Scenario
Area	<1	<1	0%
Energy	2,972	2,972	0%
Mobile	4,420	3,016	32%
Solid Waste	51	51	0%
Water	140	139	1%
Total Operational	7,582	6,177	19%
Construction (Amortized)	81	81	0%
Total	7,663	6,258	18%
Source: CalEEMod Output provided in Appendix F of this Draft EIR.			
Totals may not add due to rounding.			

As shown above, GHG emissions generated by the Project would be approximately 6,258 MTCO₂e per year, as compared to approximately 7,663 MTCO₂e per year that

would result from the NAT scenario. As such, the Project would achieve an approximately 18 percent reduction in GHG emissions when compared to the NAT scenario.

(c) *Conclusion*

In accordance with CEQA Guidelines Section 15064.4(b)(3), the determination of the significance of the Project's GHG emissions impact is based on a qualitative analysis considering the Project's consistency with applicable statewide, regional, and local plans adopted for the purpose of reducing GHG emissions. As demonstrated above, the Project would reduce GHG emissions in a manner that would not conflict with or would be consistent with the policies of the AB 32 Scoping Plan and subsequent updates, the 2020-2045 RTP/SCS, the LAGBC, and L.A.'s Green New Deal. The Project's consistency with these statewide, regional, and local plans is further demonstrated through the quantification of the Project scenario GHG emissions as compared to the NAT scenario GHG emissions, in that the Project scenario would reduce GHG emissions by 18 percent over the NAT scenario (not including additional GHG emissions reductions from Project Design Features GHG-PDF-1, TRANS-PDF-2, and TRANS-PDF-3). In addition, as described in the post-2030 analysis, Project emissions would continue to decline in accordance with evolving regulations, in particular, SB 100. **Therefore, the Project would not conflict with any applicable plans, policies, or regulations of an agency that have been adopted for the purpose of reducing the emissions of GHGs. Furthermore, because the Project does not conflict with these plans, policies, and regulations, the Project's incremental increase in GHG emissions as described above would not result in a significant impact on the environment. As such, Project impacts with respect to GHG emissions would be less than significant.**

(2) Mitigation Measures

Project impacts related to the generation of GHG emissions and conflicts with a plan, policy, or regulation addressing GHG reductions would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project impacts related to the generation of GHG emissions and conflicts with a plan, policy, or regulation addressing GHG reductions were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

e) Cumulative Impacts

(1) Impact Analysis

The contribution of GHG emissions to global climate change is inherently a cumulative issue. The Project would result in a net increase in GHG emissions; however, a single project's GHG emissions do not necessarily constitute a significant adverse environmental impact, as they would typically be small in comparison to State, national, and global GHG emissions. It is the accumulation of GHGs from several sources on a global scale that may result in climate change. Therefore, a project's potential GHG impacts are exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective.⁹⁰ The California Natural Resources Agency 2009 Final Statement of Reasons for Regulatory Action regarding amendments to the State CEQA Guidelines⁹¹ (Final Statement of Reasons) also clarified that the effects of GHG emissions should be analyzed in the context of CEQA's requirements for cumulative impact analysis. Section 15064.4(b) and (c) of the CEQA Guidelines also indicate the focus of GHG emissions impact analysis is to be provided in the context of a project's contribution to cumulative impacts.

As previously discussed, the State has an established mandated goal of reducing statewide emissions to 1990 levels by 2020, and in 2015, Governor Brown issued EO B-30-15, which created an interim statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030. The interim standard was established to ensure that California would meet its target of reducing GHG emissions to 80 percent below 1990 levels by 2050. SB 32 added Section 38566 to the California HSC, requiring statewide GHG emissions reductions to 40 percent below those that occurred in 1990 by the year 2030.⁹² The CARB and numerous local and regional government agencies are in the process of establishing and implementing regulations to reduce statewide GHG emissions in order to achieve these targets.

Currently, there are no formally adopted CARB, SCAQMD, or City significance thresholds for the analysis of GHG emissions and no approved policy to assist in determining the significance of GHG emissions impacts at individual project or cumulative levels. Further, the above analysis demonstrates that the incorporation of project design features and Project compliance with State, regional, and local policies and regulatory requirements would result in quantifiable GHG emissions reductions. **Therefore, pursuant to the State CEQA Guidelines, Section 15064h(3), the City, as the Lead Agency for the Project, has determined that the Project's contribution**

⁹⁰ CAPCOA. 2008. CEQA and Climate Change, Page 23. January.

⁹¹ California Natural Resources Agency. 2009. Final Statement of Reasons for Regulatory Action. December.

⁹² California Legislative Information. Senate Bill No. 32. Available at: https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB32. Accessed on May 10, 2021.

to cumulative GHG emissions and climate change would not be cumulatively considerable and cumulative impacts would be less than significant.

(2) Mitigation Measures

Cumulative impacts related to GHG emissions would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative impacts related to GHG emissions were determined be less than significant. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

IV. Environmental Impact Analysis

F. Hazards and Hazardous Materials

1. Introduction

This section analyzes the Project's potential hazards and hazardous materials impacts that could occur during Project construction and operation. In addition, this section analyzes the Project's incremental contribution to cumulative hazards and hazardous materials impacts from past, present, and probable future projects. The analysis is largely based on the Phase I Environmental Site Assessment (ESA)¹ and Phase II Subsurface Investigation² prepared for the Project by Citadel Environmental Services, Inc., and included as Appendices G1 and G2, respectively, of this Draft EIR.

2. Environmental Setting

Several plans, regulations, and programs include policies, requirements, and guidelines regarding Hazards and Hazardous Materials at the federal, State of California (State), regional, and City of Los Angeles (City) levels. As described below, these plans, guidelines, and laws include the following:

- Resource Conservation and Recovery Act
- Comprehensive Environmental Response, Compensation, and Liability Act
- Occupational Safety and Health Act of 1970
- Toxic Substances Control Act
- Hazardous Materials Transportation Act
- Research and Special Programs Administration
- Federal Emergency Management Act
- Disaster Mitigation Act of 2000
- Other Hazardous Materials Regulations
- State Policies and Regulations

¹ Citadel Environmental Services, Inc. 2017. Phase I Environmental Site Assessment Report for 405-411 South Hewitt Street, 900, 910 and 926 East 4th Street, and 412 Colyton Street, Los Angeles, California 90013. Revised March 13. (Appendix G1).

² Citadel Environmental Services, Inc. 2017. Phase II Subsurface Investigation Report for 405-411 South Hewitt Street, 900, 910 and 926 East 4th Street, and 412 Colyton Street, Los Angeles, California 90013. May 16. (Appendix G2).

- California Hazardous Materials Release Response Plans and Inventory Law of 1985
- Hazardous Waste and Substances Sites (Cortese List)
- Hazardous Waste Control Law
- License to Transport Hazardous Materials – California Vehicle Code, Section 32000.5 et seq.
- Underground Storage Tanks Program
- Aboveground Petroleum Storage Act
- Lead Based Paint Regulations
- California Division of Occupational Safety and Health
- The Safe Drinking Water and Toxic Enforcement Act
- California Water Code
- Government Code Section 3229, Division (California Geologic Energy Management Division)
- California Fire Code
- Uniform Fire Code
- California Governor’s Office of Emergency Services
- South Coast Air Quality Management District Rule 1113
- South Coast Air Quality Management District Rule 1166
- South Coast Air Quality Management District Rule 1403
- Los Angeles County Operational Area Emergency Response Plan
- Certified Unified Program Agency
- Los Angeles Fire Code
- Los Angeles Municipal Code (Methane Zones and Methane Buffer Zones)
- Waste Discharge Requirements
- Emergency Management Department (EMD), Emergency Operations Organization (EOO), and Emergency Operation Center
- General Plan, Conservation Element

(1) Federal

(a) *Resource Conservation and Recovery Act*

The federal Resource Conservation and Recovery Act (RCRA) (42 United States Code [USC] Sections 6901-6992k), which amended and revised the Solid Waste Disposal Act, regulates the generation, transportation, treatment, storage, and disposal of hazardous

waste. Under RCRA regulations, generators of hazardous waste must register and obtain a hazardous waste activity identification number. RCRA allows individual states to develop their own programs for the regulation of hazardous waste as long as they are at least as stringent as RCRA's.

Underground Storage Tanks (USTs) are regulated under Subtitle I of RCRA and its regulations, which establish construction standards for UST installations installed after December 22, 1988, as well as standards for upgrading existing USTs and associated piping. Since 1998, all non-conforming tanks were required to be either upgraded or closed.

(b) Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as "Superfund," was enacted by Congress on December 11, 1980.³ This law provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites, providing for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled the revision of the National Contingency Plan. The National Contingency Plan provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan also establishes the National Priorities List, which is a list of contaminated sites warranting further investigation by the EPA. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.⁴

(c) Occupational Safety and Health Act of 1970

The Occupational Safety and Health Act of 1970, which is implemented by the federal Occupational Safety and Health Administration (OSHA), contains provisions with respect to hazardous materials handling. OSHA was created to assure safe and healthful working conditions by setting and enforcing standards and by providing training, outreach, education, and assistance. OSHA provides standards for general industry and construction industry on hazardous waste operations and emergency response. OSHA requirements, as set forth in 29 Code of Federal Regulations (CFR) Section 1910, et. seq., are designed to promote worker safety, worker training, and a worker's right-to-

³ USEPA. Superfund CERCLA Overview. Available at: <https://www.epa.gov/superfund/superfund-cercla-overview>. Accessed on April 21, 2021.

⁴ USEPA. Summary of the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund). Available at: <https://www.epa.gov/laws-regulations/summary-comprehensive-environmental-response-compensation-and-liability-act>. Accessed on April 21, 2021.

know. The United States (U.S.) Department of Labor has delegated the authority to administer OSHA regulations to the State of California. The California OSHA program (Cal/OSHA) (codified in the California Code of Regulations [CCR], Title 8, or 8 CCR generally, and in the Labor Code Sections 6300-6719) is administered and enforced by the Division of Occupational Safety and Health (DOSH). Cal/OSHA is very similar to the OSHA program. Among other provisions, Cal/OSHA requires employers to implement a comprehensive, written Injury and Illness Prevention Program (IIPP) for potential workplace hazards, including those associated with hazardous materials.

In addition, pursuant to OSHA, a developer that undertakes a construction project that involves the handling of contaminated site conditions must prepare and implement a Health and Safety Plan (HASP) that sets forth the measures that would be undertaken to protect those that may be affected by the construction project. While a HASP is prepared and implemented pursuant to OSHA, the HASP is not subject to regulatory review and approval, although a HASP is typically appended to a Soil Management Plan if this document is required by the Certified Unified Program Agency (CUPA), which is the City of Los Angeles Fire Department (LAFD) with regard to the Project Site. The HASP, if required, would be prepared in accordance with the most current OSHA regulations, including 29 CFR 1910.120, Hazardous Waste Operations and Emergency Response and 29 CFR 1926, Construction Industry Standards, as well as other applicable federal, State, and local laws and regulations.

(d) *Toxic Substances Control Act*

In 1976, the federal Toxic Substances Control Act (TSCA) (15 USC Sections 2601–2671) established a system of evaluation in order to identify chemicals which may pose hazards. TSCA is enforced by the U.S. Environmental Protection Agency (USEPA) through inspections of places in which asbestos-containing materials (ACMs) are manufactured, processed, and stored and through the assessment of administrative and civil penalties and fines, as well as injunctions against violators. TSCA establishes a process by which public exposure to hazards may be reduced through manufacturing, distribution, use and disposal restrictions or labeling of products. Polychlorinated Biphenyls (PCBs) are hazardous materials regulated by the USEPA under the TSCA. These regulations ban the manufacture of PCBs although the continued use of existing PCB-containing equipment is allowed. PCBs were formerly used in such applications as hydraulic fluids, plasticizers, adhesives, fire retardants, and electrical transformers, among others. TSCA also contains provisions controlling the continued use and disposal of existing PCB-containing equipment. The disposal of PCB wastes is also regulated by TSCA (40 CFR 761), which contains life cycle provisions similar to those in RCRA. In addition to TSCA, provisions relating to PCBs are contained in the Hazardous Waste Control Law, which lists PCBs as hazardous waste.

Under TSCA, the USEPA has enacted strict requirements on the use, handling, and disposal of ACMs. These regulations include the phasing out of friable asbestos and ACMs in new construction materials beginning in 1979. In 1989, the USEPA banned most uses of asbestos in the country. Although most of the ban was overturned in 1991, the current banned product categories include corrugated paper, rollboard, commercial paper, specialty paper, flooring felt, and any new uses. TSCA also establishes USEPA's Lead Abatement Program regulations, which provide a framework for lead abatement, risk assessment, and inspections. Those performing these services are required to be trained and certified by the USEPA.

(e) *Hazardous Materials Transportation Act*

The U.S. Department of Transportation (USDOT) prescribes strict regulations for the safe transportation of hazardous materials, including requirements for hazardous waste containers and licensed haulers who transport hazardous waste on public roads. The Secretary of the Department of Transportation receives the authority to regulate the transportation of hazardous materials from the Hazardous Materials Transportation Act (HMTA), as amended and codified in 49 USC Section 5101 et seq. The Secretary of Transportation is authorized to issue regulations to implement the requirements of 49 USC. The Pipeline and Hazardous Materials Safety Administration,⁵ formerly the Research and Special Provisions Administration, was delegated the responsibility to write the hazardous materials regulations, which are contained in Title 49 of the CFR Parts 100-180.⁶ Title 49 of the CFR, which contains the regulations set forth by the HMTA, specifies requirements and regulations with respect to the transport of hazardous materials. It requires that every employee who transports hazardous materials receive training to recognize and identify hazardous materials and become familiar with hazardous materials requirements. Under the HMTA, the Secretary of Transportation "may authorize any officer, employee, or agent to enter upon, inspect, and examine, at reasonable times and in a reasonable manner, the records and properties of persons to the extent such records and properties relate to: (1) the manufacture, fabrication, marking, maintenance, reconditioning, repair, testing, or distribution of packages or containers for use by any "person" in the transportation of hazardous materials in commerce; or (2) the transportation or shipment by any "person" of hazardous materials in commerce."

(f) *Research and Special Programs Administration*

The Research and Special Programs Administration (RSPA) regulations cover definition and classification of hazardous materials, communication of hazards to workers and the public, packaging and labeling requirements, operational rules for shippers, and training.

⁵ US Department of Transportation, Pipeline and Hazardous Materials Safety Administration. Federal Hazardous Materials Transportation Law. Available at: <https://www.phmsa.dot.gov/standards-rulemaking/hazmat/federal-hazardous-materials-transportation-law-overview> Accessed on April 21, 2021.

⁶ 49 Code of Federal Regulations Parts 100 to 185.

They apply to interstate, intrastate, and foreign commerce by air, rail, ships, and motor vehicles, and also cover hazardous waste shipments. The RSPA's Federal Highway Administration is responsible for highway routing of hazardous materials and highway safety permits. The U.S. Coast Guard regulates bulk transport by vessel. The hazardous material regulations include emergency response provisions, including incident reporting requirements. Reports of major incidents go to the National Response Center, which in turn is linked with CHEMTREC, a service of the chemical manufacturing industry that provides details on most chemicals shipped in the U.S.

(g) Federal Emergency Management Act

The Federal Emergency Management Act (FEMA) was established in 1979 via executive order and is an independent agency of the Federal Government. In March 2003, FEMA became part of the U.S. Department of Homeland Security with the mission to lead the effort in preparing the nation for all hazards and effectively manage federal response and recovery efforts following any national incident.⁷ FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

(h) Disaster Mitigation Act of 2000

Disaster Mitigation Act (42 USC Section 5121) provides the legal basis for FEMA mitigation planning requirements for state, local, and Indian Tribal governments as a condition of mitigation grant assistance. It amends the Robert T. Stafford Disaster Relief Act of 1988 (42 USC Sections 5121-5207) by repealing the previous mitigation planning provisions and replacing them with a new set of requirements that emphasize the need and creates incentives for state, Tribal, and local agencies to closely coordinate mitigation planning and implementation efforts. This Act reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and the streamlining of the administration of federal disaster relief and programs to promote mitigation activities. Some of the major provisions of this Act include:

- Funding pre-disaster mitigation activities;
- Developing experimental multi-hazard maps to better understand risk;
- Establishing state and local government infrastructure mitigation planning requirements;
- Defining how states can assume more responsibility in managing the Hazard Mitigation Grant Program; and
- Adjusting ways in which management costs for projects are funded.

⁷ Federal Emergency Management Act. History of FEMA. Available at: <https://www.fema.gov/about/history>. Accessed on April 21, 2021.

The mitigation planning provisions outlined in Section 322 of this Act establish performance-based standards for mitigation plans and require states to have a public assistance program (Advance Infrastructure Mitigation) to develop county government plans). The consequence for counties that fail to develop an infrastructure mitigation plan is the chance of a reduced federal share of damage assistance from 75 percent to 25 percent if the damaged facility has been damaged on more than one occasion in the preceding 10-year period by the same type of event.

(i) *Other Hazardous Materials Regulations*

In addition to the USDOT regulations for the safe transportation of hazardous materials, other applicable federal laws also address hazardous materials. These include:

- Community Environmental Response Facilitation Act of 1992;
- Clean Water Act (CWA);
- Clean Air Act;
- Safe Drinking Water Act; and
- Federal Insecticide, Fungicide, and Rodenticide Act.

(2) **State**

(a) *State Policies and Regulations*

The primary State agencies with jurisdiction over hazardous chemical materials management are California Environmental Protection Agency's (CalEPA's) Department of Toxic and Substance Control (DTSC) and the Los Angeles Regional Water Quality Control Board (LARWQCB). Other State agencies involved in hazardous materials management include Cal/OSHA and the State Office of Emergency Services (Cal OES).

Authority for the statewide administration and enforcement of RCRA rests with CalEPA DTSC. While DTSC has primary State responsibility in regulating the generation, storage and disposal of hazardous materials, DTSC may further delegate enforcement authority to local jurisdictions. In addition, DTSC is responsible and/or provides oversight for contamination cleanup and administers statewide hazardous waste reduction programs. DTSC operates programs to accomplish the following: (1) manage the aftermath of improper hazardous waste management by overseeing site cleanups; (2) prevent releases of hazardous waste by ensuring that those who generate, handle, transport, store, and dispose of wastes do so properly; and (3) evaluate soil, water, and air samples taken at sites.

The storage of hazardous materials in USTs is regulated by the State Water Resources Control Board (SWRCB), which delegates authority to the Regional Water Quality Control

Board (RWQCB) on the regional level, and typically to the local fire department on the local level.

The Cal/OSHA program is administered and enforced by the DOSH. Cal/OSHA is very similar to the federal OSHA program. For example, both programs contain rules and procedures related to exposure to hazardous materials during demolition and construction activities. In addition, Cal/OSHA requires employers to implement a comprehensive, written IIPP. An IIPP is an employee safety program for potential workplace hazards, including those associated with hazardous materials.

The Cal OES Hazardous Materials (HazMat) section under the Fire and Rescue Division coordinates statewide implementation of hazardous materials accident prevention and emergency response programs for all types of hazardous materials incidents and threats. In response to any hazardous materials emergency, the HazMat section staff is called upon to provide State and local emergency managers with emergency coordination and technical assistance.

(b) California Hazardous Materials Release Response Plans and Inventory Law of 1985

The Business Plan Act requires preparation of Hazardous Materials Business Plans and disclosure of hazardous materials inventories, including an inventory of hazardous materials handled, plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee training in safety and emergency response procedures for businesses that handle, store, or transport hazardous materials in amounts exceeding specified minimums (California Health and Safety Code [HSC], Division 20, Chapter 6.95, Article 1). Statewide, DTSC has primary regulatory responsibility for management of hazardous materials, with delegation of authority to local jurisdictions that enter into agreements with the State. Local agencies are responsible for administering these regulations.

Several State agencies regulate the transportation and use of hazardous materials to minimize potential risks to public health and safety, including CalEPA and the California Emergency Management Agency (Cal-EMA). The California Highway Patrol and Caltrans enforce regulations specifically related to the transport of hazardous materials. Together, these agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roadways.

(c) Hazardous Waste and Substances Sites (Cortese List)

Government Code Section 65962.5, amended in 1992, requires the CalEPA to develop and update annually the Hazardous Waste and Substances Sites (Cortese List), which is a list of hazardous waste sites and other contaminated sites. The Cortese List is a

planning document used by the State, local agencies, and developers to comply with California Environmental Quality Act (CEQA) requirements pertaining to providing information about the location of hazardous materials release sites. While the Cortese List is no longer maintained as a single list, the following databases provide information that meet the Cortese List requirements:

1. List of Hazardous Waste and Substances sites from the DTSC Envirostor database (HSC Sections 25220, 25242, 25356, and 116395);
2. List of open and active leaking underground storage tank (LUST) Sites by County and Fiscal Year from the SWRCB GeoTracker database (HSC Section 25295);
3. List of solid waste disposal sites identified by the SWRCB with waste constituents above hazardous waste levels outside the waste management unit (Water Code Section 13273[e] and 14 CCR Section 18051);
4. List of “active” Cease and Desist Orders and Cleanup and Abatement Orders from the SWRCB (California Water Code [CWC] Sections 13301 and 13304); and
5. List of hazardous waste facilities subject to corrective action pursuant to HSC Section 25187.5, identified by the DTSC.

(d) Hazardous Waste Control Law

The Hazardous Waste Control Law (HWCL) empowers the State’s hazardous waste program and implement the federal program in California. CCR Titles 22 and 23 address hazardous materials and wastes. Title 22 defines, categorizes, and lists hazardous materials and wastes. Title 23 addresses public health and safety issues related to hazardous materials and wastes and specifies disposal options.

(e) License to Transport Hazardous Materials – California Vehicle Code, Section 32000.5 et seq.

The California Department of Transportation (Caltrans) regulates hazardous materials transportation on all interstate roads. Within California, the State agencies with primary responsibility for enforcing federal and State regulations and for responding to transportation emergencies are the California Highway Patrol and Caltrans. Together, federal and State agencies determine driver-training requirements, load labeling procedures, and container specifications for vehicles transporting hazardous materials.

(f) Underground Storage Tanks Program

The State regulates USTs through a program pursuant to California HSC, Division 20, Chapter 6.7, and CCR Title 23, Division 3, Chapter 16 and Chapter 18. The State’s UST program regulations include among others, permitting USTs, installation of leak detection systems and/ or monitoring of USTs for leakage, UST closure requirements, release reporting/corrective action, and enforcement. Oversight of the statewide UST program is

assigned to the SWRCB which has delegated authority to the RWQCB and typically on the local level, to the fire department. The LAFD administers and enforces federal and State laws and local ordinances for USTs at the Project Site. Plans for the construction/installation, modification, upgrade, and removal of USTs are reviewed by LAFD Inspectors. If a release affecting groundwater is documented, the project file is transferred to the appropriate RWQCB for oversight.

(g) Aboveground Petroleum Storage Act

In 1989, California established the Aboveground Petroleum Storage Act instituting a regulatory program covering aboveground storage tank (ASTs) containing specified petroleum products (HSC Sections 25270–25270.13). The Aboveground Petroleum Storage Act applies to facilities with storage capacities of 10,000 gallons or more or are subject to oil pollution prevention and response requirements under 40 CFR Part 112. Under the Aboveground Petroleum Storage Act, each owner or operator of a regulated AST facility must file biennially a storage statement with the SWRCB disclosing the name and address of the AST facility; the contact person for the facility; and the location, size, age, and contents of each AST that exceeds 10,000 gallons in capacity and that holds materials that are at least five percent petroleum. In addition, each owner or operator of a regulated AST must prepare a Spill Prevention Control and Countermeasure Plan in accordance with federal and State requirements (40 CFR Part 112 and HSC Section 25270.5[c]). The responsibility for inspecting ASTs and ensuring that Spill Prevention Control and Countermeasure Plans have been prepared lies with the RWQCBs.

(h) Lead Based Paint Regulations

Lead-based paint (LBP) is defined as any paint, varnish, stain, or other applied coating that has a one milligram per square centimeter (mg/cm^2) (5,000 microgram per gram [$\mu\text{g}/\text{g}$] or 0.5 percent by weight) or more of lead. The US Consumer Product Safety Commission (16 CFR 1303) banned paint containing more than 0.06 percent lead for residential use in 1978. Buildings built before 1978 are much more likely to have LBP.

The demolition of buildings containing LBPs is subject to a comprehensive set of California regulatory requirements that are designed to assure the safe handling and disposal of these materials. Cal/OSHA has established limits of exposure to lead contained in dusts and fumes, which provides for exposure limits, exposure monitoring, and respiratory protection, and mandates good working practices by workers exposed to lead, particularly since demolition workers are at greatest risk of adverse exposure. Lead-contaminated debris and other wastes must also be managed and disposed of in accordance with applicable provisions of the California HSC.

(i) *California Division of Occupational Safety and Health*

Cal/OSHA is responsible for developing and enforcing workplace safety standards and ensuring worker safety in the handling and use of hazardous materials (8 CCR, Section 1529). Among other requirements, Cal/OSHA requires entities handling specified amounts of certain hazardous chemicals to prepare injury and illness prevention plans and chemical hygiene plans, and provides specific regulations to limit exposure of construction workers to lead. OSHA applies to this Project because contractors will be required to comply with its handling and use requirements that would increase worker safety and reduce the possibility of spills, and to prepare an emergency response plan to respond to accidental spills.

(j) *The Safe Drinking Water and Toxic Enforcement Act*

The Safe Drinking Water and Toxic Enforcement Act (HSC, Section 25249.5, et seq.) Proposition 65, lists chemicals and substances believed to have the potential to cause cancer or deleterious reproductive effects in humans. It also restricts the discharges of listed chemicals into known drinking water sources above the regulatory levels of concern, requires public notification of any unauthorized discharge of hazardous waste, and requires that a clear and understandable warning be given prior to a known and intentional exposure to a listed substance.

(k) *California Water Code*

The CWC authorizes the SWRCB to implement provisions of the CWA, including the authority to regulate waste disposal and require cleanup of discharges of hazardous materials and other pollutants. In regard to construction dewatering discharge analysis and treatment, groundwater may be encountered during deeper excavations for the subterranean parking structure, building foundations, or other subterranean building components. Under the CWC, discharges of any such groundwater to surface waters, or any point sources hydrologically connected to surface waters, such as storm drains, is prohibited unless conducted in compliance with a Waste Discharge Requirement (WDR) permit. In addition to the CWC, these permits implement and are in compliance with the federal CWA's National Pollutant Discharge Elimination System (NPDES) program. In accordance with these legal requirements, dewatering, treatment, and disposal of groundwater encountered during construction activities would be conducted in accordance with the LARWQCB's Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties, pursuant to adopted Order No. R4-

2013-0095, or any other appropriate WDR permit identified by the LARWQCB.⁸ Compliance with an appropriate WDR permit would include monitoring, treatment if appropriate, and proper disposal of any encountered groundwater in accordance with applicable water quality standards. If, for example, extracted groundwater contains Total Petroleum Hydrocarbons (TPH) or other petroleum breakdown compounds in concentrations exceeding water quality standards, compliance with legal requirements would mandate treatment to meet published State water quality standards prior to discharge into a storm drain system.

(l) Government Code Section 3229, Division 3 (California Geologic Energy Management Division)

In compliance with Section 3229, Division 3 of the California Public Resources Code, before commencing any work to abandon any well, the owner or operator shall request approval from the California Geologic Energy Management Division (CalGEM), formerly the Division of Oil, Gas, and Geothermal Resources (DOGGR), via a written notice of intention to abandon the well.

(m) California Fire Code, Title 24, Part 9, Chapters 33, 50 and 57

The 2019 California Fire Code (CFC), written by the California Building Standards Commission, is based on the 2018 International Fire Code (IFC). The IFC is a model code that regulates minimum fire safety requirements for new and existing buildings, facilities, storage and processes. The IFC addresses fire prevention, fire protection, life safety, and safe storage and use of hazardous materials in new and existing buildings, facilities, and processes.

The CFC, Chapter 9 of Title 24 of the CCR, was created by the California Building Standards Commission based on the IFC and is updated every three years. The overall purpose of the CFC is to establish the minimum requirements to safeguard the public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations. Chapter 49 of the CFC contains minimum standards for development in the wildland–urban interface and fire hazard areas. The CFC also provides regulations and guidance for local agencies in the development and enforcement of fire safety standards.

⁸ Los Angeles Regional Water Quality Control Board. 2013. Order No. R4-2013-0095, Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties, June 6. Available at: https://www.waterboards.ca.gov/losangeles/board_decisions/adopted_orders/permits/general/npdes/r4-2013-0095/Dewatering%20Order.pdf. Accessed on April 21, 2021.

(n) *Uniform Fire Code*

The Uniform Fire Code (UFC), Article 80 (UFC Section 80.103), as adopted by the State Fire Marshal pursuant to HSC Section 13143.9), includes specific requirements for the safe storage and handling of hazardous materials. These requirements are intended to reduce the potential for a release of hazardous materials and for mixing of incompatible chemicals, and specify the following specific design features to reduce the potential for a release of hazardous materials that could affect public health or the environment:

- Separation of incompatible materials with a noncombustible partition;
- Spill control in all storage, handling, and dispensing areas; and
- Separate secondary containment for each chemical storage system. The secondary containment must hold the entire contents of the tank, plus the volume of water needed to supply the fire suppression system for a period of 20 minutes in the event of catastrophic spill.

(o) *California Governor's Office of Emergency Services*

In 2009, the State passed legislation creating the Cal OES and authorized it to prepare a Standard Emergency Management System (SEMS) program (Title 19 CCR Section 2401 *et seq.*), which sets forth measures by which a jurisdiction should handle emergency disasters. In California, SEMS provides the mechanism by which local governments request assistance. Non-compliance with SEMS could result in the State withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster. Cal OES coordinates the State's preparation for, prevention of, and response to major disasters, such as fires, floods, earthquakes and terrorist attacks. During an emergency, Cal OES serves as the lead State agency for emergency management in the State. It also serves as the lead agency for mobilizing the State's resources and obtaining federal resources. Cal OES coordinates the State response to major emergencies in support of local government. The primary responsibility for emergency management resides with the local government. Local jurisdictions first use their own resources and, as they are exhausted, obtain more from neighboring cities and special districts, the county in which they are located, and other counties throughout the State through the statewide mutual aid system (see discussion of Mutual Aid Agreements, below). Cal-EMA maintains oversight of the State's mutual aid system.

(p) *Emergency Managed Mutual Aid System*

Cal OES developed the Emergency Managed Mutual Aid (EMMA) System in response to the 1994 Northridge Earthquake. The EMMA System coordinates emergency response and recovery efforts along the coastal, inland, and southern regions of California. The purpose of EMMA is to provide emergency management personnel and technical specialists to afflicted jurisdictions in support of disaster operations during emergency

events. Objectives of the EMMA Plan is to provide a system to coordinate and mobilize assigned personnel, formal requests, assignment, training and demobilization of assigned personnel; establish structure to maintain the EMMA Plan and its procedures; provide the coordination of training for EMMA resources, including SEMS training, coursework, exercises, and disaster response procedures; and to promote professionalism in emergency management and response. The EMMA Plan was updated in November 2012 and supersedes the 1997 EMMA Plan and November 2001 EMMA Guidance.

(3) Regional

(a) *South Coast Air Quality Management District Rule 1113*

South Coast Air Quality Management District (SCAQMD) Rule 1166, Architectural Coating, requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce volatile organic compound (VOC) emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.

(b) *South Coast Air Quality Management District Rule 1166*

SCAQMD Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil, requires that an approved mitigation plan be obtained from SCAQMD prior to commencing any of the following activities: 1) The excavation of an underground storage tank or piping which has stored VOCs; 2) The excavation or grading of soil containing VOC material including gasoline, diesel, crude oil, lubricant, waste oil, adhesive, paint, stain, solvent, resin, monomer, and/or any other material containing VOCs; 3) The handling or storage of VOC-contaminated soil [soil which registers >50 parts per million or greater using an organic vapor analyzer calibrated with hexane] at or from an excavation or grading site; and 4) The treatment of VOC-contaminated soil at a facility. This rule sets requirements to control the emission of VOCs from excavating, grading, handling and treating VOC-contaminated soil as a result of leakage from storage or transfer operations, accidental spillage, or other deposition.

(c) *South Coast Air Quality Management District Rule 1403*

SCAQMD Rule 1403, Asbestos Emissions from Renovation/Demolition Activities, regulates asbestos as a toxic material and controls the emissions of asbestos from demolition and renovation activities by specifying agency notifications, appropriate removal procedures, and handling and clean up procedures. Rule 1403 applies to owners and operators involved in the demolition or renovation of structures with ACMs, asbestos storage facilities, and waste disposal sites.

(d) *Los Angeles County Operational Area Emergency Response Plan*

The County of Los Angeles developed the Emergency Response Plan (ERP) to ensure the most effective allocation of resources for the maximum benefit and protection of the public in time of emergency. The ERP does not address normal day-to-day emergencies or the well-established and routine procedures used in coping with them. Instead, the operational concepts reflected in this plan focus on potential large-scale disasters like extraordinary emergency situations associated with natural and man-made disasters and technological incidents which can generate unique situations requiring an unusual or extraordinary emergency response. The purpose of the plan is to incorporate and coordinate all facilities and personnel of the County government, along with the jurisdictional resources of the cities and special districts within the County, into an efficient Operational Area organization capable of responding to any emergency using a Standard Emergency Management System, mutual aid and other appropriate response procedures. The goal of the plan is to take effective life-safety measures and reduce property loss, provide for the rapid resumption of impacted businesses and community services, and provide accurate documentation and records required for cost-recovery.

(4) Local

(a) *Certified Unified Program Agency*

The primary local agency with responsibility for implementing federal and State laws and regulations pertaining to hazardous materials management is the Los Angeles County Health Department, Environmental Health Division. The Los Angeles County Health Department is the CUPA for the County of Los Angeles. A CUPA is a local agency that has been certified by CalEPA to implement the six State environmental programs within the local agency's jurisdiction. This program was established under the amendments to the California HSC made by Senate Bill 1082 in 1994. The six consolidated programs are:

- Hazardous Materials Release Response Plan and Inventory (Business Plans);
- California Accidental Release Prevention (CalARP);
- Hazardous Waste (including Tiered Permitting);
- USTs;
- ASTs (Spill Prevention Control and Countermeasures [SPCC] requirements); and
- UFC Article 80 Hazardous Material Management Program and Hazardous Material Identification System.

As the CUPA for County of Los Angeles, the Los Angeles County Health Department Environmental Health Division maintains the records regarding location and status of hazardous materials sites in the county and administers programs that regulate and

enforce the transport, use, storage, manufacturing, and remediation of hazardous materials. By designating a CUPA, Los Angeles County has accurate and adequate information to plan for emergencies and/or disasters and to plan for public and firefighter safety.

A Participating Agency is a local agency that has been designated by the local CUPA to administer one or more Unified Programs within their jurisdiction on behalf of the CUPA. The Los Angeles County Health Department, Environmental Health Division has designated the LAFD as a Participating Agency. The LAFD monitors the storage of hazardous materials in the City for compliance with local requirements. Specifically, businesses and facilities that store more than threshold quantities of hazardous materials as defined in California HSC Chapter 6.95 are required to file an Accidental Risk Prevention Program with LAFD. This program includes information such as emergency contacts, phone numbers, facility information, chemical inventory, and hazardous materials handling and storage locations. LAFD also has the authority to administer and enforce federal and State laws and local ordinances for USTs. Plans for the construction/installation, modification, upgrade, and removal of USTs are reviewed by LAFD Inspectors.

In addition, the LAFD, in their role as the CUPA, also oversees and addresses issues relating to the presence and handling of contaminated soils that may be present at the Project Site. Any such hazardous materials that may be encountered would be managed (using tools, such as a Soil Management Plan [SMP]) in accordance with all relevant and applicable federal, State, and local laws and regulations that pertain to the use, storage, transportation and disposal of hazardous materials and waste. The SMP, if required, would describe the methodology to identify and manage (reuse or off-site disposal) contaminated soil during soil excavation and/or construction. The SMP would also provide protocols for confirmation sampling, segregation and stockpiling, profiling, backfilling, disposal, guidelines for imported soil, and backfill approval from the City's Department of Building and Safety. The SMP would also describe the methodology to manage underground features that may be encountered during construction. In addition, the LAFD may consult with other agencies (e.g., DTSC and the LARWQCB) if the nature of the contamination warrants the involvement of these agencies.

(b) Los Angeles Fire Code

At the local level, the LAFD monitors the storage of hazardous materials for compliance with local requirements. Specifically, businesses and facilities that store more than threshold quantities of hazardous materials as defined in Chapter 6.95 of the HSC are

required to file an Accidental Risk Prevention Program with the LAFD.⁹ This program includes information such as emergency contacts, phone numbers, facility information, chemical inventory, and hazardous materials handling and storage locations. The LAFD also issues permits for hazardous materials handling and enforces California's Hazardous Materials Release Response Plans and Inventory Law (HSC Section 25500 et seq.). Basic requirements of California's Hazardous Materials Release Response Plans and Inventory Law include the development of detailed hazardous materials inventories used and stored on-site, a program of employee training for hazardous materials release response, identification of emergency contacts and response procedures, and reporting of releases of hazardous materials. Any facility that meets the minimum reporting thresholds (i.e., a mixture containing a hazardous material that has a quantity at any one time during the reporting year that is equal to, or greater than, 55 gallons for materials that are liquids, 500 pounds for solids, or 200 cubic feet for compressed gas) must comply with the reporting requirements and file a Business Emergency Plan with the local administering agency.¹⁰

The LAFD also administers the Fire Life Safety Plan Check and Fire Life Safety Inspections interpreting and enforcing applicable standards of the Fire Code, Title 19, Uniform Building Code, City, and national codes concerning new construction and remodeling. As part of the Fire Life Safety Plan Check and Fire Life Safety Inspections, businesses that store hazardous waste or hazardous materials in amounts exceeding the thresholds noted above are subject to review.

Section 91.7109.2 of the City of Los Angeles Municipal Code (LAMC) requires LAFD notification when an abandoned oil well is encountered during construction activities and requires that any abandoned oil well not in compliance with existing regulations be re-abandoned in accordance with applicable rules and regulations of CALGEM.

(c) Los Angeles Municipal Code (Methane Zones and Methane Buffer Zones)

LAMC Chapter IX, Article 1, Division 71, Section 91.7103, also known as the Los Angeles Methane Seepage Regulations, establishes requirements for buildings and paved areas located in methane zones and methane buffer zones. Requirements for new construction within such zones include methane gas sampling and, depending on the detected concentrations of methane and gas pressure at the site, application of design remedies for reducing potential methane impacts. The required methane mitigation systems are based on the site Design Level, with more involved mitigation systems required at the

⁹ The CalARP program encompasses both the federal "Risk Management Program," established in the Code of Federal Regulations, Title 40, Part 68, and the State of California program, in accordance with the Title 19 of the California Code of Regulations, Division 2, Chapter 4.5.

¹⁰ California Health & Safety Code, Division 20, Chapter 6.95, Article 1; California Code of Regulations, Title 19, Sections 2620-2732; California Code of Regulations, Title 24, Part 9, Section 80.115; Los Angeles Municipal Code, Article 7 of Chapter V, Section 57.120.1, and 57.120.1.4

higher Site Design Levels. The required methane mitigation systems are designed so that when properly implemented, they reduce methane-related risks to a less than significant level.

(d) Waste Discharge Requirements

Effective on December 28, 2012, the Los Angeles RWQCB adopted Order No. R4-2012-0175, NPDES Permit No. CAS004001, Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges into the Coastal Watersheds of Los Angeles County. The permit establishes new performance criteria for new development and redevelopment projects in the coastal watersheds of Los Angeles County (with the exception of the City of Long Beach). Storm water and non-storm water discharges consist of surface runoff generated from various land uses, which are conveyed via the municipal separate storm sewer system and ultimately discharged into surface waters throughout the region (“storm water” discharges are those that originate from precipitation events, while “non-storm water” discharges are all those that are transmitted through an MS4 Storm Water Permit and originate from precipitation events). Discharges of stormwater and non-storm water from the MS4s, or storm drain systems, in the Coastal Watersheds of Los Angeles County convey pollutants to surface waters throughout the Los Angeles Region. Non-storm water discharges through an MS4 in the Los Angeles Region are prohibited unless authorized under an individual or general NPDES permit; these discharges are regulated by the Los Angeles County NPDES Permit, issued pursuant to CWA Section 402. Coverage under a general NPDES permit such as the Los Angeles County permit can be achieved through development and implementation of a project-specific SWPPP.

(e) Emergency Management Department, Emergency Operations Organization, and Emergency Operation Center

The City of Los Angeles EMD is comprised of four divisions and two units including administrative services division, communications division, community emergency management division, operations division, planning unit, and training exercise unit. The EMD works with City departments, municipalities and with community-based organizations to ensure that the City and its residents have the resources and information they need to prepare, respond, and recover from emergencies, disasters and significant events. The EOO is the operational department responsible for the City’s emergency preparations (planning, training and mitigation), response and recovery operations. The EOO centralizes command and information coordination to enable its unified chain-of-command to operate efficiently and effectively in managing the City’s resources.

The Emergency Operation Center (EOC) is the focal point for coordination of the City’s emergency planning, training, response and recovery efforts. EOC processes follow the

National All-Hazards approach to major disasters such as fires, floods, earthquakes, acts of terrorism and large-scale events in the City that require involvement by multiple City departments.

(f) *General Plan Conservation Element*

The relevant policy of the General Plan Conservation Element is provided in Table IV.F-1, Relevant General Plan Conservation Elements- Resource Management (Fossil Library) – Petroleum (Oil and Gas) Policy, below.

Table IV.F-1
Relevant General Plan Conservation Element – Resource Management
(Fossil Library) – Petroleum (Oil and Gas) Policy

Policy	Description
Policy 3	Continue to protect neighborhoods from potential accidents and subsidence associated with drilling, extraction and transport operations, consistent with California Department of Conservation, Division of Oil and Gas requirements. ^a
Source: City of Los Angeles. 2001. Conservation Element of the City of Los Angeles General Plan. Adopted September 26.	
^a As noted above, DOGGR is now known as CalGEM.	

b) Existing Conditions

The Existing Conditions discussion describes the known historical land uses that occupied the Project Site, as well as the current Project Site conditions. The current Project Site conditions discussion includes a summary of the results of the Project's Phase I ESA and Phase II Subsurface Site Investigation results.

(1) Historical Site Land Uses

The Project Site was historically developed as early as 1894 and since then has been redeveloped with a variety of uses. The following summarized chronology of Project Site development with descriptions of the various on-site uses is provided in detail the Project's Phase I ESA, which is based on a review of historical sources.

- The western portion of the Project Site was developed with three dwellings by 1894, followed by one dwelling and a three-story hotel structure on the northeastern portion and three additional dwellings in the western portion by 1906.
- By 1920, two additional small structures, likely dwellings, and one larger structure, were developed on the western portion of the project Site (the larger structure was comprised of mattress manufacturing by 1950). Two one-story oblong structures were also developed in the east/southeast portion of the Project Site by 1920 (one of these structures was comprised of carton paper storage by 1950). One of these

structures remains on-site and provided an office use at the time of the Project's Phase I ESA.

- By 1950, two stores were developed in the eastern portion of the Project Site along East 4th Street, and lumber storage was located in the southeastern portion of the Project Site. Two small structures were also developed in the western portion of the Project Site south of the mattress manufacturing structure – occupied for animal hair pulling and processing. The remaining portions of the Project Site (hotel and dwellings) were unchanged at this time.
- By 1953, the large structure located in the northeastern corner of the Project Site was occupied as asbestos fabricating. The former lumber storage area was used as a truck company storage yard. The remaining portions of the Project Site (hotel, dwellings, stores, hair pulling and processing, and paper storage) were unchanged at this time.
- By 1954, the former asbestos fabricating structure was occupied as metal fabricating, and the former mattress manufacturing was occupied as woodworking. The stores and dwellings were no longer present. The remaining portions of the Project Site (hotel, hair pulling and processing, paper storage, and storage yard) were unchanged at this time.
- By 1959, the two structures in the northwestern corner of the Project Site were depicted as a connecting structure and occupied for metal product manufacturing, packing, and assembling. This structure remains on-site and was occupied by the Architecture and Design (A+D) Museum at the time of the Project's Phase I ESA. The former paper storage structure provided a garbage can warehouse. The former hotel was no longer present, and a restaurant and a small oblong (vacant) structure was developed in the northeastern portion of the Project Site along South Hewitt Street. The remaining portions of the Project Site (hair pulling and processing, and storage yard) were unchanged at this time.
- By 1960, the two structures in the northwestern corner of the Project Site were vacant. A small portion of the northeastern portion was used for parking. The remaining portions of the Project Site (hair pulling and processing, storage yard, restaurant, and vacant structure) were unchanged at this time.
- By 1967, one of the vacant structures in the northwest corner was occupied by a warehouse. The oblong structure was no longer present. A larger vacant structure was developed in the southeastern portion of the Project Site along South Hewitt Street. The remaining portions of the Project Site (hair pulling and processing, storage yard, restaurant, and vacant structure) were unchanged at this time.

- By 1970, the two structures in the northeastern corner were used for commercial and manufacturing uses. The vacant structure along South Hewitt Street was used as a warehouse. The remaining portions of the Project Site (hair pulling and processing, storage yard, and restaurant) were unchanged.
- By 1991, the current garage structure located along the south portion of the Project Site fronting South Hewitt Street was developed. The garage was occupied by a local transit company, which operated small buses from the Project Site. The smaller commercial structure along East 4th Street and the restaurant were demolished by 2009.

In addition to above-ground land uses, the Project's Phase I ESA reports that two former USTs (one 1,000-gallon and one 10,000-gallon tank) were located in the southeastern area of the Project Site. The USTs were removed from the Project Site in 1990, under a permit and with the oversight of the LAFD. The LAFD issued a No Further Action Required Letter for the UST closures on September 12, 1990. That same area was graded and compacted in 1991 prior to the development of the current garage structure fronting South Hewitt Street. In addition, in 2010, a surface parking lot located north of the garage structure included large auto and truck washing equipment, with a subsurface drain system that directed wastewater through several underground separators to a three-stage clarifier located to the east of the garage building.

(2) Current Site Conditions

At the time when the Project's Phase I ESA was prepared in 2016, the land uses on the Project Site included four structures; the building fronting Colyton Street (then occupied by the A+D Museum), which would remain in its current location with the Project; a one-story office building; and an associated garage, storage structure, and surface parking lots. The report also notes subsurface features at the Project Site that may potentially include a three-stage clarifier and drain system associated with former auto and truck washing operations. Existing land uses surrounding the Project Site at the time included an auto repair garage, a sushi school, industrial and manufacturing spaces, warehouse spaces, cafes/restaurants, a fitness gym, and a produce wholesaler.

The Project Site was identified on the Hazardous Waste Information System (HAZNET) database for generating photochemicals/photoprocessing waste from 1993 to 1995; aqueous solutions in 1998; waste and mixed oil in 2007; and unspecified aqueous solution in 2008. Based on a lack of reported spills or leaks, these listings are not considered to represent a significant environmental concern. Additionally, no historical releases of petroleum products from a LUST occurred within 0.25 miles and upgradient of the Project Site. The Historical Gas Station database identified two properties located within 0.125 miles and upgradient of the Project Site. The properties were located at the

Project Site (occupied by Quality Auto Repair, in 1999 and 2001) and 350 feet east of the Project Site (Al Woods gasoline and oil service station, from 1933 to 1942). According to the Project's Phase I ESA, Quality Auto Repair is not likely to have adversely affected the Project Site, as no USTs were associated with the facility, and due to the distance to the Project Site, the Al Woods gasoline and oil service station is also unlikely to have adversely affected the Project Site. No properties were identified on the Historical Dry Cleaners database within 0.125 miles and upgradient of the Project Site. Specific Project Site conditions are described below.

(a) *Hydrologic Conditions*

The Geotechnical Engineering Investigation prepared for the Project by Geotechnologies, Inc.¹¹ indicates that during test boring on-site, groundwater was encountered at a depth of approximately 78 feet below the existing grade. This is somewhat shallower than the reported historically highest groundwater level shown in the Los Angeles 7.5 Minute Quadrangle Seismic Hazard Evaluation Report of about 84 feet below grade. No potable water wells are located on-site, and the Project Site does not lie within a known or potential flood zone.

(b) *Methane*

The Project Site is located within the City's Methane Zone recognized by the Los Angeles Department of Building and Safety (LADBS). LAMC Article 1, Division 71 sets forth the City's minimum requirements for control of methane intrusion emanating from geologic formations. This generally requires that subsurface soil gas sampling shall be conducted prior to any development on properties within the Methane Zone. As described in the Phase II Subsurface Site Investigation, soil gas probes were installed at 45, 50 and 60 feet below ground surface (bgs) for each gas probe set. Six shallow soil gas probes and three gas probe sets were placed throughout the Project Site. On April 18, 2017, Citadel advanced shallow soil gas probes at six locations (SV-1, SV-2, SV-3, SV-4, SV-5 and SV-6). The probes were installed using a hammer drill to push a stainless-steel soil gas vapor probe to five feet bgs, with the exception of SV-4. Due to subsurface obstructions, a shallow probe could not be placed at this location. On April 18 and April 19, 2017, methane was not detected above the minimum detection range in the five probe locations with associated vapor pressures ranging from -0.002 to 0.134 inches of water. Since methane was not detected above the minimum range, in the shallow probes, the three locations for the gas probe sets were selected as one location in each of the three parking lots at the Project Site near shallow borings SV-2, SV-3 and SV-5. On April 19, 2017, a Geoprobe drill rig was used to install the deep gas probe sets. Due to heaving sands, the Geoprobe rig encountered refusal at approximately 30 feet bgs at each location. To

¹¹ Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation Proposed Mixed Use Structure 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street Los Angeles California, December 29. (Appendix E1).

collect minimum methane data, gas probe sets were installed at each boring location at 15 and 30 feet bgs. Methane was not detected above the minimum detection limit in any of the probes with associated pressures ranging from -0.024 to 0.022 inches of water. Since the depths of these probes did not meet the LADBS protocol, a hollow stem auger drill rig was mobilized to the Project Site on April 29, 2017, to install three gas probe sets to the required depths. Boring B1 was located between the locations of SV-1 and SV-2, B2 was located at the location of the proposed SV-4, and B3 was located adjacent to SV-3. According to the Phase I ESA, the former truck wash rack may have been located where Boring B2 was placed. Each of the three borings were advanced to approximately 70 feet bgs with soil vapor probes set at 45, 50, and 60 feet bgs in each boring. Field measurements from the nested probes in Borings 1, 2 and 3 were taken on May 4 and May 7, 2017. Methane was not detected above the minimum detection range in any of the probes.

(c) *Soil Conditions*

According to the Phase I ESA, a subsurface investigation of the subsurface clarifier associated with the auto/truck washing equipment noted above was performed in 2004 by Smith-Emery Geoservices. The investigation included an analysis of soil samples for TPH and VOCs. No contaminants were identified in the soil samples collected. As described in the Phase II Subsurface Site Investigation, further investigation of the clarifier is not feasible due to current on-site development. As no information was available or provided for review regarding the closure status of the clarifier during preparation of the Project's Phase I ESA, the clarifier is assumed to be potentially present in the Project Site subsurface.

However, soil samples were collected at approximately 10, 20 and 30 feet bgs from Borings 1, 2 and 3 on April 29, 2017, as part of the Phase II Subsurface Site Investigation. The samples were field screened for VOCs using a Photoionization Device and utilized for descriptive purposes. The soil samples were analyzed for chemicals of potential concern consisting of Gasoline Range Organics (GRO), Diesel Range Organics (DRO) and Motor Oil Range Organics (MORO) by USEPA Method 8015B and VOCs by USEPA Method 8260B. Title 22 metals were analyzed by USEPA Methods 6020/7471 in one sample (B1) for waste disposal purposes. MORO was detected in B2 at 10 feet bgs at a concentration of 81 milligrams per kilogram (mg/kg). This location may have previously been used as a truck wash rack. The concentration of MORO is below the USEPA's Regional Screening Levels (RSL). No GRO, DRO or VOCs were detected in the samples analyzed. Metals detected in a soil sample collected for the purpose of waste profiling and disposal included arsenic, barium, chromium, cobalt, copper, lead, nickel, vanadium, and zinc. The concentrations of the metals detected were all below their respective RSLs and represent naturally occurring background levels.

(d) *Hazardous Building Materials*

The existing buildings on-site were constructed prior to the varying levels of bans on ACMs, LBP, and PCBs, which came into effect in 1989, 1978, and 1979, respectively.

Asbestos is a naturally occurring mineral fiber that occurs in rock and soil. Due to its fiber strength and heat resistance, asbestos was used in several construction materials for insulation and as a fire retardant, such as ceiling and floor tiles, attic insulation, and hot water pipes. Asbestos fibers may be released into the air by the disturbance of asbestos-containing building materials during general product use or demolition work. Exposure to asbestos released into the air increase one's risk of developing lung cancer, mesothelioma, or asbestosis. Most asbestos uses are actually not banned, although the TSCA did ban the use of asbestos in corrugated paper, rollboard, commercial paper, specialty paper, and flooring felt.¹²

Lead is similarly naturally present, in the earth's crust. Exposure to lead comes from a variety of sources, including the use of fossil fuels (formerly used leaded gasoline), industrial facilities, and past use of LBP in homes, in addition to ceramics, pipes and plumbing materials, solders, gasoline, batteries, ammunition, and cosmetics. Children and pregnant women are most susceptible to the effects of lead, which may include anemia, seizures, premature birth, reduced fetus growth and slowed growth in children, coma, and even death. In 1978, the Federal Government banned consumer uses of LBPs.¹³

PCB's, however, are a group of man-made organic chemicals that consist of carbon, hydrogen and chlorine atoms, have no known taste or smell, and range in level of toxicity and consistency from thin and light-colored liquids to yellow or black waxy solids. PCBs were also used in many industrial and commercial applications, including electrical, heat transfer, and hydraulic equipment; pigments; and as plasticizers in paints, rubber products, and plastics. Although banned in 1979, PCBs may be present in fluorescent lighting fixtures, caulking, oil-based paint, old electrical devices, transformers or capacitors, or cable insulations, among other items.¹⁴

The current Project Site buildings at 900 East 4th Street and 411 South Hewitt Street appear to have been recently renovated. However, no testing is known to have been performed to evaluate the on-site structures for the presence of ACMs, LBP, or PCBs.

¹² USEPA. Learn about Asbestos. Available at: <https://www.epa.gov/asbestos/learn-about-asbestos#asbestos>. Accessed on April 21, 2021.

¹³ USEPA. Learn about Lead. Available at: <https://www.epa.gov/lead/learn-about-lead#lead>. Accessed on April 21, 2021.

¹⁴ USEPA. Learn about Polychlorinated Biphenyls (PCBs). Available at: <https://www.epa.gov/pcbs/learn-about-polychlorinated-biphenyls-pcbs>. Accessed on April 21, 2021.

(e) Radon

Radon is a radioactive gas that comes from the natural decay of uranium that is found in nearly all soils. It typically moves up through the ground to the air above and into a building through cracks and other holes in the foundation. The average indoor radon level is estimated to be about 1.3 picoCuries per liter (pCi/L), and about 0.4 pCi/L of radon is normally found in the outside air. A 2003 study by the USEPA estimated that radon causes about 21,000 lung cancer deaths per year. The US Congress has set a long-term goal that indoor radon levels be no more than outdoor levels.¹⁵ The California Bureau of Mines and Geology and the California Department of Public Health participated in the USEPA's State Radon Survey, which measured indoor radon levels in all states. The USEPA Radon Zone for Los Angeles County is Zone 2, which indicates an average indoor concentration greater than or equal to 2.0 pCi/L of air and less than or equal to the USEPA action level of 4.0. pCi/L. Five tests for the presence of radon were performed within the 90013 zip code, none of which yielded results above the USEPA action level of 4.0. pCi/L.

3. Project Impacts

a) Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the Project would have a significant impact related to hazards and hazardous materials if it would:

Threshold a): Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;

Threshold b): Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;

Threshold c): Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;

Threshold d): Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment;

Threshold e): Be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public

¹⁵ USEPA. 2016. A Citizen's Guide to Radon: The Guide to Protecting Yourself and Your Family from Radon. December.

airport or public use airport, and result in a safety hazard or excessive noise for people residing or working in the project area;

Threshold f): Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or

Threshold g): Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

For this analysis, the Appendix G Thresholds are relied upon. The analysis utilizes factors and considerations identified in the L.A. CEQA Thresholds Guide, as appropriate, to assist in answering the Appendix G questions. The L.A. CEQA Thresholds Guide identifies the following criteria to evaluate hazards and hazardous materials:

Risk of Upset/Emergency Preparedness

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

Human Health Hazards

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

b) Methodology

The following hazards and hazardous materials analysis is based on the applicable regulations and thresholds of significance described in the following discussion, as well as the Phase I ESA and Phase II Subsurface Site Investigation prepared by Citadel Environmental Services, Inc., which are included in Appendix G1 and G2 of this Draft EIR, respectively. The Phase I ESA provides an overview of existing and historic Project

Site conditions based on field reconnaissance; interviews; a review of aerial photographs, building permits, fire insurance maps, City parcel profiles, and topographic maps; and findings of an Environmental Data Research Inc. (EDR) records search. The Phase II Subsurface Site Investigation includes the results of Citadel's subsequent methane and soils study.

c) Project Design Features

No specific project design features are proposed with regards to hazards and hazardous materials.

d) Analysis of Project Impacts

The potential hazards and hazardous materials impacts of the Project are evaluated by the applicable threshold, below. Where required compliance with local, State, and/or federal regulations applies to a specific impact, the relevant regulation or policy is described within the impact analysis. If, after regulatory compliance is considered, additional mitigation measures are still necessary to avoid or reduce a potentially significant impact, these are referenced in the impact analysis and are fully listed at the end of this section.

Threshold a): Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

(1) Impact Analysis

(a) Construction

During Project Site preparation and construction activities, the Project would involve the routine transport, use, and disposal of hazardous materials that are typically necessary for demolition and the construction of commercial development, such as paints, building materials, adhesives, cleaners, and fuel for construction equipment and vehicles. Therefore, the Project has the potential to expose the public or environment to hazardous materials, in the event of an unplanned release. However, the Project's transport, use, and disposal of construction-related hazardous materials would occur in accordance with the manufacturers' specifications for each material, as well as in conformance with applicable local, State, and federal regulations governing such materials and activities, which were described in detail above and include the TSCA, RCRA, federal OSHA, Cal/OSHA, California Code of Regulations, California Health and Safety Code, SCAQMD Rules 1403 and 1113, and the LAMC (including but not limited to Section 91.7104, addressing methane). **Therefore, construction of the Project in compliance with these regulations would not create a significant hazard to the public or the**

environment through the routine transport, use, or disposal of hazardous materials, and impacts would be less than significant.

Project impacts related to encountering potentially hazardous soil conditions during construction are evaluated as part of Threshold b.

(b) Operations

The Project consists of the development of restaurant and office uses and associated parking. During operations of the Project, common hazardous materials, such as cleaning solvents used for janitorial purposes, oils used in cooking and grill and oven cleaners, materials used for maintenance (such as lubricants or thinners), and materials used for landscaping (including fertilizers, pesticides, or chemicals for weed control) would be stored and used on-site. However, as with materials used during construction, such potentially hazardous materials that are transported, stored, or used on-site for daily upkeep and subsequently disposed would be handled in accordance with the manufacturers' specifications for each material and in compliance with applicable local, State, and federal regulations. **Therefore, the operation of the Project in compliance with these regulations would not create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials, and impacts would be less than significant.**

(2) Mitigation Measures

Impacts related to the routine transport, use, or disposal of hazardous materials were determined to be less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts related to the routine transport, use, or disposal of hazardous materials were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold b): Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

(1) Impact Analysis

(a) Methane

The Project Site is located within the City's Methane Zone recognized by the LADBS. As previously discussed, the LAMC provides methane seepage regulations for the

construction of new projects located within a Methane Zone or Methane Buffer Zone. These regulations provide minimum requirements of the City for control of methane intrusion emanating from geologic formations. The general methane requirements stated in LAMC Section 91.7104 require site testing of subsurface geological formations be conducted in accordance with the Methane Mitigation Standards under the supervision of a licensed Architect or registered Engineer or Geologist. As previously described, during the Phase II Subsurface Site Investigation prepared for the Project by Citadel, methane was not detected at or above the minimum detection limit and no vapor pressures were observed above two inches of water from any of the soil vapor probes installed at depths ranging from five to 60 feet bgs. Based on the concentrations detected and that total pressure was less than two inches of water, the Project Site meets the minimum methane mitigation requirements for Site Design Level II, which requires a passive mitigation system, with sub-slab venting and an impervious membrane for the new structure. This methane mitigation system would be incorporated into the Project design to achieve compliance with LAMC Section 91.7104. **Therefore, Project construction and operation in compliance with the LAMC would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of methane into the environment, and impacts would be less than significant.**

(b) Soil Conditions

To identify and define the extent of potential subsurface contamination from the on-site wastewater clarifier, auto repair floor pit, several wastewater separator structures, and the former truck wash rack, Citadel collected soil samples from across the Project Site, as part of the Phase II Subsurface Site Investigation. As previously described, MORO was detected at 81 mg/kg in one soil sample. This location may have previously been used as a truck wash rack. The concentration of MORO is below the USEPA's RSL. GRO, DRO, and VOCs were not detected above the reporting limit in the samples analyzed. The concentrations of the metals detected (arsenic, barium, chromium, cobalt, copper, lead, nickel, vanadium, and zinc) were all below their respective RSLs and represent naturally occurring background levels. However, due to the occupied use of the garage, office building and parking lot, Citadel could not perform the Phase II Subsurface Site Investigation of the on-site wastewater clarifier, auto repair floor pit, and several wastewater separator structures.

The Project is anticipated to require excavation across the Project Site to a depth of 38 feet to accommodate subterranean parking levels.¹⁶ Excavation would produce an

¹⁶ Construction is anticipated to require excavation across the majority of the Project Site to a depth of approximately 38 feet to accommodate the subterranean parking levels. However, for purposes of providing a conservative estimate for the amount of soil that would be exported during site preparation, excavation to a depth of 42 feet is assumed in order to calculate the quantity of soil export.

estimated 75,200 cy of soil that would be exported from the Project Site. Although subsurface investigations completed to date have not detected hazardous soil conditions, access was limited due to current development at the Project Site. Due to the proposed excavation activities, historical occupancies of the Project Site for vehicle repair and truck washing, and limited access to investigate the subsurface conditions in some on-site locations, the Project has the potential to uncover hazardous soil conditions that may create a significant hazard to the public or the environment. **The potential presence of soil contamination in untested areas of the Project Site is considered a potentially significant impact.**

(c) *Hazardous Building Materials*

The Project Site buildings vary in age but were constructed prior to the placement of governmental limitations and bans on the use of ACMs, LBP, and PCBs in building and electrical equipment. Although some existing buildings on the Project Site appear to have been recently renovated, no testing is known to have been performed to evaluate for the presence of ACMs, LBP, or PCBs at the Project Site. Therefore, the Project may potentially result in a significant impact from the potential exposure of construction workers, involved in the demolition and removal of these structures from the Project Site, to these materials. Prior to demolition of building components, an investigation of the existing structures would be conducted to identify existing ACMs, LBP, or PCBs. All identified asbestos would be abated in accordance with the SCAQMD's Rule 1403, and all identified LBP and PCBs would be abated in accordance with applicable City, State, and federal regulations to ensure proper handling and disposal and to allow for measures to protect worker safety during demolition. **Therefore, potential impacts related to ACMs, LBP, or PCBs would be less than significant.**

(2) Mitigation Measures

The following mitigation measures are proposed to address the potential impacts related to reasonably foreseeable upset and accident conditions involving the release of hazardous materials from soil conditions into the environment:

HAZ-MM-1 Following demolition of on-site structures and prior to redevelopment of the Project Site, the Applicant shall retain a qualified environmental professional to perform a Supplemental Phase II Subsurface Site Investigation. The Supplemental Phase II Subsurface Site Investigation shall focus on soils in those areas that were identified as inaccessible during the Phase II Subsurface Site Investigation: the areas of the on-site wastewater clarifier, auto repair floor pit, and wastewater separator structures. In addition, due to the low level of petroleum hydrocarbons reported at B2 at 10 feet below ground surface (bgs), the Supplemental

Phase II Subsurface Site Investigation shall also include the area of the former truck wash rack. In the event that soils contaminated by petroleum products or other hazardous chemicals are encountered during the investigation, a qualified environmental professional shall be retained to oversee the proper characterization and disposal of waste and remediation of impacted soil and/or materials, as necessary.

HAZ-MM-2 Prior to the commencement of soil-disturbing activities, the Applicant shall retain a qualified environmental professional to prepare a Soil Management Plan for review and approval by the City of Los Angeles Department of Building and Safety. Soil-disturbing activities include excavation, grading, trenching, utility installation or repair, and other human activities that may potentially bring contaminated soil to the surface. The approved Soil Management Plan shall be implemented during soil-disturbing activities on the Project Site and shall establish policies and requirements for the testing, management, transport, and disposal of soils. The Soil Management Plan shall describe specific soil-handling controls required to assure compliance with local, State and federal overseeing agencies, as well as to prevent unacceptable exposure to contaminated soil and prevent the improper disposal of contaminated soils, if encountered.

(3) Level of Significance After Mitigation

Impacts related to reasonably foreseeable upset and accident conditions involving the release of hazardous materials from soil conditions into the environment would be reduced to less than significant with implementation of Mitigation Measure HAZ-MM-1 and Mitigation Measure HAZ-MM-2.

Threshold c): Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

(1) Impact Analysis

The Project Site is not located within one-quarter mile of an existing or proposed public or private school campus serving daycare, preschool, kindergarten through Grade 12, college, or university children and/or students.¹⁷ The closest school to the Project Site is a private preschool, Lumbini Child Development Center, which is located approximately 0.27 mile northwest of the Project boundary. No schools are proposed to be developed

¹⁷ SCAQMD. Estimating Receptor Distances. Available at: <https://www.aqmd.gov/home/rules-compliance/compliance/toxic-hot-spots-ab-2588/iws-facilities/dice/dice-c3>. Accessed on January 12, 2022. In the analysis of toxic air contaminants, the SCAQMD defines a school as any public or private school, including juvenile detention facilities, used for purposes of the education of more than 12 children in kindergarten or any of grades 1 to 12.

within one-quarter mile of the Project Site (refer to Chapter III, Environmental Setting).¹⁸ **As the Project Site is not located within one-quarter mile of an existing or proposed school, the Project would result in no impact related to the emission or handling of hazardous materials within one-quarter mile of an existing or proposed school.**

(2) Mitigation Measures

The Project would have no impact related to the emission or handling of hazardous materials within one-quarter mile of an existing or proposed school. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

The Project would have no impact related to the emission or handling of hazardous materials within one-quarter mile of an existing or proposed school. Therefore, no mitigation measures were required or included, and there is no impact.

Threshold d): Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment caused in whole or in part from the project's exacerbation of existing environmental conditions?

(1) Impact Analysis

As part of the Phase I ESA, EDR was used as an information source for searching regulatory agency database records. The Project Site was identified by the following databases: RCRA Small Waste Generators, the California Facility Index Database List for USTs (CA FID UST), the Statewide Environmental Evaluation and Planning System List for USTs (SWEEPS UST), the Facility Index System, and the HAZNET. However, these databases are separate from the lists maintained pursuant to Government Code Section 65962.5, which include:

- The DTSC's EnviroStor database list of hazardous waste and substances sites;
- The Water Board GeoTracker database for leaking USTs;
- Solid waste disposal sites with waste constituents above hazardous waste levels outside the waste management unit, as identified by Water Board;

¹⁸ Related Project #20, the Santa Fe Freight Yard Redevelopment Project located at 950 East 3rd Street, was originally planned to include a school. The site is located 0.11 mile from the Project Site. However, This Related Project has been constructed and does not include a school.

- The Water Board's list of Cease and Desist Orders and Cleanup and Abatement Orders; and
- DTSC's list of hazardous waste facilities that are subject to corrective action.

The Project Site does not appear on these lists maintained pursuant to Government Code Section 65962.5.¹⁹ However, for informational purposes, and to address the L.A. CEQA Thresholds Guide criteria listed above, the following evaluation further describes the listing of the Project Site on various other governmental databases and related environmental conditions.

The Project Site was identified on the HAZNET database for generating photochemicals/photoprocessing waste from 1993 to 1995 and on the RCRA Small Quantity Generators database in 1994. The Project Site was also identified on the HAZNET database for generating aqueous solutions with total organic residues less than 10 percent in 1998, for generating waste and mixed oil in 2007, and for unspecified aqueous solution in 2008. Based on a lack of reported spills, leaks, or violations associated with these listings, the Project Site was not considered to represent a significant environmental concern by the Phase I ESA. The Project Site was also identified on the historical UST databases. According to the Phase I ESA EDR review, two former USTs (one 1,000-gallon and one 10,000-gallon) were located on-site. The USTs were removed from the Project Site in 1990, under the permit and oversight of the LAFD. The LAFD issued a No Further Action Required Letter for the UST closures on September 12, 1990. Based on the closure, these listings are also not considered to represent a significant environmental concern.

Therefore, the Project would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and it would result in no impact associated with the exacerbation of existing environmental conditions related to Government Code Section 65962.5 listing.

(2) Mitigation Measures

The Project would have no impact related to a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

The Project would have no impact related to a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, no

¹⁹ California Environmental Protection Agency. Cortese List Data Resources. Available at: <http://calepa.ca.gov/sitecleanup/corteselist/>. Accessed on April 21, 2021.

mitigation measures were required or included, and the impact level remains less than significant.

Threshold e): *Would the Project be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and result in a safety hazard or excessive noise for people residing or working in the project area?*

As discussed in Section V.A, Impacts Found not to be Significant and, in the IS (Appendix A2, Initial Study), the Project Site is not located within two miles of a public airport or public use airport. The nearest airport to the Project Site is the Hawthorne Municipal Airport, which is located approximately 9.8 miles southwest of the Project Site. Therefore, the Project would not result in an airport-related safety hazard for people who are residing or working in the Project vicinity. Therefore, no impact would occur, and no further analysis is required.

Threshold f): *Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

(1) Impact Analysis

The City of Los Angeles General Plan Safety Element (Safety Element) identifies 4th Street and Alameda Street in the vicinity of the Project Site as Selected Disaster Routes. Per the Safety Element, such routes function as primary thoroughfares for the movement of emergency response traffic and access to critical facilities (i.e., hospitals).²⁰ The County also identifies the segment of East 4th Street, on which the Project Site is located, and Alameda Street, located just 515 feet west of the Project Site, as disaster routes.²¹

Construction activities are expected to be contained primarily within the Project Site boundaries and the adjacent public rights-of-way, for curb cuts, driveways, and sidewalk improvements. In addition, it is expected that construction fences may encroach into the public right-of-way (e.g., sidewalk and roadways) adjacent to the Project Site. Adjacent to the Project Site, the sidewalk and curb lane on East 4th Street and the parking lanes on Colyton and South Hewitt Streets would be used intermittently throughout the construction period for equipment staging, concrete pumping, and deliveries. In addition, roadwork in East 4th, Colyton, and/or South Hewitt Streets to install utility connections and/or upgrades may also be required. The use of the public rights-of-way along East 4th Street, Colyton Street, and South Hewitt Street would require temporary rerouting of pedestrian traffic, as the sidewalks fronting the Project Site would be closed to maintain

²⁰ City of Los Angeles, Department of City Planning. 1996. Safety Element of the Los Angeles City General Plan. Adopted November 26.

²¹ County of Los Angeles, Department of Public Works. 2013. Disaster Route Maps. City of Los Angeles – Central. August.

public safety. In addition, without measures that ensure the adequate flow of traffic in the event of an emergency or evacuation, the Project may potentially impede traffic flow along East 4th Street, South Hewitt Street, 4th Place, and Alameda Street temporarily, due to slower-moving trucks or equipment accessing, or departing from, the Project Site and/or transporting construction waste to the Azusa Land Reclamation Landfill; queuing of haul trucks for soil and demolition and construction debris export; or due to partial or full lane closures for construction along the Project Site's frontages. To ensure that the Project would not adversely affect implementation of an adopted emergency response plan or emergency evacuation plan, a construction traffic management plan would be implemented as Project Design Feature TRANS-PDF-1, as described in Section IV.L, Transportation. This project design feature would include, but not be limited to, development of a Project construction traffic control plan approved by the City of Los Angeles Department of Transportation (LADOT), inclusion of designated detour routes and staging areas where necessary, traffic control procedures, emergency access provisions, and construction crew parking provisions.

During operations, the East 4th Street sidewalk and travel lanes would be maintained, with the exception of new curb cuts to accommodate the Office Building driveways. Although the Colyton Street and South Hewitt Street travel lanes would be modified to accommodate new sidewalks along these Project Site frontages where none currently exist, the travel lanes would be maintained. The Project does not include design features that would impede emergency access and would not permanently close any existing streets. As required, the Project is designed to meet LAMC standards for adequate emergency access and to comply with the Fire Code's access, driveway, parking, and building (i.e., related to elevator shafts, stairways, sprinklers, etc.) standards. The Project proposes no changes to Alameda Street. As described in Section IV.K.1. Public Services – Fire Protection Services, emergency access to the Project Site would be available to the LAFD and other emergency responders from East 4th Street to the north, Alameda Street and Colyton Street to the west, and South Hewitt Street to the east. In addition, several options are available to emergency responders for facilitating movement around traffic, such as using sirens to clear the path of travel and circumventing traffic and traffic signals, and these would also be utilized during activation of an emergency response plan or evacuation plan. **Therefore, the Project would not interfere with adopted emergency response plans or emergency evacuation plans and impacts would be less than significant.**

(2) Mitigation Measures

Project impacts associated with the interference of adopted emergency response plans or emergency evacuation plans would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project impacts associated with the interference of adopted emergency response plans or emergency evacuation plans would be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold g): Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

As discussed in Section V.A, Impacts Found not to be Significant and, in the IS (Appendix A2, Initial Study), the Project Site is located in an urban area. No wildlands are present on the Project Site or surrounding area. Furthermore, the Project Site is not located within a City-designated Very High Fire Hazard Severity Zone. As a proposed commercial retail and office building, the Project would not expose people or structures to a significant risk involving wildland fires or potential fires associated with industrialized areas. Therefore, no impact would occur, and no further analysis is required.

e) Cumulative Impacts

(1) Impact Analysis

As a result of the development that is proposed by the Project and the 137 Related Projects identified in Chapter III, Environmental Setting, the Project, in combination with Related Projects, may potentially result in cumulatively considerable hazards and hazardous materials impacts. The following evaluation addresses each threshold from Appendix G of the State CEQA Guidelines for hazards and hazardous materials that was included in the scope of the preceding analysis of the Project's direct impacts. However, cumulative impact significance conclusions are based on whether the Project's incremental effect is cumulatively significant and whether identified project design features or mitigation measures are available to avoid or alleviate the cumulative impact.

(a) *Routine Handling of Hazardous Materials*

With regard to the routine transport, use, or disposal of hazardous materials, the Project and other commercial developments, as well as residential and mixed-use projects, would handle hazardous materials during construction and operations, which may include paints, oils and lubricants, solvents, cleaning products, fertilizers, and pesticides. Related Projects that include other land uses, such as industrial or manufacturing projects, would also require the use of hazardous materials during construction and operations; however, the specific materials handled may vary due to the nature of business. Nevertheless, each type of project is required to comply with federal, State, and local regulations that pertain

to the transport, use, and disposal of hazardous materials, including the TSCA, RCRA, federal OSHA, Cal/OSHA, California Code of Regulations, California Health and Safety Code, SCAQMD Rules 1403 and 1113, and the LAMC. These regulations also include provisions for risk planning, accident prevention, and worker protection. **For the Project and Related Projects, required compliance with local, State, and federal regulations ensures that potential direct impacts related to the routine transport, use, or disposal of hazardous materials during construction and operations would be less than significant. As such, the Project's contribution to cumulative impacts related to the routine handling of hazardous materials would not be cumulatively considerable, and cumulative impacts would be less than significant.**

(b) Risk of Upset and Accident Conditions

Beyond the routine handling of hazardous materials, development of the Project and Related Projects may potentially result in hazards to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of less common hazardous materials into the environment. The source or content of such hazards would vary among the Related Projects and will be evaluated on a case-by-case basis by the City of Los Angeles Department of City Planning (Department of City Planning) and/or other responsible agencies. However, for the Project, upset and accident conditions may result from the potential to encounter methane or otherwise contaminated soil, as well as from the potential to encounter hazardous building materials during the demolition of on-site structures, including ACMs, LBP, and PCBs. As previously discussed, the Project is located in the City's Methane Zone as recognized by the LADBS, and subsurface methane investigation at the Project Site indicates that it meets the minimum methane mitigation requirements for Site Design Level II, which requires a passive mitigation system, with sub-slab venting and an impervious membrane for the new structure. This methane mitigation system would be incorporated into the Project design to achieve compliance with LAMC Section 91.7104. In addition, the demolition of on-site structures required for development of the Project may also uncover and expose construction workers to ACMs, LBP, and PCBs that were once common in building materials. Again, required compliance with local, State, and federal regulations would ensure that Project impacts associated with hazardous building materials would be less than significant. Related Projects in the Project area are anticipated to result in similar potential impacts as the Project, as much of the Arts Districts area and other portions of the City are located within the City's Methane Zone.²² In addition, similar to the Project, several of the Related Projects are redevelopment projects that entail the demolition of existing structures, which may also uncover hazardous building materials. **However, like the Project, the Related Projects would be required to comply with existing**

²² City of Los Angeles, Department of Public Works, Bureau of Engineering. 2002. Methane and Methane Buffer Zones.

regulations that pertain to methane, ACMs, LBP, and PCBs. As such, the Project's contribution to cumulative impacts related to methane and hazardous building materials would not be cumulatively considerable, and cumulative impacts would be less than significant.

In addition to risk of upset and accident conditions involving methane, ACMs, LBP, and PCBs, the Phase I ESA and Phase II Subsurface Site Investigation prepared for the Project also indicated that historic uses of the Project Site may potentially have contaminated the soils underlying the Project Site, which, when excavated, may release hazardous materials into the environment and expose construction workers and the public to these materials. Although investigations performed at the Project Site to date have not detected contaminants above regulatory agency (i.e., EPA) reporting limits, the studies acknowledge that not all areas were accessible for survey and soil sampling. Like the Project, Related Projects that require soil disturbance for development would be reviewed by the Department of City Planning and/or other responsible agencies, and where necessary, subsurface site investigation or mitigation measures would be required for these projects. Agency (i.e., LADBS) review of proposed developments in the Project area would include reviews of soil, engineering, and geotechnical investigations; as well as of soil import and export activities and haul routes. The LADBS issues permits for grading activities and approves haul routes, and, prior to issuing any permit, also requires evidence that property owners notify adjacent property owners of their intent to excavate 30 days before the activity (depending on the depths of foundations and distances between property lines). As such, the City would be notified of planned grading activities for Related Projects, the quantity of soil to be imported and exported, the origin and disposal locations of moved soils, and the haul routes that would be utilized. In cases where a project's excavation activities include the movement of contaminated soil that is also determined to be hazardous waste, additional regulatory oversight is required and may include review by the LAFD, which is the designated enforcement agency for the City regulating hazardous materials, the DTSC, CalGEM, the LARWQCB, the Los Angeles County Fire Department Health Hazardous Materials Division – Site Mitigation Unit, and/or the SCAQMD.²³ Therefore, the disturbance and movement of hazardous materials and waste in the Project area is a regulated procedure that the City, and possibly State, would undertake for each project. In light of the regulatory procedures summarized in this EIR Section, Related Projects would be similarly scrutinized by the City and/or other responsible agencies and be subject to the same regulatory measures. **Therefore, the Project's contribution to impacts related to the potential presence of soil contamination in as yet untested areas of the Project Site would not be cumulatively considerable and cumulative impacts would be less than significant.**

²³ City of Los Angeles, Department of Building and Safety. 2020. Information Bulletin: Procedures when Hazardous and Contaminated Soil are Encountered during Construction or Geotechnical/Geological Exploration. Effective January 1.

(c) *Hazards to Schools in the Project Vicinity*

With regard to emitting or handling hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, the Project Site is not located within such a distance of an existing or proposed school serving kindergarten through Grade 12 students. The Related Projects are not anticipated to be substantial sources of hazardous materials that would adversely affect existing or proposed schools located within one-quarter mile, as they would be comprised mainly of a mix of commercial, office, restaurant, commercial and retail, and residential uses land uses, which do not typically handle such substances. Only Related Projects 112 and 135 propose industrial park and light industrial uses, respectively, that may potentially handle hazardous materials within one-quarter mile of the Los Angeles Unified School District's Metropolitan High School. However, the Project is not located within one-quarter mile of this high school and therefore would not contribute to a cumulative impact. Moreover, the Project and all Related Projects would be required to adhere to all applicable laws, regulations, policies, and manufacturer specifications related the proper storage, usage, transport, and disposal of hazardous materials. **Therefore, the Project would not contribute to cumulative impacts to schools in the Project area and would result in no cumulative impact involving the potential release of contaminants within one-quarter mile of an existing or proposed school.**

(d) *Hazards Associated with Designated Hazardous Materials Sites*

The Project Site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and investigations performed as part of the Phase I ESA revealed no evidence of current recognized environmental conditions at Project Site. **Therefore, the Project's contribution to cumulative impacts related to hazardous materials sites compiled pursuant to Government Code Section 65962.5 would not be cumulatively considerable, and cumulative impacts would be less than significant.**

(e) *Hazards and Hazardous Materials Emergency Plan Consistency*

As previously described, East 4th Street and Alameda Street in the vicinity of the Project Site are City-designated Selected Disaster Routes that function as primary thoroughfares for the movement of emergency response traffic and access during construction of the Project. The County also identifies the segment of East 4th Street, on which the Project Site is located, and Alameda Street, located just 515 feet west of the Project Site, as disaster routes.

During construction, without measures that ensure the adequate flow of traffic in the event of an emergency or evacuation along these routes, development of the Project, in combination with development of Related Projects in the immediate Project vicinity, could temporarily impede traffic flow during emergencies or evacuations, due to slower-moving trucks or equipment accessing the project sites, transporting construction waste, queuing of haul trucks, or partial or full lane closures for construction along the various project site frontages potentially occurring simultaneously. However, as described in Section IV.L, Transportation, a construction traffic management plan would be implemented as Project Design Feature TRANS-PDF-1. This project design feature would include review and approval of the construction traffic control plan by the LADOT, the identification of designated detour routes and staging areas where necessary, and other provisions, including planning the timing of construction schedules of multiple projects in close proximity. Related Projects for which similar construction traffic effects are anticipated would also be subject to review by the Department of City Planning and LADOT and required to provide a plan for traffic management during their construction periods, where deemed necessary by these responsible agencies.

During operations, the Project does not include design features that would impede emergency access and would not permanently close any existing streets. As required, the Project and Related Projects would be designed to meet LAMC standards for adequate emergency access and to comply with the Fire Code's access, driveway, parking, and building (i.e., related to elevator shafts, stairways, sprinklers, etc.) standards. As described in Section IV.K.1. Public Services – Fire Protection Services, several options are available to emergency responders for facilitating movement around traffic, such as using sirens to clear the path of travel and circumventing traffic and traffic signals, and these would also be utilized during activation of an emergency response plan or evacuation plan. **Therefore, the Project would not interfere with adopted emergency response plans or emergency evacuation plans during construction or operations and cumulative impacts would be less than significant.**

(2) Mitigation Measures

Cumulative impacts related to hazards and hazardous materials would be less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative impacts related to hazards and hazardous materials were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

IV. Environmental Impact Analysis

G. Hydrology and Water Quality

1. Introduction

This section analyzes the Project’s potential impacts on hydrology (drainage flows), surface water quality, groundwater levels and groundwater quality. The analysis is primarily based on the Geotechnical Engineering Investigation¹ and the Water Resources Technical Report² prepared for the Project, which are included in their entirety in Appendix E1 and Appendix H of this Draft EIR, respectively.

2. Environmental Setting

a) Regulatory Framework

There are several plans, policies, and programs regarding Hydrology and Water Quality at the federal, State of California (State), regional, and local levels. Described below, these include:

- Clean Water Act
- Federal Antidegradation Policy
- Safe Drinking Water Act
- National Flood Insurance Program
- Porter-Cologne Water Quality Act (California Water Code)
- California Antidegradation Policy
- California Toxics Rule
- Sustainable Groundwater Management Act of 2014
- Water Replenishment District of Southern California
- County of Los Angeles Hydrology Manual
- National Pollutant Discharge Elimination System Permit Program
- Los Angeles River Watershed Master Plan
- Los Angeles Municipal Code Section 62.105, Construction “Class B” Permit

¹ Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation Proposed Mixed Use Structure 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street Los Angeles California. December 29. (Appendix E1.)

² Psomas. 2019. 4th and Hewitt 401 South Hewitt Street Water Resources Technical Report. December. (Appendix H.)

- Los Angeles Municipal Code Sections 12.40 through 12.43, Landscape Ordinance
- Los Angeles Municipal Code Section 64.70, Stormwater and Urban Runoff Pollution Control Ordinance
- Los Angeles Municipal Code Section 64.72, Stormwater Pollution Control Measures for Development Planning and Construction Activities
- Low Impact Development Ordinance (No. 181,899)
- Water Quality Compliance Master Plan for Urban Runoff
- Stormwater Program – Los Angeles County MS4 Permit Citywide Implementation Flood Hazard Management Ordinance

(1) Federal

(a) *Clean Water Act*

The Clean Water Act (CWA), formerly known as the Federal Water Pollution Control Act, was first introduced in 1948, with major amendments in the 1960s, 1970s and 1980s.³ The CWA authorizes federal, state, and local entities to cooperatively create comprehensive programs for eliminating or reducing the pollution of state waters and tributaries. Amendments to the CWA in 1972 established the National Pollutant Discharge Elimination System (NPDES) permit program, which prohibits discharge of pollutants into the nation's waters without procurement of a NPDES permit from the United States Environmental Protection Agency (USEPA). The purpose of the permit is to translate general requirements of the CWA into specific provisions tailored to the operations of each organization that is discharging pollutants. Although federally mandated, the NPDES permit program is generally administered at the state and regional levels.

The USEPA NPDES Program requires NPDES permits for: (1) Municipal Separate Storm Sewer Systems (MS4) Permit generally serving, or located in, incorporated cities with 100,000 or more people (referred to as municipal permits); (2) 11 specific categories of industrial activity (including landfills); and (3) construction activity that disturbs five acres or more of land. As of March 2003, Phase II of the NPDES Program extended the requirements for NPDES permits to numerous small municipal separate storm sewer systems, construction sites of one to five acres, and industrial facilities owned or operated by small municipal separate storm sewer systems, which were previously exempted from permitting.

(b) *Federal Antidegradation Policy*

The Federal Antidegradation Policy has been incorporated within the CWA and requires states to develop statewide antidegradation policies and identify methods for

³ USEPA. 2002. Clean Water Act.

implementing them.⁴ Pursuant to the Code of Federal Regulations, state antidegradation policies and implementation methods must, at a minimum, protect and maintain: (1) existing in-stream water uses; (2) existing water quality, where the quality of the waters exceeds levels necessary to support existing beneficial uses, unless the state finds that allowing lower water quality is necessary to accommodate economic and social development in the area; and (3) water quality in waters considered an outstanding national resource.

(c) *Safe Drinking Water Act*

The Safe Drinking Water Act (SDWA) is the main federal law that ensures the quality of the Nation's drinking water.⁵ The SDWA was originally passed by Congress in 1974 to protect public health by regulating the nation's public drinking water supply and its sources: rivers, lakes, reservoirs, springs, and groundwater wells. Under SDWA, the USEPA sets standards for drinking water quality and oversees the states, localities, and water suppliers that implement those standards. The SDWA regulates contaminants of concern in domestic water supply, including maximum contaminant levels (MCLs), and that the EPA has delegated the California Department of Public Health the responsible agency for administering California's drinking water program. MCLs are established under CCR Title 22, Div. 4, Ch. 15, Article 4 (Title 22 Standards).

(d) *National Flood Insurance Program*

The National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973 mandate the Federal Emergency Management Agency (FEMA) to evaluate flood hazards.⁶ FEMA provides flood insurance rate maps (FIRMs) for local and regional planners to promote sound land use and development practices, by identifying potential flood areas based on the current conditions. To delineate a FIRM, FEMA conducts engineering studies referred to as flood insurance studies (FIS). Using information gathered in these studies, FEMA engineers and cartographers delineate special flood hazard areas (SFHA) on FIRMs.

The Flood Disaster Protection Act requires owners of all structures within identified SFHAs to purchase and maintain flood insurance as a condition of receiving federal or federally-related financial assistance, such as mortgage loans from federally-insured lending institutions. Community members within designated areas are able to participate in the National Flood Insurance Program afforded by FEMA.

⁴ USEPA. 2010. Water Quality Standards Handbook - Chapter 4: Antidegradation.

⁵ United States Code. Title 42 – The Public Health and Welfare- Chapter 6A Public Health and Service, Safe Drinking Water Act. 2006 Edition, Supplement 4.

⁶ The National Flood Insurance Act of 1968, as amended, and The Flood Disaster Protection Act of 1973. 42 USC. 4001 et. seq.

(2) State

(a) *Porter-Cologne Water Quality Act (California Water Code)*

The Porter-Cologne Water Quality Control Act established the legal and regulatory framework for California's water quality control.⁷ The California Water Code (CWC) authorizes the State Water Resources Control Board (SWRCB) to implement the provisions of the CWA, including the authority to regulate waste disposal and require cleanup of discharges of hazardous materials and other pollutants. In the State, the NPDES stormwater permitting program is administered by the SWRCB.

Under the CWC, the State is divided into nine Regional Water Quality Control Boards (RWQCBs), which govern the implementation and enforcement of the CWC and the CWA. The Project Site is located within Region 4, also known as the Los Angeles Regional Water Quality Control Board (LARWQCB). The RWQCBs develop and enforce water quality objectives and implement plans that will best protect California's waters, acknowledging areas of different climate, topography, geology, and hydrology. Each RWQCB is required to formulate and adopt a Water Quality Control Plan or Basin Plan for its region. The Basin Plan establishes beneficial use definitions for the various types of water bodies, and serves as the basis for establishing water quality objectives, discharge conditions and prohibitions, and must adhere to the policies set forth in the CWC and established by the SWRCB. In this regard, the LARWQCB issued the Los Angeles Basin Plan on August 29, 2014 for the Coastal Watersheds of Los Angeles and Ventura Counties, with subsequent amendments. The RWQCB is also given authority to issue waste discharge requirements, enforce actions against stormwater discharge violators, and monitor water quality.⁸

(b) *California Antidegradation Policy*

The California Antidegradation Policy, otherwise known as the Statement of Policy with Respect to Maintaining High Quality Water in California, was adopted by the SWRCB in 1968.⁹ Unlike the Federal Antidegradation Policy, the California Antidegradation Policy applies to all waters of the State, not just surface waters. The policy states that, whenever the existing quality of a water body is better than the quality established in individual Basin Plans, such high quality shall be maintained and discharges to that water body shall not unreasonably affect present or anticipated beneficial use of the water resource.

⁷ State Water Resources Control Board. 2018. Porter-Cologne Water Quality Control Act. January.

⁸ USEPA. 2016. Clean Water Act. December.

⁹ State Water Resources Control Board. 1968. State Board Resolution No. 68-16. October.

(c) *California Toxics Rule*

In 2000, the California Environmental Protection Agency (CalEPA) promulgated the California Toxics Rule, which establishes water quality criteria for certain toxic substances to be applied to waters in the State.¹⁰ CalEPA promulgated this rule based on CalEPA's determination that the numeric criteria of specific concentrations of regulated substances are necessary for the State to protect human health and the environment. The California Toxics Rule establishes acute (i.e., short-term) and chronic (i.e., long-term) standards for bodies of water such as inland surface waters and enclosed bays and estuaries that are designated by the LARWQCB as having beneficial uses protective of aquatic life or human health.

(d) *Sustainable Groundwater Management Act of 2014*

The Sustainable Groundwater Management Act of 2014 (SGMA) requires the designation of groundwater sustainability agencies (GSAs) by one or more local agencies and the adoption of groundwater sustainability plans for basins designated as medium- or high-priority by the California Department of Water Resources. SGMA grants new powers to GSAs, including the power to adopt rules, regulations, ordinances, and resolutions; regulate groundwater extractions; and to impose fees and assessments. SGMA also allows the SWRCB to intervene if local agencies will not or do not meet the SGMA requirements, in addition to mandating that critically overdrafted basins be sustainable by 2040, and medium- or high-priority by 2042.

(3) **Regional**

(a) *Water Replenishment District of Southern California*

The City of Los Angeles (City) is included within the Water Replenishment District (WRD) of Southern California. The WRD service area is categorized as a High Priority basin and pursuant to the SGMA must either: (a) form a groundwater sustainability agency (GSA) to prepare and submit a groundwater sustainability plan; or directly submit an Alternative Analysis in lieu of forming a GSA. The WRD, in conjunction with key stakeholders including the Los Angeles Department of Water and Power (LADWP), has prepared and submitted an Alternative Analysis that satisfies the requirements of the SGMA.¹¹ The Alternative Analysis demonstrates compliance with applicable portions of the CWC and provides adequate information to show that the applicable, underlying Central Subbasin has operated within its sustainable yield over a period of at least 10 years; and that the

¹⁰ USEPA. 2001. Water Quality Standards. Establishment of Numeric Criteria for Priority Toxic Pollutants for the State of California. February.

¹¹ Board of Directors of the Water Replenishment District of Southern California. 2016. Resolution No. 16-1048. December 8.

Alternative Analysis satisfies SGMA's objectives by promoting sustainable management of the groundwater in the Central Subbasin.

(b) *County of Los Angeles Hydrology Manual*

Drainage and flood control in the City are subject to review and approval by the Department of Public Works, Bureau of Engineering (Bureau of Engineering). Storm drains within the City are constructed by both the City and the Los Angeles County Flood Control District (County Flood Control). The County Flood Control constructs and has jurisdiction over regional facilities such as major storm drains and open flood control channels, while the City constructs and is responsible for local interconnecting tributary drains.

Per the City's Special Order No. 007-1299, December 3, 1999, the City has adopted the Los Angeles County Department of Public Works' Hydrology Manual as its basis of design for storm drainage facilities.¹² The Department of Public Works' Hydrology Manual requires that a storm drain conveyance system be designed for a 25-year storm event and that the combined capacity of a storm drain and street flow system accommodate flow from a 50-year storm event. Areas with sump conditions are required to have a storm drain conveyance system capable of conveying flow from a 50-year storm event. The County of Los Angeles (County) also limits the allowable discharge into existing storm drain (MS4) facilities based on the County's MS4 Permit, which is enforced on all new developments that discharge directly into the County's MS4 system.

Drainage and flood control structures and improvements within the City are subject to review and approval by the City's Department of Public Works and Department of Building and Safety. As required by the Department of Public Works, all public storm facilities must be designed in conformity with the standards set forth by the County. The Department of Public Works reviews and approves MS4 plans prior to construction. Any proposed increases in discharge directly into County facilities, or proposed improvements of County-owned MS4 facilities, such as catch basins and drainage lines, require approval from County Flood Control to ensure compliance with the County's Municipal NPDES Permit requirements.

(c) *NPDES Permit Program*

As indicated above, in California, the NPDES stormwater permitting program is administered by the SWRCB through its nine RWQCBs. This NPDES permit, referred to as General Permit for Stormwater Discharges from Construction Activities by the SWRCB, establishes a risk-based approach to stormwater control requirements for construction projects.

¹² Los Angeles County Department of Public Works. 2006. Hydrology Manual. January.

(i) *Construction: Stormwater Pollution Prevention Plan*

For all construction activities disturbing one acre of land or more, California mandates the development and implementation of Stormwater Pollution Prevention Plans (SWPPP). The SWPPP documents the selection and implementation of best management practices (BMPs) to prevent discharges of water pollutants to surface or groundwater. The SWPPP also charges owners with stormwater quality management responsibilities. The developer or contractor for a construction site subject to the General Permit must prepare and implement a SWPPP that meets the requirements of the General Permit.¹³ The purpose of an SWPPP is to identify potential sources and types of pollutants associated with construction activity and list BMPs that would prohibit pollutants from being discharged from the construction site into the public stormwater system. BMPs typically address stabilization of construction areas, minimization of erosion during construction, sediment control, control of pollutants from construction materials, and post-construction stormwater management (e.g., the minimization of impervious surfaces or treatment of stormwater runoff). The SWPPP is also required to include a discussion of the proposed program to inspect and maintain all BMPs.

A site-specific SWPPP could include, but not be limited to the following BMPs:

- Erosion Control BMPs – to protect the soil surface and prevent soil particles from detaching. Selection of the appropriate erosion control BMPs would be based on minimizing areas of disturbance, stabilizing disturbed areas, and protecting slopes/channels. Such BMPs may include, but would not be limited to, use of geotextiles and mats, earth dikes, drainage swales, and slope drains.
- Sediment Control BMPs – are treatment controls that trap soil particles that have been detached by water or wind. Selection of the appropriate sediment control BMPs would be based on keeping sediments on-site and controlling the site boundaries. Such BMPs may include, but would not be limited, to use of silt fences, sediment traps, and sandbag barriers, street sweeping and vacuuming, and storm drain inlet protection.
- Wind Erosion Control BMPs – consist of applying water to prevent or minimize dust nuisance.
- Tracking Control BMPs – consist of preventing or reducing the tracking of sediment off-site by vehicles leaving the construction area. These BMPs include street sweeping and vacuuming. Project sites are required to maintain a stabilized construction entrance to prevent off-site tracking of sediment and debris.

¹³ State Water Resources Control Board. Construction Stormwater Program. Available at: https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html. Accessed on April 14, 2021.

- Non-Stormwater Management BMPs – also referred to as “good housekeeping practices,” involve keeping a clean, orderly construction site.
- Waste Management and Materials Pollution Control BMPs – consist of implementing procedural and structural BMPs for handling, storing, and disposing of wastes generated by a construction project to prevent the release of waste materials into stormwater runoff or discharges through the proper management of construction waste.

The SWRCB adopted a General Permit for Stormwater Discharges from Construction Activities on September 2, 2009 and most recently amended the permit on July 17, 2012 (Order No. 2012-0006-DWQ, General NPDES Permit No. CAS000002). The Construction General Permit (CGP) regulates construction activity, including clearing, grading, and excavation of areas one acre or more in size, and prohibits the discharge of materials other than stormwater, authorized non-stormwater discharges, and all discharges that contain a hazardous substance, unless a separate NPDES permit has been issued for those discharges.

To obtain coverage under the Construction General Permit, a developer is required to file a Notice of Intent (NOI) with the appropriate RWQCB and provide proof of the NOI prior to applying for a grading or building permit from the local jurisdiction, and must prepare a State SWPPP that incorporates the minimum BMPs required under the permit as well as appropriate project-specific BMPs. The SWPPP must be completed and certified by the developer and BMPs must be implemented prior to the commencement of construction, and may require modification during the course of construction as conditions warrant. When project construction is complete, the developer is required to file a Notice of Termination with the RWQCB certifying that all the conditions of the Construction General Permit, including conditions necessary for termination, have been met.

(ii) NPDES Permit for Discharges of Groundwater from Construction and Project Dewatering

Dewatering operations are practices that discharge non-stormwater, such as ground water, that must be removed from a work location to proceed with construction into the drainage system. Discharges from dewatering operations can contain high levels of fine sediments, which if not properly treated, could lead to exceedance of the NPDES requirements. A NPDES Permit for dewatering discharges was adopted by the LARWQCB on September 13, 2018 (Order No. R4-2018-0125, General NPDES Permit No. CAG994004). Similar to the Construction General Permit, to be authorized to discharge under this NPDES Permit; the developer must submit a NOI to discharge groundwater generated from dewatering operations during construction in accordance with the requirements of this Permit and shall continue in full force until it expires

November 13, 2023.¹⁴ In accordance with the NOI, among other requirements and actions, the discharger must demonstrate that the discharges shall not cause or contribute to a violation of any applicable water quality objective/criteria for the receiving waters, perform reasonable potential analysis using a representative sample of groundwater or wastewater to be discharged. The discharger must obtain and analyze (using appropriate methods) a representative sample of the groundwater to be treated and discharged under the Order. The analytical method used shall be capable of achieving a detection limit at or below the minimum level. The discharger must also provide a feasibility study on conservation, reuse, and/or alternative disposal methods of the wastewater and provide a flow diagram of the influent to the discharge point.¹⁵

(iii) Operation: Los Angeles County Municipal Stormwater NPDES Program

The County and the City are two of the Co-Permittees under the Los Angeles County MS4 Permit (Order No. R4-2012-0175, NPDES Permit No. CAS004001). The Los Angeles County MS4 Permit has been determined by the SWRCB to be consistent with the requirements of the CWA and the Porter-Cologne Act for discharges through the public storm drains in Los Angeles County to statutorily-defined waters of the United States (33 United States Code [USC] Section 1342(p); 33 CFR Part 328.11). On September 8, 2016, the LARWQCB amended the Los Angeles County MS4 Permit to incorporate modifications consistent with the revised Ballona Creek Watershed Trash Total Maximum Daily Load (TMDL) and the revised Los Angeles River Watershed Trash TMDL, among other TMDLs incorporated into the Los Angeles County MS4 Permit and the Basin Plan for the Coastal Waters of Los Angeles and Ventura Counties.

Under the amended Los Angeles County MS4 Permit, the County and City are both required to implement development planning guidance and control measures that control and mitigate stormwater quality and runoff volume impacts to receiving waters as a result of new development and redevelopment. The County and the City also are required to implement other municipal source detection and elimination programs, as well as maintenance measures.

Under the Los Angeles County MS4 Permit, permittees are required to implement a development planning program to address stormwater pollution. This program requires project applicants for certain types of projects to implement a Low Impact Development (LID) Plan, except where the Standard Urban Stormwater Mitigation Plan (SUSMP) is

¹⁴ Los Angeles Regional Water Quality Control Board. 2018. Order No. R4-2018-0125, General NPDES Permit No. CAG994004, Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties. September 13.

¹⁵ Los Angeles Regional Water Quality Control Board. 2013. Order No. R4-2013-0095, General NPDES Permit No. CAG994004, Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties. June 6.

proven applicable. The purpose of the LID Plan is to reduce the discharge of pollutants in stormwater by outlining BMPs, which must be incorporated into the design of new development and redevelopment. These treatment control BMPs must be sufficiently designed and constructed to treat or retain the greater of an 85th percentile rain event or first 0.75 inch of stormwater runoff from a storm event.

The Los Angeles County MS4 Permit (Part VI.D.7.c, New Development/Redevelopment Project Performance Criteria) includes design requirements for new development and substantial redevelopment. These requirements apply to all projects that create or replace more than 5,000 square feet of impervious cover. Where redevelopment results in an alteration to more than 50 percent of impervious surfaces of a previously existing development and the existing development was not subject to post-construction stormwater quality control requirements, the entire project would be subject to post-construction stormwater quality control measures.

This Enhanced Watershed Management Program (EWMP) for the Upper Los Angeles River (ULAR) describes a customized compliance pathway that participating agencies will follow to address the pollutant reduction requirements of the Los Angeles County MS4 Permit.¹⁶ By electing the optional compliance pathway in the Los Angeles County MS4 Permit, the Upper Los Angeles River Watershed Management Group (EWMP Group) has leveraged this EWMP to facilitate a robust, comprehensive approach to stormwater planning for the Upper Los Angeles River watershed. The objective of the EWMP Implementation Plan is to determine the network of control measures (BMPs) that will achieve required pollutant reductions while also providing multiple benefits to the community and leveraging sustainable green infrastructure practices. The Los Angeles County MS4 Permit requires the identification of Watershed Control Measures, which are strategies and BMPs that will be implemented through the EWMP, individually or collectively, at watershed-scale to address the Water Quality Priorities. The EWMP Implementation Strategy is used as a recipe for compliance for each jurisdiction to address Water Quality Priorities and comply with the provisions of the Los Angeles County MS4 Permit. The EWMP Implementation Strategy includes individual recipes for each of the 18 jurisdictions and each watershed/assessment area – Los Angeles River above Sepulveda Basin, Los Angeles River below Sepulveda Basin, Compton Creek, Rio Hondo, Verdugo Wash, Arroyo Seco, Burbank Western Channel, Tujunga Wash, Bull Creek, Aliso Wash, Bell Creek, McCoy-Dry Canyon, and Browns Canyon Wash. Implementation of the EWMP Implementation Strategy will provide a BMP-based compliance pathway for each jurisdiction under the Los Angeles County MS4 Permit. The Permit specifies that an adaptive management process will be revisited every two years to evaluate the EWMP and update the program. The EWMP strategy will evolve based

¹⁶ Upper Los Angeles River Watershed Management Group. 2016. Enhanced Watershed Management Program. January.

on monitoring results by identifying updates to the EWMP Implementation Plan to increase its effectiveness.

The Los Angeles County MS4 Permit contains provisions for implementation and enforcement of the Stormwater Quality Management Program. The objective of the Stormwater Quality Management Program is to reduce pollutants in urban stormwater discharges to the “maximum extent practicable,” to attain water quality objectives and protect the beneficial uses of receiving waters in Los Angeles County. Special provisions are provided in the Los Angeles County MS4 Permit to facilitate implementation of the Stormwater Quality Management Program. In addition, the Los Angeles County MS4 Permit requires that permittees implement a LID Plan, as discussed above, that designates BMPs that must be used in specified categories of development projects to infiltrate water, filter, or treat stormwater runoff; control peak flow discharge; and reduce the post-project discharge of pollutants into stormwater conveyance systems. In response to the Los Angeles County MS4 Permit requirements, the City adopted Ordinance No. 173,494 (Stormwater Ordinance), as authorized by Los Angeles Municipal Code (LAMC) Section 64.72.

The City supports the requirements of the Los Angeles County MS4 Permit through the City of Los Angeles’ Planning and Land Development Handbook for Low Impact Development, Part B: Planning Activities (5th edition, May 2016) (LID Handbook),¹⁷ which provides guidance to developers to ensure the post-construction operation of newly developed and redeveloped facilities comply with the Developing Planning Program regulations of the City’s Stormwater Program. The LID Handbook assists developers with the selection, design, and incorporation of stormwater source control and treatment control BMPs into project design plans, and provides an overview of the City’s plan review and permitting process.

The City implements the requirement to incorporate stormwater BMPs, including LID BMPs, through the City’s plan review and approval process. During the review process, project plans are reviewed for compliance with the City’s General Plan, zoning ordinances, and other applicable local ordinances and codes, including stormwater requirements. Plans and specifications are reviewed to ensure that the appropriate BMPs are incorporated to address stormwater pollution prevention goals.

(d) *Los Angeles River Watershed Master Plan*

The Los Angeles River Master Plan recognizes the river as a resource of regional importance and that those resources must be protected and enhanced. The Los Angeles River Master Plan was adopted in 1996, and is intended to maintain the river as a

¹⁷ LA Sanitation and Environment, Watershed Protection Division. 2016. Planning and Land Development Handbook for Low Impact Development (LID). Part B: Planning Activities. 5th Edition. May.

resource that provides flood protection and opportunities for recreational and environmental enhancement, improves the aesthetics of the region, enriches the quality of life for residents, and helps sustain the economy of the region.¹⁸ Environmental goals of the Watershed Master Plan are to preserve, enhance, and restore environmental resources in and along the river, including improving water quality and cleanliness of the river. Soil contamination on riverfront lands that have supported railroads and other industries is cited as an issue of concern.

(4) Local

(a) *Los Angeles Municipal Code Section 62.105, Construction “Class B” Permit*

Proposed drainage improvements within the street rights-of-way or any other property owned by, to be owned by, or under the control of the City, require the approval of a B-permit (LAMC Section 62.105). Under the B-permit process, storm drain installation plans are subject to review and approval by the Bureau of Engineering. Additionally, connections to the MS4 system from a property line to a catch basin or a storm drain pipe require a storm drain permit from the Bureau of Engineering.

(b) *Los Angeles Municipal Code Sections 12.40 through 12.43, Landscape Ordinance*

In 1996, Ordinance No. 170,978 amended LAMC Sections 12.40 through 12.43 to establish consistent landscape requirements for new projects within the City. LAMC Section 12.40 contains general requirements, including a point system for specific project features and techniques in order to determine compliance with the Ordinance, and defines exemptions from the Ordinance. LAMC Section 12.41 sets minimum standards for water delivery systems (irrigation) to landscapes. LAMC Section 12.43 defines the practices addressed by the Ordinance, of which two are applicable to stormwater management. The Heat and Glare Reduction practice states among its purposes the design of vehicular use areas that reduce stormwater runoff and increase groundwater recharge. The Soil and Watershed Conservation practice is intended to encourage the restoration of native areas that are unavoidably disturbed by development; to conserve soil and accumulated organic litter and reduce erosion by utilization of a variety of methods; and to increase the “residence time of precipitation” (i.e., the time between the original evaporation and the returning of water masses to the land surface as precipitation) within a given watershed. Implementation guidelines developed for the Ordinance provide specific features and techniques for incorporation into projects, and

¹⁸ City of Los Angeles. 2007. The Los Angeles River Revitalization Master Plan.

include water management guidelines addressing runoff, infiltration, and groundwater recharge. This Ordinance is incorporated into the LID Ordinance discussed below.

(c) Los Angeles Municipal Code Section 64.70, Stormwater and Urban Runoff Pollution Control Ordinance

LAMC Section 64.70, the Stormwater and Urban Runoff Pollution Control Ordinance, was added by Ordinance No. 172,176 in 1998 and prohibits the discharge of unauthorized pollutants in the City. The Watershed Protection Program (Stormwater Program) for the City is managed by the Bureau of Sanitation along with all City Flood Protection and Pollution Abatement (Water Quality) Programs, including but not limited to, regulatory compliance, implementation, operations, reporting and funding. Section 64.70 sets forth uniform requirements and prohibitions for discharges and places of discharge into the storm drain system and receiving waters necessary to adequately enforce and administer all federal and State laws, legal standards, orders and/or special orders that provide for the protection, enhancement and restoration of water quality. Through a program employing watershed-based approaches, the regulation implements the following objectives:

1. To comply with all federal and State laws, lawful standards and orders applicable to stormwater and urban runoff pollution control;
2. To prohibit any discharge which may interfere with the operation of, or cause any damage to the storm drain system, or impair the beneficial use of the receiving waters;
3. To prohibit illicit discharges to the storm drain system;
4. To reduce stormwater runoff pollution;
5. To reduce non-stormwater discharge to the storm drain system to the maximum extent practicable; and
6. To develop and implement effective educational outreach programs designed to educate the public on issues of stormwater and urban runoff pollution.

The Ordinance applies to all dischargers and places of discharge that discharge stormwater or non-stormwater into any storm drain system or receiving waters. While this practice is prohibited under the County's Municipal NPDES Permit, adoption of the Ordinance allows enforcement by the Department of Public Works as well as the levy of fines for violations. General Discharge Prohibitions require that no person shall discharge, cause, permit, or contribute to the discharge any hazardous materials and substances (liquids, solids, or gases) into to the storm drain system or receiving waters that constitute a threat and/or impediment to life and the storm drain system, singly or by interaction with other materials. A specific list of prohibited substances can be found under LAMC Section 64.70.

Under LAMC Section 64.70.02.D, Requirement to Prevent, Control, and Reduce Stormwater Pollutants, any owner of a facility engaged in activities or operations as listed in the Critical Sources Categories, Section III of the Board's Rules and Regulations shall be required to implement BMPs as promulgated in the Rules and Regulations. The owner/developer of a property under construction shall be required to implement the stormwater pollution control requirements for construction activities as depicted in the project plans approved by the Department of Building and Safety. In the event a specified BMP proves to be ineffective or infeasible, the additional and/or alternative, site-specific BMPs or conditions deemed appropriate to achieve the objectives of this Ordinance as defined in Subsection B of LAMC Section 64.70.

(d) Los Angeles Municipal Code Section 64.72, Stormwater Pollution Control Measures for Development Planning and Construction Activities

LAMC Section 64.72, Stormwater Pollution Control Measures for Development Planning and Construction Activities, was added by Ordinance 173,494 (LID Ordinance) in 2000 and sets forth requirements for construction activities and facility operations of development and redevelopment projects to comply with the requirements of the NPDES permit SUSMP requirements. The provisions of this section contain requirements for construction activities and facility operations of development and redevelopment projects to comply with the Land Development requirements of the Los Angeles County MS4 permit through integrating LID practices and standards for stormwater pollution mitigation, and maximize open, green and pervious space on all developments and redevelopments consistent with Ordinance No. 170,978 and other related requirements in the LID Handbook. The LID Ordinance (see below) applies first to a project in lieu of SUSMP. If a large project cannot meet the requirements of the LID Ordinance, then SUSMP measures are applied.

(e) Low Impact Development Ordinance (No. 181,899)

In 2011, the City adopted a citywide LID Ordinance that amended the City's existing Stormwater Ordinance (LAMC Section Nos. 64.70 and LAMC Section 64.72, discussed above). The LID Ordinance, effective May 12, 2012, and updated in updated September 2015 (Ordinance No. 183,833), enforces the requirements of the Los Angeles County MS4 Permit. LID is a stormwater management strategy with goals to mitigate the impacts of increased runoff and stormwater pollution as close to their source as possible; and that promotes the use of natural infiltration systems, evapotranspiration, and the reuse of stormwater.

The goal of LID practices is to remove nutrients, bacteria, and metals from stormwater while also reducing the quantity and intensity of stormwater flows. Through the use of various infiltration strategies, LID is aimed at minimizing impervious surface area. Where

infiltration is not feasible, the use of bioretention, rain gardens, green roofs, and rain barrels that will store, evaporate, detain, and/or treat runoff can be used.¹⁹

The intent of LID standards is to:

- Require the use of LID practices in future developments and redevelopments to encourage the beneficial use of rainwater and urban runoff;
- Reduce stormwater/urban runoff while improving water quality;
- Promote rainwater harvesting;
- Reduce off-site runoff and provide increased groundwater recharge;
- Reduce erosion and hydrologic impacts downstream; and
- Enhance the recreational and aesthetic values in our communities.

The citywide LID strategy addresses land development planning as well as storm drain infrastructure. Toward this end, LID is implemented through BMPs that fall into four categories: site planning BMPs, landscape BMPs, building BMPs, and street and alley BMPs. While the LID Ordinance and the BMPs contained therein comply with Los Angeles County MS4 Permit requirements for stormwater management, the MS4 requirements apply only to proposed new development and redevelopment of a certain size, primarily address stormwater pollution prevention as opposed to groundwater recharge, and vary over time as the permit is reissued every five years. The LID Ordinance provides a consistent set of BMPs that are intended to be inclusive of, and potentially exceed, SUSMP standards, apply to existing as well as new development, and emphasize natural drainage features and groundwater recharge in addition to pollution prevention in receiving waters. The LID Ordinance requires the capture and management of the greater of an 85th percentile rain event or the first 0.75-inch of runoff flow during storm events defined in the City's LID BMPs, through one or more of the City's preferred LID improvements in priority order: on-site infiltration, capture and reuse, or biofiltration/biotreatment BMPs, to the maximum extent feasible.

Per the City's 2016 LID Handbook's Figure 3.3 and Section 4.1, the City's preferred LID improvement is on-site infiltration of stormwater, site since it allows for groundwater recharge and reduces the volume of stormwater entering municipal drains.²⁰ If project site conditions are not suitable for infiltration, the City requires on-site retention via stormwater capture and reuse. Should capture and reuse be deemed technically infeasible, high efficiency bio-filtration/ bioretention systems should be utilized. Lastly, under the LID Ordinance (LAMC Section 64.72 (C) 6), as interpreted in the LID Handbook, if no single

¹⁹ LA Sanitation and Environment, Watershed Protection Division. 2016. Planning and Land Development Handbook for Low Impact Development (LID), Part B: Planning Activities. 5th Edition. May.

²⁰ LA Sanitation and Environment, Watershed Protection Division. 2016. Planning and Land Development Handbook for Low Impact Development (LID), Part B: Planning Activities. 5th Edition. May.

approach listed in the LID Handbook is feasible, then a combination of approaches may be used.²¹

The LID Ordinance applies first to a project in lieu of SUSMP. If a large project cannot meet the requirements of the LID Ordinance, then SUSMP applies instead.

(f) Water Quality Compliance Master Plan for Urban Runoff

The Water Quality Compliance Master Plan for Urban Runoff (Water Quality Compliance Master Plan)²² was developed by the Department of Public Works, Bureau of Sanitation, Watershed Protection Division, and was adopted in April 2009.

The Water Quality Compliance Master Plan addresses planning, budgeting, and funding for achieving clean stormwater and urban runoff for the next 20 years and presents an overview of the status of urban runoff management within the City. The Water Quality Compliance Master Plan identifies the City's four watersheds; summarizes water quality conditions in the City's receiving waters as well as known sources of pollutants; summarizes regulatory requirements for water quality; describes BMPs required by the City for stormwater quality management; and discusses related plans for water quality that are implemented within the Los Angeles region, particularly TMDL Implementation Plans and Watershed Management Plans in Los Angeles.

(g) Stormwater Program – Los Angeles County MS4 Permit Citywide Implementation

The Watershed Protection Division of the Department of Public Works, Bureau of Sanitation is responsible for stormwater pollution control throughout the City in compliance with the Los Angeles County MS4 Permit. The Watershed Protection Division administers the City's Stormwater Program, which has two major components: Pollution Abatement and Flood Control. The Watershed Protection Division publishes the two-part Development Best Management Practices Handbook that provides guidance to developers for compliance with the Los Angeles County MS4 permit through the incorporation of water quality management into development planning. The Development Best Management Practices Handbook, Part A: Construction Activities, provides specific minimum BMPs for all construction activities. The LID Handbook provides guidance to developers to ensure the post-construction operation of newly developed and redeveloped facilities comply with the Developing Planning Program regulations of the City's Stormwater Program.²³ The LID Handbook assists developers with the selection,

²¹ LA Sanitation and Environment, Watershed Protection Division. 2016. Planning and Land Development Handbook for Low Impact Development (LID), Part B: Planning Activities. 5th Edition. May.

²² LA Sanitation and Environment, Watershed Protection Division. 2016. Planning and Land Development Handbook for Low Impact Development (LID), Part B: Planning Activities. 5th Edition. May.

²³ Citadel Environmental Services, Inc. 2017. Phase I Environmental Site Assessment Report 405-411 South Hewitt Street, 900, 910 and 926 East 4th Street, and 412 Colyton Street. Revised March 13. (Appendix G1.)

design, and incorporation of stormwater source control and treatment control BMPs into project design plans, and provides an overview of the City's plan review and permitting process. The LID Handbook addresses the need for frequent and/or regular inspections of infiltration facilities in order to ensure on-site compliance of BMP standards, soil quality, site vegetations, and permeable surfaces. These inspections are required to guarantee that facilities follow all proprietary operation and maintenance requirements.

During the development review process, project plans are reviewed for compliance with the City's General Plan, zoning ordinances, and other applicable local ordinances and codes, including stormwater requirements. Plans and specifications are reviewed to ensure that the appropriate BMPs are incorporated to address stormwater pollution prevention goals.

(h) Flood Hazard Management Ordinance

Effective April 19, 2021, Ordinance 186,952 amends the Specific Plan for the Management of Flood Hazards, established by Ordinance No. 154,405 and amended by Ordinance Nos. 163,913 and 172,081, to update it to meet current federal standards and to rename it the Flood Hazard Management Ordinance. This Ordinance applies to all public and private development and provides for the establishment, management and regulatory control of Flood Hazard areas. For properties within areas of SFHA as identified by FEMA in the FIS for The Los Angeles County dated December 2, 1980, this Ordinance establishes certain polices that include development and construction standards and regulations that may require additional permitting and discretionary review. Being hazard-specific, the provisions of this Ordinance deal with the unique problems of each hazard in addition to the citywide policies and goals.

b) Existing Conditions

(1) Surface Water Hydrology

The Project Site is currently developed with urban land uses including four structures and several at-grade parking lots with minimal vegetation. The existing on-site structures consist of office space, storage space, garage space, and surface parking lots. The Project Site is comprised of approximately 1.31 acres with an average imperviousness of 98.5 percent. The Project Site is at an elevation of approximately 261 feet above mean sea level²⁴ and is relatively flat with no pronounced highs or lows. The surrounding area is also developed with urban land uses and is relatively flat with no major hills or steep slopes in the Project vicinity. The Project Site is located within a watershed classified by the County as the Los Angeles River Watershed. Surface water from this watershed is

²⁴ Citadel Environmental Services, Inc. 2017. Phase I Environmental Site Assessment Report 405-411 South Hewitt Street, 900, 910 and 926 East 4th Street, and 412 Colyton Street. Revised March 13. (Appendix G1.)

collected via underground storm drains leading to the Los Angeles River, which ultimately discharges to the Pacific Ocean. The Project Site is located approximately 13 miles inland from the Pacific Ocean and is not located within a tsunami inundation zone.²⁵ Additionally, there are no large bodies of water within one mile of the Project Site that would represent a potential seismic seiche hazard to the Site. There are no streams, rivers, or ephemeral ponds on the Project Site, and runoff drainage from the Site occurs as sheet flows on the ground surface, which is predominantly covered with impervious surfaces.

Currently, stormwater runoff from the Project Site is collected and conveyed to the surrounding public streets via sheet flow to the street gutter and eventually into the underground storm drain system. The Project Site is bounded by East 4th Street to the north, Colyton Street to the west, South Hewitt Street to the east, and low rise commercial uses and existing surface parking lots to the south. A portion of the Project Site on the east side of the property drains southeasterly to South Hewitt Street. A portion of the Project Site drains northerly to East 4th Street via sheet flow and building downspout. The remainder of the Project Site drains west to Colyton Street via sheet flow. Stormwater collected in the street gutters on Colyton Street and South Hewitt Street continues southerly until it enters the storm drain inlets connected to the existing City underground storm drain system. The City storm drain routes to the south and to the east along 6th and 7th Streets and eventually discharges into the Los Angeles River and the Pacific Ocean. Stormwater collected in the street gutter on East 4th Street continues westerly until it enters into the catch basins connected to the existing 90-inch County storm drain. The County storm drain routes southeasterly and eventually discharges into the Los Angeles River, separate from the City storm drain. Table IV.G-1, Existing Runoff Rates, shows the existing size, imperviousness, and stormwater runoff for a 50-year storm (Q_{50} flow) for each drainage subarea (1 through 5) associated with the Project Site. Drainage subareas are depicted on the Existing Hydrology Exhibit provided in Section 7.0 of the Water Resources Technical Report (Appendix H).

**Table IV.G-1
Existing Runoff Rates**

Drainage Area	Area	Percent Impervious	Q_{50} (cubic feet per second [cfs])
1	0.14	100	0.16
2	0.09	100	0.57
3	0.10	100	0.29
4	0.33	100	1.05
5	0.65	97	2.06
Existing Total	1.31	98.5	4.13
Source: Psomas. 2019. 4 th and Hewitt 401 South Hewitt Street Water Resources Technical Report. December. (Appendix H.)			

²⁵ City of Los Angeles Department of City Planning. Parcel Profile Report, 407 and 411 S. Hewitt St. Available at: <http://zimas.lacity.org/>. Accessed on April 14, 2021.

A review of the FEMA FIRM completed as part of the Water Resources Technical Report shows that the Project Site is located within Zone X (Other Flood Areas), which is defined by FEMA as “areas determined to be outside the 0.2 percent annual chance floodplain.”²⁶ The Water Resources Technical Report prepared for the Project indicates that, according to the California Department of Water Resources, the average annual precipitation within this area ranges from 11 to 13 inches and averages 12 inches.²⁷

(2) Surface Water Quality

As described above, the Project Site is located within the Los Angeles River Watershed and is tributary to the Los Angeles River Reach 2 waterway. The Los Angeles River Reach 2 is listed on the 2012 CWA Section 303(d) list (approved by the USEPA on June 26, 2015) as impaired due to the prevalence of pollutants that include ammonia, coliform bacteria, copper, lead, nutrients (algae), oil, and trash. Currently, this waterway’s existing beneficial uses include groundwater recharge and warm freshwater habitat, and potential uses include municipal and domestic supply, industrial service supply, and wildlife habitat.

Stormwater leaving the Project Site presently drains directly into the street gutter system via sheet flow and building scuppers, eventually entering into the public storm drain system. According to the Water Resources Technical Report prepared for the Project, no water quality treatment improvements are present on the Project Site or are noted in surveyed data of the Project Site. As such, the Project Site’s existing land uses and surface parking area may contribute oil and grease, or other pollutants, to surface water resources during a storm that generates stormwater runoff from the Project Site. Stormwater inlets in the Project vicinity are fitted with metal grates or bars to prevent larger pollutant materials, such as trash and debris, from entering the local storm drain system.

(3) Groundwater

The Project Site is located within the Central Subbasin of the Los Angeles Coastal Plain Groundwater Basin. Groundwater generally flows southwesterly in the Los Angeles Coastal Plain Groundwater Basin. Groundwater enters the Central Subbasin through surface and subsurface flow and by direct percolation of precipitation, stream flow, and applied water. Groundwater replenishes the aquifers dominantly in the forebay areas where permeable sediments are exposed at ground surface. Natural replenishment of the Central Subbasin’s groundwater supply is largely from surface inflow through Whittier Narrows (and some underflow) from the San Gabriel Valley. Percolation into the Los Angeles Forebay Area, which is an area of unconfined aquifers that allow percolation of

²⁶ A 100-year flood is equivalent to a one percent annual chance flood.

²⁷ Psomas. 2019. 4th and Hewitt 401 South Hewitt Street Water Resources Technical Report. December. (Appendix H.)

surface water down into the deeper aquifers to replenish the basins,²⁸ is restricted due to paving and development of the surface of the forebay. Imported water purchased from the Metropolitan Water District and recycled water from Whittier and San Jose Treatment Plants are used for artificial recharge in the Montebello Forebay at the Rio Hondo and San Gabriel River spreading grounds. The total storage capacity of the Central Subbasin is approximately 13,800,000 acre-feet.²⁹

The Geotechnical Engineering Investigation³⁰ prepared for the Project indicates that, during test boring on-site, groundwater was encountered at a depth of approximately 78 feet below the existing grade. This reported depth to groundwater is somewhat shallower than the reported historically highest groundwater level shown in the Los Angeles 7.5 Minute Topographic Quadrangle Seismic Hazard Evaluation Report of approximately 84 feet below grade. As noted in the Geotechnical Engineering Investigation, variations in rainfall, temperature, and other factors may result in fluctuations in groundwater levels, and groundwater levels may also fluctuate across the Project Site.³¹

(4) Groundwater Quality

There are three water quality monitoring stations located within one mile of the Project Site. The last known sampling date recorded for one of these monitoring stations was 1977, and for the other two stations the last known sampling data was recorded in 1951.³² Groundwater quality data recorded in 1977 reported dissolved nitrate (NO₃) levels of 14.4 milligrams/liter (mg/L) at one station and less than the reporting limit of 0.1 mg/L at another station.³³ According to the SWRCB, NO₃ can form through natural processes, and it is also associated with industrial manufacturing of fertilizers, intense agricultural activity, septic systems, confined animal facilities, and wastewater treatment facilities. Elevated NO₃ levels in drinking water is a health concern, which can affect infants, and it may be unhealthy for pregnant women. The current State drinking water standard of 45 mg/L as NO₃ (10 mg/L as Nitrogen [N]) is specifically designed to protect infants.³⁴ The data described above show that groundwater NO₃ levels in the Project Site vicinity did not exceed current drinking water standards.

²⁸ Water Replenishment District of Southern California. 2004. Technical Bulletin. An Introduction to the Hydrogeology of the Central and West Coast Basins.

²⁹ Psomas. 2019. 4th and Hewitt 401 South Hewitt Street Water Resources Technical Report. December. (Appendix H.)

³⁰ Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation Proposed Mixed Use Structure 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street Los Angeles California. December 29. (Appendix E1.)

³¹ Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation Proposed Mixed Use Structure 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street Los Angeles California. December 29. (Appendix E1.)

³² Psomas. 2019. 4th and Hewitt 401 South Hewitt Street Water Resources Technical Report. December. (Appendix H.)

³³ State Water Resources Control Board. Water Quality Report Station Number: Z6127210. Available at: http://www.water.ca.gov/waterdatalibrary/waterquality/station_county/select_station.cfm?URLStation=Z6127210&source=map. Accessed on April 14, 2021.

³⁴ State Water Resources Control Board Division of Water Quality GAMA Program. 2017. Groundwater Information Sheet: Salinity. Revised November.

Data from 45 public water wells located within the Central Subbasin reported an average Total Dissolved Solids content of 720 mg/L, ranging from 170 mg/L to 5,510 mg/L, which is higher than the Secondary Drinking Water Standard maximum contaminant level of 500 mg/L set by the USEPA.³⁵ The USEPA sets non-mandatory water quality standards for 15 contaminants, and established as guidelines to assist public water systems in managing their drinking water for aesthetic considerations, such as taste, color and odor.³⁶ Secondary standards are set to give public water systems some guidance on removing such chemicals to levels that are below what most people will find to be noticeable.

3. Project Impacts

a) Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the Project would have a significant impact related to hydrology and water quality if it would:

Threshold a): Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality; or

Threshold b): Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; or

Threshold c): Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

- i. Result in substantial erosion or siltation on- or off-site; or***
- ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; or***
- iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems***

³⁵ Psomas. 2019. 4th and Hewitt 401 South Hewitt Street Water Resources Technical Report, Page. 7. December. (Appendix H.)

³⁶ USEPA. Secondary Drinking Water Standards guidance for Nuisance Chemicals. Available at [https://www.epa.gov/sdwa/secondary-drinking-water-standards-guidance-nuisance-chemicals#:~:text=In%20addition%2C%20EPA%20has%20established,quality%20standards%20for%2015%20contaminants.&text=They%20are%20established%20as%20guidelines,taste%2C%20color%2C%20and%20odor](https://www.epa.gov/sdwa/secondary-drinking-water-standards-guidance-nuisance-chemicals#:~:text=In%20addition%2C%20EPA%20has%20established,quality%20standards%20for%2015%20contaminants.&text=They%20are%20established%20as%20guidelines,taste%2C%20color%2C%20and%20odor.). Accessed on April 14, 2021.

***or provide substantial additional sources of polluted runoff;
or***

iv. Impede or redirect flood flows;

Threshold d): In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation; or

Threshold e): Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

For this analysis, the Appendix G Thresholds are relied upon. This analysis utilizes factors and consideration identified in the L.A. CEQA Thresholds Guide, as appropriate, to assist in answering the Appendix G Threshold questions. The following criteria to evaluate hydrology and water quality impacts include whether or not the Project would:

Surface Water Hydrology

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

Surface Water Quality

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

Groundwater Level

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

- *Result in demonstrable and sustained reduction of groundwater recharge capacity.*

Groundwater Quality

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

b) Methodology

The following hydrology and water quality analysis is based on the applicable regulations and thresholds of significance described in this section, as well as the Water Resources Technical Report (Appendix H) prepared by Psomas. The Water Resources Technical Report was prepared in accordance with Los Angeles County Department of Public Works (LACDPW) and SWRCB guidance, and pursuant to the City's LID Ordinance, as required; and provides a description of the surface water hydrology, surface water quality, and groundwater conditions at the Project Site, in addition to an analysis of the Project's potential impacts related to surface water hydrology, surface water quality, and groundwater.

c) Project Design Features

No specific project design features are not proposed with regards to hydrology and water quality.

d) Analysis of Project Impacts

Threshold a): Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

(1) Impact Analysis

The Project would remove existing structures and surface parking lots from the Project Site, grade and excavate within the Site for subterranean parking levels and structural footings, and construct a building for commercial and office land uses. Activities

associated with the Project's construction and operational periods are evaluated below in the context of this guidance.

(a) *Construction*

Construction activities that would potentially contribute to pollutant loading in stormwater runoff from the construction site include, but are not limited to, grading/excavation, paving operations, structure construction, demolition and debris disposal, and dewatering operations. According to the Geotechnical Engineering Investigation prepared for the Project,³⁷ groundwater was encountered during drilling on the Project Site at an approximate depth of 78 feet below the existing grade. However, the historically highest groundwater level reported was on the order of 84 feet below grade. The Project's excavation for proposed subterranean parking garages is expected to extend to a depth of 38 feet below ground surface,³⁸ which would be well above the groundwater level and is not expected to encounter groundwater. Perched water zones can possibly be encountered during excavation in areas where borings were not drilled. Should perched groundwater be encountered, it would be directed to a dewatering system and discharged in accordance with all applicable rules and regulations under the LARWQCB Order No. R4-2018-0125, General NPDES Permit No. CAG994004 (Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties).

As discussed in Section IV.F, Hazards and Hazardous Materials, excavation activities for the Project may include the removal of an underground clarifier tank previously associated with a truck washing facility that operated on the Project Site. Soil testing conducted near the clarifier tank location did not identify contaminants in soil samples collected. A Phase II subsurface investigation of the Project Site, performed by Citadel Environmental Services, Inc.,³⁹ included soil sample testing to identify and define the extent of any potential subsurface contamination from the on-site wastewater clarifier, auto repair floor pit, several wastewater separator structures, and the former truck wash rack associated with previous uses on the Project Site. As described in the Phase II subsurface investigation, contaminants of potential concern, consisting of Gasoline Range Organics, Diesel Range Organics, or Volatile Organic Compounds were not detected. Motor Oil Range Organics (MORO) was detected at 81 mg/kg in one soil sample (the location may have previously been used as a truck wash rack), although the concentration of MORO detected is below the USEPA's Regional Screening Levels (RSL). Metals detected in a soil sample collected for the purpose of waste profiling and

³⁷ Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation Proposed Mixed Use Structure 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street Los Angeles, California. December 29. (Appendix E1.)

³⁸ Geotechnologies, Inc. 2018. Update of Geotechnical Engineering Investigation Proposed Mixed-Use Structure 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street Los Angeles, California. Page 4. November 21. (Appendix E2.)

³⁹ Citadel Environmental Services, Inc. 2017. Phase II Subsurface Investigation 405-411 South Hewitt Street, 900, 910 and 926 East 4th street and 412 Colyton Street Los Angeles, California. May 16. (Appendix G2.)

disposal included arsenic, barium, chromium, cobalt, copper, lead, nickel, vanadium, and zinc. The concentrations of the metals detected were all below their respective RSLs and represent naturally occurring background levels. As described in Section IV.F, Hazards and Hazardous Materials, although subsurface investigations completed to date have not detected hazardous soil conditions, access was limited due to current development at the Project Site. However, implementation of Mitigation Measure HAZ-MM-1, which requires a Supplemental Phase II Subsurface Site Investigation following demolition and Mitigation Measure HAZ-MM-2, which requires a Soil Management Plan prior to soil-disturbing activities (see Section IV.F, Hazards and Hazardous Materials) would address any potential hazardous soil conditions encountered during construction.

In addition, during construction, the Project would be required to obtain coverage for stormwater discharges under the SWRCB CGP, which would require development of a SWPPP. The CGP requires that all SWPPPs be written, amended, and certified by a Qualified SWPPP Developer, emphasizing BMPs, which are defined as “scheduling of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants.”⁴⁰ The SWPPP would include BMPs and erosion control measures to prevent pollution in stormwater discharge. Typical BMPs required by SWPPPs may consist of erosion/sediment control measures, such as fiber rolls, silt fences, and stormwater inlet protection, as well as street sweeping. Typical construction BMPs also address proper storage and handling of fuels or other hazardous materials, equipment maintenance, and concrete washout areas.

The SWPPP would be carried out in compliance with SWRCB requirements and would be subject to review by the City for compliance with the LID Handbook. Additionally, Project construction activities would occur in accordance with City grading permit regulations (LAMC Chapter IX, Division 70), such as the preparation of an erosion control plan, to reduce the effects of sedimentation and erosion. Prior to the issuance of a grading permit, the Applicant would provide the City with evidence that a NOI has been filed with the SWRCB to comply with their CGP.

Based on the above, although the Project would be required to comply with the SWRCB regulations and City regulations, Project impacts to surface or groundwater quality would be potentially significant without mitigation if hazardous soil conditions are encountered during construction.

(b) Operations

The Project would consist of the existing building formerly occupied by the Architecture and Design Museum (A+D Museum) that would remain in place and construction of the

⁴⁰ State Water Resources Control Board. Storm Water Program. 2009-0009-DWQ as amended by 2010-0014-DWQ & 2012-0006-DWQ, Appendix 5: Glossary.

18-story Office Building. The Project design incorporates landscaped areas with direct exposure to rainwater. Common pollutants generated by commercial land use developments during operations may include sediment/turbidity, nutrients, organic compounds, trash and debris, oxygen demanding substances, oil and grease, pesticides, and metals. The Project's pollutants of concern include those that potentially result from commercial land use and are also identified as impairments of the Los Angeles River Reach 2 receiving waters based on the State 303(d) list, discussed above in Existing Conditions. As such, the pollutants of concern for this Project would be nutrients, trash and debris, oil and grease, and metals. Bacteria and viruses are ruled out as a potential Project pollutant of concern, as the Project would not generate animal waste. During a storm, there is a potential for pollutants of concern to be carried by stormwater from the proposed development to the storm drain system.

Existing development on the Project Site consists of a paved surface parking lot and four buildings with minimal landscaping, resulting in 98.5 percent impervious surface coverage. There are no known stormwater treatment BMPs at the existing Project Site, meaning that stormwater, with potential pollutants, currently sheet flows from the Project Site into the public right-of-way, where it is conveyed to the local storm drain system and ultimately to the Pacific Ocean. The Project would include more landscaping than is currently on the Project Site, which would result in lowering the average imperviousness of the Site to 94 percent. Landscaping would include a combination of planters, as well as planting areas in the courtyard along Colyton Street, with direct exposure to rainwater. By reducing the imperviousness of the Project Site, the Project would result in a slight reduction in stormwater runoff compared to the existing conditions.

The Project would be required to comply with the City's LID Ordinance to manage stormwater runoff during operations. The City's LID Handbook serves as a guideline for compliance with the LID standards. The LID standards require on-site stormwater management techniques to be implemented and properly sized to manage and treat stormwater runoff by infiltration, evapotranspiration, capture and use, and/or treatment through high removal efficiency BMPs on-site. In order to comply with the City's LID Ordinance, the Project would include stormwater treatment BMPs that would collect and treat the volume of rainwater resulting from the 85th percentile, 24-hour storm event on-site. The Project would include the installation of floor drains, planter drains, and roof downspouts through the Project Site to collect roof and site runoff and direct stormwater away from the structures through a series of underground storm drain pipes. This on-site stormwater conveyance system would serve to prevent on-site flooding and nuisance water on the Project Site.

Additional stormwater BMPs proposed with the Project include a below grade stormwater storage tank, a stormwater pretreatment device, and a stormwater dry well device.⁴¹ As determined by the Project's Water Resources Technical Study prepared for the Project, the selected infiltration BMPs for the Project Site would have the capacity to capture and infiltrate approximately 4,000 cubic feet of stormwater runoff, which would accommodate the Project's required stormwater storage volume, which is calculated to be 3,926 cubic feet.⁴² The infiltration system would treat stormwater from the Project Site prior to discharging it to the public right-of-way. Through infiltration as the selected BMP, none of the impervious area of the Project Site will remain untreated. The proposed stormwater retention and infiltration system would provide runoff treatment in accordance with the City's LID Ordinance.

The stormwater BMPs of the Project would provide on-site water quality treatment to address potential pollutants of concern, which is not currently provided in the existing condition.

The proposed Office Building, including the subterranean parking levels, are not anticipated to encounter the groundwater table below the Project Site. In addition, during operations, the Project would not include the use of on-site groundwater extraction wells or wastewater treatment (septic) systems that would introduce contaminants or waste materials to groundwater supplies. As previously described, the Project includes a drainage system that complies with the City's LID Ordinance and that would provide for the capture and infiltration of stormwater runoff with 100 percent treatment. As such, through required compliance with the City's LID Ordinance, Project operations would not violate water quality standards or discharge requirements, nor would they substantially degrade surface or groundwater quality. **Therefore, Project impacts during operations would be less than significant.**

(2) Mitigation Measures

Refer to Mitigation Measures HAZ-MM-1 and HAZ-MM-2 in Section IV.F, Hazards and Hazardous Materials, of this Draft EIR, to address potential Project impacts related to surface and groundwater quality standards and discharge requirements during construction. No additional mitigation measures are necessary.

(3) Level of Significance After Mitigation

With implementation of Mitigation Measures HAZ-MM-1 and HAZ-MM-2, Project impacts related to surface and groundwater quality standards and discharge requirements during construction would be less than significant. Water quality impacts during operations were

⁴¹ Psomas. 2019. 4th and Hewitt 401 South Hewitt Street Water Resources Technical Report. December. (Appendix H.)

⁴² Psomas. 2019. 4th and Hewitt 401 South Hewitt Street Water Resources Technical Report. December. (Appendix H.)

determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included for operations, and the impact level remains less than significant.

Threshold b): Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

(1) Impact Analysis

This analysis evaluates the Project's potential impacts regarding groundwater levels below the Project Site and immediate vicinity. The Project's potential impacts regarding potable water supplies provided by utility infrastructure from off-site sources, including groundwater, are evaluated in Section IV.N.3, Utilities and Service Systems – Water Supply and Infrastructure.

(a) Construction

The excavation for proposed parking garages is expected to extend to a depth of 38 feet below ground surface,⁴³ which would be well above the reported groundwater level and is not expected to encounter groundwater, which was determined to occur at an approximate depth of 78 feet below the existing grade. Perched water zones may possibly be encountered during excavation in areas where test borings were not drilled; however, dewatering of perched groundwater during construction, if necessary, would be temporary, of limited quantity, and confined to the Project Site. Such dewatering would not permanently draw from groundwater supplies and would comply with the LARWQCB Order No. R4-2018-0125, General NPDES Permit No. CAG994004 (Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties). Construction activities for the Project would therefore not reduce groundwater levels to such an extent that the production rate of pre-existing nearby wells would no longer be able to support existing land uses or planned uses for which permits have been granted. The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that it may impede sustainable groundwater management of the basin during construction. **Therefore, Project impacts to groundwater supplies and recharge during construction would be less than significant.**

⁴³ Construction is anticipated to require excavation across the majority of the Project Site to a depth of approximately 38 feet to accommodate the subterranean parking levels. However, for purposes of providing a conservative estimate for the amount of soil that would be exported during site preparation, excavation to a depth of 42 feet is assumed in order to calculate the quantity of soil export.

(b) Operations

The Project's potable water supplies would be provided by connection to an existing LADWP water main that currently serves the Project Site's existing uses. The Project does not propose to install groundwater production wells on-site, and as such it would not deplete groundwater supplies. The Project would incorporate the addition of landscaped areas with direct exposure to rainwater, which would reduce the imperviousness of the developed Project Site from the current level of 98.5 percent to 94 percent across the Project Site. As such, the Project would not interfere with on-site groundwater recharge compared to existing conditions. Rather, the Project would slightly improve infiltration through implementation of infiltration BMPs that comply with the LID Ordinance. The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that it may impede sustainable groundwater management of the basin during operations. **Therefore, Project impacts to groundwater supplies and recharge during operations would be less than significant.**

(2) Mitigation Measures

Impacts regarding groundwater supplies and recharge would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts regarding groundwater supplies and recharge were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold c): Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

- i. Result in substantial erosion or siltation on- or off-site?***

(1) Impact Analysis

As described in Existing Conditions, the Project Site is predominantly covered by impervious surfaces, and stormwater runoff is conveyed from the Project Site by sheet flow to the surrounding street gutters. There are no defined drainage channels within the Project Site. Surface water from the Project Site and surrounding vicinity is currently

collected via underground storm drains that convey flows to the Los Angeles River and ultimately to the Pacific Ocean.

(a) *Construction*

During construction, all grading activities would require grading permits from the LADBS. Requirements for grading, excavations, and fills are addressed in LAMC Chapter IX, Division 70. The Project would be required to comply with all applicable City grading permit regulations, including implementing measures, plans, and inspections to address potential sedimentation and erosion into the public right-of-way. Therefore, the Project would not result in substantial erosion, siltation, or flooding impacts. The Project would be required to obtain coverage by the CGP, which will require that a SWPPP that describes BMPs to be used for erosion control or other source control measures to prevent pollutants from discharging from the Project Site be implemented. With implementation of regulatory requirements, surface water quality impacts, including erosion and siltation associated with the construction of the Project, would be less than significant. Therefore, with the required SWPPP, and in conjunction with compliance with the City's permitting regulations, construction activities of the Project would have minimal effect on the Project Site's drainage pattern. Therefore, the Project would not substantially alter the existing drainage pattern of the Site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would result in substantial erosion on- or off-site. **As such, Project impacts associated with erosion or siltation as a result of construction activities would be less than significant.**

(b) *Operations*

As discussed above in Existing Conditions, stormwater leaving the Project Site presently drains directly into the street gutter system via sheet flow and building scuppers, eventually entering into the public storm drain system. There are no known stormwater treatment BMPs at the existing Project Site, meaning that runoff from the impervious surfaces of the Project Site is currently conveyed to the local storm drain system and is not retained or treated on-site. Flows entering the local storm drain system are conveyed to the southeast and discharged to the Los Angeles River. This drainage pattern would be maintained by the Project; however, the Project would alter Project Site imperviousness and drainage flow rates.

As reported in the Water Resources Technical Study prepared for the Project, runoff rates for the Project Site under existing and proposed conditions were performed with the HydroCalc software that conforms to the LACDPW Hydrology Manual, which has been adopted by the City for storm drain facility design. Due to the proposed increase in landscaping on the Project Site and proposed infiltration BMPs, the Project would reduce

the Project Site's existing impervious coverage of 98.5 percent to 94 percent. From a hydrological perspective, this is a slight reduction, and the proposed impervious surface area would be considered to have the same properties as existing impervious surfaces during an intense rain event. In addition, the Project would reduce the amount of runoff and flow rate from the Project Site from the existing total of approximately 4.13 cubic feet per second to 3.97 cubic feet per second, during the 50-year (24-hour) rainfall event, which would be a reduction of 3.9 percent. With implementation of regulatory requirements, runoff volumes from the Project Site would decrease. As such, the Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would result in substantial erosion on- or off-site. **Therefore, Project impacts associated with erosion or siltation as a result of operational activities would be less than significant.**

(2) Mitigation Measures

Impacts regarding erosion and siltation would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts regarding erosion and siltation were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold c): Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

- ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?***

(1) Impact Analysis

(a) Construction

As discussed under Existing Conditions, the Project Site has an average imperviousness of 98.5 percent, due to existing structures and paved parking areas that cover the majority of the Site. During construction, the Project would not increase the imperviousness of the Project Site and, therefore, would not potentially cause flooding during a storm event. Runoff from the Project Site would continue to be conveyed by the existing storm drain

system to the Los Angeles River, which ultimately outlets at the Pacific Ocean, and as such, the Project would not substantially affect the amount of surface water in a water body or interfere with wildlife movement. As runoff from the Project Site would continue to be conveyed by existing storm drain facilities, the Project's temporary construction activities would not result in a permanent, adverse change to the movement of surface water. Therefore, the Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would substantially increase the rate or amount of surface runoff resulting in flooding on- or off-site. **As such, Project impacts associated with potential flooding by altering drainage patterns as a result of construction activities would be less than significant.**

(b) Operations

As discussed above in the analysis of Threshold b, the Project would reduce the imperviousness of the Project Site from 98.5 percent to approximately 94 percent, which would reduce runoff volumes compared to existing conditions. The Project would include the installation of floor drains, planter drains, and roof downspouts through the Project Site to collect roof and site runoff and direct stormwater away from the structures through a series of underground storm drain pipes. This on-site stormwater conveyance system would serve to prevent on-site flooding and nuisance water on the Project Site.

The Project proposes to provide stormwater treatment BMPs that would collect and treat the volume of rainwater resulting from the 85th percentile, 24-hour storm event on-site, which would comply with the City's LID Ordinance. Stormwater BMPs proposed by the Project include a stormwater pre-treatment device and a dry well to allow infiltration of treated runoff within the Project Site. Additionally, the Project would construct a below-grade stormwater storage tank with a capacity to hold approximately 4,000 cubic feet of stormwater on-site. Due to the minimal perviousness of the Project Site, and as there are currently no on-site stormwater BMPs that capture and treat stormwater runoff, the Project's proposed stormwater BMPs would result in a reduction in the volume of runoff that leaves the Project Site to enter existing storm drain inlets. Therefore, operation of the Project would result in a reduction in the volume of runoff leaving the Project Site, and the Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would substantially increase the rate or amount of surface runoff resulting in flooding on- or off-site. **As such, Project impacts associated with potential flooding by altering drainage patterns as a result of operational activities would be less than significant.**

(2) Mitigation Measures

Impacts regarding surface runoff and flooding on- or off-site would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts regarding surface runoff and flooding on- or off-site were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold c): Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

- iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?***

(1) Impact Analysis

(a) Construction

The imperviousness of the Project Site is currently 98.5 percent. As construction activities would demolish on-site structures and surface parking lots, the Project Site would be temporarily more permeable during the construction period. Therefore, the Project would not result in increased stormwater runoff during the construction period. The Project would have a less-than-significant impact related to exceeding the capacity of the stormwater drainage system during construction and would not require the construction of new or expanded off-site stormwater drainage facilities that would cause additional significant environmental effects.

The Project would be required to obtain coverage for stormwater discharges under the SWRCB CGP, which would require development of a SWPPP with adequate BMPs to minimize erosion and siltation impacts and to prevent spills or leaks from construction equipment or materials from introducing pollutants to stormwater runoff. Therefore, the Project's environmental effects related to creating substantial additional sources of polluted runoff during construction would be less than significant.

Based on the information above, the Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would

create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. **Therefore, Project impacts related to stormwater drainage system capacity and water quality during the construction period would be less than significant.**

(b) *Operations*

As evaluated above in the analyses of Threshold b, the Project would result in a decrease in runoff volumes compared to existing conditions. The Project would include the installation of floor drains, planter drains, and roof downspouts through the Project Site to collect roof and site runoff and direct stormwater away from the structures through a series of underground storm drain pipes. The Project's stormwater management features would comply with LID regulations to retain and treat stormwater resulting from the 85th percentile, 24-hour storm event by infiltration on-site. Additionally, the Project would construct a below grade stormwater storage tank with a capacity to hold approximately 4,000 cubic feet of stormwater on-site.

The proposed BMPs would also address the pollutants of concern, which consist of nutrients, trash and debris, oil and grease, and metals,⁴⁴ by retention and infiltration. The stormwater management features of the Project would be provided on-site; therefore, the environmental impacts of these features are addressed with the Project's impacts as a whole in this Draft EIR. As the Project would actually reduce runoff volumes and would be required to implement BMPs and comply with LID regulations, the Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. **Therefore, Project impacts related to stormwater drainage system capacity and water quality during operations would be less than significant.**

(2) Mitigation Measures

Impacts regarding stormwater drainage system capacity and water quality would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts regarding stormwater drainage system capacity and water quality would be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

⁴⁴ The pollutants of concern for this Project consist of potential pollutants generated by commercial development that are also listed as impairments of the Los Angeles River Reach 2 receiving waters.

Threshold c): Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

iv. Impede or redirect flood flows;

As discussed in Section V.A, Impacts Found not to be Significant and, in the IS (Appendix A2, Initial Study), the Project would not impede or redirect flood flows. Project Site is not located within a 100-year flood plain area, including the 100-year flood zone designated by the FEMA. In addition, the Project would replace existing urban development with the proposed Office Building, such that surface drainage would follow a similar path as in the existing condition. **Therefore, the Project would have a less-than-significant impact with respect to impeding or redirecting flood flows. No further analysis of this topic is required.**

Threshold d): In flood hazard, tsunami, or seiche zones, would the Project risk release of pollutants due to project inundation?

(1) Impact Analysis

As discussed in Section V.A, Impacts Found not to be Significant and in the IS (Appendix A2, Initial Study), the Project would not place housing or structures within a 100-year floodplain. Further, the proposed development would not be subject to the effects of a tsunami,⁴⁵ as the Project Site is located approximately 16 miles inland of the Pacific Ocean and outside of the tsunami inundation zone.⁴⁶ With regard to seiche, which is an oscillation of a body of water in an enclosed or semi-enclosed basin (i.e., a reservoir, harbor, lake, or storage tank) that may be caused by seismic activity, such bodies of water in the area surrounding the Project Site may potentially have an occurrence of a seiche. In the event of a seiche condition, wave action may cause water to be distributed beyond the normal banks of a water body, or over a containment structure such as a dam, potentially causing inundation of adjacent or downstream areas.

Much of the City consists of low-lying, relatively flat terrain, surrounded by several mountain ranges. The County Flood Control District was created to control flooding and protect this urban area. Following devastating floods in 1938, the U.S. Army Corps of Engineers (U.S. ACOE) channelized the Los Angeles River. A system of dams, debris basins, flood control basins, channelized river and tributary systems, and spreading grounds provides flood protection to most of the urbanized Los Angeles area. However,

⁴⁵ A tsunami is a large ocean wave, commonly referred to as a tidal wave, produced by a submarine earthquake, landslide, or volcanic eruption.

⁴⁶ City of Los Angeles, Department of City Planning. Parcel Profile Report, 407 and 411 S. Hewitt St. Available at <http://zimas.lacity.org/>. Accessed on April 14, 2021.

a major dam failure would potentially result in significant flooding, property damage, and potential loss of life to significant portions of the City.⁴⁷ The Project Site is located within a potential dam failure inundation area identified by the General Plan Safety Element,⁴⁸ which is associated with flood control basins in the San Fernando Valley or in the San Gabriel Mountains.

There are 22 dams in the Los Angeles area, five of which are owned and operated by the U.S. ACOE, including Sepulveda, Hansen, Lopez, Santa Fe and Whittier Narrows. Over one-third of the land area and the population of the City is potentially threatened by failure of one or more dams in the vicinity. The Project Site is located within potential dam failure inundation zones of several debris basins and reservoirs due to the Project Site's proximity to the Los Angeles River, where flows from the potential failure of a dam in upper portions of the watershed would be conveyed. The Elysian Reservoir, located approximately 2.5 miles north of the Project Site, is the nearest upstream surface water reservoir in the Project vicinity. A small pond located within Lincoln Park is also located approximately 2.5 miles northeast from the Project Site. Dam failure is more likely to occur in conjunction with other hazard events, such as severe weather or an earthquake. For example, 13 dams in the greater Los Angeles area moved or cracked during the 1994 Northridge Earthquake; however, none were severely damaged, due in part to the retrofitting of dams and reservoirs pursuant to California's the 1972 Dam Safety Act.

The Division of Safety of Dams, under the California Department of Water Resources, was created in 1929 to protect people against loss of life and property from dam failure. Division engineers and engineering geologists review and approve plans and specifications for the design of dams and oversee their construction to ensure compliance with the approved plans and specifications. In addition, Division engineers inspect over 1,200 dams on a yearly schedule to ensure they are performing and being maintained in a safe manner. **In consideration of this program and required compliance by the Project with LACDPW, SWRCB, and City LID requirements, Project impacts related to the release of pollutants following an inundation event would be less than significant.**

(2) Mitigation Measures

Impacts related to the risk of release of pollutants due to Project inundation would be less than significant. Therefore, no mitigation measures are required.

⁴⁷ City of Los Angeles. 2018. Hazard Mitigation Plan. January.

⁴⁸ City of Los Angeles, Department of City Planning. 1996. Safety Element of the Los Angeles City General Plan, Exhibit G, Inundation & Tsunami Hazard Areas in the City of Los Angeles. Adopted November 26.

(3) Level of Significance After Mitigation

Impacts related to the risk of release of pollutants due to Project inundation were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold e): Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

(1) Impact Analysis

As described under the Regulatory Framework, above, the USEPA delegated management of California's NPDES program to the SWRCB and its nine RWQCB offices; the applicable regional board for the Project Site is the LARWQCB. The applicable water quality control plan for the Project Site is the Los Angeles Basin Plan. The LARWQCB implements the Los Angeles Basin Plan by issuing and enforcing waste discharge requirements to individuals, municipalities, or businesses whose waste discharges can affect water quality. These requirements can be either State waste discharge requirements for discharges to land, or NPDES permits issued under federal delegation for discharges to surface water. The SWRCB administers the NPDES stormwater permitting program; the County of Los Angeles and the City are Co-Permittees under the Los Angeles County NPDES MS4 Permit, which includes a LID Plan with BMPs that are required by projects to address water infiltration, filtering, treatment and peak-flow discharge. The City implements these Los Angeles County MS4 Permit requirements through the LID Ordinance and LID Handbook, which assist developers in achieving compliance with water quality standards.

The SGMA also applies to the Project Site, as the City is included in the WRD of Southern California. As previously described, the WRD of Southern California is categorized as High Priority basin under the SGMA. However, it has complied with the requirements of the CWC and SGMA, as it has documented that the Central Subbasin has operated within its sustainable yield for over a period of at least 10 years and that it promotes the sustainable management of the groundwater in the Central Subbasin.

(a) Construction

Construction activities that would potentially contribute to pollutant loading in stormwater runoff from the construction site include, but are not limited to, grading/excavation, paving operations, structure construction, demolition and debris disposal, and dewatering operations. According to the Geotechnical Engineering Investigation prepared for the

Project,⁴⁹ groundwater was encountered during drilling on the Project Site at an approximate depth of 78 feet below the existing grade. However, the historically highest groundwater level reported was on the order of 84 feet below grade. As previously described, should perched groundwater be encountered during excavation, it would be directed to a dewatering system and discharged in accordance with all applicable rules and regulations under the LARWQCB Order No. R4-2018-0125, General NPDES Permit No. CAG994004 (Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties).

As discussed in Section IV.F, Hazards and Hazardous Materials, excavation activities for the Project may include the removal of an underground clarifier tank previously associated with a truck washing facility that operated on the Project Site. As described in Section IV.F, Hazards and Hazardous Materials, although subsurface investigations completed to date have not detected hazardous soil conditions, access was limited due to current development at the Project Site. However, implementation of Mitigation Measure HAZ-MM-1, which requires a Supplemental Phase II Subsurface Site Investigation following demolition and Mitigation Measure HAZ-MM-2, which requires a Soil Management Plan prior to soil-disturbing activities (see Section IV.F, Hazards and Hazardous Materials) would address any hazardous soil conditions encountered during construction.

In addition, during construction, the Project would be required to obtain coverage for stormwater discharges under the SWRCB CGP, which would require development of a SWPPP, with BMPs and erosion control measures to prevent pollution in stormwater discharge. The SWPPP would be carried out in compliance with SWRCB requirements and would be subject to review by the City for compliance with the LID Handbook. Additionally, Project construction activities would occur in accordance with City grading permit regulations (LAMC Chapter IX, Division 70), such as the preparation of an erosion control plan, to reduce the effects of sedimentation and erosion. Prior to the issuance of a grading permit, the Applicant would provide the City with evidence that a NOI has been filed with the SWRCB to comply with their CGP.

Based on the above, although the Project would be required to comply with the SWRCB regulations and City regulations, Project impacts related to conflicts with the Los Angeles Basin Plan and SGMA would be potentially significant without mitigation if hazardous soil conditions are encountered during construction.

⁴⁹ Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation Proposed Mixed Use Structure 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street Los Angeles, California. December 29. (Appendix E1.)

(b) Operations

The Project would consist of the existing building formerly occupied by the A+D Museum that would remain in place and construction of the 18-story Office Building. The Project design incorporates landscaped areas with direct exposure to rainwater. The pollutants of concern for this Project would be nutrients, trash and debris, oil and grease, and metals. Bacteria and viruses are ruled out as a potential Project pollutant of concern, as the proposed Project would not generate animal waste. During a storm, there is a potential for pollutants of concern to be carried by stormwater from the proposed development to the storm drain system. By reducing the imperviousness of the Project Site, the Project would result in a slight reduction in stormwater runoff compared to the existing conditions.

In order to comply with the City's LID Ordinance, the Project would include stormwater treatment BMPs that would collect and treat the volume of rainwater resulting from the 85th percentile, 24-hour storm event on-site. The Project would include the installation of floor drains, planter drains, and roof downspouts through the Project Site to collect roof and site runoff and direct stormwater away from the structures through a series of underground storm drain pipes. This on-site stormwater conveyance system would serve to prevent on-site flooding and nuisance water on the Project Site. Additional stormwater BMPs proposed with the Project include a below grade stormwater storage tank, a stormwater pretreatment device, and a stormwater dry well device.⁵⁰ Through infiltration as the selected BMP, none of the impervious area of the Project Site will remain untreated. The proposed stormwater retention and infiltration system would provide runoff treatment in accordance with the City's LID Ordinance. Through required compliance with the City's LID Ordinance, Project operations would not conflict with the Los Angeles Basin Plan or SGMA. **As such, Project impacts related to Los Angeles Basin Plan or SGMA conflicts during operations would be less than significant.**

(2) Mitigation Measures

Refer to Mitigation Measures HAZ-MM-1 and HAZ-MM-2 in Section IV.F, Hazards and Hazardous Materials, of this Draft EIR, for potential Project impacts related to conflicts with the Los Angeles Basin Plan and SGMA during construction. No additional mitigation measures are necessary.

(3) Level of Significance After Mitigation

With implementation of Mitigation Measures HAZ-MM-1 and HAZ-MM-2, Project impacts related to conflicts with the Los Angeles Basin Plan and SGMA during construction would be less than significant. Impacts related to conflicts with the Los Angeles Basin Plan and SGMA during operations were determined to be less than significant without mitigation.

⁵⁰ Psomas. 2019. 4th and Hewitt 401 South Hewitt Street Water Resources Technical Report. December. (Appendix H.)

Therefore, no mitigation measures were required or included for operations, and the impact level remains less than significant.

e) Cumulative Impacts

(1) Impact Analysis

(a) *Surface Water Quality*

As detailed in Section III, Environmental Setting, of this Draft EIR, a total of 137 Related Projects that propose varying levels of development, redevelopment, or modification to existing land uses or structures in the vicinity of the Project Site. Specifically, the Related Projects comprise a variety of uses, including apartment, condominiums, restaurants, hotels, office, and retail uses, as well as mixed use developments incorporating some or all of these elements. As discussed above, stormwater runoff from most urban development sites has the potential to introduce pollutants into the stormwater system. Given the similar types of land uses proposed by the Related Project, anticipated and potential pollutants generated by the Related Projects could include sediment, nutrients, pesticides, metals, pathogens, and oil and grease. Such projects located in the City, as well as throughout the Los Angeles River Watershed, would be required to comply with NPDES permit requirements during both construction and operations, such as development and implementation of a SWPPP during construction and compliance with a SUSMP during operations. In addition, the City requires projects to comply with the City's LID Ordinance by preparing and implementing a LID plan, which sets forth the BMPs that would be incorporated into the project design to control the amount of impervious surfaces on a development site, increase infiltration, improve water quality by reducing runoff from development sites, and reduce the need for costly infrastructure. Other cities and counties in the Los Angeles River Watershed have similar LID, or Green Building Ordinances and policies. For example, the LACDPW complies with NPDES requirements for stormwater and non-stormwater discharges from the MS4 within unincorporated areas of the coastal watersheds of the County through their 2014 LID Standards Manual. The NPDES permit, LID Ordinance, and similar regulations assure that the Project and Related Projects would be reviewed by the City (or respective responsible agencies, where applicable. Similar to the Project, all Related Projects would be subject to compliance with hydrology and water regulations and implement BMPs to manage hydrologic resources. As discussed in detail above under Threshold a, with adherence to applicable regulations and implementation of Mitigation Measures HAZ-MM-1 and HAZ-MM-2, potential impacts to surface water quality would be less than significant during construction. Furthermore, during operation, compliance with regulatory requirements would ensure that impacts to surface water quality would be less than significant. **Therefore, the Project's contribution to surface water quality impacts**

would not be cumulatively considerable during construction or operation, and cumulative impacts from the Project and Related Projects would be less than significant.

(b) Groundwater Quality

As noted above, the Related Projects comprise a variety of uses, including apartments, condominiums, restaurants, hotels, office, and retail uses, as well as mixed use developments incorporating some or all of these elements. These proposed uses are similar to the types of land uses proposed by the Project. As such, these Related Projects would be anticipated to involve the use, handling, storage, and disposal of similar potentially hazardous materials and wastes that would be released into the groundwater. However, as with the Project, the Related Projects would be required to comply with all applicable federal, State, and local requirements concerning the handling, storage and disposal of hazardous waste, which would reduce the potential for the release of contaminants into groundwater. Other potential effects to groundwater quality, including from underground storage tanks and oil wells, are site specific and would be addressed by each individual Related Project. As discussed above under Threshold a, with adherence to regulatory requirements and implementation of Mitigation Measures HAZ-MM-1 and HAZ-MM-2, potential groundwater quality impacts during construction of the Project would be less than significant. Furthermore, Project impacts to groundwater quality during operations would be less than significant. **Therefore, the Project's contribution to groundwater quality impacts would not be cumulatively considerable during construction or operation, and cumulative impacts to groundwater quality from the Project and Related Projects would be less than significant.**

(c) Surface Water Hydrology

The geographic context for the cumulative impact analysis on surface water hydrology is the Los Angeles River Watershed, which covers 834 square miles, includes 44 cities in addition to unincorporated areas, and includes a population of nine million people. In accordance with City requirements, Related Projects and other future developments would be required to implement BMPs to manage stormwater in accordance with LID guidelines. Furthermore, the City Department of Public Works would review each future development project on a case-by-case basis to ensure sufficient local and regional stormwater drainage infrastructure is available to accommodate stormwater runoff. As discussed above under Threshold c, Project construction and operation would not alter that existing drainage pattern of the Project Site or area and impacts to surface water hydrology were determined to be less than significant. **Therefore, the Project's contribution to surface water hydrology impacts would not be cumulatively**

considerable, and cumulative impacts from the Project and Related Projects would be less than significant.

(d) *Groundwater Hydrology*

Cumulative groundwater hydrology impacts could result from the overall utilization of groundwater basins located in proximity to the Project Site and other Related Projects in the vicinity of the Project Site. In addition, interruptions to existing hydrology flow by dewatering operations would have the potential to affect groundwater levels. However, no water supply wells, spreading grounds or injection wells are location within a one-mile radius of the Project Site. As with the Project, any related Project would be required to evaluate its individual impacts to groundwater hydrology due to temporary or permanent dewatering operations. Similar to the Project, other proposed projects within the groundwater basin would likely incorporate structural designs for subterranean levels that are able to withstand hydrostatic forces and incorporate comprehensive waterproofing systems in accordance with current industry standards and construction methods. If any Related Project requires permanent dewatering systems, such systems would be regulated by the SWRCB. Should excavation for other Related Projects extend beneath the groundwater level, temporary groundwater dewatering systems would be designed and implemented in accordance with NPDES permit requirements. Additionally, as with the Project, Related Projects would be required to implement BMPs to capture stormwater runoff onsite, thereby minimizing effects on groundwater recharge. As discussed above under Threshold b, Project impacts to groundwater hydrology would be less than significant and the Project's contribution to groundwater hydrology impacts would not be cumulatively considerable. **Therefore, the Project and Related Projects would not result in significant cumulative impacts associated with groundwater hydrology.**

(2) Mitigation Measures

Cumulative hydrology and water quality impacts are less than significant. Thus, no additional mitigation measures are required for cumulative impacts.

(3) Level of Significance After Mitigation

Cumulative hydrology and water quality impacts were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included for cumulative impacts, and the impact level remains less than significant.

IV. Environmental Impact Analysis

H. Land Use and Planning

1. Introduction

This section analyzes the Project's potential impacts with regard to land use and planning. The analysis in this section evaluates whether the Project would conflict with any land use plans, policies or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Analyses of consistency and/or potential conflicts with plans that are more directly related to other environmental topics are addressed in other sections of this Draft Environmental Impact Report (EIR). For example, Section IV.A, Air Quality, evaluates Project consistency with the South Coast Air Quality Management District Air Quality Management Plan; Section IV.E, Greenhouse Gas Emissions, evaluates Project consistency with the adopted Green New Deal (Sustainable City Plan 2019); and Section IV.J, Population and Housing, further evaluates Project consistency with the Southern California Association of Government's (SCAG's) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

2. Environmental Setting

a) Regulatory Framework

The following describes the primary regulatory requirements regarding land use and planning. Applicable plans and regulatory documents/requirements include the following:

- California Government Code Section 65302
- California Senate Bill 375
- Southern California Association of Governments 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy
- City of Los Angeles General Plan
- Central City North Community Plan
- Los Angeles Municipal Code
- Citywide Design Guidelines

- City of Los Angeles Plan Overlays
- Industrial Land Use Policy

(1) State

(a) *California Government Code Section 65302*

State of California (State) law requires that every city and county prepare and adopt a long-range comprehensive General Plan to guide future development and to identify the community's environmental, social, and economic goals. As stated in Section 65302 of the California Government Code, "The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principle, standard, and plan proposals." While a general plan will contain the community vision for future growth, California law also requires each plan to address the mandated elements listed in Section 65302. The mandatory elements for all jurisdictions are land use, circulation, housing, conservation, open space, noise, and safety.

(b) *California Senate Bill 375*

On September 30, 2008, Senate Bill (SB) 375 was instituted to help achieve Assembly Bill (AB) 32 goals through regulation of cars and light trucks. SB 375 aligns three policy areas of importance to local government: (1) regional long-range transportation plans and investments; (2) regional allocation of the obligation for cities and counties to zone for housing; and (3) achievement of greenhouse gas (GHG) emission reduction targets for the transportation sector set forth in AB 32. It establishes a process for the California Air Resource Board to develop GHG emission reduction targets for each region (as opposed to individual local governments or households). SB 375 also requires Metropolitan Planning Organizations to prepare a Sustainable Communities Strategy (SCS) within the Regional Transportation Plan (RTP) that guides growth while taking into account the transportation, housing, environmental, and economic needs of the region. SB 375 uses California Environmental Quality Act (CEQA) streamlining as an incentive to encourage residential or mixed-use residential projects, which help achieve AB 32 goals to reduce GHG emissions.

(2) Regional

(a) *Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy*

On September 3, 2020, SCAG Regional Council adopted the 2020-2045 RTP/SCS, also known as Connect SoCal. The 2020-2045 RTP/SCS presents a long-term transportation vision through the year 2045 for the six-county region of Imperial, Los Angeles, Orange,

Riverside, San Bernardino, and Ventura counties. The 2020-2045 RTP/SCS contains baseline socioeconomic projections that are used as the basis for SCAG’s transportation planning, and the provision of services by other regional agencies. SCAG’s overarching strategy for achieving its goals is integrating land use and transportation. SCAG policies are directed towards the development of regional land use patterns that contribute to reductions in vehicle miles and improvements to the transportation system. Rooted in past RTP/SCS plans, Connect SoCal’s “Core Vision” centers on maintaining and better managing the region’s transportation network, expanding mobility choices by co-locating housing, jobs, and transit, and increasing investment in transit and complete streets. The plan’s “Key Connections” augment the “Core Vision” to address challenges related to the intensification of core planning strategies and increasingly aggressive GHG reduction goals, and include but are not limited to, Housing Supportive Infrastructure, Go Zones, and Shared Mobility. Connect SoCal intends to create benefits for the SCAG region by achieving regional goals for sustainability, transportation equity, improved public health and safety, and enhancement of the regions’ overall quality of life. These benefits include but are not limited to a five percent reduction in vehicle miles traveled (VMT) per capita and vehicle hours traveled by nine percent, increase in work-related transit trips by two percent, create more than 264,500 new jobs, reduce greenfield development by 29 percent, and, building off of the 2016-2040 RTP/SCS, increase the share of new regional household growth occurring in High Quality Transit Areas (HQTAs) by six percent and the share of new job growth in HQTAs by 15 percent.¹

(3) Local

(a) *City of Los Angeles General Plan*

The City of Los Angeles General Plan (General Plan)², originally adopted in 1974, sets forth goals, objectives, policies, and programs to provide an official guide to the future development of the City of Los Angeles (City), while integrating a range of State-mandated elements,³ including Land Use, Circulation (Mobility Plan 2035), Housing, Conservation, Open Space, Safety, Noise, and Air Quality. The General Plan also includes the Framework Element, the Health and Wellness Element (Plan for a Healthy Los Angeles), the Infrastructure Systems Element, and the Public Facilities & Services Element. Both the General Plan land use controls and the goals, objectives, and policies within individual elements of the General Plan include numerous provisions that are

¹ SCAG. 2020. 2020-2045 RTP/SCS. September 3.

² City of Los Angeles, Department of City Planning. City of Los Angeles General Plan. Available at: <https://planning.lacity.org/plans-policies/general-plan-overview>. Accessed on April 8, 2021.

³ The term “element” refers to the topics that California law requires to be covered in a general plan (Government Code Section 65302). In addition, State law permits the inclusion of optional elements which address needs, objectives or requirements particular to that city or county (Government Code Section 65303).

intended to avoid or reduce potential adverse effects on the environment. The elements that make up the General Plan are described in more detail below.

(i) Framework Element

The General Plan Framework Element (Framework Element) establishes the conceptual basis for the General Plan. The Framework Element sets forth a citywide comprehensive long-range growth strategy and establishes citywide policies regarding land use, housing, urban form, neighborhood design, open space and conservation, economic development, transportation, infrastructure, and public services. The Framework Element provides guidelines for future updates of the City's community plans and does not supersede the more detailed community and specific plans.

(a) Land Use Chapter

The Framework Element Land Use Chapter designates Districts (i.e., Neighborhood Districts, Community Centers, Regional Centers, Downtown Center, and Mixed-Use Boulevards) that include standards and policies that shape the scale and intensity of proposed uses with the purpose of supporting the vitality of the City's residential neighborhoods and commercial districts. The establishment of the designated arrangement of land uses and development densities addresses an array of environmental issues, including, but not limited to: reductions in VMT, reductions in noise impacts, improved efficiency in the use of energy, improved efficiency and thus greater service levels within the infrastructure systems, availability of open space, compatibility of land uses, support for alternative modes of transportation, and provision of an attractive pedestrian environment.

(b) Urban Form and Neighborhood Design Chapter

The Framework Element Urban Form and Neighborhood Design Chapter establishes the goal of creating a city that is attractive to future investment and a city of interconnected, diverse neighborhoods that builds on the strength of those neighborhoods and functions at both the neighborhood and citywide scales. The purpose of the Urban Form and Neighborhood Design Chapter is two-fold: first, to support the population distribution principles of the Framework Element through proper massing and design of buildings and second, to enhance the physical character of neighborhoods and communities within the City.⁴ The Framework Element does not directly address the design of individual neighborhoods or communities but embodies general neighborhood design and implementation programs that guide local planning efforts and lay a foundation for

⁴ City of Los Angeles, Department of City Planning. 2001. Citywide General Plan Framework, Page 5-1, et. seq. Originally adopted by City Council on December 11, 1996 and re-adopted on August 8.

community plan updates. The Urban Form and Neighborhood Design Chapter encourages growth in areas that have a sufficient base of both commercial and residential development to support transit service. The existing and planned transit system provides the opportunity to concentrate development and conserve the existing character of stable neighborhoods.

(c) Open Space and Conservation Chapter

The Framework Element Open Space and Conservation Chapter provides guidance for overall City provision of open space and sets forth policies for the protection of the City's natural environment resources. The Open Space and Conservation Chapter's objectives are oriented around the conservation of natural resources, provision of outdoor recreational opportunities, minimization of public risks from environmental hazards, and use of open space to enhance community and neighborhood character. Economic, social, and ecological imperatives require the City to take full advantage of all existing open space elements. The ecological dimension is based on the improvement of water quality and supply, the reduction of flood hazards, improved air quality, and the provision of ecological corridors for birds and wildlife.

(d) Economic Development Chapter

The Framework Element Economic Development Chapter includes goals, policies and objectives that address the appropriate land use locations for development. The chapter also establishes mutual development objectives for land use and economic development. This Chapter set forth policies for the development of an infrastructure investment strategy to support population and employment growth areas. The Chapter also includes goals, objectives, and policies focused on preserving commercial uses within walking distance to residential areas, and promoting opportunities in areas where growth can be accommodated without encroaching on residential neighborhoods. It also focuses on establishing a balance of land uses that provide for commercial and industrial development which meet the needs of local residents, sustaining economic growth, and assuring maximum feasible environmental quality.

(e) Transportation Chapter

The Framework Element Transportation Chapter includes proposals for major improvements to enhance the movement of goods and to provide greater access to major intermodal facilities. While the focus of the Transportation Chapter is on guidance for transportation investments, the Transportation Chapter also includes goals, policies and objectives that overlap with policies included in other chapters of the Framework Element regarding land use patterns and the relationship of the pedestrian system to arrangement of land uses. The Transportation Chapter of the Framework Element is implemented

through the General Plan's Mobility Plan 2035, which is a comprehensive update of the General Plan Transportation Element.

(f) *Infrastructure and Public Services Chapter*

The Framework Element Infrastructure and Public Services Chapter addresses infrastructure and public service systems, including wastewater, stormwater, water supply, solid waste, police, fire, libraries, parks, power, schools, telecommunications, street lighting, and urban forests. For each of the public services and infrastructure systems, basic policies call for monitoring service demands and forecasting the future need for improvements, maintaining an adequate system/service to support the needs of population and employment growth, and implementing techniques that reduce demands on utility infrastructure or services. Generally, these techniques encompass a variety of conservation programs (e.g., reduced use of natural resources, increased site permeability, watershed management, and others). Strategic public investment is advocated in the Infrastructure and Public Services Chapter as a method to stimulate economic development as well as maintain environmental quality. Attention is also placed on the establishment of procedures for the maintenance and/or restoration of service after emergencies, including earthquakes.

(ii) *Transportation Element (Mobility Plan 2035)*

The Mobility Plan 2035, adopted on January 20, 2016, and readopted September 7, 2016, is a comprehensive update of the General Plan Transportation Element.⁵ The Mobility Plan 2035 provides the policy foundation for achieving a transportation system that balances the needs of all road users, incorporates "complete streets" principles and lays the policy foundation for how future generations of Angelenos interact with their streets, in compliance with the Complete Streets Act (AB 1358).

The purpose of the Mobility Plan 2035 is to present a guide to the future development of a citywide transportation system for the efficient movement of people and goods. While the Mobility Plan 2035 focuses on the City's transportation network, it complements other components of the General Plan that pertain to the arrangement of land uses to reduce VMT and policies to support the provision and use of alternative transportation modalities. The Mobility Plan 2035 includes the following five main goals that define the City's high-level mobility priorities:

- Safety First;
- World Class Infrastructure;

⁵ City of Los Angeles, Department of City Planning. 2016. Mobility Plan 2035: An Element of the General Plan. Approved by the City Planning Commission on June 23 and adopted by City Council on September 7.

- Access for All Angelenos;
- Collaboration, Communication, and Informed Choices; and
- Clean Environments and Healthy Communities.

(iii) Conservation Element

The General Plan includes a Conservation Element, which addresses the preservation, conservation, protection, and enhancement of the City's natural resources. Section 5 of the Conservation Element recognizes the City's responsibility for identifying and protecting its cultural and historical heritage. The Conservation Element establishes an objective to protect important cultural and historical sites and resources for historical, cultural, research, and community educational purposes and a corresponding policy to continue protecting historic and cultural sites and/or resources potentially affected by proposed land development, demolition, or property modification activities. The Conservation Element refers to the Open Space Element for a discussion of open space aspects of the City, including park sites.

(iv) Health and Wellness Element (Plan for a Healthy Los Angeles)

The Plan for a Healthy Los Angeles, the Health and Wellness Element of the City's General Plan, provides high-level policy vision, along with measurable objectives and implementation programs to elevate health as a priority for the City's future growth and development. Through a new focus on public health from the perspective of the built environment and City services, the City seeks to achieve better health and social equity through its programs, policies, plans, budgeting, and community engagement. The plan acknowledges the relationship between public health and issues such as transportation, housing, environmental justice, and open space, among others. The plan includes Chapter 5 An Environment Where Life Thrives, which identifies the following environmental policies:

- Reduce air pollution from stationary and mobile sources; protect human health and welfare and promote improved respiratory health.
- Reduce negative health impacts for people who live and work in close proximity to industrial uses and freeways through health promoting land uses and design solutions.
- Protect communities' health and well-being from exposure to noxious activities (for example, oil and gas extraction) that emit odors, noise, toxic, hazardous, or contaminant substances, materials, vapors, and others.

- Explore opportunities to continue to remediate and redevelop brownfield sites.
- Increase the city's resilience to risks (increasing temperatures and heat related effects, wildfires, reduced water supply, poor air quality, and sea level rise) resulting from climate change.
- Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution.

This General Plan Element includes policies pertaining to the arrangement of land uses within the City related to public health hazards, and which reinforce other State, regional, and local policies which call for improvements to air quality, reducing GHGs, protection from hazards and hazardous materials, and reductions in vehicle trips.

(v) *Central City North Community Plan*

The Project Site and immediately surrounding area are located in the Central City North Community Plan area. The City adopted the Community Plan in 2000. The Community Plan implements the Framework Element and includes land use designations, density limits, building heights and other provisions to implement the development that supports the City's policies and development vision for the future. As shown in Chapter II, Project Description, Figure II-3, Project Area Land Use and Zoning Designations, the Community Plan's generalized land use designation for the Project Site is Heavy Manufacturing.⁶

The Community Plan area is comprised of seven sub-areas, each with their own unique identity. The Project Site is located in the Artists-in-Residence District subarea bounded by 1st Street, the Los Angeles River, 6th Street, and Alameda Street, as well as the South Industrial subarea bounded by the City of Vernon, the Los Angeles River, 3rd Street, and Alameda Street.⁷ The Artists-in-Residence District identifies the high concentration of artists that work and reside in the area. The Community Plan encourages the continued and expanded development of a thriving Artists-in-Residence community in the plan and proposed redevelopment areas. The purpose of the boundaries is to identify the presence of the artists as a distinct and integral part of the Community Plan area. Although a large population of artists are located within these boundaries, they are not restricted to the boundary. The South Industrial subarea reflects the industrial uses that are present within the Community Plan area, with Union Pacific and Burlington Northern Santa Fe railways that connect to the Ports of Los Angeles and Long Beach. The Community Plan includes two objectives for the Artists-in-Residence:

⁶ City of Los Angeles, Department of City Planning. 2020. Central City North Community Plan, Generalized Land Use Map. December.

⁷ City of Los Angeles, Department of City Planning. 2020. Central City North Community Plan, Generalized Land Use Map. December.

- Objective 3-2: Encourage the continued development and maintenance of the artists-in-residence community in industrial areas of the proposed redevelopment plan areas and of the plan, as appropriate.
- Objective 15-1: To initiate neighborhood based traffic and parking mitigation plans in each of the Community Plan's neighborhoods and artist-in-residence districts.

The Community Plan includes no objectives specifically for the South Industrial subarea. However, since 2008, a number of other planning and policy studies have been undertaken involving industrial land policy. For example, the City is currently preparing the Downtown Community Plan to support and sustain the ongoing revitalization of the area. The Downtown Community Plan would include the Project Site and proposes to modify the land use designations for the Downtown Los Angeles area. The Project Site would be designated Hybrid Industrial under the Downtown Community Plan, which are areas to “preserve productive activity and prioritize space for employment, including light industrial, new industry, commercial, and vertically-integrated businesses, with careful introduction of live-work uses.”⁸ The Downtown Community Plan includes the following core principles:⁹

- Accommodate anticipated growth in an inclusive, equitable, sustainable, and healthy manner;
- Support and sustain Downtown's Ongoing Revitalization;
- Reinforce Downtown's jobs orientation;
- Grow and support the residential base;
- Strengthen neighborhood character;
- Promote a transit, bicycle, and pedestrian-friendly environment;
- Strengthen neighborhood character;
- Create linkages between districts; and
- Create a world-class public realm.

As currently drafted, the Downtown Community Plan would designate the Project Site as Hybrid Industrial, which would allow the general land uses of live/work, creative office, manufacturing, and production activity and allow a maximum FAR range of between 3:0 to 6:0. Hybrid Industrial is described by the current draft of the Downtown Community Plan as follows:

⁸ City of Los Angeles, Department of City Planning. 2021. Downtown Community Plan- Draft Plan Adoption Pending. Spring (Proposed Draft).

⁹ City of Los Angeles, Department of City Planning. 2021. Downtown Community Plan – Draft Plan Adoption Pending. Spring (Proposed Draft).

“Hybrid Industrial areas preserve productive activity and prioritize employment uses, but may accommodate live/work uses or limited residential uses. The building form ranges from Low- Rise to Mid-Rise. Uses include light industrial, commercial, and office, with selective live/work uses. The residential density generally is limited by floor area. In the Downtown Plan this land use designation has a max FAR range of 3.0-6.0.”¹⁰

The City Planning Commission recommended approval of the Downtown Community Plan on September 23, 2021, but it has not yet been adopted.

The Project Site is not located in a specific plan area identified in the Community Plan.¹¹ Although not a specific land use district or subarea of the Community Plan, the Project Site is also located in the Arts District. As defined by the Historic Core Neighborhood Council, the Arts District is generally bounded by 1st Street to the north, Alameda Street to the west, the Los Angeles River to the east, and 7th Place/Violet Street to the south.^{12,13}

(b) Los Angeles Municipal Code

All development activity on the Project Site is subject to the City of Los Angeles Municipal Code (LAMC), including Chapter 1, General Provisions and Zoning, also known as the City of Los Angeles Planning and Zoning Code. The LAMC defines the range of zoning classifications throughout the City, provides the specific permitted uses applicable to each zoning designation, and applies development regulations to each zoning designation.

As shown in Chapter II, Project Description, Figure II-3, Project Area Land Use and Zoning Designations, the Project Site has a zoning designation of M3-1-RIO (Manufacturing 3, Height District No. 1, River Improvement Overlay).

(i) Permitted Land Uses

The M3 Zone permits a range of heavy (M3), light (M2), restricted light (MR2), limited (M1), and restricted (MR1) industrial uses, as well as commercial manufacturing (CM), commercial (C2), and limited commercial (C1 and C1.5) uses.¹⁴ Permitted manufacturing and industrial uses in the M3 Zone include animal keeping, mortuaries, enclosed composting, machine shops, and storage yards, among others. The commercial uses of a lower intensity permitted in the M3 Zone include restaurant, bar, brewery, retail,

¹⁰ City of Los Angeles, Department of City Planning. 2021. Downtown Community Plan – Draft Plan Adoption Pending. Spring (Proposed Draft).

¹¹ City of Los Angeles, Department of City Planning. 2020. Specific Plan Areas – Central City North Community Plan Area. December.

¹² Los Angeles River Artist and Business Association. Arts District Boundary Map. Available at: <http://laraba.org/arts-district-boundary-map/>. Accessed on April 9, 2018.

¹³ Los Angeles River Artist and Business Association. Arts District History. Available at: <http://laraba.org/history/>. Accessed on April 9, 2018.

¹⁴ City of Los Angeles, Department of City Planning. Generalized Summary of Zoning Regulations. Available at: https://planning.lacity.org/zone_code/Appendices/sum_of_zone.pdf. Accessed on March 24, 2017.

museum, studio, production office, and office uses, to name a few, which can all be found within the immediate surrounding area of the Project Site.

(ii) Height District and Floor to Area Ratio

The Project Site is located within Height District No. 1. The LAMC does not limit building height in this height district in the M Zone. However, the floor area ratio (FAR) in Height District No. 1 and M-zoned areas is limited to 1.5:1, or the permitted amount of floor area is 1.5 times the lot area.¹⁵

(iii) Parking Requirements

LAMC Section 12.21 A.4 sets forth parking requirements for various land uses. The Project Site is located within the former East Los Angeles State Enterprise Zone (SEZ), as designated in the City's Zoning Information and Mapping Access System, which permits a lower parking ratio for commercial office, business, retail, restaurant, bar and related uses, trade schools, or research and development buildings, which increases the buildable area of the parcel. On July 11, 2013, California Governor Edmund G. Brown Jr. signed legislation that resulted in the repeal of the Enterprise Zone Act and the dissolution of Enterprise Zones. However, the City Council adopted an action on December 18, 2013 that approved the continuation of the reduced parking provision for former Enterprise Zone areas. The Project would provide two parking spaces per 1,000 square feet of gross commercial floor area as permitted within the SEZ.

(c) Citywide Design Guidelines

The Citywide Design Guidelines serve to implement the Framework Element's urban design principles and are intended to be used by Department of City Planning staff, developers, architects, engineers, and community members in evaluating project applications, along with relevant policies from the Framework Element and Community Plans. By offering more direction for proceeding with the design of a project, the Citywide Design Guidelines illustrate options, solutions, and techniques to achieve the goal of excellence in new design. The Citywide Design Guidelines, which were initially adopted by the City Planning Commission in July 2013 and updated in October 2019, are intended as performance goals and not zoning regulations or development standards and, therefore, do not supersede regulations in the LAMC. The guidelines "carry out the common design objectives that maintain neighborhood form and character while promoting quality design and creative infill development solutions" and are organized in relation to Pedestrian-First Design, 360 Degree Design, and Climate-Adapted Design. The Citywide Design Guidelines incorporate the goals of the previous Walkability

¹⁵ City of Los Angeles, Department of City Planning. Generalized Summary of Zoning Regulations. Available at: https://planning.lacity.org/zone_code/Appendices/sum_of_zone.pdf. Accessed on March 24, 2017.

Checklist and interact with other guidelines such as those found in Community Design Overlays.

(d) City of Los Angeles Plan Overlays

An overlay is an additional layer of planning control applied to properties in a clearly defined geographic area. Overlays function as tailored zoning districts, each with its own specialized set of regulations. Overlays implement the City's General Plan and Community Plans through neighborhood-specific policy objectives, supplementing the underlying base zoning. Projects located in an overlay must demonstrate compliance with all applicable regulations. The overlay that is applicable to the Project Site is the River Improvement Overlay (RIO) District.

(i) River Improvement Overlay (RIO)

Effectuated by Ordinance No. 183,145 in August 2014, the RIO District enables the City of Los Angeles to better coordinate land use development along the 32-mile corridor of the Los Angeles River that flows within the City's boundaries. The RIO District is a proposed special use district that requires new development projects to follow and implement applicable development regulations and design guidelines. The purposes of the RIO District are to support the goals of the Los Angeles River Revitalization Master Plan (LARRMP); contribute to the environmental and ecological health of the City's watersheds; provide native habitat and support local species; establish a positive interface between the Los Angeles River and adjacent properties; promote pedestrian, bicycle and other multi-modal connections between the river and surrounding neighborhoods; provide an aesthetically pleasing environment; provide safe, convenient access to and along the river; promote river identity; and support the City's stormwater ordinances and programs.

b) Existing Conditions

(1) Project Site Location

The Project Site, located at 401 South Hewitt Street, consists of six contiguous parcels generally bounded by Colyton Street to the west, East 4th Street to the north, South Hewitt Street to the east, and various industrial and commercial uses to the south, as shown in Chapter II, Project Description, Figure II-1, Project Site and Regional Location Map. The Project Site is located approximately 0.35 miles east of the Los Angeles River, 0.10 miles west of South Alameda Street, 0.75 miles south of Highway 101, and approximately one mile north of I-10.

As described in Chapter II, Project Description, per SB 743 (Public Resources Code [PRC] §210099[d]) and City Zoning Information File No. 2452, the Project Site is located in a Transit Priority Area (TPA) and is located near major transit corridors, including Alameda Street, which provides a north-south connection to the Los Angeles County Metropolitan Transportation Authority (Metro) Little Tokyo/Arts District L (Gold) Line Station, which is located one-half mile north of the Project Site in Little Tokyo, at the corner of 1st Street and Alameda Street. West and East 3rd Streets, West and East 4th Streets, West 5th Street, and 5th Street provide the main thoroughfares between the downtown core and the Community Plan area via numerous local and regional bus lines and various Metro Red and Purple Line stations. Alameda Street has a Metro bus that services the corridor, and the Project area is also served by the Downtown Area Short Hop (DASH) A line.

(2) Existing On-Site Land Uses

The Project Site currently consists of four structures and associated surface parking. The 7,800-square-foot building formerly occupied by the Architecture and Design (A+D) Museum would remain in place.¹⁶ The remaining structures, comprised of 7,030 square feet of office space, storage space, and a garage, would be demolished as part of Project development. The Project Site is located in two subareas of the Community Plan: Artists-in-Residence District and the South Industrial. The Artists-in-Residence District subarea notes the transition from predominantly old industrial warehouses to artists' lofts and studios. The second subarea, South Industrial, is descriptive of historically industrial uses, dominated by large warehouses that were located near truck and railroad yards.

(3) Surrounding Land Uses

The land uses within the general vicinity of the Project Site are characterized by a mix of low- to medium-intensity industrial, commercial, and mixed-use buildings, which vary widely in building style and period of construction. The Project Site is located on the south side of East 4th Street, an industrial and commercial corridor, and fronts Colyton and South Hewitt Streets. Surrounding land uses are a mix of low intensity industrial warehouses, an array of commercial uses of varied intensities, and live/work and residential uses as shown in Chapter II, Project Description, Figure II-2, Existing Site and Surrounding Land Uses. Properties in the Project Site vicinity are currently designated Heavy Industrial and zoned Manufacturing - M2 or M3, similar to the Project Site, which is zoned M3, as shown in Figure II-3, Project Area Land Use and Zoning Designations of Chapter II.

¹⁶ At the time that the Notice of Preparation for the Project was issued (September 20, 2017), the CEQA baseline for this Draft EIR, the building was occupied by the A+D Museum. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. The Project's requested discretionary approvals would not physically alter the 7,800-square-foot building.

Surrounding properties include industrial, creative office, innovation campuses, commercial retail, office, restaurant, multi-family residential buildings, parks, and surface parking lots. Directly north of the Project Site across East 4th Street are several auto repair-related businesses, the Miyako Sushi and Washoku School, and live/work lofts. Just north of East 4th Place are a variety of commercial uses, some of which are under construction, as well as a multi-level parking garage. Uses include offices such as the Los Angeles County Department of Public Social Services and Art Share L.A., which includes performance space, a gallery, and artist residences.

East of the Property across South Hewitt Street is a vacant warehouse, Resident LA (combined residential and commercial restaurant space), night club, dog park, and the Southern California Institute of Architecture. Just beyond those uses along the southerly extension of East 4th Street is the 4th Street Bridge that traverse rail yards and the Los Angeles River, connecting to Boyle Heights. Just west across Colyton Street toward Alameda Street are several single-story warehouses, one of which is The Container Yard and art center. All of the uses at the Container Yard are completely enclosed behind structures or fences that are entirely decorated with murals.

To the south of the Project Site are low-rise warehouses used for a variety of industrial, retail, restaurant, and live/work uses with a few surface parking lots that make up the remainder of the block. Although the entire block is zoned M3-1-RIO, the uses are equally commercial in nature rather than purely industrial, and include a crossfit gym, retail shops, creative offices, and the Urth Caffé. South 5th Street includes restaurants, the Los Angeles Cleantech Incubator, La Kretz Innovation Campus, and the new Arts District Park, which is across from the Barker Lofts.

3. Project Impacts

a) Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the Project would have a significant impact in regard to land use and planning if it would:

Threshold a): Physically divide an established community; or

Threshold b): Conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

In assessing impacts related to land use and planning in this section, the City used Appendix G as the thresholds of significance. The criteria identified below from the 2006 L.A. CEQA Thresholds Guide were used where applicable and relevant to assist in analyzing the Appendix G thresholds.

The 2006 L.A. CEQA Thresholds Guide identifies the following criteria to evaluate land use and planning:

Land Use Consistency

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

Land Use Compatibility

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

b) Methodology

CEQA Guidelines Section 15125(d) requires that in describing the environmental setting, an EIR include a discussion of any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans. Separately, Appendix G recommends that a lead agency consider whether the project would cause a significant environmental impact due to a conflict with land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Importantly, a conflict between a project and an applicable plan is not necessarily a significant impact under CEQA unless the inconsistency will result in an adverse physical change to the environment that is a “significant environmental effect” as defined by CEQA Guidelines Section 15382. As provided in CEQA Guidelines Section 15126.2 “an EIR shall identify and focus on the significant effects of the proposed project on the environment.” An excerpt from the legal practice guide, Continuing Education of the Bar, Practice Under the California Environmental Quality Act, Section 12.34 illustrates the point:

An inconsistency between a proposed project and applicable plan is a legal determination, not a physical impact on the environment. For example, if a project affects a river corridor, one standard for determining whether the impact is significant might be whether the project violates plan policies protecting the corridor; the environmental impact, however, is the physical impact on the river corridor.

Under the State planning and zoning laws (Government Code Section 65000, et seq.) strict conformity with all aspects of a plan is not required. Generally, plans reflect a range of competing interests and lead agencies are given great deference to determine consistency with their own plans. A proposed project should be considered consistent with a general plan or elements of a general plan if it furthers one or more policies and does not obstruct other policies.¹⁷ Generally, given that land use plans reflect a range of competing interests, a project should be compatible with a plan's overall goals and objectives but need not be in perfect conformity with every plan policy.

To the extent that the Project potentially conflicts with any relevant plans and policies addressed in another section of the EIR, that plan is not further discussed in the Land Use Section.

c) Project Design Features

No specific project design features are proposed with regard to land use beyond the Project improvements as described in Chapter II, Project Description, of this Draft EIR.

d) Analysis of Project Impacts

Threshold a): Would the Project physically divide an established community?

As discussed in Section V.A, Impacts Found not to be Significant, and in the Initial Study (IS) (Appendix A2, Initial Study, of this Draft EIR), the Project would not physically divide an established community. The Project would be located on an urban infill site that is currently developed with commercial uses. The Project does not propose any physical features that would divide the community, such as closing or constructing roadways. **Thus, no impacts related to the physical division of an established community would occur as a result of the Project and no further analysis of this topic is required.**

Threshold b): Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

(1) Impact Analysis

The Project development would be subject to numerous applicable land use regulations, plans, and policies that guide development of the Project Site. The following discussion addresses the Project's consistency with the requirements and policies of the 2020-2045 RTP/SCS, the General Plan (and applicable elements), the LAMC, the Citywide Design

¹⁷ OPR. 2017. State of California General Plan Guidelines.

Guidelines, and the RIO that were specifically adopted for the purpose of avoiding or mitigating an environmental effect, as described below.

(a) *Southern California Association of Governments 2020-2045
Regional Transportation Plan and Sustainable Communities
Strategy*

The 2020-2045 RTP/SCS, adopted September 1, 2020, is a regional plan that aims to reduce GHG emissions from motor vehicles within the Southern California region through transportation and sustainability investment strategies. The 2020-2045 RTP/SCS links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, and promoting transit-friendly development patterns.

Project conflicts with the 2020-2045 RTP/SCS goals and strategies adopted for the purpose of avoiding or mitigating an environmental effect are addressed in Appendix I, Land Use Policy Consistency Tables, of this Draft EIR (refer to Table IV.H-1, Project Conflicts with Applicable Goals of 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy). As shown in Table IV.H-1 of Appendix I, the Project would retain the existing building formerly occupied by the A+D Museum and develop a new 18-story Office Building on a currently underutilized site within walking distance (0.5 mile) of existing bus stops and a transit station (the Metro L [Gold] Line Little Tokyo/Arts District Station) and in proximity to other commercial development, as well as multi-family and live/work residential land uses. The Project's new office and restaurant uses would increase job opportunities in the Project area. In addition, the Project would provide vehicle parking and short- and long-term bicycle parking, a bike repair area, and shower facilities, as well as improve pedestrian walkability in the Project Site vicinity by providing sidewalks along the Project Site frontages on Colyton Street and South Hewitt Street where none currently exist and a passageway through the Office Building connecting Colyton Street and South Hewitt Street. In addition, the Project would include a Transportation Demand Management (TDM) Program as Project Design Feature TRANS-PDF-3 to promote non-auto travel and reduce the use of single-occupant vehicle trips, as well as fund the Transportation Management Organization (TMO) for the Downtown/Arts District as Project Design Feature TRANS-PDF-2, which oversees the development, implementation, and operation of TDM strategies within a particular study area, which are measures implemented to increase transit and mode choices. These features of the Project would enhance the potential for mobility and accessibility for people, reduce VMT, and reduce GHG emissions. **Therefore, the Project would not conflict with the applicable goals strategies of the 2020-2045 RTP/SCS adopted for the purpose of avoiding or mitigating an environmental effect, and impacts would be less than significant.**

(b) *City of Los Angeles General Plan*

(i) *Framework Element*

Project conflicts with the applicable objectives and policies of the Framework Element adopted for the purpose of avoiding or mitigating an environmental effect are presented in Appendix I, Land Use Policy Consistency Tables, of this Draft EIR (refer to Table IV.H-2, Project Conflicts with Applicable Framework Element Objectives and Policies). As shown in Table IV.H-2 in Appendix I and summarized below, the Project would not conflict with the overall land use objectives and policies in the Framework Element's Land Use Chapter, Urban Form and Neighborhood Design, Open Space and Conservation, Economic Development, and Infrastructure and Public Services Chapters, adopted for the purpose of avoiding or mitigating an environmental effect. As described in Table IV.H-2 of Appendix I, the Housing Chapter of the Framework Element does not apply to the Project, as it would neither remove existing housing nor provide new housing.

The Applicant is requesting a General Plan Amendment, which would change the current land use designation from Heavy Industrial, as identified in the current Community Plan, to Regional Center Commercial, which would permit a variety of commercial and residential uses. In addition, the Vesting Zone Change would change the current zone from Manufacturing (M3), to Commercial (C2), which would allow for the proposed range of commercial uses. The Height District Change would change the current Height District from Height District No. 1 to Height District No. 2, which would increase the maximum allowable floor area ratio. The approval of these requests would increase the intensity of development on the Project Site, constructing an approximately 336,125-square-foot Office Building and retaining the existing 7,800-square-foot building formerly occupied by the A+D Museum, leading to a net increase in employment of 1,270 jobs. Although the Project would redesignate the Project Site from industrial/manufacturing uses to commercial uses, that change would be consistent and compatible with the surrounding land uses in the Arts District. The new office and restaurant uses and retention of the existing 7,800-square-foot building formerly occupied by the A+D Museum would reinforce the current mixed-use development trend that is occurring in the Project vicinity.

The Framework Element includes some policies that were not specifically adopted for the purpose of avoiding or mitigating an environmental effect and relate to the retention of industrial land. However, as detailed in Appendix I, Table IV.H-2, the Project meets the Framework Element's Policy 3.14.6 that sets forth criteria to redesignate marginal industrial lands for alternative uses. In summary, the Project Site does not currently contain any warehouse/industrial uses; therefore, the Project would not convert existing industrial land to other uses. Furthermore, the Project Site is unlikely to accommodate viable industrial development given its size, location, and other land uses in the immediate

vicinity. The Project Site is relatively small in size for industrial development, at 1.31 acres, and it is bounded on three sides by the existing roadway network. Further, the Applicant does not own or control the remaining adjacent parcels. Therefore, it is not feasible to assemble adjacent parcels to create a larger, unified site that would support a viable industrial development. The area immediately surrounding the Project Site is also comprised of a mix of industrial and manufacturing, commercial, residential, and live/work uses (such as Barker Lofts, The Row DTLA, Biscuit Company Lofts, Toy Factory Lofts, Los Angeles Cleantech Incubator Campus, La Kretz Innovation Campus, Resident LA, Arts District Park and Arts District Dog Park, and the Southern California Institute of Architecture). Therefore, the Project land uses would not result in a fragmented pattern of development. Lastly, according to the Community Plan, there are 914 acres planned for industrial use (approximately 45.5 percent of the 2,010-acre total) in the Community Plan area. The Project Site comprises 1.31 acres, or approximately 0.14 percent of the industrially-zoned land in the Community Plan area. Therefore, adequate land would remain for industrial uses and industrial job opportunities. It is also noted that while not industrial in nature, the Project would result in a net increase of 1,270 jobs on-site (as shown in Section IV.J, Population and Housing) and would generate substantial ongoing revenue to the City in the form of sales and property taxes. Therefore, the Project would provide jobs for the residents of the City and contribute to the City's overall economic prosperity.

Although the Project would increase the height and intensity of the uses on the Project Site, the development would be sited on an urban infill site and would be consistent with more recent infill developments and planned developments in the Arts District that include increased height and intensity compared to the land uses they replaced. The Project is also designed to enhance the character of the Arts District, including both industrial, utilitarian, and modern elements in its design, as well as street trees along all three Project Site frontages and a landscaped courtyard along Colyton Street accessible to the public, and balconies and terraces on the 6th floor and 17th rooftop level for employees and visitors of the Office Building.

With regard to mobility, the Project would locate new office and restaurant uses in a TPA, within 0.5 miles of the Metro L (Gold) Line Little Tokyo/Arts District Station. The Project area is also served by bus transit along 1st Street, 3rd Street, 4th Street, 6th Street, 7th Street, Olympic Boulevard, Central Avenue, Boyle Avenue, and Soto Street. The bus stops closest to the Project Site are located at East 4th Place and South Hewitt Street, and Merrick Street and Traction Avenue, and are served by the City of Los Angeles Department of Transportation's (LADOT's) DASH A line, a local community shuttle bus. The Project would also provide short- and long-term bicycle parking spaces, a bike repair area, and shower facilities, in addition to a landscaped and publicly accessible outdoor courtyard, with a pergola, and a passageway to provide pedestrian access between

Colyton and South Hewitt Streets, as well as sidewalks along the Project Site's Colyton and South Hewitt Street frontages where none currently exist. The Project Design Features TRANS-PDF-2 and TRANS-PDF-3 would provide funding for a TMO, in addition to a TDM program, which would promote non-auto travel, reduce the use of single-occupant vehicle trips, reduce VMT, and reduce GHG emissions.

Therefore, the Project would not conflict with the applicable goals, objectives, and policies of the Framework Element and impacts would be less than significant.

(ii) Mobility Plan

Project conflicts with the applicable objectives and policies of the Mobility Plan, adopted for the purpose of avoiding or mitigating an environmental effect, are evaluated in Appendix I, Land Use Policy Consistency Tables, of this Draft EIR (refer to Table IV.H-3, Project Conflicts with Mobility Plan 2035 Policies). As described therein, the Project would not be in conflict with the applicable policies of the Mobility Plan. During construction, the Project would support Policy 1.6 through a Construction Traffic Management Plan to ensure motorist, pedestrian, and bicyclist safety during development of the Project Site. The Construction Traffic Management Plan would also serve to minimize conflicts between the construction activities and street and sidewalk traffic, and to maintain traffic movement around temporary and partial street or sidewalk closures. During operations, the Project would support Policies 2.3, 2.6, 3.1, 3.3, 3.4, and 3.8 by providing jobs on-site and developing a commercial building within walking distance of existing bus stops and a transit station (0.5 miles from the Metro L (Gold) Line Little Tokyo/Arts District Station to the north of the Site on Alameda Street) and in proximity to other commercial development, as well as multi-family and live/work residential land uses. It would also provide vehicle and short- and long-term bicycle parking, a bike repair area, and shower facilities, which would enhance the potential for mobility and accessibility for people. The Project would also improve walkability in the immediate vicinity of the Project Site by providing sidewalks along portions of South Hewitt and Colyton Streets where none currently exist, introducing ground floor restaurant options, and adding a pedestrian passageway that would connect South Hewitt and Colyton Streets. The Project would also support Policies 4.8, 4.9, and 5.2 by creating and executing a TDM program to promote non-auto travel and reduce the use of single-occupant vehicle trips (Project Design Feature TRANS-PDF-3). The Project also includes funding the TMO for the Downtown/Arts District, which oversees the development, implementation, and operation of TDM strategies within a particular study area, which are measures implemented to increase transit and mode choices (Project Design Feature TRANS-PDF-2). Therefore, the Project includes features that would encourage the use of alternatives modes of transportation, protect public safety, and reduce VMT, which would be consistent with the Mobility Plan. The reduction of VMT would also serve to reduce mobile-source GHG

emissions and other air pollutants. **Therefore, the Project would not conflict with the applicable policies of the Mobility Plan.**

(iii) *Central City North Community Plan*

The Project Site is located in two Community Plan subareas within the Community Plan area: the Artists-in-Residence District and the South Industrial. The Artists-in-Residence subarea notes the migration of artists that now live and work in adaptively reused buildings that had been predominantly industrial warehouses that now operate as creative live/work spaces. The second subarea, South Industrial, is descriptive of historic uses in the area, as it was dominated by large warehouses conveniently located near the truck and railroad yards.¹⁸ Appendix I of this Draft EIR, Land Use Policy Consistency Tables, Table IV.H-4, Project Conflicts with Applicable Central City North Community Plan Policies, provides an analysis of the Project's conflicts with the Community Plan, a component of the Land Use Element of the General Plan, which is also summarized below.

As previously described, the Applicant is requesting a General Plan Amendment, which would change the current land use designation from Heavy Industrial, as identified in the approved Community Plan, to Regional Center Commercial, which would permit a variety of commercial and residential uses. However, the Project would not conflict with the Community Plan, as it would not remove existing industrial or residential land uses, and it would provide new office and restaurant uses and retain the existing 7,800-square-foot building formerly occupied by the A+D Museum. While some manufacturing and industrial uses are located in the Project area, the immediate Project Site vicinity is comprised of a broad range of uses, including residences, offices, restaurants, bars and clubs, a cooking school, and parks. Based on this mix of land uses and the Project Site's relatively small parcel size of 1.31 acres, this specific site is not suited for a modern, large-scale industrial operation. As the area immediately surrounding the Project Site is not a predominately industrial area, the Project's new restaurant and office uses would be consistent with the current land use characteristics of the immediate area. Further, much of the industrially planned parcels in the area have been or are in the entitlement process to be reused or redeveloped for mixed-use purposes and or lighter industrial uses than the heavy industrial uses that have historically dominated the area. The Project would be consistent with the current shifts from heavy industrial to more mixed-use, creative studio, and office-oriented uses in the area. Furthermore, the Project would be consistent with the current draft of the Downtown Community Plan, which would designate the Project Site as Hybrid Industrial, described as areas to "preserve productive activity and prioritize space for

¹⁸ City of Los Angeles, Department of City Planning. 2000. Central City North Community Plan. Adopted December 15.

employment, including light industrial, new industry, commercial, and vertically-integrated businesses, with careful introduction of live-work uses.”¹⁹

In addition, the Project would be sited on an urban infill site and would be consistent with more recent infill developments and planned developments in the Arts District that include increased height and density compared to the land uses they replaced. The Project is also designed to enhance the character of the Arts District, including both industrial, utilitarian, and modern elements in its design, as well as street trees along all three Project Site frontages and a landscaped courtyard along Colyton Street accessible to the public, and balconies and terraces on the 6th floor and 17th rooftop level for employees and visitors of the Office Building. The Project would also be located within 0.5 miles from the Metro L (Gold) Line Little Tokyo/Arts District Station to the north of the Site on Alameda Street) and several bus stops, would provide vehicle and short- and long-term bicycle parking, a bike repair area, shower facilities, sidewalks along portions of South Hewitt and Colyton Streets where none currently exist, and a pedestrian passageway that would connect South Hewitt and Colyton Streets, as well as a TDM program and TMO funding (Project Design Features TRANS-PDF-2 and TRANS-PDF-3), which would all enhance the potential for mobility and accessibility for people.

For informational purposes, potential Project conflicts with certain economic development objectives and policies in the Community Plan are also discussed. As these economic objectives and policies were not adopted for the purpose of avoiding or mitigating an environmental effect, potential Project conflicts with such economic objectives and policies would not be considered to be significant environmental impacts, unless a significant adverse physical change is caused by the economic or social effect.

As shown in Table IV.H-4, the Project would not be conflict with the overall land use policies of the Community Plan adopted for the purpose of avoiding or mitigating an environmental effect. **Therefore, the Project would not conflict with the policies of the Community Plan and would result in a less-than-significant impact.**

(iv) Plan for A Healthy Los Angeles

The Plan for a Healthy Los Angeles is the Health and Wellness Element of the City’s General Plan. As shown in Appendix I, Land Use Policy Consistency Tables, of this Draft EIR (refer to Table IV.H-5, Project Conflicts with Applicable Policies of the Plan for a Healthy Los Angeles), the Project would support a number of the Plan for a Healthy Los Angeles policies adopted for the purpose of avoiding or mitigating and environmental effect, as summarized below. The Project would concentrate new development and jobs on an urban infill site within walking distance to several Metro and LADOT bus lines along

¹⁹ City of Los Angeles, Department of City Planning. 2021. Downtown Community Plan- Draft Plan Adoption Pending. Spring (Proposed Draft).

East 4th Street and the Metro L (Gold) Line Little Tokyo/Arts District Station. In addition, the Project would include short-term and long-term bicycle parking spaces and improve walkability by providing sidewalks along portions of Colyton and South Hewitt Streets and a pedestrian passageway that connects Colyton and South Hewitt Streets. The Project meets the intent of the Plan for a Healthy Los Angeles by supporting efforts to reduce vehicle use and expand walkability; thereby reducing mobile source emissions of criteria air pollutants and GHG emissions, while increasing opportunities for people to improve their health through walking. **Therefore, the Project would not conflict with the policies of the Plan for a Healthy Los Angeles and would result in a less-than-significant impact.**

(c) *Industrial Displacement*

The City has policies and objectives within various documents, which discourage the displacement of industrial land. These policies and objectives are not adopted for the purposes of avoiding an environmental effect; nonetheless, they are discussed in Appendix I of this Draft EIR. The potential impacts from industrial displacement to the physical environment could include, but are not limited to an increase in criteria air pollutants, VMT, and numerous site-specific impacts from new construction. These impacts are speculative, as it is beyond the scope of this analysis to determine future possible impacts from a myriad of economic conditions.

According to the Community Plan, there are 914 acres (approximately 45.5 percent of the 2,010-acre-total) of industrially zoned property in the Community Plan area. The Project Site comprises 1.31 acres, or only approximately 0.14 percent of the industrially zoned land and approximately 0.07 percent of the total land in the Community Plan area. The conversion of industrial land is an economic issue that is not within the scope of CEQA review. As discussed above, these impacts would be speculative, and no industrial uses are currently located on-site to be displaced. **Therefore, the Project would not displace any industrial uses, and impacts would be less than significant.**

(d) *Citywide Design Guidelines*

The Citywide Design Guidelines are intended as performance goals, rather than zoning regulations. Although each guideline is not applicable to every project, the Citywide Design Guidelines are considered in each project. Each guideline is listed below in related groups, accompanied by a discussion of the Project features that support or reflect the guidelines.

- Guideline 1: Promote a safe, comfortable and accessible pedestrian experience for all.

- Guideline 3: Design projects to actively engage with streets and public space and maintain human scale.

The Project would be accessible to local and regional bus and rail transit systems, as previously described. The Project's various building components would provide pedestrian access from all three street frontages, providing more direct connections to transit. The existing building formerly occupied by the A+D Museum, outdoor courtyard, and passageway would be accessible from Colyton Street. The various ground floor commercial spaces would be accessible from East 4th Street. South Hewitt Street would provide access to additional ground floor commercial uses, the landscaped passageway, and the multi-story commercial building. Entrances to the Office Building would be clearly visible and easily accessible from the sidewalk, and the proposed passageway would further improve pedestrian circulation. The Project would also provide sidewalks along portions of the Colyton and South Hewitt Street frontages, as well as provide permanent outdoor seating options and landscape features, including street and Project Site trees.

- Guideline 2: Carefully incorporate vehicular access such that it does not degrade the pedestrian experience.

The Project would provide below- and above-ground vehicle parking. Adjacent to the Project Site, East 4th Street accommodates one-way eastbound-only traffic operations. Thus, the driveways would accommodate right-turn only ingress and egress maneuvers, thereby reducing potential vehicular and pedestrian conflicts along East 4th Street. The driveways would be designed to provide an adequate pedestrian refuge area between the driveways. With development of the Project, Colyton Street and South Hewitt Street along the Project frontage would be improved to provide sidewalks. In addition, the Project includes the development of a pedestrian passageway connecting South Hewitt and Colyton Streets and a courtyard along Colyton Street.

- Guideline 4: Organize and shape projects to recognize and respect surrounding context.
- Guideline 5: Express a clear and coherent architectural idea.
- Guideline 6: Provide amenities that support community building and provide an inviting, comfortable user experience.
- Guideline 7: Carefully arrange design elements and uses to protect site users.
- Guideline 9: Configure the site layout, building massing and orientation to lower energy demand and increase the comfort and well-being of users.

The existing land uses within the general Project vicinity are characterized by a mix of low- to medium-intensity industrial, commercial, and mixed-use buildings, which vary widely in building style and period of construction. Over the past two decades, the subareas of the Community Plan area, within which the Property is located, have been transforming from a predominantly industrial area to one that includes old warehouses converted to artists' lofts and studios (live/work units). In addition, new mixed-use developments have increased the height and density of land uses in the Community Plan area. For example, the Barker Lofts project, located southeast of the Project Site at 5th and South Hewitt Streets, is four stories in height, a six story multi-unit residential building is located northwest of the Project Site at East 4th and Seaton Streets, and an eight-level parking garage is now located northeast of the Project Site at East 4th Place and South Hewitt Street. In addition, the City has approved one project located approximately 0.75 mile southeast of the Project Site at 2143 Violet Street that includes a 36-story residential tower and 8-story office building.²⁰ The City approved the 520 Mateo Project on November 6, 2018, which would be located southeast of the Project Site and allows the construction of a mixed use, 35-story structure, that would rise to a height of up to 370 feet above street grade, along with an adjacent office structure that would reach 91 feet.^{21,22} The City is also reviewing the proposed 6AM Project, which would be located south of the Project Site and would include seven structures that would range in height from 110 feet to 732 feet).²³ This transformation supports the growing residential population and commercial-oriented uses within the Arts District. Although the Project's 18-story Office Building would be taller in height than the aforementioned projects that have already been constructed, it would be consistent with the general pattern of development and recent approvals and other project proposals that would increase the height and density of land uses in the Community Plan area and throughout DTLA. In addition, as currently drafted, the Downtown Community Plan would designate the Project Site as Hybrid Industrial, which would allow the general land uses of live/work, creative office, manufacturing, and production activity and allow a maximum FAR range of between 3:0 to 6:0. This range in FAR would represent an increase to the allowable FAR as compared to the current Community Plan and zoning, reflecting the current development trend in the Arts District. For example, the current FAR in Height District No. 1 and M-zoned areas is limited to 1.5:1, or the permitted amount of floor area is 1.5 times the lot area.

With regard to style and architectural materials, while the upper levels of the Project's Office Building utilize glass and metal materials that would be modern in style, the lower

²⁰ City of Los Angeles Planning and Land Use Committee. 2021. Special Meeting – Item 14 (ENV-2017-438-EIR). September 14.

²¹ Los Angeles Department of City Planning. 2018. City Planning Commission Recommendation Report, Case No. CPC-2016-3853-GPA-VZC-HD- ZAD-SPR. June 14.

²² City of Los Angeles Office of the City Clerk, Council and Public Services Division. 2018. Official Action of the Los Angeles City Council, Council File No. 18-0716-S1. November 6, 2018 (signed).

²³ City of Los Angeles Department of City Planning. 2017. Initial Study. 6AM Project. February.

levels would feature an industrial style with concrete, large bi-fold doors, and metal accents that are reminiscent of industrial warehouses, such that the design would be consistent with the character of the Arts District and its vernacular and utilitarian buildings.

Project lighting for safety and wayfinding would be wall mounted or ground mounted, visible and readable during nighttime, and would comply with the LAMC. Security lighting would be used at all entries and exits, and would remain illuminated from dusk to dawn, but would be designed to prevent light trespass onto adjacent properties. In addition, the Project Site is located in an area not only served by the City of Los Angeles Police Department but also by the Arts District Los Angeles Business Improvement District Safety Team, which patrols the neighborhood 24 hours per day and seven days per week by foot, bike, Segway, and vehicle.

- Guideline 8: Protect the site's natural resources and features.
- Guideline 10: Enhance green features to increase opportunities to capture stormwater and promote habitat.

The open space amenities of the Project would consist of the outdoor public courtyard and passageway on the ground floor, as well as balconies, and terraces on the 6th floor and rooftop. Landscaped areas would consist of 1,001 square feet on the ground floor, 2,860 square feet on the 6th floor terrace, and 2,385 square feet on the 17th level. Development of the Project would require the removal of up to three street trees currently located in the East 4th Street right-of-way north of the Project Site. However, the Project proposes to place five street trees along East 4th Street and five street trees along South Hewitt Street. Three additional trees would be planted near the Colyton Street frontage by the existing commercial space and outdoor public courtyard.

In addition, the Project would slightly improve infiltration through implementation of infiltration best management practices (BMPs) that comply with the City's Low Impact Development (LID) Ordinance. Stormwater BMPs proposed by the Project include a stormwater pre-treatment device and a dry well to allow infiltration of treated runoff within the Site. Additionally, the Project would construct a below-grade stormwater storage tank with a capacity to hold approximately 4,000 cubic feet of stormwater on-site. Due to the minimal perviousness of the Project Site, and as there are currently no on-site stormwater BMPs that capture and treat stormwater runoff, the Project's proposed stormwater BMPs would result in a reduction in the volume of runoff that leaves the Project Site to enter existing storm drain inlets. Therefore, operation of the Project would result in a reduction in the volume of runoff leaving the Project Site.

The Project would not conflict with the Citywide Design Guidelines that would provide methods to avoid or mitigate an environmental effect, such as by

increasing mobility and reducing VMT and assuring the Project design would not conflict with the Arts District community character. Therefore, the Project would not conflict with the Citywide Design Guidelines, and impacts would be less than significant.

(e) River Improvement Overlay District

The Project Site is located in the RIO District and carries a zoning designation of M3-1-RIO (Heavy Industrial, Height District 1, River Improvement Overlay District). The RIO District supports implementation of the LARRMP; therefore, if there is no conflict with the RIO, there is no conflict with LARRMP's goals to revitalize the Los Angeles River to bring a new level of connectivity, amenity, and value to many neighborhoods along the River.

As described in the LARRMP, three functions of the RIO are to:

- Promote the sustainability of the Los Angeles River, its greenway, the City of Los Angeles and the Region.
- Establish a positive interface with the River and create new open space opportunities within the River greenway, thereby integrating the River into the daily life of the City.
- Develop blocks around the River to promote pedestrian, bicycle, and other non-motorized transportation connections to the River and thereby extend the City to and across the River.²⁴

Since the Project Site is not located within the River greenway or immediately adjacent to the River, the Project would not conflict with the RIO District functions. The Project would promote bicycle connections within the RIO District by providing short- and long-term bicycle parking, as well as showers for tenants. The proposed Colyton and South Hewitt Street sidewalks, the landscaped courtyard, and the passageway would improve pedestrian access and safety, and the proposed concrete seat walls and fixed wood and metal furniture would encourage public gathering.

In addition, the Project would protect water quality and therefore promote sustainability in the vicinity of the Los Angeles River. As discussed in Section IV.G, Hydrology and Water Quality, the Project Site is located within a watershed classified by the County of Los Angeles as the Los Angeles River Watershed. Surface water from this watershed is collected via underground storm drains leading to the Los Angeles River, which ultimately discharges to the Pacific Ocean. The Project would include more landscaping than is currently on the Project Site, which would result in lowering the average impervious area

²⁴ City of Los Angeles, Department of Public Works, Bureau of Engineering. 2007. Los Angeles River Revitalization Master Plan (Chapter 8, Community Planning Framework). April.

and a slight reduction in stormwater runoff compared to the existing conditions. The Project would be required to comply with the City's LID Ordinance to manage stormwater runoff during operations. The LID standards require on-site stormwater management techniques to be implemented and properly sized to manage and treat stormwater runoff by infiltration, evapotranspiration, capture and use, and/or treatment through high removal efficiency BMPs onsite. In order to comply with the City's LID Ordinance, the Project would include stormwater treatment BMPs that would collect and treat the volume of rainwater. The Project would also include the installation of floor drains, planter drains, and roof downspouts through the Project Site to collect roof and Site runoff and direct stormwater away from the structures through a series of underground storm drain pipes. This on-site stormwater conveyance system would serve to prevent on-site flooding and nuisance water on the Project Site. Additional stormwater BMPs proposed with the Project include a below grade stormwater storage tank, a stormwater pretreatment device, and a stormwater dry well device. The Project's infiltration system would treat stormwater from the Project Site prior to discharging it to the public right-of-way. Through infiltration as the selected BMP, none of the impervious area of the Site will remain untreated.

Based on the preceding evaluation, the Project would not conflict with the RIO District, and impacts would be less than significant.

(f) *City of Los Angeles Municipal and Zoning Code*

The Project Site zoning designation is M3-1-RIO. The Project Site is also located within the East Los Angeles SEZ,²⁵ which permits general commercial uses to provide two parking spaces per 1,000 square feet of gross commercial floor area.

The Project includes a Vesting Zone Change request from M3-1-RIO to C2-2-RIO, allowing for the Project's proposed mix of uses, which would be consistent with the transitioning uses within the Project area. The Project's new commercial uses would include the proposed commercial (restaurant) uses on the ground floor and proposed office space in the upper floors. The existing building formerly occupied by the A+D Museum, proposed commercial spaces, and courtyard and passageway would facilitate neighborhood activity and create new connections between uses and streets. Pursuant to LAMC Section 12.14, restaurants are permitted in the C2 Zone. In addition, the C2 Zone permits uses that are permissible in the CR, C1, and C1.5 Zones, which include museums and offices. Therefore, the proposed land uses would be consistent with the proposed zoning designation.

²⁵ City of Los Angeles, Department of City Planning. Zoning Information and Mapping Access System (ZIMAS). Parcel Profile Report for 926 E 4th Street. Generated on December 5, 2016.

Pursuant to the Project Site's current M3 Zoning and Height District No. 1 designation, buildings on the Project Site would be limited to a FAR of 1.5:1. In these areas, there is no maximum height limit, rather height is limited by the FAR. However, the Project also includes a Vesting Zone Change for the Project Site from M3 to C2, and while the C2 Zone also does not include height restrictions, pursuant to LAMC Section 12.32F, the Project includes a Height District Change request for the Project Site from Height District No. 1 to Height District No. 2. The Height District No. 2 designation would allow a maximum FAR of 6:1. As the proposed FAR of the 18-story building would be approximately 6:1, the Project would be consistent with the proposed Height District.

The Project Site's current M3 Zoning does not include setback or lot requirements per the LAMC. As described above, the Project requests a Vesting Zone Change from M3 to the C2 Zone. The C2 Zone includes no lot requirements and no front, rear, or side yard setback requirements for commercial uses, such as those included with the Project. The Project includes the Vesting Tentative Tract Map (No. 74745) request to merge and re-subdivide existing lots, and it would not feature setbacks. Per Section 12.37 I of the LAMC, the Project also includes a waiver of dedications along East 4th, South Hewitt, and Colyton Streets, as well as a waiver of standard improvements to provide modified street standards (including sidewalk and travel lane dimensions) and to maintain the existing street grade and drainage system along South Hewitt and Colyton Streets. Therefore, with the discretionary approvals, the Project would be consistent with the proposed zoning and LAMC regulations related to setbacks. Waivers of Dedication and Improvement to the Public Right of Way Process. Per Section 12.21 A.16 of the Planning and Zoning Code, new or existing automobile parking spaces required by code, for all land uses, may be replaced by bicycle parking, at a ratio of one automobile parking space for every four bicycle parking spaces provided. Accordingly, vehicle parking for the Project would be located on three subterranean levels and on the 2nd through 5th floors, and bicycle parking would be located on the ground floor. In compliance with LAMC Sections 12.21 A.4.(d) and 12.21 A.4.(x), the SEZ, and the City of Los Angeles Bicycle Parking Ordinance, the Project would include 660 vehicle parking spaces and 112 bicycle parking spaces. As the Project is designed to exceed the number of LAMC-required vehicular and bicycle parking spaces, the Project would comply with LAMC parking requirements.

The Project also proposes landscaping in compliance with LAMC requirements for planting techniques, plant palettes, and water management. Plants would be comprised of drought-tolerant species, and the irrigation system would be weather-based. Project signage and lighting would also comply with the LAMC. Lighting would include low-level exterior lights at the perimeter of the building, in the door openings above commercial entries, and in the passageway and the courtyard adjacent to the existing 7,800-square-foot building formerly occupied by the A+D Museum on Colyton Street, as needed, for aesthetic, security, and wayfinding purposes. Lighting would comply with current energy

standards and codes while providing appropriate light levels to accent signage, architectural features, and landscaping. The Project would therefore comply with LAMC landscaping and lighting requirements.

Additionally, there are three Brisbane box street trees within the adjacent public right-of-way on East 4th Street along the Project Site frontage, ranging between three and six inches in diameter. These street trees are not protected tree species, as defined by LAMC Section 17.02. However, the Board of Public Works governs tree and plant infrastructure in City rights-of-way per LAMC Section 62.161-178 and permits tree removals per LAMC Section 62.162. Pursuant to the Department of Public Works Bureau of Street Tree Services' Street Tree Removal Permit and Tree Replacement Condition Policies that were adopted on June 17, 2015, the Board of Public Works is responsible for approving a Tree Removal Permit for the removal of three or more street trees, subject to a 30-day public notice and a public hearing, and requires the replacement of removed street trees at a ratio of 2:1. The Project Applicant will protect and maintain the existing three street trees along the East 4th Street Project Site frontage, if feasible. However, there is the potential for one or all three of the existing street trees along East 4th Street to be removed or relocated as necessary per City and agency review, for purposes of construction of the Project and adjacent off-site improvements (i.e., utility work, sidewalk improvements, curb cuts, new driveways, etc.). The Tree Removal Permit would be obtained prior to issuance of a Grading Permit. However, the Project proposes to place five total street trees along East 4th Street, five new street trees along South Hewitt Street, and two new street trees along Colyton Street. Three additional trees would be planted on-site near the Colyton Street frontage by the existing 7,800-square-foot building formerly occupied by the A+D Museum and proposed outdoor public courtyard. As development of the Project would potentially remove up to three street trees but would include a total of 12 street trees, it would result in a net increase of nine street trees and would exceed the City's 2:1 street tree replacement requirement.

As previously noted, the City is currently preparing the Downtown Community Plan to support and sustain the ongoing revitalization of the area. The Downtown Community Plan would include the Project Site and would modify its zoning designation. However, as the Downtown Community Plan has not yet been approved or adopted by the City, the Project's proposed zoning has been evaluated above for consistency with the existing zoning designation of the Project Site and the applicable LAMC standards.

(g) *Conclusion*

Based on this analysis, the Project would not present conflicts with the applicable land use plans and policies from the 2020-2045 RTP/SCS, Framework Element, Central City North Community Plan, A Plan for a Healthy Los Angeles, LAMC, Citywide Design Guidelines, and the LARRMP that were adopted for the purpose of avoiding or mitigating

a significant environmental effect. With regard to industrial land uses, although the Project would change the land use designation of the Project Site from Heavy Industrial to Regional Center Commercial, it would not replace existing industrial land uses with non-industrial uses, and it would also promote the ILUP goal to increase employment in the Project area, as it would increase the density of on-site job-producing commercial and office spaces. **Therefore, the Project would not conflict with applicable land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating and environmental effect, and impacts would be less than significant.**

(2) Mitigation Measures

Project impacts related to conflicts with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect would be less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project impacts related to conflicts with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect would be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

e) Cumulative Impacts

(1) Impact Analysis

Of the 137 Related Projects that are identified in Chapter III, Environmental Setting, 52 projects are planned or are under construction in the Community Plan area and therefore have a greater potential to combine with the Project to potentially result in cumulatively considerable land use and planning impacts. The Related Projects generally consist of mixed-use, infill redevelopments that are comprised predominately of residential, commercial (such as hotel, restaurant, bar, and retail), and office spaces. To a lesser extent, some Related Projects include industrial, sports complex, bank, museum, correctional facility, school, and day care uses. Like the Project Site, the Related Project sites are located within a HQTAs as defined by SCAG in response to Senate Bill 743, contributing a mix of land uses to areas of the City that are accessible to public transit opportunities. Some Related Projects are proposed to be located on parcels that are designated as Regional Center Commercial and High Density Residential land uses, as identified in the Central City North and Central City Community Plans, and Downtown Center, as identified in the Framework Element. These land use designations are intended to accommodate high density residential, mixed-use residential, commercial, office, hotel, and entertainment uses. Other Related Projects, such as the Project and the

seven Related Projects located in closest proximity to the Project Site (Related Projects 37, 52, 79, 85, 94, 120, and 137), are proposed to be located on parcels that are designated for industrial land uses and are zoned for Manufacturing (M3-1-RIO, similar to the Project Site). Such Projects would require the City's approval of various requested entitlements, such as General Plan Amendments, Vesting Zone Changes, Height District changes, or Conditional Use Permits or Approvals, in order to proceed, as the proposed land uses, densities, or structure heights would not conform to existing land use or zoning designations of the involved parcels.

Related Projects, like the Project, would be required to comply with the relevant land use policies and regulations, through review by City regulatory agencies, and would be subject to CEQA review. The Related Projects represent urban infill development, and although they would increase density, they would be required to seek individual entitlements to change existing zoning and land use designations and would be evaluated for consistency with existing and proposed zoning and land use designations prior to approval and development. Further, as the Project would not substantially conflict with the applicable land use plans and zoning standards, the Project would not incrementally contribute to cumulative inconsistencies with respect to applicable plans and policies adopted for the purpose of avoiding or mitigating an environmental effect. **Therefore, cumulative impacts related to land use and planning conflicts would be less than significant.**

As discussed in the Analysis of Project Impacts, the City has considered policies and objectives that would discourage the displacement of industrial land. Although the conversion of industrial land is an economic issue that is not within the scope of CEQA review unless the conversion results in adverse impacts on the physical environment, the loss of industrial land was addressed in this Draft EIR for informational purposes. The potential impacts from cumulative industrial displacement to the environment may include an increase in criteria pollutants, an increase in VMT, and numerous site-specific impacts from new construction. However, these impacts are speculative, and it is beyond the scope of this analysis to determine future potential impacts from possible proposed projects and economic conditions. Further, the Project Site and many of the Related Project sites do not currently support industrial land uses. As there is no requirement for the Project or Related Projects to convert existing land uses to industrial uses, in the absence of these project proposals, there is no certainty that industrial land uses would be developed on these properties.

According to the Community Plan, 914 acres of the Community Plan area are designated for industrial uses (approximately 45.5 percent of the 2,010 acre-total). As the Project Site comprises 1.31 acres, it would occupy approximately 0.14 percent of the industrially-zoned land in the Community Plan area. As detailed in Appendix A4, Related Projects, of this Draft EIR, of the 137 Related Projects, 36 Related Projects are located in the same

Community Plan and are comprised of parcels that are designated for industrial use (i.e., Heavy Manufacturing, Industrial Commercial, Commercial Manufacturing, or Hybrid Industrial). These 36 Related Projects represent approximately 21 acres, or 2.3 percent of the industrially-zoned land in the Community Plan area, and approximately one percent of the total Community Plan area. The conversion of industrial land is an economic issue that is not within the scope of CEQA review. As previously discussed, there are no existing industrial uses on the Project Site that would be displaced. Some of the Related Projects may displace existing warehouse or other industrial uses, but it is unclear whether the displaced uses will close or relocate to another part of the City. Therefore, it would be speculative to assume that these industrial businesses would relocate to other sites in the area. In addition, if they relocate, it is unclear whether these businesses would move into existing buildings or propose to develop new facilities. If industrial uses were displaced, they would also only be able to locate to parcels that are industrially zoned or request approval for a Zone Change to industrial use. Additionally, as with the Project, new facilities would require discretionary approval, CEQA review, and would be required to implement mitigation measures for identified significant impacts. **As such, cumulative impacts related to the displacement of industrial uses would be less than significant.**

(2) Mitigation Measures

Cumulative impacts related to conflicts with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect would be less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative impacts related to conflicts with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect would be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the cumulative impact level remains less than significant.

IV. Environmental Impact Analysis

I. Noise

1. Introduction

This section of the Draft Environmental Impact Report (EIR) analyzes potential noise and vibration impacts of the Project. Included in this section is a description of the existing noise environment within the Project Site area, an estimation of future noise and vibration levels at surrounding sensitive land uses associated with construction and operation of the Project, a description of the potential significant impacts, and the inclusion of mitigation measures to address any identified potential significant impacts. Additionally, this section of the Draft EIR evaluates the Project's incremental contribution to potential cumulative noise and vibration impacts resulting from past, present, and probable future projects. This section summarizes the noise and vibration information analyses provided in Appendix J, Noise and Vibration Impact Analysis, of the Draft EIR.

2. Environmental Setting

Due to the technical nature of noise and vibration impacts, a brief overview of basic noise principles and descriptors is provided below

a) Noise and Vibration Basics

(a) (1) *Noise Principles and Descriptors*

Sound can be described as the mechanical energy of a vibrating object transmitted by pressure waves through a liquid or gaseous medium (e.g., air). Noise is generally defined as undesirable (i.e., loud, unexpected, or annoying) sound. Acoustics is defined as the physics of sound and addresses its propagation and control.¹ In acoustics, the fundamental scientific model consists of a sound (or noise) source, a receiver, and the propagation path between the two. The loudness of the noise source and obstructions or atmospheric factors affecting the propagation path to the receiver determine the sound level and characteristics of the noise perceived by the receiver.

Sound, traveling in the form of waves from a source, exerts a sound pressure level (referred to as sound level) that is measured in decibels (dB), which is the standard unit

¹ California Department of Transportation (Caltrans). 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.2.1, September.

of sound amplitude measurement and reflects the way people perceive changes in sound amplitude.² The dB scale is a logarithmic scale that describes the physical intensity of the pressure vibrations that make up any sound, with 0 dB corresponding roughly to the threshold of human hearing and 120 and 140 dB corresponding to the thresholds of feeling and pain, respectively. Pressure waves traveling through air exert a force registered by the human ear as sound.³

Sound pressure fluctuations can be measured in units of hertz (Hz), which correspond to the frequency of a particular sound. Typically, sound does not consist of a single frequency, but rather a broad band of frequencies varying in levels of magnitude. When all of the audible frequencies of a sound are measured, a sound spectrum is plotted consisting of a range of frequencies spanning 20 to 20,000 Hz. The sound pressure level, therefore, constitutes the additive force exerted by a sound corresponding to the sound frequency/sound power level spectrum.⁴

The typical human ear is not equally sensitive to the frequency range from 20 to 20,000 Hz. As a consequence, when assessing potential noise impacts, sound is measured using an electronic filter that deemphasizes the frequencies below 1,000 Hz and above 5,000 Hz in a manner corresponding to the human ear's decreased sensitivity to these extremely low and extremely high frequencies. This method of frequency filtering or weighting is referred to as A-weighting, expressed in units of A-weighted decibels (dBA), which is typically applied to community noise measurements.⁵ Some representative common outdoor and indoor noise sources and their corresponding A-weighted noise levels are shown in Figure IV.I-1, Decibel Scale and Common Noise Sources.

(2) Noise Exposure and Community Noise

Community noise exposure is typically measured over a period of time; a noise level is a measure of noise at a given instant in time. Community noise varies continuously over a period of time with respect to the sound sources contributing to the community noise environment. Community noise is primarily the product of many distant noise sources, which constitute a relatively stable background noise exposure, with many unidentifiable individual contributors. Single-event noise sources, such as aircraft flyovers, sirens, etc., may cause sudden changes in background noise level.⁶ However, generally, background noise levels change gradually throughout the day, corresponding with the addition and subtraction of distant noise sources, such as changes in traffic volume.

² Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.2.1, September.

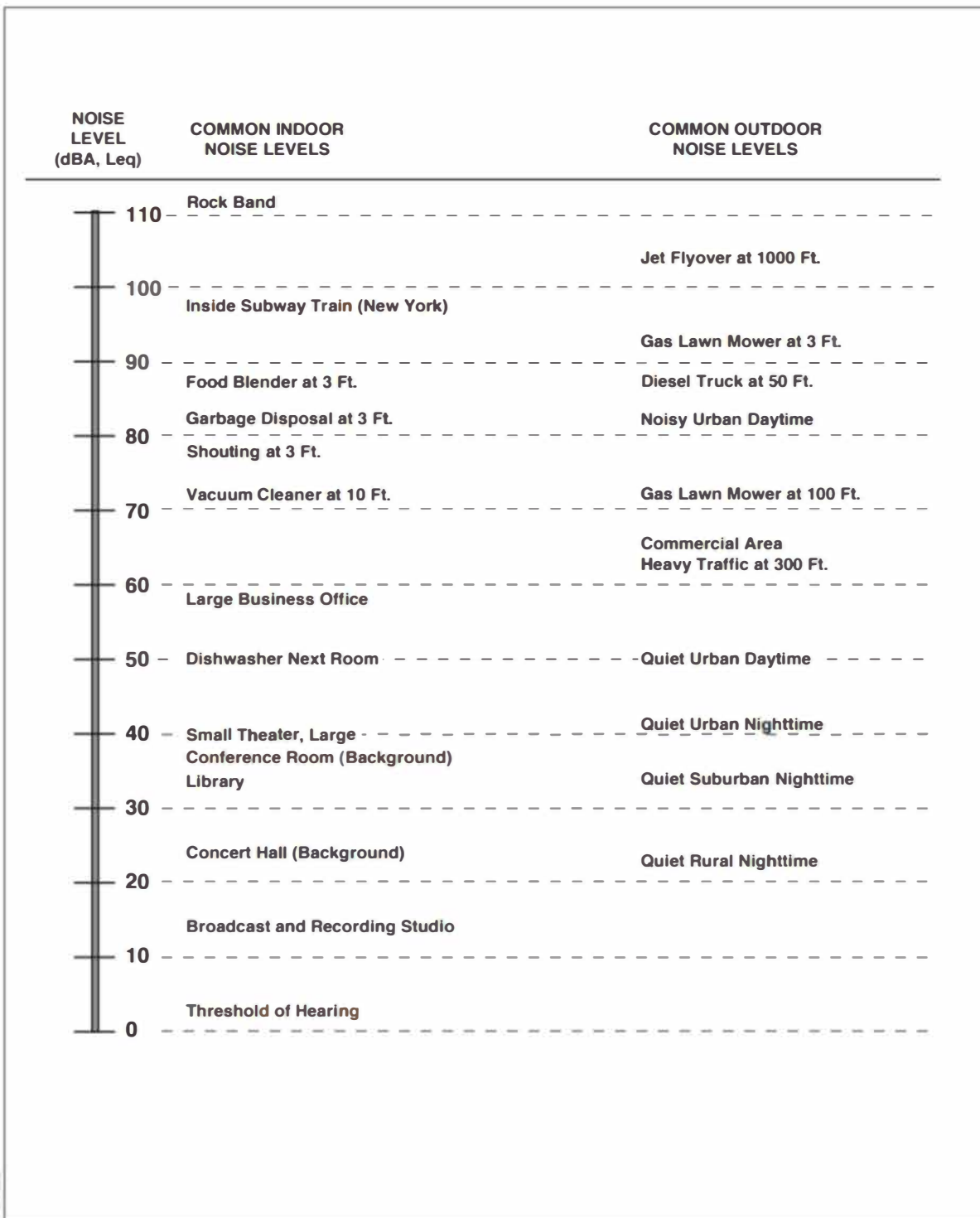
³ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.1.3, September.

⁴ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.1.3, September.

⁵ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.1.3, September.

⁶ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.1.3, September.

Figure IV.I-1 Decibel Scale and Common Noise Sources



Source: Caltrans. 2009. Technical Noise Supplement.

These successive additions of sound to the community noise environment change the community noise level from moment to moment, requiring the noise exposure to be measured over periods of time to legitimately characterize a community noise environment and evaluate cumulative noise impacts. The following noise descriptors are used to characterize environmental noise levels over time.⁷

- L_{eq} : The equivalent sound level over a specified period of time, typically, 1 hour (L_{eq}). The L_{eq} may also be referred to as the energy-average sound level.
- L_{max} : The maximum, instantaneous noise level experienced during a given period of time.
- L_{min} : The minimum, instantaneous noise level experienced during a given period of time.
- L_x : The noise level exceeded a percentage of a specified time period. For instance, L_{50} and L_{90} represent the noise levels that are exceeded 50 percent and 90 percent of the time, respectively.
- L_{dn} : The average A-weighted noise level during a 24-hour day, obtained after an addition of 10 dBA to measured noise levels between the hours of 10:00 P.M. and 7:00 A.M. to account for nighttime noise sensitivity. The L_{dn} is also termed the day-night average noise level.
- CNEL: The Community Noise Equivalent Level (CNEL) is the time average A-weighted noise level during a 24-hour day that includes an addition of 5 dBA to measured noise levels between the hours of 7:00 P.M. and 10:00 P.M. and an addition of 10 dBA to noise levels between the hours of 10:00 P.M. and 7:00 A.M. to account for noise sensitivity in the evening and nighttime, respectively.

(3) Effects of Noise on People

Noise is generally loud, unpleasant, unexpected, or undesired sound that is typically associated with human activity that is a nuisance or disruptive. The effects of noise on people can be placed into four general categories:

- Subjective effects (e.g., dissatisfaction, annoyance);
- Interference effects (e.g., communication, sleep, and learning interference);

⁷ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.2.2, September.

- Physiological effects (e.g., startle response); and
- Physical effects (e.g., hearing loss).

Although exposure to high noise levels has been demonstrated to cause physical and physiological effects, the principal human responses to typical environmental noise exposure are related to subjective effects and interference with activities. Interference effects interrupt daily activities and include interference with human communication activities, such as normal conversations, watching television, telephone conversations, and interference with sleep.

The World Health Organization's Guidelines for Community Noise details the adverse health effects of noise, which include hearing impairment, speech intelligibility, sleep disturbance, physiological functions (e.g., hypertension and cardiovascular effects), mental illness, performance of cognitive tasks, social and behavioral effects (e.g., feelings of helplessness, aggressive behavior), and annoyance.⁸

With regard to the subjective effects, an individuals' responses to similar noise events are diverse and influenced by many factors, including the type of noise, the perceived importance of the noise, the appropriateness of the noise to the setting, the duration of the noise, the time of day and the type of activity during which the noise occurs, and individual noise sensitivity. Overall, there is no completely satisfactory way to measure the subjective effects of noise, or the corresponding reactions of annoyance and dissatisfaction on people. A wide variation in individual thresholds of annoyance exists, and different tolerances to noise tend to develop based on an individual's past experiences with noise. Thus, an important way of predicting a human reaction to a new noise environment is the way it compares to the existing environment to which one has adapted (i.e., comparison to the ambient noise environment). In general, the more a new noise level exceeds the previously existing ambient noise level, the less acceptable the new noise level will be judged by those hearing it. With regard to increases in A-weighted noise level, the following relationships generally occur:⁹

- Except in carefully controlled laboratory experiments, a change of 1 dBA in ambient noise levels cannot be perceived.
- Outside of the laboratory, a 3 dBA change in ambient noise levels is considered to be a barely perceivable difference.

⁸ Berglund, Birgitta, Lindvall, Thomas, Schwela, Dietrich H & World Health Organization. 1999. Occupational and Environmental Health Team. Guidelines for community noise. World Health Organization.

⁹ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.2.1, September.

- A change in ambient noise levels of 5 dBA is considered to be a readily perceivable difference.
- A change in ambient noise levels of 10 dBA is subjectively heard as doubling of the perceived loudness.

These relationships between change in noise level and human hearing response occur in part because of the logarithmic nature of sound and the dB scale. Because the dBA scale is based on logarithms, two noise sources do not combine in a simple additive fashion, but rather logarithmically. Under the dBA scale, a doubling of sound energy corresponds to a 3 dBA increase. In other words, when two sources are each producing sound of the same loudness, the resulting sound level at a given distance would be approximately 3 dBA higher than one of the sources under the same conditions. For example, if two identical noise sources produce noise levels of 50 dBA, the combined sound level would be 53 dBA, not 100 dBA. Under the dB scale, three sources of equal loudness together produce a sound level of approximately 5 dBA louder than one source, and ten sources of equal loudness together produce a sound level of approximately 10 dBA louder than the single source.¹⁰

(4) Noise Attenuation

When noise propagates over a distance, the noise level reduces with distance depending on the type of noise source and the propagation path. Noise from a localized source (i.e., point source) propagates uniformly outward in a spherical pattern, referred to as “spherical spreading.” The rate of sound attenuation for a point source, such as a piece of mechanical or electrical equipment (e.g., air conditioner) or idling vehicle (e.g., bulldozer), is 6 dBA per doubling of distance from the noise source to the receptor over acoustically “hard” sites and 7.5 dBA per doubling of distance from the noise source to the receptor over acoustically “soft” sites.¹¹ Hard sites are those with a reflective surface between the source and the receiver, such as asphalt or concrete surfaces or smooth bodies of water.¹² No excess ground attenuation is assumed for hard sites and the reduction in noise levels with distance (drop-off rate) is simply the geometric spreading of the noise from the source.¹³ Soft sites have an absorptive ground surface, such as soft dirt, grass, or scattered bushes and trees, which in addition to geometric spreading, provides an excess ground attenuation value of 1.5 dBA (per doubling distance).¹⁴ For example, an outdoor condenser fan that generates a sound level of 60 dBA at a distance of 50 feet from a point source at an acoustically hard site would attenuate to 54 dBA at a

¹⁰ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.2.1.1, September.

¹¹ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Sections 2.1.4.1 and 2.1.4.2. September.

¹² Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.2.1.1, September.

¹³ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.2.1.1, September.

¹⁴ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.2.1.1, September.

distance of 100 feet from the point source and attenuate to 48 dBA at 200 feet from the point source.

Roadways and highways consist of several localized noise sources on a defined path, and hence are treated as “line” sources, which approximate the effect of several point sources.¹⁵ Noise from a line source propagates over a cylindrical surface, often referred to as “cylindrical spreading.”¹⁶ Line sources (e.g., traffic noise from vehicles) attenuate at a rate between 3 dBA for hard sites and 4.5 dBA for soft sites for each doubling of distance from the reference measurement.¹⁷ Therefore, noise due to a line source attenuates less with distance than that of a point source with increased distance.

Structures (e.g., buildings and solid walls) and natural topography (e.g., hills and berms) that obstruct the line-of-sight between a noise source and a receptor further reduce the noise level if the receptor is located within the “shadow” of the obstruction, such as behind a sound wall. This type of sound attenuation is known as “barrier insertion loss.” If a receptor is located behind the wall but still has a view of the source (i.e., the line-of-sight is not fully blocked), barrier insertion loss would still occur but to a lesser extent. Additionally, a receptor located on the same side of the wall as a noise source may actually experience an increase in the perceived noise level as the wall can reflect noise back to the receptor, thereby compounding the noise. Noise barriers can provide noise level reductions ranging from approximately 5 dBA (where the barrier just breaks the line-of-sight between the source and receiver) to an upper range of 20 dBA with a larger barrier.¹⁸ Additionally, structures with closed windows can further attenuate exterior noise by a minimum of 20 dBA to 30 dBA.¹⁹

Receptors located downwind from a noise source can be exposed to increased noise levels relative to calm conditions, whereas locations upwind can have lowered noise levels.²⁰ Atmospheric temperature inversion (i.e., increasing temperature with elevation) can increase sound levels at long distances. Other factors such as air temperature, humidity, and turbulence can, under the right conditions, also have substantial effects on noise levels.²¹

(5) Vibration Fundamentals

Vibration can be interpreted as energy transmitted in waves through the ground or man-made structures, which generally dissipate with distance from the vibration source.

¹⁵ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.2.1.1, September.

¹⁶ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.2.1.1, September.

¹⁷ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.2.1.1, September.

¹⁸ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Sections 2.1.4.2 and 5.1.1, September.

¹⁹ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 7.4.2, Table 7-1. September.

²⁰ Caltrans. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.2.1.1. September.

²¹ Caltrans 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol, Section 2.2.1.1. September.

Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Since energy is lost during its transfer from one particle to another, vibration becomes less perceptible with increasing distance from the source.

As described in the Federal Transit Administration's (FTA) Transit Noise and Vibration Impact Assessment Manual, groundborne vibration can be a serious concern for nearby neighbors of a transit system route or maintenance facility, causing buildings to shake and rumbling sounds to be heard.²² In contrast to airborne noise, groundborne vibration is not a common environmental problem, as it is unusual for vibration from sources such as rubber-tired buses and trucks to be perceptible, even in locations close to major roads. Some common sources of groundborne vibration are trains, heavy trucks traveling on rough roads, and certain construction activities, such as blasting, pile-driving, and operation of heavy earth-moving equipment.²³ Groundborne vibration generated by man-made activities (e.g., road traffic, construction operations) typically weakens with greater horizontal distance from the source of the vibration.

Several different methods are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal in inches per second (in/sec), and is most frequently used to describe vibration impacts to buildings.²⁴ The root mean square (RMS) amplitude is defined as the average of the squared amplitude of the signal and is most frequently used to describe the effect of vibration on the human body.²⁵ Decibel notation (VdB) is commonly used to express RMS vibration velocity amplitude. The relationship of PPV to RMS velocity is expressed in terms of the "crest factor," defined as the ratio of the PPV amplitude to the RMS amplitude. PPV is typically a factor of 1.7 to 6 times greater than RMS vibration velocity; FTA uses a crest factor of 4.²⁶ The decibel notation VdB acts to compress the range of numbers required to describe vibration. Typically, groundborne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. Sensitive receptors for vibration include buildings where vibration would interfere with operations within the building or cause damage (especially older masonry structures), locations where people sleep, and locations with vibration sensitive equipment.²⁷

Groundborne noise specifically refers to the rumbling noise emanating from the motion of building room surfaces due to the vibration of floors and walls; it is perceptible only inside

²² FTA. 2018. Transit Noise and Vibration Impact Assessment Manual, Section 7. September.

²³ FTA. 2018. Transit Noise and Vibration Impact Assessment Manual, Section 7. September.

²⁴ FTA. 2018. Transit Noise and Vibration Impact Assessment Manual, Section 5.1. September.

²⁵ FTA. 2018. Transit Noise and Vibration Impact Assessment Manual, Section 5.1. September.

²⁶ FTA. 2018. Transit Noise and Vibration Impact Assessment Manual, Section 5.1. September.

²⁷ FTA. 2018. Transit Noise and Vibration Impact Assessment Manual, Section 6.1, 6.2, and 6.3. September.

buildings.²⁸ The relationship between groundborne vibration and groundborne noise depends on the frequency of the vibration and the acoustical absorption characteristics of the receiving room. For typical buildings, groundborne vibration that causes low frequency noise (i.e., the vibration spectrum peak is less than 30 Hz) results in a groundborne noise level that is approximately 50 dB lower than the velocity level. For groundborne vibration that causes mid-frequency noise (i.e., the vibration spectrum peak is 30 to 60 Hz), the groundborne noise level will be approximately 35 to 37 dB lower than the velocity level.²⁹ Therefore, for typical buildings, the groundborne noise decibel level is lower than the groundborne vibration velocity level at low frequencies.

b) Regulatory Framework

There are several plans, regulations, and programs that include policies, requirements, and guidelines regarding Noise at the federal, State of California (State), regional, and local levels. As described below, these plans, guidelines, and laws include the following:

- Noise Control Act of 1972
- Federal Transportation Administration Vibration Standards
- Occupational Safety and Health Act of 1970
- California Office of Planning and Research Guidelines for Noise Compatible Land Use
- Los Angeles County Airport Land Use Commission Comprehensive Land Use Plan
- City of Los Angeles Municipal Code
- City of Los Angeles General Plan Noise Element

(1) Federal

(a) Noise Control Act of 1972

Under the authority of the Noise Control Act of 1972, the United States Environmental Protection Agency (USEPA) established noise emission criteria and testing methods published in Parts 201 through 205 of Title 40 of the Code of Federal Regulations that apply to some transportation equipment (e.g., interstate rail carriers, medium trucks, and heavy trucks) and construction equipment. In 1974, USEPA issued guidance levels for the protection of public health and welfare in residential areas of an outdoor L_{dn} of 55 dBA

²⁸ FTA. 2018. Transit Noise and Vibration Impact Assessment Manual, Section 5.4. September.

²⁹ FTA. 2018. Transit Noise and Vibration Impact Assessment Manual, Table 6-3 and Table 6-14, Pages 126 and 146. September.

and an indoor L_{dn} of 45 dBA.³⁰ These guidance levels are not standards or regulations and were developed without consideration of technical or economic feasibility. There are no federal noise standards that directly regulate environmental noise related to the construction or operation of the Project. Moreover, the federal noise standards are not reflective of urban environments that range by land use, density, proximity to commercial or industrial centers, etc. As such, for purposes of determining acceptable sound levels to determine and evaluate intrusive noise sources and increases, this document utilizes the City of Los Angeles (City) Noise Regulations, discussed below.

(b) *Federal Transit Administration Vibration Standards*

There are no federal vibration standards or regulations adopted by any agency that are applicable to evaluating vibration impacts from land use development projects such as the proposed Project. However, the FTA has adopted vibration criteria for use in evaluating vibration impacts from construction activities.³¹ The vibration damage criteria adopted by the FTA are shown in Table IV.I-1, Construction Vibration Damage Criteria.

Table IV.I-1
Construction Vibration Damage Criteria

Building Category	PPV (inches/second)
I. Reinforced-concrete, steel, or timber (no plaster)	0.5
II. Engineered concrete and masonry (no plaster)	0.3
III. Non-engineered timber and masonry buildings	0.2
IV. Buildings extremely susceptible to vibration damage	0.12
Source: FTA. 2018. Transit Noise and Vibration Impact Assessment Manual. September.	

The FTA has also adopted standards associated with human annoyance for determining the groundborne vibration and noise impacts from ground-borne noise on the following three off-site land-use categories: Vibration Category 1 – High Sensitivity, Vibration Category 2 – Residential, and Vibration Category 3 – Institutional.³² The FTA defines Category 1 as buildings where vibration would interfere with operations within the building, including vibration-sensitive research and manufacturing facilities, hospitals with vibration-sensitive equipment, and university research operations. Vibration-sensitive equipment includes, but is not limited to, electron microscopes, high-resolution lithographic equipment, and normal optical microscopes. Category 2 refers to all residential land uses and any buildings where people sleep, such as hotels and hospitals. Category 3 refers to institutional land uses such as schools, churches, other institutions, and quiet offices that do not have vibration-sensitive equipment but that still potentially

³⁰ USEPA. 1974. EPA Identifies Noise Levels Affecting Health and Welfare, April. Available at: <https://archive.epa.gov/epa/aboutepa/epa-identifies-noise-levels-affecting-health-and-welfare.html>. Accessed on April 7, 2021.

³¹ FTA. 2018. Transit Noise and Vibration Impact Assessment Manual, Table 7-5, Page 186.

³² FTA. 2018. Transit Noise and Vibration Impact Assessment Manual, Table 6-1, Page 124.

involve activities that could be disturbed by vibration. The vibration thresholds associated with human annoyance for these three land-use categories are shown in Table IV.I-2 Groundborne Vibration and Groundborne Noise Impact Criteria for General Assessment. No thresholds have been adopted or recommended for commercial or office uses.

Table IV.I-2
Groundborne Vibration and Groundborne Noise Impact Criteria for
General Assessment

Land Use Category	Frequent Events ^a	Occasional Events ^b	Infrequent Events ^c
Category 1: Buildings where vibration would interfere with interior operations.	65 VdB ^d	65 VdB ^d	65 VdB ^d
Category 2: Residences and buildings where people normally sleep.	72 VdB	75 VdB	80 VdB
Category 3: Institutional land uses with primarily daytime use.	75 VdB	78 VdB	83 VdB
Source: FTA. 2018. Transit Noise and Vibration Impact Assessment Manual. September.			
^a "Frequent Events" is defined as more than 70 vibration events of the same source per day. ^b "Occasional Events" is defined as between 30 and 70 vibration events of the same source per day. ^c "Infrequent Events" is defined as fewer than 30 vibration events of the same kind per day. ^d This criterion is based on levels that are acceptable for most moderately sensitive equipment such as optical microscopes.			

(c) *Occupational Safety and Health Act of 1970*

Under the Occupational Safety and Health Act of 1970 (29 United States Code [USC] Section 1919 et seq.), the Occupational Safety and Health Administration has adopted regulations designed to protect workers against the effects of occupational noise exposure. These regulations list permissible noise level exposure as a function of the amount of time during which the worker is exposed. The regulations further specify a hearing conservation program that involves monitoring noise to which workers are exposed, ensuring that workers are made aware of overexposure to noise, and periodically testing the workers' hearing to detect any degradation.³³

(2) State

(a) *Office of Planning and Research Guidelines for Noise Compatible Land Use*

The State has not adopted statewide standards for environmental noise, but the Governor's Office of Planning and Research (OPR) has established guidelines for

³³ United States Department of Labor. Occupational Safety and Health Act of 1970.

evaluating the compatibility of various land uses as a function of community noise exposure, as presented in Figure IV.1-2, Guidelines for Noise Compatible Land Use.³⁴

The purpose of these guidelines is to maintain acceptable noise levels in a community setting for different land use types. Noise levels are divided into four general categories, which vary in range according to land use type: “normally acceptable,” “conditionally acceptable,” “normally unacceptable,” and “clearly unacceptable.” The City has developed its own compatibility guidelines in the Noise Element of the General Plan based in part on OPR Guidelines. California Government Code Section 65302 requires each county and city in the State to prepare and adopt a comprehensive long-range general plan for its physical development, with Section 65302(f) requiring a noise element to be included in the general plan. The noise element must identify and appraise noise problems in the community and analyze and quantify current and projected noise levels.

The State has also established noise insulation standards for new multi-family residential units, hotels, and motels. These requirements are collectively known as the California Noise Insulation Standards (Title 24 of the California Code of Regulations [CCR]). The noise insulation standards set forth an interior standard of 45 dBA CNEL in any habitable room. The standards require an acoustical analysis demonstrating how dwelling units have been designed to meet this interior standard where such units are proposed in areas subject to exterior noise levels greater than 60 dBA CNEL. Title 24 standards are typically enforced by local jurisdictions through the building permit application process.

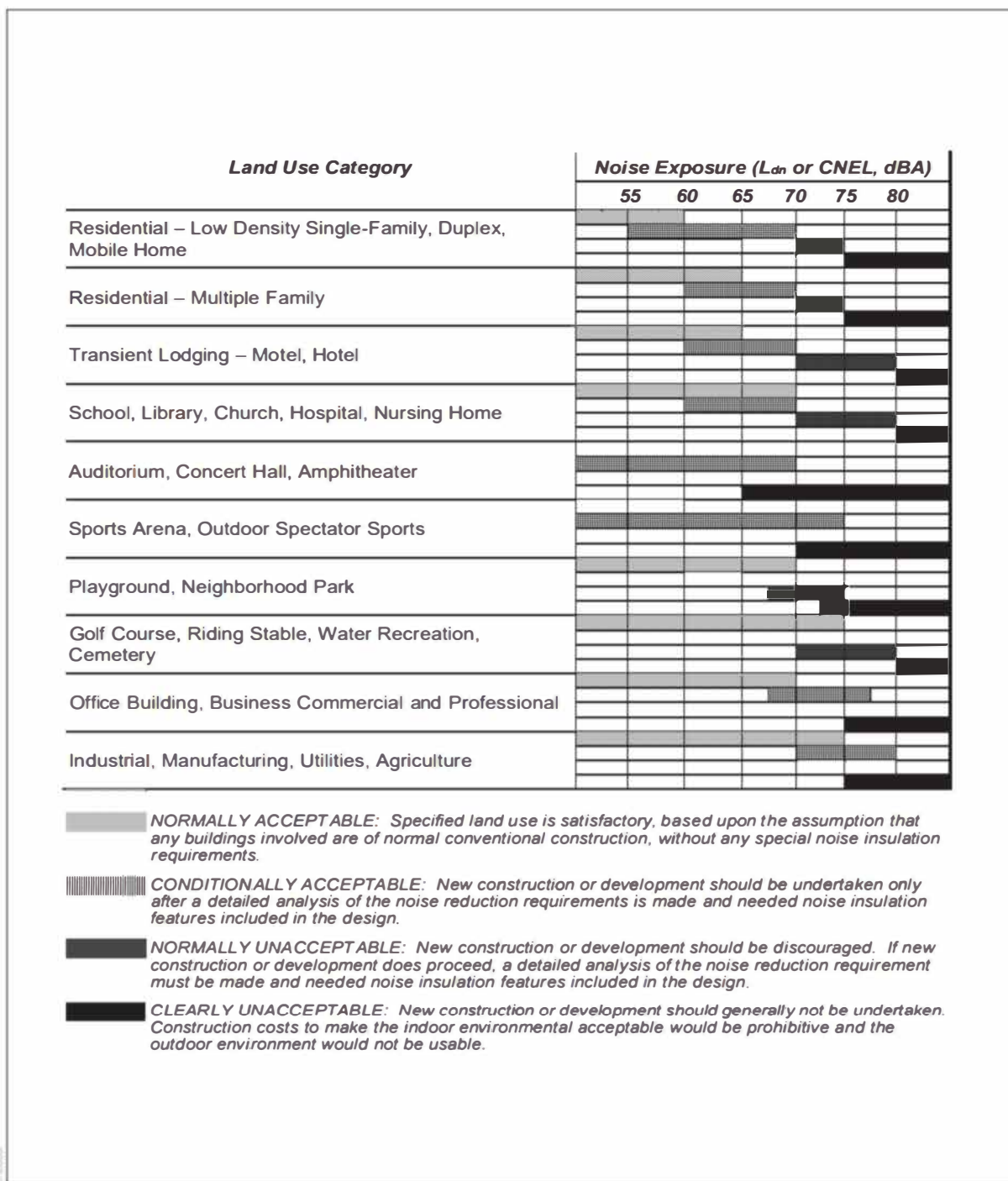
(3) Regional

(a) Los Angeles County Airport Land Use Commission Comprehensive Land Use Plan

In Los Angeles County (County), the Regional Planning Commission has the responsibility for acting as the Airport Land Use Commission (ALUC) and for coordinating the airport planning of public agencies within the County. The ALUC coordinates planning for the areas surrounding public use airports. The Comprehensive Land Use Plan provides for the orderly expansion of the County's public use airports and the area surrounding them. It is intended to provide for the adoption of land use measures that will minimize the public's exposure to excessive noise and safety hazards. In formulating the Comprehensive Land Use Plan, the Los Angeles County ALUC has established provisions for safety, noise insulation, and the regulation of building height within areas adjacent to each of the public airports in the County.

³⁴ State of California, Governor's Office of Planning and Research. General Plan 2017 Guidelines, Page 377.

Figure IV.I-2 Guidelines for Noise Compatible Land Use



Source: State of California, Governor's Office of Planning and Research. 2003. General Plan Guidelines.

(4) Local

(a) *Los Angeles Municipal Code*

The City Noise Regulations are provided in Chapter XI of the Los Angeles Municipal Code (LAMC). LAMC Section 111.02 provides procedures and criteria for the measurement of the sound level of “offending” noise sources. In accordance with the LAMC, a noise source that causes a noise level increase of 5 dBA over the existing average ambient noise level as measured at an adjacent property line creates a noise violation. This standard applies to radios, television sets, air conditioning, refrigeration, heating, pumping, and filtering equipment, powered equipment intended for repetitive use in residential areas, and motor vehicles driven on-site. To account for people’s increased tolerance for short-duration noise events, the Noise Regulations provide a 5 dBA allowance for a noise source that causes noise lasting more than 5 but less than 15 minutes in any one-hour period, and an additional 5 dBA allowance (for a total of 10 dBA) for a noise source that causes noise lasting 5 minutes or less in any one-hour period.³⁵

The LAMC provides that in cases where the actual ambient conditions are not known, the City’s presumed daytime (7:00 A.M. to 10:00 P.M.) and nighttime (10:00 P.M. to 7:00 A.M.) minimum ambient noise levels as defined in LAMC Section 111.03 should be used. The presumed ambient noise levels for these areas where the actual ambient conditions are not known as set forth in the LAMC Sections 111.03 are provided in Table IV.I-3, City of Los Angeles Presumed Ambient Noise Levels. For example, for residential-zoned areas, the presumed ambient noise level is 50 dBA during the daytime and 40 dBA during the nighttime.

Table IV.I-3
City of Los Angeles Presumed Ambient Noise Levels

Zone	Presumed Minimum Ambient Noise Levels (dBA)	
	Day	Night
Residential (A1, A2, RA, RE, RS, RD, RW1, RW2, R1, R2, R3, R4, and R5)	50	40
Commercial (P, PB, CR, C1, C1.5, C2, C4, C5, and CM)	60	55
Manufacturing (M1, MR1 and MR2)	60	55
Heavy Manufacturing (M2 and M3)	65	65
Source: LAMC Section 111.03.		

The LAMC Section 112.02 limits increases in noise levels from air conditioning, refrigeration, heating, pumping, and filtering equipment. Such equipment may not be

³⁵ Los Angeles Municipal Code, Chapter XI, Article I, Section 111.02-(b).

operated in such manner as to create any noise which would cause the noise level on the premises of any other occupied property, or, if a condominium, apartment house, duplex, or attached business, within any adjoining unit, to exceed the ambient noise level by more than 5 dB.

LAMC Section 112.05 sets a maximum noise level for construction equipment of 75 dBA at a distance of 50 feet when operated within 500 feet of a residential zone. Compliance with this standard shall not apply where compliance therewith is technically infeasible.³⁶ LAMC Section 41.40 prohibits construction between the hours of 9:00 P.M. and 7:00 A.M. Monday through Friday, 6:00 P.M. and 8:00 A.M. on Saturday, and at any time on Sunday (i.e., construction is allowed Monday through Friday between 7:00 A.M. to 9:00 P.M.; and Saturdays and National Holidays between 8:00 A.M. to 6:00 P.M.). In general, the City's Department of Building and Safety enforces Noise Ordinance provisions relative to equipment and the Los Angeles Police Department enforces provisions relative to noise generated by people.

LAMC Section 113.01 prohibits collecting or disposing of rubbish or garbage, operating any refuse disposal truck, or collecting, loading, picking up, transferring, unloading, dumping, discarding, or disposing of any rubbish or garbage, as such terms are defined in LAMC Section 66.00, within 200 feet of any residential building between the hours of 9:00 P.M. and 6:00 A.M. of the following day, unless a permit therefore has been duly obtained beforehand from the Board of Police Commissioners.

Section 91.1207.14.2 prohibits interior noise levels attributable to exterior sources from exceeding 45 dBA in any habitable room. The noise metric shall be either the day-night average sound level (L_{dn}) or the CNEL, consistent with the noise element of the local general plan.

(b) City of Los Angeles General Plan Noise Element

The Noise Element policies include the CNEL guidelines for land use compatibility as shown in Table IV.I-4, City of Los Angeles Land Use Compatibility for Community Noise, and includes a number of goals, objectives, and policies for land use planning purposes. The overall purpose of the Noise Element is to guide policymakers in making land use determinations and in preparing noise ordinances that would limit exposure of citizens to excessive noise levels.³⁷

³⁶ In accordance with the City's Noise Ordinances, "technically feasible" means that the established noise limitations can be complied with at a project site, with the use of mufflers, shields, sound barriers, and/or other noise reduction devices or techniques employed during the operation of equipment.

³⁷ City of Los Angeles, Department of City Planning. 1999. Noise Element of the City of Los Angeles General Plan, Pages 1.1-2.4. Adopted 3.

Table IV.I-4**CITY OF LOS ANGELES LAND USE COMPATIBILITY FOR COMMUNITY NOISE**

Land Use	Community Noise Exposure CNEL (dBA)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Single-Family, Duplex, Mobile Homes	50 to 60	55 to 70	70 to 75	Above 70
Multi-Family Homes	50 to 65	60 to 70	70 to 75	Above 70
Schools, Libraries, Churches, Hospitals, Nursing Homes	50 to 70	60 to 70	70 to 80	Above 80
Transient Lodging—Motels, Hotels	50 to 65	60 to 70	70 to 80	Above 80
Auditoriums, Concert Halls, Amphitheaters	—	50 to 70	—	Above 65
Sports Arena, Outdoor Spectator Sports	—	50 to 75	—	Above 70
Playgrounds, Neighborhood Parks	50 to 70	—	67 to 75	Above 72
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50 to 75	—	70 to 80	Above 80
Office Buildings, Business and Professional Commercial	50 to 70	67 to 77	Above 75	—
Industrial, Manufacturing, Utilities, Agriculture	50 to 75	70 to 80	Above 75	—

Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.

Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.

Normally Unacceptable: New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

Clearly Unacceptable: New construction or development should generally not be undertaken.

SOURCE: City of Los Angeles, 2006 L.A. CEQA Thresholds Guide, 2006.

The following policies and objectives from the Noise Element apply to the Project.

Objective 2 (Non-airport): Reduce or eliminate non-airport related intrusive noise, especially relative to noise sensitive uses.

Policy 2.2: Enforce and/or implement applicable city, state, and federal regulations intended to mitigate proposed noise producing activities, reduce intrusive noise and alleviate noise that is deemed a public nuisance.

Objective 3 (Land Use Development): Reduce or eliminate noise impact associated with proposed development of land and changes in land use.

Policy 3.1: Develop land use policies and programs that will reduce or eliminate potential and existing noise impacts.

Exhibit I of the Noise Element also contains guidelines for noise compatible land uses.³⁸ Table IV.I-4 summarizes these guidelines, which are based on OPR guidelines from 1990.

c) Existing Conditions

(1) Noise

(a) *Sources of Noise in the Project Vicinity*

The predominant existing noise source surrounding the Project Site is vehicle traffic, including buses and trucks, traveling on the roadways. Other existing sources of noise in the vicinity of the Project Site include restaurants with outdoor dining along the western and eastern sides of South Hewitt Street between East 4th Street and East 5th Street; the Arts District Park at South Hewitt Street and East 5th Street; and the Arts District Dog Park at East 4th Street and Molino Street; as well as pedestrian activity and intermittent construction activity.

(b) *Existing Noise Levels*

Noise measurements were taken in order to document existing baseline levels in the Project area, both for noise-sensitive receptors adjacent to the Project Site, as well as to determine site compatibility with land uses proposed by the Project, which include commercial, office, and restaurant uses, in addition to above and below ground parking. Long-term noise measurements were taken by Giroux & Associates on May 21 and 22, 2017, at two on-site locations: along East 4th Street near the proposed location of the driveway ingress/egress ramps (this location captures on-site noise exposure at the perimeter closest to a major roadway to represent the highest ambient noise loading) and in the parking lot of the existing 7,800-square-foot building formerly occupied by the Architecture and Design (A+D) Museum, near the existing storage structure for the 7,800-square-foot building that fronts Colyton Street (this measurement location at the interior of the Project Site was selected to represent the lowest ambient on-site noise loading). The detailed results of the measurements and a map of the locations are included in Appendix J, Noise and Vibration Impact Analysis. In summary, at the northern Project Site perimeter, directly adjacent to East 4th Street at LT-1, the measured noise level was approximately 73.1 dB CNEL. Within the site interior near the museum storage structure,

³⁸ City of Los Angeles, Department of City Planning. 1999. Noise Element of the Los Angeles City General Plan, Page I-1. Adopted February 3.

existing noise at LT-2 was measured at 65.8 dB CNEL. Such levels are compatible with the Project's proposed land uses.

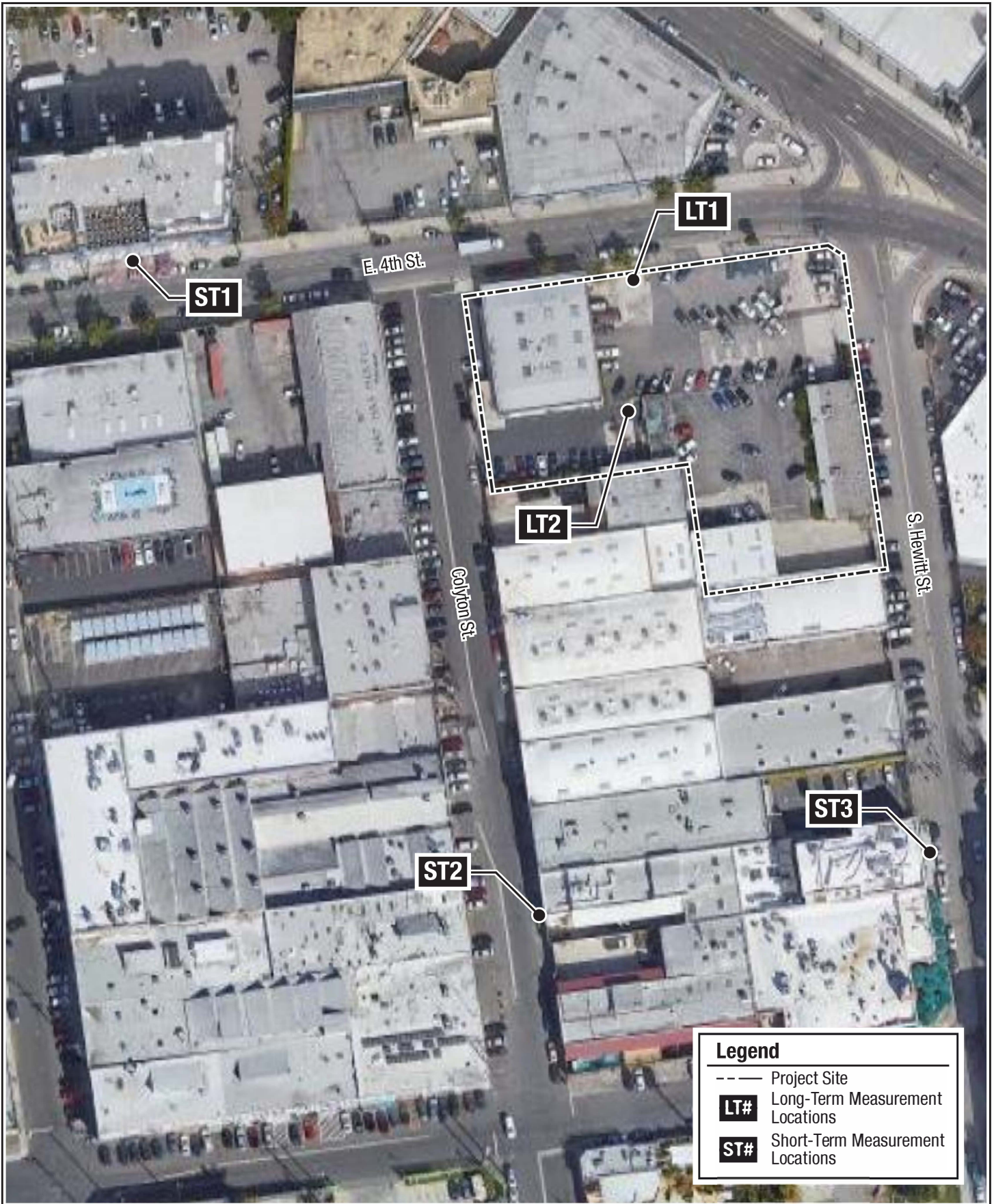
According to the Noise Ordinance, the baseline ambient noise shall be the actual measured ambient noise level or the City's presumed ambient noise level, whichever is greater. As shown in Table IV.I-3, City of Los Angeles Presumed Ambient Noise Levels, the Project Site zoning is M3-1-RIO, such that the presumed minimum ambient noise level would be 65 dBA, day or night. Noise monitoring along East 4th Street showed L_{eq} are variable, ranging from 68 to 74 dBA L_{eq} daytime and 60 to 74 dBA L_{eq} at night. These average to 68.7 dBA L_{eq} daytime and 64.2 dBA L_{eq} at night. Therefore, some of the measured existing daytime ambient noise levels in the vicinity of the Project Site exceed the presumed minimum ambient noise level, while others do not. The measured existing nighttime ambient noise levels also do not exceed the presumed minimum ambient noise levels. Therefore, on East 4th Street, for the Project, the daytime not to exceed noise standard is based on the measured noise levels: 73.7 dBA L_{eq} daytime (68.7 dBA + 5 dBA) and the nighttime not to exceed noise standard is based on the presumed minimum ambient noise levels: 70.0 dBA L_{eq} at night (65 dBA + 5 dBA). Near the site interior, the not to exceed noise standard is based on the minimum ambient noise levels: 70.0 dBA L_{eq} daytime (65 dBA + 5 dBA) and 70 dBA L_{eq} at night (65 dBA + 5 dBA).

To augment the long-term noise readings, short-term noise (15-minute) readings were taken at three locations on Thursday, November 23, 2019, by Giroux & Associates. Measurements were made at the sidewalk in front of each location listed in Table IV.I-5, 4th and Hewitt Project Short Term Noise Monitoring Data Summaries. The measurement locations are shown in Figure IV.I-3, Noise Measurement Locations. Because these readings are near building façades that cause reflection, the measurements may be overstated.

Table IV.I-5
4th and Hewitt Project Short Term Noise Monitoring Data Summaries

Number	Location	L_{eq}	L_{max}	L_{min}
ST-1	825 East 4 th Street	74	82	56
ST-2	442 Colyton Street	63	78	48
ST-3	449 South Hewitt Street	61	84	50

Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)



Aerial Source: Google Satellite Imagery, April 25, 2019.

4TH AND HEWITT PROJECT

Noise Measurement Locations

(c) Existing Roadway Noise Levels

Existing roadway noise levels were calculated for 46 roadway segments located in the vicinity of the Project Site and are summarized in Table IV.I-6, Existing Roadway Noise Levels. The roadway segments selected for analysis are located near and immediately adjacent to the Project Site. When compared to roadways located farther away from the Project Site, the closer roadways would experience the greatest increase in Project traffic generated, since traffic disperses onto multiple roadways farther away from the Project Site. Existing roadway noise levels were calculated using the Federal Highway Administration's (FHWA's) Traffic Noise Prediction Model, FHWA RD 77-108 with the California specific vehicle noise curves (CALVENO) and the traffic volumes for roadway segments analyzed in the Project Transportation Impact Study (TIS) non-California Environmental Quality Act (CEQA) analysis (Appendix L1, Transportation Impact Study, of this Draft EIR), and updated in the Transportation Assessment for the 4th and Hewitt Project (Appendix L3, Transportation Assessment).³⁹

**Table IV.I-6
Existing Roadway Noise Levels**

Roadway Segment		Noise Level (dB CNEL)
East 1 st Street	West of South Vignes Street	66.3
	South of South Vignes Street	66.8
North Vignes Street	North of East 1 st Street	57.2
South Vignes Street	South of East 1 st Street	56.7
East 3 rd Street	South Central Avenue to South Alameda Street	66.2
East 4 th Place	East of South Alameda Street	64.5
East 4 th Street	West of South Central Avenue	64.8
	South Central Avenue – South Alameda Street	65.2
	East of South Alameda Street	67.2
	West of Merrick Street	66.5
	East of Merrick Street	69.6
East 6 th Street	West of South Central Avenue	65.5
	South Central Avenue – South Alameda Street	66.9
	South Alameda Street – Mateo Street	66.8
	East of Mateo Street	66.0
East 7 th Street	West of South Central Avenue	64.6
	South Central Avenue - South Alameda Street	64.6
	South Alameda Street – Mateo Street	64.5
	Mateo Street - South Santa Fe Avenue	64.0
	East of Santa Fe Avenue	64.9
East 2 nd Street	West of South Alameda Street	61.5
	East of South Alameda Street	59.6

³⁹ As discussed in the December 2021 Transportation Assessment for the 4th and Hewitt Project, since preparation of the TIS, the City of Los Angeles Department of Transportation released an updated version of the Transportation Assessment Guidelines (TAG) (July 2020), and the Project buildout year was also revised from 2023 to 2025. However, the CEQA analysis methodology and impact thresholds remain consistent with the 2019 TAG and the findings of the TIS remain unchanged. However, as the buildout year of the Project was revised, this analysis utilizes updated data from the 2021 Transportation Assessment to analyze traffic-related noise conditions.

Roadway Segment		Noise Level (dB CNEL)
South Central Avenue	North of East 3 rd Street	67.1
	East 3 rd Street - East 4 th Street	68.2
	East 4 th Street - East 6 th Street	67.6
	East 6 th Street - East 7 th Street	68.0
	South of East 7 th Street	68.3
South Alameda Street	North of East 2 nd Street	69.0
	East 2 nd Street - East 3 rd Street	69.1
	East 3 rd Street - East 4 th Street	69.2
	East 4 th Street - East 6 th Street	68.7
	East 6 th Street - East 7 th Street	68.8
	South of East 7 th Street	68.7
Merrick Street	North of East 4 th Street	55.1
Molino Street	South of East 4 th Street	52.5
Mateo Street	North of East 6 th Street	58.3
	East 6 th Street - East 7 th Street	58.6
South Santa Fe Avenue	North of East 7 th Street	62.9
	East 7 th Street - East 8 th Street	65.4
	South of East 8 th Street	66.4
East Olympic Boulevard	West of South Alameda Street	68.1
	East of South Alameda Street	69.5
South Alameda Street	North of East Olympic Boulevard	69.0
	South of East Olympic Boulevard	69.1
South Boyle Avenue	North of East 4 th Street	63.2
	East 4 th Street – Whittier Boulevard	64.3
	South of Whittier Boulevard	65.7
South Soto Street	North of East 4 th Street	67.8
	South of East 4 th Street	68.2
East 4 th Street	West of U.S.-101 Northbound Off-Ramp	69.0
	U.S.-101 Northbound Off-Ramp - South Boyle Avenue	68.9
	South Boyle Avenue – I-5 Southbound Ramps	69.7
	I-5 Southbound Ramps – I-5 Northbound Ramps	69.8
	I-5 Northbound Ramps – South Soto Street	68.7
	East of South Soto Street	68.7
Whittier Boulevard	West of South Boyle Avenue	67.7
	East of South Boyle Avenue	67.5
Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4 th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)		

(d) *Noise-Sensitive Receptors*

Some land uses are considered more sensitive to noise than others due to the amount of noise exposure and the types of activities typically involved at the receptor location. The L.A. CEQA Thresholds Guide states that residences, schools, motels and hotels, libraries, religious institutions, hospitals, nursing homes, and parks are generally more sensitive to noise than commercial and industrial land uses. Noise sensitive uses are evaluated for construction as well as operational impacts. There are five existing noise sensitive uses within 500 feet of the Project Site, as indicated below. However, two uses are adjacent to each other and share the same setback distance and were therefore treated as a single

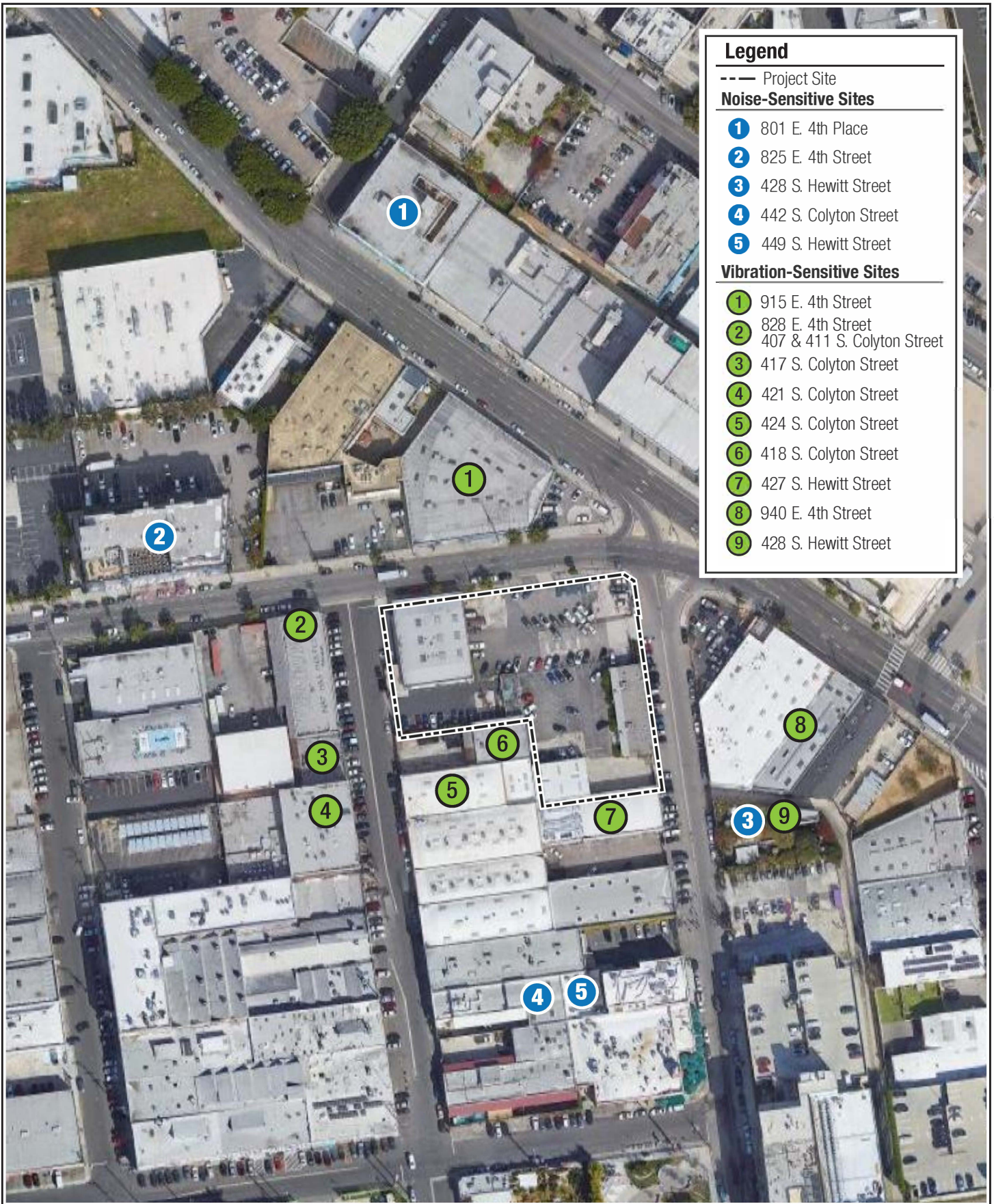
location. Sources of impact to sensitive use properties include construction and operational noise. Noise and vibration-sensitive uses are shown in Figure IV.I-4, Noise and Vibration-Sensitive Uses. Noise-sensitive uses adjacent to the Project Site include:

- 428 South Hewitt Street is a two-story structure with commercial uses as well as a rooftop-mounted single trailer (used for residential purposes) located 80 feet southeast of the Project Site. This analysis includes this mobile home as the closest (most noise-impacted) sensitive receptor. The two-story structure is a contributor to the potential Downtown Los Angeles Industrial Historic District and was built in 1904; however, it is not individually historic as defined by CEQA.⁴⁰ The trailer is not a permanent structure, is not a part of the two-story building itself, and is not of historic value. The representative measurement location is ST-3, 449 South Hewitt Street.
- 825 East 4th Street is a six-story multi-unit residential building located on the northeast corner of Seaton and 4th Streets, 200 feet northwest of the Project Site. The representative measurement location is ST-1, 825 East 4th Street.
- 442 Colyton Street is currently listed as a live/work building (based on real estate listings indicating artist in residence at the time the Notice of Preparation and Initial Study were prepared) located more than 200 feet south of the Project Site.⁴¹ However, this structure is separated from the Project Site with two or more intervening buildings and, therefore, is not considered as noise impacted as the first two land uses listed above. The representative measurement location is ST-2, 442 Colyton Street.
- 449 South Hewitt Street served as a live/work space and then most recently, as restaurants.⁴² This structure is located adjacent to 442 Colyton Street with a shared property line, and is more than 200 feet south of the Project Site. However, this structure is separated from the Project Site with two or more intervening buildings and therefore, is not considered as noise impacted as the first two land uses listed above. The representative measurement location is ST-3, 449 South Hewitt Street.

⁴⁰ Historic Resources Group. 2022. Historical Resources Technical Report for the 4th and Hewitt Project. February. (Appendix C2.)

⁴¹ Property Shark. 442 Colyton Street, Los Angeles, CA 90013. Available at: <https://www.propertyshark.com/mason/Property/16335598/442-Colyton-St-Los-Angeles-CA-90013/>. Accessed December 27, 2021.

⁴² The primary land use at 449 South Hewitt Street was most recently a restaurant. The prior use at the time that the Notice of Preparation of the Project Environmental Impact Report and Initial Study were prepared was a live/work unit (based on real estate listings indicating artist in residence). For purposes of providing a conservative analysis, this study evaluates this property as a sensitive receptor (live/work unit).



Aerial Source: Google Satellite Imagery, April 25, 2019.

4TH AND HEWITT PROJECT

Noise and Vibration-Sensitive Uses



- 801 East 4th Place is occupied by Art Share LA, which includes artist residents, and is located 350 feet north of the Project Site. There are several intervening structures and two roads (East 4th Street and East 4th Place) between this use and the Project Site; therefore, this is not considered as noise impacted as the first two uses listed above. The representative measurement location is ST-1, 825 East 4th Street.

All other sensitive uses regulated by the City are located at greater distances from the Project Site and, therefore, would experience lower noise levels from the sources on the Project Site due to the attenuation of noise with distance.

(2) Vibration

(a) *Sources of Vibration in the Project Vicinity*

The primary source of groundborne vibration in an urban environment such as that of the City is vehicular travel, generated by larger vehicles, including transit and school delivery trucks, construction trucks, and garbage trucks, as well as intermittent construction activities. The FTA Transit Noise and Vibration Impacts Assessment manual describes that groundborne vibration is not a common environmental problem, and that it is unusual for vibration from buses and trucks to be perceptible by people, even in locations close to major roads. The more common sources of groundborne vibration are trains and buses on rough roads. The human response to vibration is not usually significant unless the vibration exceeds 70 VdB, and rapid transit or light rail systems typically generate vibration levels of 70 VdB or more near their tracks. However, buses and trucks rarely create vibration that exceeds 70 VdB, unless there are bumps in the road. Construction activities involving blasting, pile-driving, and the operation of heavy earth moving equipment may also generate vibration. However, with the exception of fragile buildings, ground vibrations from construction activities do not usually reach vibration levels that damage structures.⁴³ The ground vibration environment in the immediate vicinity of the Project Site is absent of the majority of these conditions; however, it is possible that the occasional bus or truck, or future adjacent construction activity, could cause temporary vibration to reach the perceptible and/or building damage threshold for fragile buildings in the area.

(b) *Vibration-Sensitive Receptors*

Vibration impacts from construction could impact adjacent, fragile structures even if the land uses occupying the structures are not considered sensitive (e.g., residential). Although vibration impacts diminish rapidly with distance from the vibration source, potential structural damage could occur. Most structures within immediate proximity to

⁴³ FTA. 2006. Transit Noise and Vibration Impact Assessment. May.

the Project Site were originally constructed to be industrial or manufacturing buildings. Several of the structures located in the Project vicinity have been identified as contributors to the potential Downtown Los Angeles Industrial Historic District, which is a historical resource in its entirety, as defined by CEQA. However, the contributing buildings in closest proximity to the Project Site, which were also described in the Historical Resources Technical Report for the 4th and Hewitt Project, are not individually designated as historical resources as defined by CEQA.⁴⁴

Structures immediately adjacent to the Project Site include:

- 418 Colyton Street is located immediately south of the Project Site along the western façade. This is a one-story industrial warehouse building constructed in 1960. The walls of the structure are comprised of concrete block.
- 424 Colyton Street is located on two parcels south of the Project Site and 418 Colyton Street. This is a vernacular industrial building constructed in 1930 that now includes creative office space. The exterior is comprised of brick and stucco and includes windows and roll down metal doors. The structure is a contributor to the potential Downtown Los Angeles Industrial Historic District, but is not individually historic as defined by CEQA.⁴⁵ This is a commercial property that is currently vacant.
- 427 South Hewitt Street is occupied by a vernacular industrial building constructed in 1920 that now includes office and retail space. It is located immediately south of the Project Site between East 4th and East 5th Streets and faces east onto South Hewitt Street. The building is one story in height. The exterior is brick and includes garage door openings. This analysis includes this structure as the closest (most vibration-impacted) sensitive receptor. The structure is a contributor to the potential Downtown Los Angeles Industrial Historic District, but is not individually historic as defined by CEQA.⁴⁶

Structures across the street from the Project Site include:

- 940 East 4th Street is a one-story industrial building with a concrete and stucco exterior located at 940 East 4th Street and constructed in 1963. It is occupied by a trucking company and is located 60 feet to the east of the Project Site across South Hewitt Street on the corner of East 4th Street and South Hewitt Street.

⁴⁴ Historic Resources Group. 2022. Historical Resources Technical Report for the 4th and Hewitt Project. February. (Appendix C2.)

⁴⁵ Historic Resources Group. 2022. Historical Resources Technical Report for the 4th and Hewitt Project. February. (Appendix C2.)

⁴⁶ Historic Resources Group. 2022. Historical Resources Technical Report for the 4th and Hewitt Project. February. (Appendix C2.)

- 417 Colyton Street is a one-story industrial building with a masonry exterior constructed in 1950 occupied by manufacturing uses. It is located 65 feet to the west of the Project Site across Colyton Street and immediately south of 824 East 4th Street between East 4th and 5th Streets.
- 915 East 4th Street is an industrial building constructed in 1922 occupied by an automotive repair garage. It is located 70 feet to the north of the Project Site across East 4th Street on the corner of East 4th Street and East 4th Place. The building is one-story with a concrete exterior. There are four garage openings on the northeastern elevation and two on the south elevation; all have roll down metal doors.
- 828 East 4th Street, 407 Colyton Street and 411 Colyton Street are multiple parcels with one vernacular industrial building constructed in 1932 occupied with creative production uses (The Container Yard). It is located 100 feet to the west of the Project Site across Colyton Street on the corner of East 4th Street and Colyton Street. There are four large openings on the east elevation; three have roll down metal doors covered by metal security bars, and one is infilled with concrete block. The structure is a contributor to the potential Downtown Los Angeles Industrial Historic District.⁴⁷
- 421 Colyton Street is located 85 feet from the Project Site, across Colyton Street. It is developed with a three-story brick vernacular industrial building, constructed in 1909, including office and warehouse/storage space. The structure is a contributor to the potential Downtown Los Angeles Industrial Historic District.⁴⁸
- 428 South Hewitt Street is a two-story structure with commercial uses as well as a rooftop-mounted single trailer located 80 feet southeast of the Project Site. The two-story structure is a contributor to the potential Downtown Los Angeles Industrial Historic District and was built in 1904.⁴⁹ The trailer is not a permanent structure, is not a part of the two-story building itself, and is not of historic value.

All other sensitive uses regulated by the City are located at greater distances from the Project Site and, therefore, would experience lower vibration levels from the sources on the Project Site, due to the attenuation of vibration with distance.

⁴⁷ Historic Resources Group. 2022. Historical Resources Technical Report for the 4th and Hewitt Project. February. (Appendix C2.)

⁴⁸ Historic Resources Group. 2022. Historical Resources Technical Report for the 4th and Hewitt Project. February. (Appendix C2.)

⁴⁹ Historic Resources Group. 2022. Historical Resources Technical Report for the 4th and Hewitt Project. February. (Appendix C2.)

3. Project Impacts

a) Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the Project would have a significant impact related to noise and vibration if it would result in the:

Threshold a): Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;

Threshold b): Generation of excessive groundborne vibration or groundborne noise levels; or

Threshold c): For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, the project would expose people residing or working in the project area to excessive noise levels.

For this analysis, the Appendix G Thresholds are relied upon. The analysis utilizes factors and considerations identified in the L.A. CEQA Thresholds Guide, as appropriate, to assist in answer the Appendix G questions. The criteria to evaluate noise are listed below:

Construction Period Noise

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

Operations Period Noise

Project operations would have a significant impact on noise levels if they cause the ambient noise level measured at the property line of affected uses to increase by three dBA in CNEL to or within the "normally unacceptable" or "clearly

unacceptable" category, or any five dBA or greater noise increase, as specified in Table IV.I-4, City of Los Angeles Land Use Compatibility for Community Noise.

Airport Operations

- A significant impact on ambient noise levels would normally occur if noise levels at a noise sensitive use attributable to airport operations exceed 65 dB CNEL and the project increases ambient noise levels by 1.5 dB CNEL or greater.

In assessing impacts related to noise and vibration in this section, the City used Appendix G as the thresholds of significance. The criteria identified above from the L.A. CEQA Thresholds Guide were used where applicable and relevant to assist in analyzing the Appendix G thresholds.

b) Methodology

The following analysis is based on the Project Noise and Vibration Impact Analysis prepared by Giroux & Associates and Envicom Corporation, which is included in Appendix J, Noise and Vibration Impact Analysis, of this Draft EIR. The noise and vibration analysis considers the requirements of the LAMC and Noise Element regarding land use compatibility, in addition to noise and vibration standards conveyed by the FTA and FHWA, as well as the City as contained in the L.A. CEQA Thresholds Guide, where applicable. The analysis addresses on-site construction noise, off-site roadway noise during both construction and operations, stationary noise sources during operations, and groundborne vibration during construction and operations. The methodology for analyzing noise and vibration impacts associated with each of these aspects of the Project is described in greater detail below.

(1) Noise

(a) *Construction*

Construction noise impacts were analyzed by calculating the Project's construction-related noise levels at the identified sensitive receptor locations and comparing the estimated noise levels to existing ambient noise levels, as measured by Giroux & Associates. Noise levels from Project construction equipment are based on published data from the 2006 FHWA Roadway Construction Noise Model User's Guide, and construction noise impacts were analyzed based on the Project's potential construction equipment fleet, the construction schedule, and the anticipated phases of construction (i.e., demolition, grading, construction, and paving). The construction noise level calculations at the sensitive receptor locations were attenuated by a factor of 6 dBA per doubling of distance.

Construction noise impacts would potentially result from construction-related delivery trucks and haul trucks that would travel to and from the Project Site throughout the construction period. The worst-case scenario would be hauling trucks during the grading phase. Delivery truck trips during other phases would be less numerous, and worker trips would consist of automobiles which are substantially quieter than heavy trucks. Haul trucks associated with Project construction are based on the proposed haul route and anticipated haul trips per peak day (provided in Appendix L1, TIS, of this Draft EIR). Noise levels associated with an estimated number of haul trips per hour during peak construction activity were then compared to ambient noise levels to determine the potential for on-road vehicular construction noise impacts along the haul route.

For this analysis, a noise impact is considered potentially significant if Project construction activities extend beyond the Noise Ordinance time limits for construction or if construction-related noise levels exceed the Noise Ordinance noise level standards unless technically infeasible to comply with the standards despite the use of noise reduction devices or techniques, per LAMC Section 112.05, which is discussed in detail below. An inability to reduce construction equipment noise exposure to 75 dBA or less at any off-site, noise sensitive use could be considered a significant, but temporary, noise impact. Finally, a project would also have a significant impact on noise levels during the construction period if construction activities cause the exterior ambient noise level to increase by 5 dBA or more at a noise-sensitive use, as measured at the property line of any sensitive use.

(b) Operations

Stationary point-sources of noise associated with operation of the proposed Office Building would include the above-ground parking levels and rooftop mechanical equipment (i.e., heating, ventilation, and air conditioning [HVAC] system components). Noise impacts from such sources are based on LAMC standards and published data on HVAC equipment noise, the distance of these sources from the identified sensitive receptors, and a comparison of the calculated noise levels at these locations to the ambient noise levels. Stationary noise impacts were evaluated by identifying the noise levels generated from each activity and the receptor distance from the activity. The hourly L_{eq} noise level from each noise source at sensitive receptor property lines was determined based on ambient noise readings plus 5 dBA in accordance with the City's protocol. This noise level was compared to the noise level of each activity at each sensitive use. The following steps were undertaken to calculate outdoor stationary point-source noise impacts:

- Ambient noise levels at surrounding sensitive receptor locations were estimated based on field measurement data;

- Distances between stationary noise sources and surrounding sensitive receptor locations were measured using Project architectural drawings, Google Earth, and Project Site plans;
- Stationary-source noise levels were then calculated for each sensitive receptor location based on the standard point source noise-distance attenuation factor of 6.0 dBA for each doubling of distance;
- Noise level increases were compared to the stationary source noise significance thresholds identified below;
- For outdoor mechanical equipment, the operation of any and all outdoor mechanical equipment would be subject to the noise control requirements of the City's Noise Ordinance and municipal codes; and
- Parking related noise levels were estimated by using the methodology recommended by the FTA for the general assessment of stationary transit noise source.⁵⁰ Using the methodology, the Project's peak hourly noise level that would be generated by the on-site parking levels was estimated using the following FTA equation for a parking structure:

$$L_{eq}(h) = SEL_{ref} + 10 \times \log(NA/1000) - 35.6$$

Where:

$L_{eq}(h)$ = hourly L_{eq} noise level at 50 feet,

SEL_{ref} = reference noise level for stationary noise source represented in sound exposure level (SEL) at 50 feet, and

NA = number of automobiles per hour.

Long-term noise impacts associated with the Project would primarily result from vehicular noise emissions on Project area roadways. Such impacts are addressed using the CALVENO in the federal roadway noise model (FHWA Highway Traffic Noise Prediction Model, FHWA-RD-77-108). The model calculates the L_{eq} noise level for a particular preference set of input conditions, and then makes a series of adjustments for site-specific traffic volumes, distances, roadway speeds, or noise barriers. The analysis uses data provided in Appendix L1, TIS, and Appendix L3, Transportation Assessment, of this Draft EIR. Six traffic scenarios were analyzed in the TIS non-CEQA analysis; existing conditions with no Project, existing conditions with Project, existing conditions with Project and mitigation, future no Project, future with Project, and future with Project and

⁵⁰ FTA. 2018. Transit Noise and Vibration Impact Assessment Manual.

mitigation. Roadway noise without the Project was calculated and compared to noise levels that would occur with the Project to determine the potential for Project impacts from operational on-road noise.

(2) Vibration

(a) Construction

There are no adopted City standards of significance thresholds for vibration. Because vibration is typically not an issue, very few jurisdictions have adopted vibration significance thresholds. The vibration descriptor commonly used to determine structural damage is the PPV, which is defined as the maximum instantaneous positive or negative peak of the vibration signal, usually measured in in/sec. The FTA has adopted vibration criteria that are used to evaluate potential structural damage to buildings by building category from construction activities. The analysis of groundborne vibration impacts during Project construction relies on published data on vibration generated by construction equipment in the 2006 FTA Transit Noise and Vibration Impact Assessment, 2018 FTA guidance on the human response to transient vibration, and on FTA vibration levels associated with building damage. Estimated vibration levels from Project construction activities at the identified sensitive receptors were then compared to applicable vibration standards.

(b) Operations

Sources of groundborne vibration from Project operations would include on-road vehicle (i.e., occasional delivery and refuse truck trips during operations) trips, vehicle circulation within the parking levels of the Office Building, and HVAC equipment. As previously described, vibration from on-road truck trips or from vehicle movement in the Office Building parking levels is unlikely to be perceptible by people, especially in consideration of the attenuation that occurs with distance. In addition, rooftop-mounted HVAC equipment, which would include vibration-attenuation mounts to reduce the transmission of vibration, would similarly not amplify through the Office Building and transfer perceptible vibration to another structure. Therefore, the Project would not include land uses that would generate high levels of vibration during operations or that would increase the vibration levels in the Project vicinity.

c) Project Design Features

Project Design Features NOI-PDF-1 through NOI-PDF-5 are proposed with regard to noise.

NOI-PDF-1e All capable diesel-powered construction vehicles will be equipped with exhaust mufflers, aftermarket dampening systems, or other suitable noise reduction devices.

NOI-PDF-2: Power construction equipment (including combustion engines), fixed or mobile, will be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment will be properly maintained to ensure that no additional noise, due to worn or improperly maintained parts, would be generated.

NOI-PDF-3: Grading and construction contractors will use rubber-tired equipment rather than metal-tracked equipment.

NOI-PDF-4: An on-site construction manager will be responsible for responding to local complaints about construction noise. Notices will be sent to residential units within 500 feet of the construction site and signs will be posted at the construction site that list the telephone number for the on-site construction manager.

NOI-PDF-5: Construction supervisors will be informed of Project-specific noise requirements, noise issues for sensitive land uses adjacent to the Project construction Site, and/or equipment operations to ensure compliance with the required regulations and best practices.

NOI-PDF-6: Rooftop mechanical equipment, including heating, ventilation, and air conditioning (HVAC) systems, will be acoustically screened from off-site locations and will include vibration-attenuation mounts.

d) Analysis of Project Impacts

Threshold a): Would the Project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

(1) Impact Analysis

(a) Construction

Construction of the Project is planned to begin in 2022 and conclude in 2025. Details for each phase of construction for the proposed commercial development are not yet known. However, as discussed in Chapter II, Project Description, development of the Project would entail the demolition of several small on-site structures and surface parking lots, excavation to accommodate subterranean parking levels, construction of the foundation

and Office Building shell, interior finishing, and landscaping. Approximately 85,000 cy of soil and demolition and construction waste would be hauled off-site, and haul trucks departing the Project Site would travel east on East 4th Street or north on South Hewitt Street, northwest on East 4th Place, north on Alameda Street, east on Commercial Street, and south on United States Route 101 (U.S.-101). Construction equipment, such as compactors, bulldozers, excavators, backhoes, loaders, and assorted other hand tools and professional grade equipment would be used during construction. Construction noise levels would vary at any given receptor depending on the construction phase, equipment type, duration of use, distance between the noise source and receptor, and the presence or absence of barriers between the noise source and receptor.

(i) Noise Generated by Off-road Construction Equipment

The City limits construction activities to the hours of 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. to 6:00 p.m. on any Saturday. Additional use of any powered equipment or powered hand tool that produces a maximum noise level exceeding 75 dBA at a distance of 50 feet from construction and industrial machinery is prohibited unless technically infeasible. As each construction phase would employ the use of different pieces of construction equipment, the noise characteristics of each phase would differ. Noise levels would also be reduced by Project Design Features NOI-PDF-1 through NOI-PDF-5. Although they would result in some reduction at various times during construction, they were not included in the calculations of the Project construction noise levels, because when applied, the numerical reduction cannot be accurately determined. Therefore, the noise levels reported for off-road construction are conservative, as they would be reduced with the application of Project Design Features NOI-PDF-1 through NOI-PDF-5. In 2006, the FHWA published the Roadway Construction Noise Model User's Guide, which includes a national database of construction equipment reference noise emissions levels. In addition, the database provides an acoustical usage factor to estimate the fraction of time each piece of construction equipment is operating at full power during a construction phase. The usage factor is a key input variable that is used to calculate the average L_{eq} noise levels. Table IV.I-7, Off-Road Construction Equipment Noise Levels, identifies the highest (L_{max}) noise levels associated with each phase of construction, the probable equipment fleet, and the extent of use. Accounting for equipment usage ("usage factor"), hourly levels are represented as L_{eq} . The table is organized by construction activity and equipment associated with each activity.

**Table IV.I-7
Off-Road Construction Equipment Noise Levels**

Phase Name	Equipment	Usage Factor ^a	Measured Noise @ 50 feet (ft) (dBA L _{max})	Average Noise Level @ 50 ft (dBA L _{eq}) ^b	Quantity	Total (dBA L _{eq})
Demolition	Dozer	40%	82	78	1	85
	Concrete Saw	20%	90	83	1	
	Loader/Backhoe	37%	78	74	3	
Grading	Grader	40%	85	81	1	85
	Loader/Backhoe	37%	78	74	3	
	Dozer	40%	82	78	1	
	Excavator	40%	81	77	1	
Building Construction	Forklift	20%	75	68	1	82
	Generator Set	50%	81	78	1	
	Loader/Backhoe	37%	78	74	1	
	Crane	16%	81	73	1	
	Welder	46%	74	71	3	
Paving	Paver	50%	77	74	1	81
	Cement Mixer	20%	80	73	1	
	Loader/Backhoe	37%	78	74	1	
	Paving Equipment	40%	76	72	1	
	Roller	38%	80	76	1	

Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)

^a Usage factor is the percentage of time the equipment operates at full power.
^b Rounded to whole numbers.

The primary noise prediction equation from the FHWA Roadway Construction Noise Model User's Guide is discussed Appendix J, Noise and Vibration Impact Analysis, of this Draft EIR. Spherically radiating point sources of noise emissions are atmospherically attenuated by a factor of 6 dBA per doubling of distance. The potential for construction-related noise to adversely affect nearby sensitive receptors would depend on the location and proximity of construction activities to these receptors. Noise levels from individual pieces of construction equipment would typically range from 68 to 83 dBA L_{eq} at a distance of 50 feet. The highest noise levels generated by Project construction activities would typically range from about 81 to 85 dBA L_{eq} at a distance of 50 feet from the noise source if all equipment for a given phase operated at the Project boundary. These assumptions represent the worst-case noise scenario, because construction activities would typically be spread out throughout the Project Site and thus some equipment would be farther away from the affected receptors.

The closest off-site sensitive receptor to the Project Site is a roof-mounted trailer located at 428 South Hewitt Street. This use is approximately 80 feet from the closest Project perimeter. At this distance, as shown in Table IV.I-8, Off-Road Construction Equipment

Noise Levels at Off-Site Sensitive Uses, construction noise levels may reach 81 dBA for a one-hour L_{eq} , which would exceed the recommended noise threshold of 75 dBA.

Table IV.I-8
Off-Road Construction Equipment Noise Levels at Off-Site Sensitive Uses

Phase	428 South Hewitt Street (dBA)	825 East 4 th Street (dBA) ^a	442 Colyton and 449 South Hewitt Streets ^a (dBA)	Art Share LA at 801 East 4 th Place ^a (dBA)
Demolition	81	63	63	58
Grading	81	63	63	58
Construction	78	70	70	65
Paving	77	69	69	64

Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)

^a Receptors are partially shielded from the Project construction Site by multiple existing buildings. A 10 dBA reduction by shielding was taken but only during grading and demolition while equipment operates at ground level, based on guidance from the FHWA Manual for Highway Noise and Land Use (Federal Highway Administration. The Audible Landscape: A Manual for Highway Noise and Land Use. Available at: https://www.fhwa.dot.gov/ENVIRONMENT/noise/noise_compatible_planning/federal_approach/audible_landscape/al04.cfm. Accessed April 7, 2021.) No reduction during construction was taken where the work height can be 18-stories high.

Construction noise is also significant if construction operations lasting more than 10 days would exceed existing ambient exterior noise levels by 5 dBA or more at the property line. This analysis is shown in Table IV.I-9, Estimate of Off-Road Construction Equipment Noise Levels at Existing Off-Site Sensitive Receptors.

Table IV.I-9
Estimate of Off-Road Construction Equipment Noise Levels at Existing Off-Site Sensitive Receptors

Address	Distance from Site (feet)	Phase	Estimated Project Construction Noise Levels (dBA L_{eq})	Existing Ambient Noise Levels (dBA L_{eq})	Project Construction Plus Ambient (dBA L_{eq})	Project Increment (dBA L_{eq})	Exceeds 5 dBA?
428 South Hewitt Street	80	Demolition	81	65	81.1	16.1	Yes
		Grading	81	65	81.1	16.1	Yes
		Construction	78	65	78.2	13.2	Yes
		Paving	77	65	77.3	12.3	Yes
825 East 4 th Street	200	Demolition	63	74	74.3	0.3	No
		Grading	63	74	74.3	0.3	No
		Construction	70	74	75.5	1.5	No
		Paving	69	74	75.2	1.2	No
	200	Demolition	63	65	67.1	2.1	No
		Grading	63	65	67.1	2.1	No

Address	Distance from Site (feet)	Phase	Estimated Project Construction Noise Levels (dBA L _{eq})	Existing Ambient Noise Levels (dBA L _{eq})	Project Construction Plus Ambient (dBA L _{eq})	Project Increment (dBA L _{eq})	Exceeds 5 dBA?
442 Colyton Street		Construction	70	65	71.2	6.2	Yes
		Paving	69	65	70.5	5.5	Yes
449 South Hewitt Street	200	Demolition	63	65	67.1	2.1	No
		Grading	63	65	67.1	2.1	No
		Construction	70	65	71.2	6.2	Yes
		Paving	69	65	70.5	5.5	Yes
Art Share LA at 801 East 4 th Place	350	Demolition	58	74	74.1	0.1	No
		Grading	58	74	74.1	0.1	No
		Construction	65	74	74.5	0.5	No
		Paving	64	74	74.4	0.4	No

Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)

Although Project construction would occur between the allowable hours of 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. to 6:00 p.m. on Saturdays and not during noise sensitive hours, a potentially significant impact would occur, because construction activities may exceed the recommended noise threshold of 75 dBA at the closest sensitive use (the roof-mounted trailer at 428 South Hewitt Street), and also because construction operations lasting more than 10 days may also exceed existing ambient exterior noise levels by 5 dBA or more at the rooftop trailer at 428 South Hewitt Street, the live/work land use at 442 Colyton Street, and the live/work use at 449 South Hewitt Street. **Therefore, noise generated by off-road construction equipment would be significant without mitigation.**

(ii) Noise Generated by On-road Construction Traffic

Delivery truck and haul trucks would travel to and from the Project Site throughout the construction period. As previously discussed, the worst-case scenario would be hauling trucks during the grading phase, using typical dump trucks with a capacity of approximately 14 - 20 cubic yards. Delivery truck trips during other phases would be less numerous, and worker trips would consist of automobiles which are substantially quieter than heavy trucks. The proposed haul destination is Azusa Land Reclamation Landfill in Azusa. Loaded trucks would exit the site onto East 4th Street and/or South Hewitt Street, East 4th Place, Alameda Street, and Commercial Street. From Commercial Street, trucks would travel on U.S.-101 south, Interstate 10 (I-10) east, I-605 north, and I-210 east, major highways on which the Project trucks would not increase noise levels. Trucks would exit I-210 east onto major roadways on which they would not increase noise levels

(Irwindale Avenue and West Gladstone Street; already used for landfill ingress and egress). In addition, the landfill is located in an industrial area. Empty trucks would exit the landfill onto these same major roadways and then travel on I-210 west, 1-605 south, I-10 west, and U.S.-101 north. Empty trucks would exit U.S.-101 onto Alameda Street, and travel south on Alameda Street, east on East 4th Street, and possibly south on South Hewitt Street. Based on information provided in Appendix L1, TIS, of this Draft EIR, the estimated maximum number of haul trips per peak day would be 120. This analysis is based on the January 12, 2018 haul hours that were approved by the City of Los Angeles Department of Transportation (LADOT), which were 9:00 a.m. to 3:30 p.m. on weekdays (6.5-hour window) and 8:00 a.m. to 6:00 p.m. (10-hour window) on Saturdays. Spreading the 120 trips over a 6.5-hour window would equal approximately 18 truck trips per hour or one truck every 3.25 minutes.⁵¹

As shown in Table IV.I-10, On-Road Vehicular Construction Noise Impact, the Project's truck trips would generate maximum noise levels of approximately 63 dBA L_{eq} along each roadway. On-road construction trips would not exceed the significance thresholds along the truck routes. No construction or truck haul activities would occur at night. **Therefore, Project construction traffic does not create a noticeable increase over ambient noise levels and impacts would be less than significant.**

Table IV.I-10
On-Road Vehicular Construction Noise Impact (dBA Leq)

Roadway Segment	Roadway Width	Construction Traffic	Significance Threshold ^a	Exceeds Threshold
South Hewitt Street	60 feet (ft)	63	70	No
East 4 th Place	80 ft	63	79	No
South Alameda Street	90 ft	63	79	No

Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)

^a The thresholds are based on 5 dB above the existing measured ambient noise levels shown on Table IV.I-5 or the minimum ambient noise levels shown in Table IV.I-3. As Table IV.I-5 shows, ST-3 at 449 South Hewitt Street measured a 61 dBA Leq, but Table IV.I-3 shows the City's minimum ambient noise level is 65 dBA Leq for parcels zoned M3, resulting in a threshold of 70 dBA Leq in the vicinity. ST-1 at 825 East 4th Street showed a noise level 74 dB Leq, resulting in a threshold of 79 dBA Leq in the vicinity.

⁵¹ During preparation of this Draft EIR and after circulation of the Notice of Preparation (NOP), LADOT revised allowable haul hours to Monday through Friday, 9:00 a.m. to 3:00 p.m.; and Saturdays, 8:00 a.m. to 4 p.m., resulting in a difference of 2.5 hours per week. The change would result in one truck every 3 minutes instead of every 3.25 minutes, 20 trucks per hour rather than 18 trucks per hour, which would result in a negligible noise increase. In terms of average noise levels, this 11.1 percent increase in hourly trucks would equal an increase of approximately 0.5-dB Leq in Project-related truck noise, relative to this activity under the previous haul hours, which is imperceptible by humans even in controlled laboratory conditions. The haul route would utilize highways and major local roadways with existing high traffic volumes (e.g., 424 a.m. peak hour vehicle trips on East 4th Street, east of Alameda, based on the intersection turn volumes in the Project TIS). Therefore, the Project truck hauling (with either 20 trucks per hour or 18 trucks per hour) would not double the amount of vehicle trips in a given hour or day, which would be necessary to cause a 3 dBA change in ambient noise levels, which is considered to be a barely perceivable difference.

(iii) Composite Construction Noise Levels

Table IV.I-11, Composite Construction Noise Levels, shows the composite construction noise impact of the combined effect of the Project's on- and off-site construction noise sources at each sensitive receptor. Three sensitive uses would experience noise levels in excess of the 5-dBA noise increase threshold as a result of the Project's composite on- and off-road construction activities; 428 South Hewitt Street, 442 Colyton Street, and 449 South Hewitt Street. **Therefore, composite noise levels during construction would be significant without mitigation.** It is primarily construction noise and not haul truck noise that would influence the composite significant impact. Noise increases at 825 East 4th Street and 801 East 4th Place would remain below this threshold.

**Table IV.I-11
Composite Construction Noise Levels**

Receptor	Ambient (dBA L _{eq})	Construction Noise (dBA L _{eq})	Maximum Construction Vehicle (Haul Truck) Noise (dBA L _{eq})	New Ambient (dBA L _{eq})	Increase (dBA L _{eq})	Exceeds 5 dBA Threshold?
428 South Hewitt Street	65	81	63	81.2	16.2	Yes
825 East 4 th Street	74	70	63	75.7	1.7	No
442 Colyton Street	65	70	63	71.8	6.8	Yes
449 South Hewitt Street	65	70	63	71.8	6.8	Yes
Art Share LA at 801 East 4 th Place	74	65	63	74.8	0.8	No

Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)

(b) Operation

Noise associated with operation of the Project would include roadway traffic, parking structure, loading and trash collection, and mechanical equipment sources. The noise impacts of each of these sources to the closest sensitive receptor are evaluated below.

(i) Roadway Traffic Noise

Long-term noise concerns from the increase of office and commercial uses at the Project Site center primarily on vehicular noise emissions on Project area roadways. These concerns are addressed using the CALVENO in the FHWA Highway Traffic Noise Prediction Model (FHWA-RD-77-108). The FHWA model calculates the L_{eq} noise level for

a particular reference set of input conditions, and then makes a series of adjustments for site-specific traffic volumes, distances, roadway speeds, or noise barriers.

Table IV.I-12, Traffic Noise Impact Analysis (CNEL in dB at 50 ft from Centerline), summarizes the 24-hour CNEL level at 50 feet from the roadway centerline area for 46 area roadway segments. The analysis used data provided in the non-CEQA analysis portion of the TIS (Appendix L1 of this Draft EIR) prepared by Gibson Transportation Consulting, Inc. For purposes of the noise analysis, four of the traffic scenarios analyzed were utilized; existing conditions without the Project, existing conditions with the Project, future without the Project, and future with the Project.

Table IV.I-12
Traffic Noise Impacts Analysis (CNEL in dB at 50 feet from Centerline)

Roadway Segment		Existing	Existing + Project	Future	Future + Project
East 1 st Street	West of South Vignes Street	66.3	66.3	66.7	66.7
	South of South Vignes Street	66.8	66.8	67.3	67.3
South Vignes Street	North of East 1 st Street	57.2	57.2	57.5	57.5
	South of East 1 st Street	56.7	56.7	57.2	57.2
East 3 rd Street	South Central Avenue to South Alameda Street	66.2	66.3	68.3	68.4
East 4 th Place	East of South Alameda Street	64.5	65.4	67.7	68.1
East 4 th Street	West of South Central Avenue	64.8	64.9	66.1	66.1
	South Central Avenue - South Alameda Street	65.2	65.3	66.4	66.4
	East of South Alameda Street	67.2	67.4	68.5	68.6
	West of Merrick Street	66.5	66.8	68.2	68.3
	East of Merrick Street	69.6	69.8	71.6	71.7
East 6 th Street	West of South Central Avenue	65.5	65.5	67.6	67.6
	South Central Avenue - South Alameda Street	66.9	66.9	68.8	68.8
	South Alameda Street - Mateo Street	66.8	66.8	69.9	69.9
	Mateo Street - South Santa Fe Avenue	66.0	66.0	67.1	67.2
East 7 th Street	West of South Central Avenue	64.6	64.6	66.6	66.6
	South Central Avenue - South Alameda Street	64.6	64.6	66.9	66.9
	South Alameda Street - Mateo Street	64.5	64.5	67.2	67.2

Roadway Segment		Existing	Existing + Project	Future	Future + Project
	Mateo Street - South Santa Fe Avenue	64.0	64.0	67.2	67.2
	East of South Santa Fe Avenue	64.9	64.8	67.8	67.8
East 2 nd Street	West of South Alameda Street	61.5	61.5	62.0	62.0
	East of South Alameda Street	59.6	59.6	60.5	60.5
South Central Avenue	North of East 3 rd Street	67.1	67.1	67.5	67.5
	East 3 rd Street - East 4 th Street	68.2	68.2	69.0	69.0
	East 4 th Street- East 6 th Street	67.6	67.6	68.3	68.3
	East 6 th Street- East 7 th Street	68.0	68.0	69.3	69.3
	South of East 7 th Street	68.3	68.3	69.1	69.1
South Alameda Street	North of East 2 nd Street	69.0	69.2	70.5	70.6
	East 2 nd Street - East 3 rd Street	69.1	69.3	70.6	70.7
	East 3 rd Street - East 4 th Street	69.2	69.4	71.0	71.2
	East 4 th Street - East 6 th Street	68.7	68.9	70.8	70.9
	East 6 th Street - East 7 th Street	68.8	69.0	70.3	70.4
	South of East 7 th Street	68.7	68.9	70.2	70.3
Merrick Street	North of East 4 th Street	55.1	55.1	55.5	55.5
Molino Street	South of East 4 th Street	52.5	52.5	59.1	59.1
Mateo Street	North of East 6 th Street	58.3	58.4	60.7	60.7
	East 6 th Street - East 7 th Street	58.6	58.7	60.3	60.4
South Santa Fe Avenue	North of East 7 th Street	62.9	62.8	65.2	65.2
	East 7 th Street - East 8 th Street	65.4	65.3	66.5	66.5
	South of East 8 th Street	66.4	66.4	67.4	67.4
East Olympic Boulevard	West of South Alameda Street	68.1	68.1	69.2	69.2
	East of South Alameda Street	69.5	69.5	70.7	70.7
South Alameda Street	North of East Olympic Boulevard	69.0	69.1	70.4	70.5
	South of East Olympic Boulevard	69.1	69.2	70.3	70.4
South Boyle Avenue	North of East 4 th Street	63.2	63.3	63.6	63.6
	East 4 th Street – Whittier Boulevard	64.3	64.3	64.6	64.6

Roadway Segment		Existing	Existing + Project	Future	Future + Project
	South of Whittier Boulevard	65.7	65.7	66.0	66.0
South Soto Street	North of East 4 th Street	67.8	67.8	68.1	68.1
	South of East 4 th Street	68.2	68.2	68.6	68.6
East 4 th Street	West of U.S.-101 Northbound Off-Ramp	69.0	69.2	70.8	70.9
	U.S.-101 Northbound Off-Ramp - South Boyle Avenue	68.9	69.0	70.4	70.5
	South Boyle Avenue – I-5 Southbound Ramps	69.7	69.8	70.8	70.8
	I-5 Southbound Ramps – I-5 Northbound Ramps	69.8	69.8	70.5	70.6
	I-5 Northbound Ramps – South Soto Street	68.7	68.7	69.2	69.3
	East of South Soto Street	68.7	68.7	69.1	69.1
Whittier Boulevard	West of South Boyle Avenue	67.7	67.8	68.4	68.4
	East of South Boyle Avenue	67.5	67.5	68.1	68.2

Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)

As shown in Table IV.I-13, Project-Related Traffic Noise Impact (CNEL in dB at 50 ft from Centerline), the Project itself would not cause any of the analyzed roadway segments to incur more than a +0.9 dB impact, which would occur on East 4th Place, east of Alameda Street (“existing”). As traffic volumes are generally already high in this urban setting, and because the Project would not result in many trips relative to existing traffic volumes, there is little noise impact from the Project trips along the analyzed roadway segments. The next largest traffic noise increase attributed to the Project is +0.4 dB CNEL at East 4th Place east of Alameda (“future”), followed by +0.3 dB CNEL, which would occur on East 4th Street, west of Merrick Street (“existing”). Out of the 57 roadway segments analyzed, over half would experience no discernable impact (<0.1 dB) as a result of Project trips. **No Project-related traffic noise impact exceeds the significance threshold of either a) a +3.0 dB increase to or within the "normally unacceptable" (70 dB CNEL) or "clearly unacceptable" (75 dB CNEL) category or b) a +5 dB or greater traffic noise increase. Therefore, roadway traffic noise impacts from the Project during operations would be less than significant.**

Table IV.I-13
Project-Related Traffic Noise Impact (CNEL in dB at 50 feet from Centerline)

Roadway Segment		Existing Impact (Difference between Existing and Existing + Project)	Future Impact (Difference Between Future and Future + Project)
East 1 st Street	West of South Vignes Street	0.0	0.0
	South of South Vignes Street	0.0	0.0
South Vignes Street	North of East 1 st Street	0.0	0.0
	South of East 1 st Street	0.0	0.0
East 3 rd Street	South Central Avenue to South Alameda Street	0.1	0.1
East 4 th Place	East of South Alameda Street	0.9	0.4
East 4 th Street	West of South Central Avenue	0.1	0.0
	South Central Avenue - South Alameda Street	0.1	0.0
	East of South Alameda Street	0.2	0.1
	West of Merrick Street	0.3	0.1
	East of Merrick Street	0.2	0.1
East 6 th Street	West of South Central Avenue	0.0	0.0
	South Central Avenue - South Alameda Street	0.0	0.0
	South Alameda Street - Mateo Street	0.0	0.0
	Mateo Street - South Santa Fe Avenue	0.0	0.1
East 7 th Street	West of South Central Avenue	0.0	0.0
	South Central Avenue - South Alameda Street	0.0	0.0
	South Alameda Street - Mateo Street	0.0	0.0
	Mateo Street - South Santa Fe Avenue	0.0	0.0
	East of South Santa Fe Avenue	-0.1	0.0
East 2 nd Street	West of South Alameda Street	0.0	0.0
	East of South Alameda Street	0.0	0.0
South Central Avenue	North of East 3 rd Street	0.0	0.0
	East 3 rd Street - East 4 th Street	0.0	0.0

Roadway Segment		Existing Impact (Difference between Existing and Existing + Project)	Future Impact (Difference Between Future and Future + Project)
	East 4 th Street - East 6 th Street	0.0	0.0
	East 6 th Street - East 7 th Street	0.0	0.0
	South of East 7 th Street	0.0	0.0
South Alameda Street	North of East 2 nd Street	0.2	0.1
	East 2 nd Street - East 3 rd Street	0.2	0.1
	East 3 rd Street - East 4 th Street	0.2	0.2
	East 4 th Street - East 6 th Street	0.2	0.1
	East 6 th Street - East 7 th Street	0.2	0.1
	South of East 7 th Street	0.2	0.1
Merrick Street	North of East 4 th Street	0.0	0.0
Molino Street	South of East 4 th Street	0.0	0.0
Mateo Street	North of East 6 th Street	0.1	0.0
	East 6 th Street - East 7 th Street	0.1	0.1
South Santa Fe Avenue	North of East 7 th Street	-0.1	0.0
	East 7 th Street - East 8 th Street	-0.1	0.0
	South of East 8 th Street	0.0	0.0
East Olympic Boulevard	West of South Alameda Street	0.0	0.0
	East of South Alameda Street	0.0	0.0
South Alameda Street	North of East Olympic Boulevard	0.1	0.1
	South of East Olympic Boulevard	0.1	0.1
South Boyle Avenue	North of East 4 th Street	0.1	0.0
	East 4 th Street – Whittier Boulevard	0.0	0.0
	South of Whittier Boulevard	0.0	0.0
South Soto Street	North of East 4 th Street	0.0	0.0
	South of East 4 th Street	0.0	0.0
East 4 th Street	West of U.S.-101 Northbound Off-Ramp	0.2	0.1
	U.S.-101 Northbound Off-Ramp - South Boyle Avenue	0.1	0.1

Roadway Segment		Existing Impact (Difference between Existing and Existing + Project)	Future Impact (Difference Between Future and Future + Project)
	South Boyle Avenue – I-5 Southbound Ramps	0.1	0.0
	I-5 Southbound Ramps – I-5 Northbound Ramps	0.0	0.1
	I-5 Northbound Ramps – South Soto Street	0.0	0.1
	East of South Soto Street	0.0	0.0
Whittier Boulevard	West of South Boyle Avenue	0.1	0.0
	East of South Boyle Avenue	0.0	0.1
Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4 th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)			

(ii) *Parking Structure Noise*

Parking for the Project would be located on three subterranean levels and on the 2nd through 5th floors of the Office Building. There would be a combined total of 660 parking spaces on all levels. The aboveground levels of the parking structure would be enclosed on three sides, and partially enclosed behind metal screening but open to air on the Colyton Street (opaquely-screened from view) elevation. Vehicular access to the on-site parking garage would be provided via two driveways on East 4th Street. North of the Project Site and across East 4th Street are auto repair-related businesses, Miyako Sushi, and Washoku School. Live/work lofts are located northwest of the Project Site at 825 East 4th Street, which would be the closest noise-sensitive use to the main parking structure entrance. The general parking (for employees and visitors to the office and commercial spaces) entrance to the aboveground parking levels for the Project is 300 feet southeast of the 825 East 4th Street building. The general parking entrance to the underground parking levels is immediately adjacent to the east of the aboveground parking entrance; therefore, it has a greater setback. For this analysis, it is assumed that all general Project traffic would utilize the closest entrance point. Loading and deliveries would access the Office Building from South Hewitt Street, and impacts associated with this use are addressed under “Loading Dock/Trash Collection Areas,” below.

As indicated, vehicle parking areas would be provided on three subterranean levels and on the 2nd through 5th floors of the Office Building. After entering the garage roughly half of the vehicular traffic would proceed to the below ground parking and half to above ground parking. From there, about half the cars would look for spots to the west and half to the east. Therefore, even during peak hour only about one-fourth of Project traffic would be in any above ground quadrant of the structure. It is unlikely that parking in the subterranean lot would be audible at the exterior of the structure.

Most of the garage is enclosed by solid barriers. At a minimum, all above ground parking perimeters have industrial steel frame metal windows and board form concrete floors and ramps that would limit noise exposure outside of the structure. As described above, the aboveground levels of the parking structure to on the western façade would be partially enclosed behind metal screening but open to air on Colyton Street. To the west, the building that was formerly occupied by the A+D Museum building would partially shield the above ground parking structure. To the north and east, closed windows and steel frames would enclose the parking structure. The garage levels on the southern elevation are completely enclosed with board form concrete. Most of the vehicular noise is attributed to the entry points, where all the general traffic would be concentrated and would be located outside the parking structure. Because it would be a predominantly enclosed structure that would acoustically block the noise sources inside of it from traveling to off-site noise-sensitive receptors, the parking structure itself would eliminate or greatly reduce the main sources of auto-related parking garage noises: tire squeal, accelerating vehicles, noise from driving over bumps and expansion joints, cars starting, and vibration-induced car alarm noises. Also, given the many possible directions traffic disperses once inside the structure, only a few cars would be traveling in the same vicinity. Noise sources such as tire squeal persist for only one to two seconds, and when averaged over any length of time, as used for a L_{eq} (time averaged) calculation, would be minimized because of the length of time for which there is no tire noise.

Noise levels at the parking facility would fluctuate throughout the day with the amount of vehicle and human activity. Noise levels would generally be the highest in the morning and evening, during peak traffic hours when the largest number of automobiles would enter and exit the parking structure. The peak hour trip rate from the Project traffic study showed 388 a.m. trips and 384 p.m. trips. According to FTA equations, the noise level associated with 388 trips is approximately 52 dBA L_{eq} at 50 feet.⁵² However, 825 East 4th Street has at least 300 feet of setback from the closest parking entrance.

Based on this distance attenuation, the noise level at the 825 East 4th Street building would be approximately 41 dBA L_{eq} . The daytime ambient noise level is 74 dBA L_{eq} . The addition of 41 dBA (parking structure) to 74 dBA (background traffic) is negligible (<0.1 dBA). All other noise sensitive land uses would experience lower parking structure noise impacts, because they are located farther away and do not have a view of the parking lot entrance. **Since the noise level would not increase the daytime average ambient noise level at the closest noise sensitive use by 5 dBA, parking structure noise impacts of the Project would be less than significant.**

⁵² FTA. 2018. Transit Noise and Vibration Impact Assessment Manual.

(iii) *Mechanical Equipment Noise (HVAC)*

Section 112.02 of the LAMC limits increases in noise levels from air conditioning, refrigeration, heating, pumping, and filtering equipment. Such equipment may not be operated in such a manner as to create any noise that would cause the noise level on the premises of any other occupied property to exceed the ambient noise level by more than 5 dBA. The Project would comply with the requirement to install mechanical equipment that would generate noise levels below this threshold, consistent with applicable regulatory requirements.

The nighttime ambient noise level in the center of the Project Site is 57.2 dBA, but the applicable minimum ambient noise level is 65.0 dBA; therefore, equipment cannot exceed a 70.0 dBA L_{eq} threshold at the nearest property. Noise generated by rooftop-mounted mechanical equipment varies significantly depending upon the equipment type and size. However, based on measurements at other similar commercial centers and literature from Trane Industries, noise levels of 54 dBA at 50 feet from external mechanical systems is typical.

The closest off-site noise-sensitive use to the Project Site is the rooftop trailer at 428 South Hewitt Street. Minimally, there is a separation distance of 80 feet from the closest Project rooftop HVAC equipment to 428 South Hewitt Street. Mechanical screens are included in the design of the Project's rooftop mechanical equipment, and a minimal 5 dBA reduction is taken for the attenuation from the screens (NOI-PDF-6). As the distance between the Project HVAC equipment and 428 South Hewitt Street is 80 feet and with the 5 dBA screening reduction, HVAC equipment noise would be reduced to 49 dBA at 50 feet and 45 dBA at 80 ft (based on the information provided above from Trane industries that noise levels of 54 dBA at 50 feet from external mechanical systems is typical). Additionally, though not quantified, the Project would mount mechanical equipment on the rooftop of the 18-story building, while the 428 South Hewitt Street trailer is atop a two-story structure, which would increase the separation distance between the HVAC equipment noise source and receptor further. As the minimum nighttime ambient noise level is 65.0 dBA L_{eq} , the HVAC mechanical equipment would not result in an increase by 5 dBA or more over ambient levels (65.0 dBA with a 5 dBA increase would be 70.0 dBA as compared to 45 dBA).

Given the requirements of Section 112.02 of the LAMC, distances to noise-sensitive receptors (that are conservatively underestimated above), the relatively quiet operation of modern HVAC systems, and the height at which Project's HVAC equipment would be placed, mechanical equipment would not be capable of causing the ambient noise level at the closest sensitive uses to increase by 5 dBA. **Therefore, noise impacts related to mechanical HVAC equipment during operations would be less than significant.**

(iv) Loading Dock/Trash Collection

Loading dock activities such as truck movements/idling and loading/unloading operations generate noise levels that have the potential to adversely impact adjacent land uses during long-term Project operations. However, the loading dock and trash storage for the Project are located internally to the building and it is unlikely that truck noise would be noticeable outside the structure. The main noise source would be truck movement. The Project would not allow any delivery truck idling for more than 5 consecutive minutes in the loading area pursuant to Title 13 CCR, Section 2485. Although the ambient noise levels would be elevated for a short period of time, they would not substantially affect the 24-hour CNELs.

The loading and trash collection area for the Project would be located on the southern portion of the Project Site along South Hewitt Street. Trucks would enter and exit via South Hewitt Street at the ground level. The door to the area would be capable of closing such that loading, and collection activities, occur in the enclosed space. Based on noise surveys conducted at similar loading docks by Giroux & Associates, loading dock activity would generate noise levels of approximately 67 dBA L_{eq} at a reference distance of 50 feet for semi-trucks and 65 dBA L_{eq} for box trucks, as shown in Table IV.I-14, Typical Noise Levels Associated with Loading and Trash Collection Activities. This includes truck idling and backup alarms. Most deliveries to the Project Site would be made with the quieter, medium-sized trucks, such as those used by Federal Express or United Parcel Service.

Table IV.I-14**Typical Noise Levels Associated with Loading and Trash Collection Activities**

Noise Generating Activity	Reference Level @ 50 ft
Semi-Truck Unloading	67 dBA L_{eq} (10 minutes)
Medium Box Truck Unloading ^a	65 dBA L_{eq} (10 minutes)
Source: Giroux & Associates. 2007. Wal-Mart Super Center, Ontario. March.	
Note:	
^a Box truck merged with dock, forklift operating inside receiving area.	

The only noise sensitive uses in proximity to the loading and trash collection area is the rooftop-mounted trailer located at 428 South Hewitt Street. The trailer itself is located approximately 80 feet from the driveway entrance for the loading and trash collection area. Based on this distance, there would be 4 dBA of attenuation relative to the 50-foot reference distance. In addition, the semi-enclosed space would provide an additional 5 dBA of attenuation. The residual noise level at 428 South Hewitt Street is compared to the threshold (ambient + 5 dBA) and is shown in Table IV.I-15, Loading and Trash Collection Noise Levels at the Closest Sensitive Receptor. Because it is possible for deliveries to occur at night, nighttime thresholds were also evaluated. **As shown, noise**

levels associated with the Project's occasional trash/recycling and loading dock activities would be substantially attenuated from off-site locations and would be less than significant.

Table IV.I-15

Loading and Trash Collection Noise Levels at the Closest Sensitive Receptor

Receptor	Distance to Dock*	Reference Noise (dBA) at 50 ft ^a	Attenuated Noise at Receiver	Threshold Daytime/ Nighttime	Exceeds Daytime/ Nighttime Threshold?
428 South Hewitt Street	80	65-67	56-58 dBA	70.0/70.0 dBA	No/No
Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4 th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)					
Note: Sounds levels presented are conservative. The dock is approximately 80 ft west of the Project property line, such that the separation distance may be up to 160 ft, depending on the size and orientation of the truck when parked at the dock.					
^a Giroux & Associates. 2007. Wal-Mart Super Center, Ontario. March.					

(v) *Garage Ventilation Equipment*

Enclosed or underground parking garages require ventilation to remove harmful vehicle emissions and other pollutants, while providing fresh air. All enclosed parking garages in North America are subject to ventilation standards established by the International Mechanical Code (IMC) and the American Society of Heating, Refrigeration, and Air-Conditioning Engineers (ASHRAE).

An analysis was performed to ensure that ventilation systems do not increase ambient noise levels at sensitive properties by more than 5 dBA. Based on data made available by Jetvent Fans, a company that manufactures fans for parking garages,⁵³ their largest unit generates 65 dBA for the pre-set maximum speed at a reference distance of 8 meters (approximately 25 feet). As a worst-case scenario, it was assumed that all such fans for the Project (a possible total of four) use the preset maximum speed with a noise level of 65 dBA at 8 meters, as shown in Table IV.I-16, Project Fans Operating at Optional Maximum Speed.

There may be up to four exhaust fans spaced out between the various parking levels. The aboveground fans would be oriented as follows; one on the western side of the parking structure at Level 1, one fan facing the east on Level 2, and two fans facing north on Levels 4 and 5. The Level 1 fan would directly face the building that was formerly occupied by the A+D Museum building. Noise from this fan would be partially blocked by the

⁵³ Jetvent Fans (Zoo Fans). Product Technical Data. Available at: <https://jetventfans.com/products>. Accessed on April 7, 2021.

building that was formerly occupied by the A+D Museum building, but to be conservative, no noise reduction credit was taken. The Level 2 fan may impact the rooftop-mounted trailer at 428 South Hewitt Street (80 feet away), and the three fans at the west and north façades may impact the lofts at 825 East 4th Street (approximately 270 feet from the fan location). Since the fans may operate during the night, the fan operations were compared to nocturnal noise standards. **As shown, even if all the fans ran at full power at night, the noise levels generated at the noise-sensitive land uses would be less than significant.**

Table IV.I-16
Project Fans Operating at Optional Maximum Speed

Receptor	Distance to Fan(s)	Noise (dBA) at 8 Meters ^a	Attenuated Noise at Receiver	Threshold Daytime/ Nighttime	Exceeds Daytime/ Nighttime Threshold?
428 South Hewitt Street	80	65	55 dBA	70.0/70.0 dBA	No/No
825 East 4 th Street	275	70 ^b	50 dBA	73.7/70.0 dBA	No/No
Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4 th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)					
^a Jetvent Fans (Zoo Fans). Product Technical Data. Available at: https://jetventfans.com/products/ . Accessed April 7, 2021.					
^b Assumes all three fans on the west and north side of the structure at Levels 1, 4 and 5 operate at full power at the same time.					

(vi) Composite Operational Noise Levels

The various operational noise sources from the Project may operate at the same time. The noise levels at the nearest noise sensitive receptors are shown on Table IV.I-17, Composite Operational Noise Levels. To calculate composite operational noise levels, the existing year Project-related traffic noise increase was arithmetically added to the existing daytime and nighttime ambient noise levels and the results were logarithmically added to noise levels from the Project's parking, HVAC loading and trash collection, and garage ventilation fans. Additionally, at 825 East 4th Street the proposed Office Building would reduce loading and trash collection noise by approximately 15 dB.⁵⁴ **As shown on Table IV.I-17, the resulting composite operational noise levels would not exceed the threshold (ambient +5 dBA) and composite operational noise impacts would be less than significant.**

⁵⁴ Federal Highway Administration. 2006. FHWA Roadway Construction Noise Model User's Guide: Final Report. January.

**Table IV.I-17
Composite Operational Noise Levels**

Receptor	Existing Ambient Noise Level (dBA)	Existing Year Project-Related Traffic Noise Increase (dBA)	Parking (dBA)	HVAC (dBA)	Loading and Trash Collection (dBA)	Garage Ventilation Fans (dBA)	Total Daytime/ Nighttime (dBA)	Threshold Daytime/ Nighttime (dBA)	Exceeds Threshold ?
428 South Hewitt Street	65.0/65.0	0.3	34	45	56-58	55	66.2-66.4/ 66.2-66.4	70.0/70.0	No
825 East 4 th Street	68.7/65.0	0.2	41	34	31-33 ^a	50	69.0/ 65.3-65.4	73.7/70.0	No

Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)

^a 15 dB reduction was taken due to shielding from the structure of the proposed Office Building itself.

(2) Mitigation Measures

The following mitigation measure is incorporated to alleviate potential impacts of construction period noise on sensitive receptors.

NOI-MM-1 Subject to off-site property owner agreement, a temporary construction barrier on the rooftop of 428 South Hewitt Street, near the edge of the rooftop facing the Project Site shall be erected during the Project demolition and grading phases and when equipment is used on the ground floor during building construction and paving. The barrier shall be least four feet in height and constructed of a material with a Sound Transmission Class (STC) rating of at least STC-30 (such as acoustic panels or sound barrier products) or a transmission loss of at least 20 decibels (dB) at 500 hertz (such as 1/2-inch plywood). In addition to the rooftop barrier, a temporary construction barrier of approximately 300 feet in length and 24 feet in height, located at the eastern edge and southeastern corner of the Project Site, and constructed of a material with a rating of STC-35 or greater (such as acoustic panels or sound barrier products) or providing a transmission loss of at least 25 dB at 500 hertz (such as 3/4-inch plywood), shall be erected during the Project demolition and grading phases and when equipment is used on the ground floor during building construction and paving.

(3) Level of Significance After Mitigation

The most effective method of noise mitigation is the construction of a temporary noise barrier that blocks the line-of-sight between the source of the noise and the receiver. There is no technically feasible way to erect a temporary barrier from the ground to the height of the of the Project rooftop. The maximally noise-impacted sensitive receptor is a single roof-mounted trailer (located on a two-story building), which is approximately 24 feet above ground level. A 24-foot ground on-site barrier was evaluated as part of Mitigation Measure NOI-MM-1 to reduce construction equipment noise levels at the roof-mounted trailer, as discussed below. In addition, to address noise during the demolition and grading periods, as well as during the portions of the building construction in which activity occurs only at the ground floor and second floor and paving phases, a temporary barrier around the trailer on the roof was also evaluated as part of Mitigation Measure NOI-MM-1.

Both the on-site ground floor barrier and the rooftop barrier located off-site would not reduce noise levels below the level of significance at 428 South Hewitt Street during building construction of the second through fifth floors and during paving of the second through fifth floors. In addition, as the neighboring property owner may not agree to the off-site rooftop barrier, the impact would remain significant and unavoidable. At 442

Colyton Street and 449 South Hewitt Street, it would be infeasible to construct a noise barrier within the Project Site that would block the line of sight between construction of the higher floors of the Office Building and the receptors, and there is also insufficient space for a barrier along the southern property line due to the presence of existing buildings adjacent to the limits of demolition, excavation, and construction activity.

Three sensitive uses would experience noise levels in excess of the 5-dBA noise increase threshold as a result of the Project's composite on- and off-road construction activities; 428 South Hewitt Street, 442 Colyton Street, and 449 South Hewitt Street. It is primarily construction noise and not haul truck noise that would influence the composite significant impact. Noise increases at 825 East 4th Street and 801 East 4th Place would remain below this threshold. Mitigation Measure NOI-MM-1 would reduce composite construction noise to the extent feasible, but noise levels would remain above the threshold at 428 South Hewitt Street, 442 Colyton Street and 449 South Hewitt Street. (Mitigation is not set forth for the impacts at 442 Colyton Street and 449 South Hewitt Street, because, as stated above, it would be infeasible to construct a noise barrier within the Project Site that would block the line of sight between construction of the higher floors of the Office Building and the receptors, and there is also insufficient space for a barrier along the southern property line due to the presence of existing buildings adjacent to the limits of demolition, excavation, and construction activity.) Therefore, the combination of construction and haul truck noise at sensitive uses remains a significant and unavoidable impact.

Table IV.I-18, Mitigated Off-Road Construction Equipment Noise Levels at 428 South Hewitt Street shows mitigated construction equipment noise levels at 428 South Hewitt Street with an on-site ground floor barrier (located at the eastern edge and southern corner of the Project Site), with an off-site rooftop barrier, and with both the on-site ground floor barrier and the off-site rooftop barrier together. As previously discussed, both an off-site rooftop barrier and an on-site ground floor barrier would not reduce noise levels below the level of significance during building construction of the second through fifth floors and during paving of the second through fifth floors. In addition, as the 428 South Hewitt Street property owner may not agree to the off-site rooftop barrier, the impact is conservatively determined to be significant and unavoidable.

Table IV.I-18
Mitigated Off-Road Construction Equipment Noise Levels at
428 South Hewitt Street

Phase	Unmitigated Noise Levels (dBA L _{eq})		On-Site Ground Floor Barrier (dBA L _{eq})		Off-Site Rooftop Barrier (dBA L _{eq})		On-Site Ground Floor Barrier and Off-Site Rooftop Barrier (dBA L _{eq})	
	Unmitigated Noise Level	Increase Above Ambient	Mitigated Noise Level	Increase Above Ambient	Mitigated Noise Level	Increase Above Ambient	Mitigated Noise Level	Increase Above Ambient
Demolition	81^c	16.1	66	3.5	71	7.0	56	0.5
Grading	81	16.1	66	3.5	71	7.0	56	0.5
Construction (1 st Floor)	78	13.2	63	2.1	68	4.8	53	0.3
Construction (2 nd - 18 th Floor) ^a	78	13.2	74	9.5	74	9.5	73	8.6
Paving (1 st Floor)	77	12.3	62	1.8	67	4.1	52	0.2
Paving (2 nd - 5 th Floors) ^b	77	12.3	76	11.3	76	11.3	76	11.3

Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)

Note: Barrier insertion loss was subtracted where applicable, based on equations for barrier insertion loss from: FTA. 2018. Transit Noise and Vibration Impact Assessment Manual. September.

^a When Office Building construction occurs at upper floors, it was assumed that forklifts, generator sets, and loader/backhoes would remain at the ground floor and be shielded, while the work-tool interaction of the crane and the welders would occur above ground level and be unshielded.

^b When paving occurs at upper floors, it was assumed loader/backhoes would remain at the ground floor and be shielded, while the remaining equipment would operate above ground level and be unshielded.

^c Numbers in bold indicate an exceedance of the construction noise threshold due to the generation of noise levels above 75 dBA at a sensitive receptor or due to a 5 dBA or more exceedance of existing ambient exterior noise levels at a sensitive receptor during operations lasting more than 10 days.

Similarly, the Project's composite construction noise impact from the combined effect of on- and off-road noise sources at three sensitive receptor locations (428 South Hewitt Street, 442 Colyton Street, and 449 South Hewitt Street) would be significant. Table IV.I-19, Mitigated Composite Construction Noise Levels at 428 South Hewitt Street shows the mitigated composite construction noise levels at 428 South Hewitt Street with a on-site ground floor barrier (located at the eastern edge and southern corner of the Project Site), an off-site rooftop barrier located at 428 South Hewitt Street, and with both the on-site ground floor barrier and the off-site rooftop barrier together, while additional noise from on-road hauling trips is added in all three scenarios. Implementation of Mitigation Measures NOI-MM-1 would reduce this impact at 428 South Hewitt Street; however, the combination of construction and haul truck noise at the identified sensitive uses would remain significant and unavoidable. Mitigation is not set forth for the impacts at 442 Colyton Street and 449 South Hewitt Street, because it would be infeasible to construct a noise barrier within the Project Site that would block the line of site between construction of the higher floors of the Office Building and the receptors, and there is also insufficient space for a barrier along the southern property line due to the presence of existing buildings adjacent to the limits of demolition, excavation, and construction activity.

Table IV.I-19
Mitigated Composite Construction Noise Levels at 428 South Hewitt Street

Phase	Unmitigated Noise Levels (dBA Leq)		On-Site Ground Floor Barrier (dBA Leq)		Off-Site Rooftop Barrier (dBA Leq)		On-Site Ground Floor Barrier and Off-Site Rooftop Barrier (dBA Leq)	
	Unmitigated Noise Level	Increase Above Ambient	Mitigated Noise Level	Increase Above Ambient	Mitigated Noise Level	Increase Above Ambient	Mitigated Noise Level	Increase Above Ambient
Demolition	81 ^c	16.3	68	4.7	72	7.6	64	2.5
Grading	81	16.0	68	4.5	71	7.4	64	2.4
Construction (1 st Floor)	78	13.0	66	3.4	69	5.4	63	2.3
Construction (2 nd -18 Floor) ^a	78	13.0	74	9.4	74	9.8	74	9.3
Paving (1 st Floor)	77	12.2	65	3.2	68	5.0	63	2.2
Paving 2 nd - 5 th Floors) ^b	77	12.2	76	11.4	76	11.5	76	11.4

Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)

Note: Barrier insertion loss was subtracted where applicable, based on equations for barrier insertion loss from: FTA. 2018. Transit Noise and Vibration Impact Assessment Manual. September.

^a When Office Building construction occurs at upper floors, it was assumed that forklifts, generator sets, and loader/backhoes would remain at the ground floor and be shielded, while the work-tool interaction of the crane and the welders would occur above ground level and be unshielded.

^b When paving occurs at upper floors, it was assumed loader/backhoes would remain at the ground floor and be shielded, while the remaining equipment would operate above ground level and be unshielded.

^c Numbers in bold indicate an exceedance of the construction noise threshold due to the generation of noise levels above 75 dBA at a sensitive receptor or due to a 5 dBA or more exceedance of existing ambient exterior noise levels at a sensitive receptor during operations lasting more than 10 days

The Project's noise impacts during operations would be less than significant and do not require mitigation measures.

Threshold b): Would the Project result in the generation of excessive groundborne vibration or groundborne noise levels?

(1) Impact Analysis

(a) Construction

Sources of groundborne vibration associated with Project construction activities would include construction equipment utilized on-site and construction vehicles (such as haul trucks) that would travel along off-site roadways. Similar to noise, construction equipment and vehicles generate varying degrees of groundborne vibration, depending on the types of construction equipment being used and the phase of construction, and the effects of groundborne vibration also diminish with distance from the source. The following analysis addresses groundborne vibration associated with on-site and off-site Project construction equipment and vehicles, as well as both the building damage and human annoyance impacts associated with groundborne vibration.

(i) *Vibration Generated by Off-Road Construction Activity*

Potential damage to buildings and structures along the alignment was assessed based on how the structures are built. FTA criteria for building and structural damage were presented in Table IV.I-1, Construction Vibration Damage Criteria, above. Although the adjacent structures are not sensitive uses but rather manufacturing, they are older, and some have been noted as contributing to the potential Downtown Industrial Historic District. To be conservative, it was assumed that all structures adjacent to and across the street from the Project would fall into Building Category IV - buildings extremely susceptible to vibrations (listed and described further below). The impact threshold would be 0.12 inches/second PPV. Below this damage threshold there is virtually no risk of building damage. The FTA lists predicted vibration levels generated by a select list of construction equipment. Table IV.I-20, Estimated Vibration Levels During Project Construction, provides the vibration levels predicted to be generated by the equipment fleet to be utilized during Project construction.

Table IV.I-20
Estimated Vibration Levels During Project Construction

Equipment	PPV at 5 ft (in/sec)	PPV at 10 ft (in/sec)	PPV at 25 ft (in/sec) ^a	PPV at 50 ft (in/sec)
Large Bulldozer	0.995	0.352	0.089	0.031
Loaded Trucks	0.850	0.300	0.076	0.027
Jackhammer	0.391	0.138	0.035	0.012
Small Bulldozer	0.034	0.012	0.003	0.001

Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)

^a FTA. 2006. Transit Noise and Vibration Impact Assessment. May.

Note: Only data for the above equipment list is available.

Minimum distances from construction equipment where PPV levels would be less than 0.12 inches/second are shown in Table IV.I-21, Minimum Distances for Vibration Building Damage. PPV at a given distance was calculated using FTA methodology, as discussed in Appendix J, Noise and Vibration Impact Analysis, of this Draft EIR. When construction equipment is within these distances the PPV level would exceed thresholds and could have a vibratory impact on buildings. Due to the close proximity to the receiving structures, construction equipment would be located within those distances at adjacent structures.

Table IV.I-21
Minimum Distances for Vibration Building Damage

Equipment	Distance to Impact (Threshold of 0.2 in/sec PPV) (ft)	Distance to Impact (Threshold of 0.12 in/sec PPV) (ft)
Large Bulldozer	15	20
Loaded trucks	13	18
Jackhammer	8	11
Small Bulldozer	2	2

Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)

The 2006 L.A. CEQA Thresholds Guide identifies residential areas as sensitive land uses. The closest adjacent residential use is the rooftop trailer at 428 South Hewitt Street, which is 80 feet from the closest Project Site boundary. Therefore, Project-adjacent sensitive residential uses have a minimal 80-foot distance separation. All other sensitive receptors have a greater setback from the Project Site.

There are several older manufacturing/industrial structures immediately adjacent to the Project Site that are considered to be fragile although they are not sensitive land uses.

With regard to fragile building damage that is associated with vibration effects, the following properties have the indicated setbacks within 5-10 feet of the Project Site:

- 418 Colyton Street;
- 424 Colyton Street; and
- 427 South Hewitt Street.

In addition, the following properties are located across the street of the Project Site:

- 940 East 4th Street - 60 feet from the Project Site;
- 417 Colyton Street - 65 feet from the Project Site;
- 915 East 4th Street - 70 feet from the Project Site;
- 828 East 4th Street, 407 Colyton Street, and 411 Colyton Street - 65 feet from the Project Site;
- 421 Colyton Street - 85 feet from the Project Site; and
- 428 South Hewitt Street - 80 feet from the Project Site.

As shown in Table IV.I-20, the structures immediately adjacent to the Project Site may experience vibration that exceeds the adopted building damage threshold of 0.12 in/sec PPV if equipment is operated at the shared property line. All of the structures across the street would experience vibration below the stated building damage thresholds of 0.12 in/sec PPV for fragile buildings. The adjacent buildings are of such an age that they may be considered sensitive to the structural effects of vibration and some are considered contributors to the potential Downtown Industrial Historic District.⁵⁵ Vibration annoyance was not considered, based on the commercial and industrial nature of the land uses. **As the closest vibration-sensitive receptors to the Project Site may experience significant vibration that exceeds the building damage threshold of 0.12 in/sec PPV, the Project impact would be significant without mitigation.**

With respect to potential human annoyance impacts, FTA's Transit Noise and Vibration Impact Assessment identifies residential and institutional buildings as vibration sensitive receptors. Under the FTA's vibration criteria for potential human annoyance, vibration levels exceeding 72 VdB would be considered a human annoyance impact.

The two closest sensitive residential receptors to the Project Site are the rooftop trailer at 428 South Hewitt and the multi-family structure at 825 East 4th Street. As shown in Table

⁵⁵ Historic Resources Group. 2022. Historical Resource Technical Report for the 4th and Hewitt Project. February. (Appendix C2.)

IV.I-22, Vibration Annoyance for Construction Equipment at Multiple Distances, 80 feet from the Project Site, the construction vibration level at 428 South Hewitt Street would be 72 VdB or less and at 825 East 4th Street the vibration levels would be 60 VdB or less. **Therefore, vibration would not exceed the FTA’s 72 VdB human annoyance criterion for frequent events. Construction related vibration nuisance to off-site sensitive uses would be less than significant.**

Table IV.I-22

Vibration Annoyance for Construction Equipment at Multiple Distances

Equipment	VdB at 25 ft ^a	VdB at 50 ft	VdB at 60 ft	VdB at 80 ft	VdB at 200 ft
Large Bulldozer	87	78	76	72	60
Loaded trucks	86	77	75	71	59
Jackhammer	79	70	68	64	52
Small Bulldozer	58	49	47	43	31

Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)

^a FTA. 2006. Transit Noise and Vibration Impact Assessment. May.

(ii) Vibration Generated by On-road Construction Vehicles

Delivery truck and haul trucks would travel to and from the Project Site throughout the construction period, and in addition to noise, these vehicles may generate vibration for receptors along their haul routes. A typical truck operating on paved roads may generate vibration of approximately 63 VdB and 0.00565 in/sec PPV at a location that is 50 feet from the truck.⁵⁶ This analysis is based on the January 12, 2018 haul hours that were approved by the LADOT, which were 9:00 a.m. to 3:30 p.m. on weekdays (6.5-hour window) and 8:00 a.m. to 6:00 p.m. (10-hour window) on Saturdays. Spreading the 120 trips over a 6.5-hour window would equal approximately 18 truck trips per hour or one truck every 3.25 minutes. According to the FTA, typical road traffic-induced vibration levels are unlikely to be perceptible by people, and it is also unusual for vibration, even from sources such as buses and trucks, to be perceptible, even in locations close to major roads.⁵⁷ Because the Project is located in an urban area, localized traffic may largely mask potential Project impacts along area roadways; nevertheless, truck vibration impacts were analyzed.

Haul route roadway right-of-way widths (including sidewalks) are as follows: South Hewitt Street – 60 feet, East 4th Place – 80 feet, and Alameda Street – 90 feet. The sensitive use at 428 South Hewitt Street is not on the haul route as it is just south of the Project Site and trucks would be heading north on South Hewitt Street and east on East 4th Street. In

⁵⁶ FTA. 2018. Transit Noise and Vibration Impact Assessment Manual, Figure 5-4. September.

⁵⁷ FTA. 2006. Transit Noise and Vibration Assessment. May.

addition, the sensitive use is on the roof of the two-story structure, and it is unlikely that vibration would resonate to that location. This is the only sensitive use near the South Hewitt Street portion of the haul route.

As shown in Table IV.I-23, Haul Route Truck Vibration Impacts, all sensitive uses along the construction haul route, other than South Hewitt Street, are typically at least 25 feet from the center of the nearest travel lane, taking into consideration sidewalks, setbacks, and/or on-street parking. Along East 4th Place for example, the only sensitive use is Art Share LA, which minimally has a 25-foot setback from the center of the nearest through traffic lane. Haul route structures may experience groundborne vibration levels of approximately 0.022 in/sec PPV, below the fragile building damage threshold criterion of 0.12 in/sec PPV, and the nuisance vibration level of 72 VdB would not exceed the human annoyance threshold of 72 VdB.

Table IV.I-23
Haul Route Truck Vibration Impacts

Receptor	Location	Vibration Loaded Truck Damage (in/sec PPV)	Exceeds Damage Threshold?	Vibration Loaded Truck Annoyance (VdB)	Exceeds Annoyance Threshold?
428 South Hewitt Street	Not on route	-	-	-	-
825 East 4 th Street	25 ft from closest travel lane	0.022 in/sec PPV	No	72 VdB	No
442 Colyton and 449 South Hewitt Streets	Not on route	-	-	-	-
Art Share LA at 801 East 4 th Place	25 ft from closest travel lane	0.022 in/sec PPV	No	72 VdB	No

Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)

Therefore, the Project would not result in the exposure of persons to or generation of excessive groundborne vibration for building damage. In addition, further along the haul route, vibration levels would also be below the fragile building damage threshold criterion of 0.12 in/sec PPV (e.g., at 15 feet, vibration levels would be 0.034 inches/second PPV). **Vibration impacts to vibration-sensitive receptors nearby and further along the**

haul route with respect to building damage from trucks traveling along the anticipated haul routes would be less than significant.⁵⁸

The estimated groundborne nuisance vibration from on-road trucks would not exceed the 72 VdB significance criteria for the nearest vibration-sensitive uses. However, along the full extent of the haul route there may be vibration-sensitive receptors within 25 feet of the center of the of the nearest travel lane at which vibration would exceed the 72 VdB significance criteria for residential uses and would potentially exceed the 75 VdB significance criteria for institutional land uses. In addition, roadways along the haul route may not be smooth. Therefore, it is conservatively concluded that the Project's off-site haul could result in the exposure of persons to excessive groundborne annoyance levels. **Vibration impacts with respect to human annoyance resulting from construction trucks traveling along the anticipated haul routes would be significant without mitigation.**⁵⁹

(b) Operations

The primary sources of transient operational vibration would be vehicle circulation within the proposed parking areas of the Project. Typical road traffic-induced vibration levels are unlikely to be perceptible by people, and it is also unusual for vibration, even from sources such as buses and trucks, to be perceptible, even in locations close to major roads.⁶⁰ Only ground vibration associated with heavy trucks traveling on road surfaces with speed bumps or potholes could typically reach perceptibility thresholds; however, the Project would not generate a substantial amount of heavy truck trips during operations. Therefore, Project vehicular vibration is unlikely to be perceptible. The Project would also include roof-mounted HVAC equipment. However, such mechanical equipment would be mounted on the 18th story of the Project, and the closest sensitive receptor is a rooftop trailer atop a two-story structure located 80 feet to the east of the Project Site; therefore, vibration would not amplify through all levels of the Project structure to the rooftop of the second story structure across South Hewitt Street. **As such, operation of the Project**

⁵⁸ LADOT recently revised allowable haul hours to Monday through Friday, 9:00 a.m. to 3:00 p.m.; and Saturdays, 8:00 a.m. to 4 p.m. This change would result in 20 trucks per hour rather than 18 trucks per hour. The change would result in one truck every 3 minutes instead of every 3.25 minutes. An increase in the number of trucks would not increase the peak vibration levels experienced by sensitive receptors, because vibration levels do not combine in the same manner as noise levels. The number of vibration events in a given time frame would increase, but only slightly, and there would be substantial existing heavy truck traffic on the highways and major local roadways that the revised haul route would be expected to utilize. Along the revised haul route, even the smallest setbacks from the travel lanes of roadways would ensure that vibration levels would remain below the fragile building damage threshold criterion of 0.12 in/sec PPV (e.g., at 15 feet, vibration levels would be 0.034 in/sec PPV) and would remain less than significant.

⁵⁹ LADOT recently revised allowable haul hours to Monday through Friday, 9:00 a.m. to 3:00 p.m.; and Saturdays, 8:00 a.m. to 4 p.m. This change would result in 20 trucks per hour rather than 18 trucks per hour. The estimated groundborne nuisance vibration from on-road trucks would still not exceed the 72 VdB significance criteria for residential uses at the nearest vibration-sensitive uses to the Project Site. However, along the full extent of the revised haul route, there may be vibration-sensitive receptors within 25 feet of the center of the of the nearest travel lane at which vibration would still potentially exceed the 72 VdB significance criteria for residential uses and the 75 VdB significance criteria for vibration-sensitive institutional land uses. In addition, roadways along the revised haul route may not be smooth. Therefore, vibration impacts with respect to human annoyance resulting from construction trucks traveling along the revised haul route would remain significant and unavoidable, as there are no feasible mitigation measures.

⁶⁰ FTA. 2006. Transit Noise and Vibration Assessment, Page 7-1. May.

would not increase vibration levels in the Project vicinity, and vibration impacts during operations would be less than significant.

(1) Mitigation Measures

The following mitigation measures are required to alleviate potential impacts of construction period vibration on fragile buildings.

NOI-MM-2 Prior to demolition, the Applicant shall retain the services of a structural engineer or other qualified professional to conduct pre-construction surveys to document the current physical conditions of the following identified vibration-sensitive receptors: 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street.

NOI-MM-3 Prior to the issuance of grading permits, the Applicant shall retain the services of a structural engineer or other qualified professional to prepare a demolition and shoring plan to ensure the proper protection and treatment of the properties at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street during construction. The plan shall include appropriate measures to protect these properties from damage due to demolition of existing structures, excavation or other ground-disturbing activities, vibration, soil settlement, and general construction activities. The plan shall be submitted to the Los Angeles Department of City Planning's Office of Historic Resources for review and approval.

NOI-MM-4 Prior to the issuance of grading permits, the Applicant shall retain the services of an acoustical engineer or other qualified professional to develop and implement a structural monitoring program during construction. The performance standards of the structural monitoring program shall include the following:

- Documentation, consisting of video and/or photographic documentation of accessible and visible areas on the exterior of the receptor buildings (refer to NOI-MM-2).
- A registered civil engineer, certified engineering geologist, or vibration control engineer shall review the appropriate vibration criteria for the identified vibration receptors, taking into consideration their age, construction, condition, and other factors related to vibration sensitivity in order to develop additional recommendations for the structural monitoring program.

- Vibration sensors shall be installed on and/or around the identified vibration receptors to monitor for horizontal and vertical movement. These sensors shall remain in place for the duration of excavation, shoring, and grading phases.
- The vibration sensors shall be equipped with real-time warning system capabilities that can immediately alert construction supervisors when monitored vibration levels approach or exceed threshold limits. The registered civil engineer, certified engineering geologist, or vibration control engineer shall determine the appropriate limits.
- Should an exceedance of vibration thresholds occur, work in the vicinity of the affected area shall be halted and the respective vibration receptor shall be inspected for any damage. Results of the inspection shall be logged. In the event that damage occurs, the damage shall be repaired in consultation with a qualified preservation consultant. In the event of an exceedance, feasible steps to reduce vibratory levels shall be undertaken, such as halting/staggering concurrent activities and utilizing lower-vibratory techniques.

(2) Level of Significance After Mitigation

Mitigation Measures NOI-MM-2, NOI-MM-3, and NOI-MM-4, which would implement a pre-construction survey, shoring plan, and comprehensive structural monitoring program for adjacent sensitive buildings at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street, are required to reduce the potential for vibration damage at these structures. **However, because NOI-MM-2, NOI-MM-3, and NOI-MM-4 require the consent of other property owners, who may not agree to implement all components of the recommended mitigation measures as stated herein, implementation of the provided mitigation measures cannot be guaranteed. Thus, it is conservatively concluded that vibration impacts related to potential building damage on the structures located at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street would be significant and unavoidable.** Project approval would not exempt the construction contractor, Project Applicant, or other responsible parties from a duty to avoid building damage to off-site buildings during construction, nor would it exempt them from liability for building damage to off-site buildings if such damage were to occur.

The Project's vibration impact related to human annoyance and the use of off-road equipment on the Project Site use would be less than significant.

The Project's on-road vibration impact during construction related to structural damage would be less than significant.

The Project's on-road vibration impact during construction related to human annoyance would be significant and unavoidable. No feasible mitigation measures are available to reduce this impact.

Vibration impacts (related to both structural damage and human annoyance) during operation of the Project would be less than significant without mitigation.

Threshold c): For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, the project would expose people residing or working in the project area to excessive noise levels. Would the Project result in the generation of excessive groundborne vibration or groundborne noise levels?

As discussed previously, Section V.A, Impacts Found not to be Significant and the IS (Appendix A2, Initial Study, of this Draft EIR) found that the Project would not be located within an airport land use plan, nor would it be located in the vicinity of a public airport or private airstrip. Thus, the Project would have no impacts related to airport or airstrip noise and no further analysis is required.

e) Cumulative Impacts

Pursuant to Chapter III, Environmental Setting, 137 Related Projects have been identified as planned or under construction in the Project vicinity. The Project, in combination with the Related Projects and anticipated growth in the area, would generate cumulative noise and vibration impacts. Cumulative noise and vibration impacts associated with construction activities and operation of the Project, in combination with the most proximate of the Related Projects to the Project Site and sensitive receptors, are evaluated below, as only projects and ambient growth in the nearby area could combine with the Project's on-site development to result in cumulative noise impacts. Further, the potential for cumulative noise impacts to occur is specific to the distance between each Related Project and their noise sources. Therefore, pending projects closest to the Project Site were identified as part of this analysis.

(1) Impact Analysis

(a) Construction Noise

(i) Cumulative Off-road Construction Noise

A previously discussed, the roof-mounted trailer at 428 South Hewitt Street, the live/work land use at 442 Colyton Street, and the live/work use at 449 South Hewitt Street may experience construction noise levels in excess of ambient noise +5 dB. Mitigation would be required, but even with mitigation, the Project would have a significant and unavoidable impact related to off-road construction noise. As shown in Table IV.I-9, the Project would have less-than-significant off-road construction noise impacts at 825 East 4th Street and Art Share LA at 801 East 4th Place based on the greater distance from the Project Site. Construction noise can contribute to a cumulative noise impact for sensitive receptors located midway between two construction sites. Noise from the construction of Related Projects is localized and has the potential to affect noise-sensitive uses within proximity from the Project construction site based on the L.A. CEQA Thresholds Guide screening criteria. In order to achieve a substantial cumulative increase in construction noise, more than one source emitting high levels of construction noise would need to be in close proximity to the on-site Project development. Pursuant to the L.A. CEQA Thresholds Guide, noise from construction activities would normally affect sensitive receptors that are located immediately adjacent to the construction sites, especially those that are located less than 500 feet from the construction sites. Based on the 500-foot distance, the cumulative construction noise impacts analysis is limited to Related Projects that are located within 1,000 feet of the Project Site, assuming that the sensitive receptor is located halfway between the Project Site and a Related Project. Although there are 137 cumulative projects identified as being Related Projects, not all are located within the screening distance of 1,000 feet of the Project Site. The Related Projects located in closest proximity to the Project Site are listed in Table IV.I-24, Cumulative Projects within Proximity of the Project Site. Four existing sensitive uses that could potentially be impacted by Related Project construction, in addition to Project construction, are identified within 300 feet of the Project Site, as shown in Figure IV.I-5, Related Projects Relative to Adjacent Noise-Sensitive Uses.

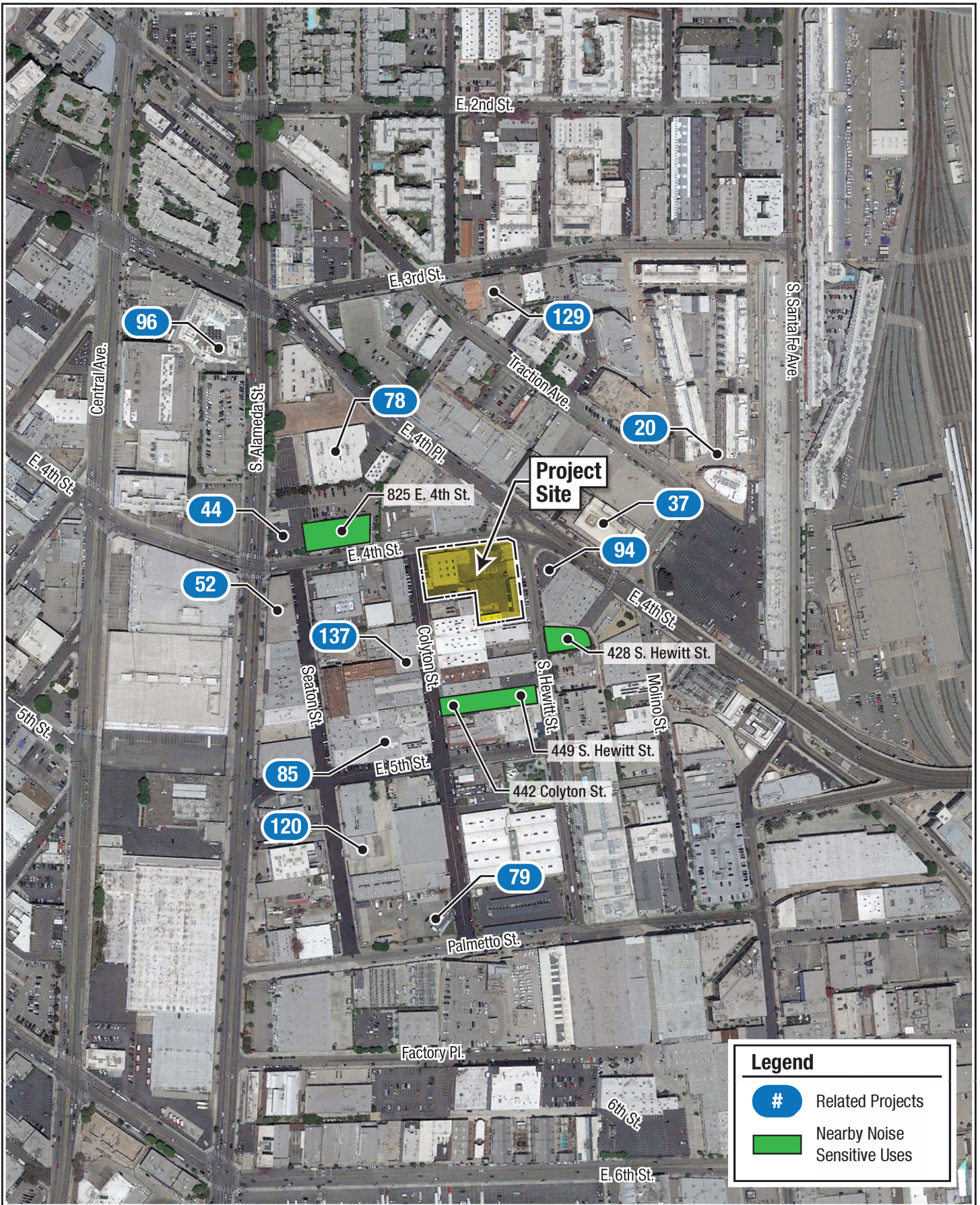
Table IV.I-24
Cumulative Projects within Proximity of the Project Site

Related Project Identification Number	Related Project Address	Distance to the Project Site (feet)
94	940 East 4 th Street	60
37	963 East 4 th Street	135
137	431 Colyton Street	170
44	360 South Alameda Street	375
52	400 South Alameda Street	445
85	1129 East 5 th Street	470

Related Project Identification Number	Related Project Address	Distance to the Project Site (feet)
78	330 South Alameda Street	500
120	1100 East 5 th Street	595
96	333 South Alameda Street	660
129	810 East 3 rd Street	740
20	950 East 3 rd Street	875
79	527 Colyton Street	900

The nearest noise sensitive use to Related Projects 37 and 94 is the rooftop-mounted trailer at 428 South Hewitt Street, located 80 feet southeast of the Project Site and directly south of Related Project 94. The Related Projects are closer to this sensitive use than the Project and would impact this receptor to a greater extent than the Project. Cumulative construction impacts could create a significant impact for the sensitive use at 428 South Hewitt Street and could occur regardless of Project construction. Nevertheless, as Project construction would result in a significant and unavoidable Project-level impact during construction for 428 South Hewitt Street, the Project's contribution to the cumulative impact would also be significant. As with the Project-level impact, there are no feasible mitigation measures to reduce this cumulative impact to a less-than-significant level due to the rooftop location of the trailer at 428 South Hewitt Street (requiring off-site property owner consent) and the fact that the noise level at 428 South Hewitt Street would still exceed 75 dB and a 5 dB increase if both the off-site and on-site barriers are erected as part of NOI-MM-1. **Therefore, the Project would result in a significant cumulative construction noise impact on the sensitive receptor at 428 South Hewitt Street.**

The nearest noise-sensitive use to Related Projects 96, 78, 44 and 52 is 825 East 4th Street, the six-story multi-unit residential structure on the northeast corner of Seaton Street and East 4th Street, which is 200 feet northwest of the Project Site. If all four of the adjoining Related Projects were to be constructed concurrently, the existing residential building would be exposed to significant construction noise impacts. These impacts would occur regardless of Project construction. Due to the 200-foot distance between the Project Site and the 825 East 4th Street six-story multi-unit residential structure, as analyzed above, the Project would result in less-than-significant construction noise impacts at this receptor location. **Therefore, the Project's contribution to noise impacts during construction at this location (825 East 4th Street) would not be cumulatively considerable and cumulative impacts would be less than significant.**



Legend

- # Related Projects
- Nearby Noise Sensitive Uses

Aerial Source: Google Earth Pro, June 8, 2018.

4TH AND HEWITT PROJECT

Related Projects Relative to Adjacent Noise-Sensitive Uses



FIGURE IV.1-5

The residential uses south of the Project Site at 442 Colyton Street and 449 South Hewitt Street are separated from the Project by multiple structures. The three closest Related Projects (Related Projects 85, 137, and 94) to these two receptors could result in a cumulatively significant construction noise level, which would occur regardless of Project construction. However, as previously described, the Project's construction noise impact at these two receptors would be significant and unavoidable. **Therefore, the Project's contribution to construction noise at these locations (442 Colyton Street and 449 South Hewitt Street) would be cumulatively considerable and cumulative impacts would be significant.**

Noise associated with cumulative construction activities would be reduced to the degree feasible through proposed mitigation measures for each individual Related Project, compliance with the LAMC-dictated construction hours and days, and the Project's implementation of NOI-MM-1. **If nearby Related Projects were to be constructed concurrently, significant cumulative construction noise impacts would occur at 428 South Hewitt Street, 442 Colyton Street, and 449 South Hewitt. The Project, however, would not contribute to potential cumulative construction noise impacts at any other sensitive use and cumulative impacts at other sensitive receptors (including 825 East 4th Street) would therefore be less than significant.**

(ii) *Cumulative On-road Construction Noise*

Conservatively assuming that concurrent construction of Related Projects in the Project vicinity would occur, it could potentially result in more haul or vendor trucks utilizing the same haul route as the Project. However, because traffic levels are already high, a Leq of 70 dBA or 110 hourly heavy diesel truck trips traveling the same route as Project traffic would be required to exceed significance thresholds (i.e., noise levels at sensitive receptors). Since the Project is expected to generate a maximum of 18 truck trips per hour during peak construction (excavation and grading), it is unlikely that construction truck traffic associated with the nearby Related Projects would add 92 additional truck trips along the same travel route at the same time as the Project.⁶¹ Even in this unlikely scenario, the Project's 18 truck trips per hour would not substantially contribute to the overall cumulative impact (it would account for approximately 16 percent of the truck trips) **Therefore, the Project's contribution to on-road construction noise would not be cumulatively considerable, and cumulative impacts would be less than significant.**

⁶¹ Ninety-two truck trips represents the difference between 110 hourly trips, which would exceed the threshold, and the actual number of hourly Project trips (18 trips). To trigger more than 110 hourly trips, the Related Projects would have to add 92 hourly trips along each roadway segment.

(iii) *Cumulative Composite Construction Noise Impact*

The Project-level composite construction noise impact due to the combined effect of on- and off-road construction noise sources at three sensitive receptors (428 South Hewitt Street, 442 Colyton Street, and 449 South Hewitt Street) would be significant. Although the implementation of NOI-MM-1 would reduce the Project level composite construction noise impact, noise levels would remain above 75 dB and would exceed the +5.0 dBA increase threshold. Therefore, composite construction noise impacts would be significant and unavoidable. Sensitive receptors would potentially be affected by composite construction noise from simultaneous activities at the Project and Related Project sites. **As such, the Project's contribution to the combination of construction and haul truck noise at the three identified sensitive uses is cumulatively considerable and impacts would be significant. Both the Project-level and cumulative composite noise impact during construction would be less than significant at the remaining identified sensitive receptors (825 East 4th Street and 801 East 4th Place).**

(b) *Construction Vibration*

(i) *Cumulative Off-road Construction Vibration*

Since groundborne vibration decreases quickly with distance, as discussed previously the potential for adverse vibration effects generated by construction activities would typically be limited to fragile structures or vibration-sensitive land uses that are located nearest to a construction site. As previously discussed, the Project's structural vibration impacts on the fragile structures located at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street would be significant and unavoidable. Cumulative impacts would occur if any of these structures were exposed to potential vibration damage from a Related Project at the same time.

The Project could result in a building damage-related vibration impact at 427 South Hewitt Street, with or without the cumulative contribution of Related Project 94. Vibration Mitigation Measures NOI-MM-2, NOI-MM-3, and NOI-MM-4 would reduce this impact to a less-than-significant level, but because they require the consent of other property owners, this analysis considers it to be infeasible and thus significant and unavoidable, as previously discussed. The nearest Related Project to the Project Site is Related Project 94, which is 60 feet to the east of the Project Site, across South Hewitt Street and at the intersection of East 4th Street. The closest off-site building to the Project Site and also the Related Project 94 site is located at 427 South Hewitt Street, which is immediately south of the Project Site, but 60 feet from the southern extent of the Related Project 94 address. At 60 feet, vibration levels would be 0.024 inches/second PPV or 76 VdB, below even the most stringent damage threshold. The nearest Related Project would not worsen or contribute to the Project's significant impact related to potential vibration damage from

the Project. **Therefore, potential vibration damage at the 427 South Hewitt Street structure due to cumulative effects of the Project and the nearest Related Project would be less than significant.** In addition, the retail and office uses within the building are not considered to be sensitive to vibration annoyance.

Construction vibration associated with Related Project 94 would impact the vibration-sensitive use at the closest sensitive receptor to the Project Site, the residence at 428 South Hewitt Street (80 feet from Project construction). The 428 South Hewitt Street use has a shared property line with Related Project 94. Therefore, vibration from Related Project 94 could have a significant impact at the 428 South Hewitt Street structure. Similar vibration mitigation for Related Project 94 as proposed for the Project (NOI-MM-2, NOI-MM-3, and NOI-MM-4) would reduce the construction vibration at Related Project 94 through implementation of a pre-construction survey, shoring plan, and comprehensive structure monitoring program. However, this impact would occur even without the Project, and the Project would have a less-than-significant impact to this structure, as previously evaluated. **Therefore, the Project's impact would not be cumulatively considerable, and the cumulative vibration damage impact to 428 South Hewitt Street use would be less than significant.**

With regard to vibration effects related to human annoyance, the closest vibration-sensitive receptor to the Project Site is the rooftop-mounted trailer used as a residence at 428 South Hewitt Street, located 80 feet east of the Project Site but immediately south of the Related Project 94 site. As discussed previously, this use is of sufficient distance from the Project Site such that Project construction would fall under the "barely perceptible" human annoyance level for vibration. Depending on the design of the structure for Related Project 94 and the types of construction equipment to be utilized at that site, it may result in a human annoyance vibration impact during construction to the rooftop trailer residence. However, this impact would occur regardless of Project construction. **Therefore, the Project's contribution to the vibration annoyance impact would not be cumulative considerable, and cumulative impacts would be less than significant.**

(ii) Cumulative On-road Construction Vibration

As discussed above for Project construction impacts, delivery trucks, haul trucks, and other construction vehicles would travel to and from the Project Site throughout the construction period. Structures along the haul route may experience groundborne vibration levels of approximately 0.034 in/sec PPV, below the fragile building damage threshold criterion of 0.12 in/sec PPV. Potential building damage impacts would not be cumulatively considerable, because the haul trucks or construction vehicles from the Related Project sites would not increase the levels of peak vibration beyond the levels from vehicles from the Project itself, due to the distance from the roadways to the

buildings. **Building damage impacts from Project construction traffic would not be cumulatively considerable, and the cumulative impact would be less than significant.**

Delivery trucks, haul trucks, and other construction vehicles may potentially generate human annoyance vibration impacts to sensitive uses along their haul routes that exceed the adopted 72 VdB and 75 VdB human annoyance thresholds, because they would potentially travel within 25 feet of a structure with uses that are sensitive to experiencing human annoyance from vibration. The vibration human annoyance impacts would be cumulatively considerable, because sensitive receptors could be affected by multiple projects if a roadway is used for truck hauling by multiple projects simultaneously, as may be the case with Related Projects 94 and 37. These trucks or construction vehicles from the Related Projects would increase the number of vibration events that exceed the human annoyance threshold per day above those that would occur with the Project alone. **Therefore, human annoyance vibration impacts from Project construction traffic would be cumulatively considerable and significant.**

(c) *Operational Noise*

(i) *Cumulative Operational Period Traffic Noise*

Cumulative traffic noise impacts compare the “future with Project” noise levels which include Related Projects and Project traffic volumes with the “existing no Project” scenario from the non-CEQA portion of the Transportation Assessment (Appendix L3 of this Draft EIR). If the total noise along the affected segment exceeds 70 dB CNEL (within the City’s normally unacceptable” noise compatibility category for noise-sensitive land uses), an increase of +3 dB CNEL in traffic noise (to which the Project would contribute) would also be required for a significant impact, because an increase of less than 3 dB is not perceptible to the human ear in an outdoor environment. Therefore, as discussed previously, a significant impact would occur if a) the Project would contribute to a +5 dB CNEL or greater (readily perceptible) cumulative increase, or b) the total noise along the affected segment also exceeds 70 dB CNEL (within the City’s “normally unacceptable” noise compatibility category for noise-sensitive land uses) as a result of a +3 dB CNEL Project-related noise increase, which would not otherwise occur without the Project’s noise contribution.

As shown in Table IV.1-25, Cumulative Traffic Related Noise Impacts, there are four roadway segments that would experience a cumulative exceedance of +3.0 dBA: East 4th Place east of South Alameda Street, East 7th Street from Mateo Street to South Santa Fe Avenue, East 7th Street east of South Santa Fe Avenue, and Molino Street south of East 4th Street. The cumulative traffic noise increases of 3 dB or more at the 7th Street and Molino Street segments would occur regardless of Project implementation. As the Project

would not substantially contribute to these increases, and the overall roadway noise would be less than the noise levels of the sensitive use “normally unacceptable” noise compatibility category, they are not considered to be significant. With regard to the East 4th Place east of South Alameda Street roadway segment, land uses along this segment are dominated by commercial, industrial, and manufacturing land uses, which are not noise-sensitive land uses. However, Art Share LA, located at the intersection of South Hewitt Street and 4th Place, includes live/work residential units for artists, which is a noise-sensitive land use. Nevertheless, the future with Project traffic noise level along this segment is less than 70 dBA CNEL, which is within the residential use “normally unacceptable” noise compatibility category. In addition, none of the roadway segments would experience a cumulative noise increase of 5 dB or more, nor would any experience *both* a cumulative noise increase of 3 dB or more (a perceptible noise increase) *and* a noise level of above 70 dB CNEL. Therefore, adjacent uses would not be exposed to a significant noise level. The remainder of the cumulative impacts are less than +3.0 dBA and would also be less than significant.

It should be noted that noise levels calculated from traffic volumes are less than measured noise levels, as the measured noise level would pick up other urban background noise sources (e.g., industrial activities, heavy trucks, etc.) that are not accounted for when basing noise on traffic volumes only. Regardless, the calculated noise level is intended to demonstrate the Project contribution, and if ambient noise was higher, it would not adversely affect the net Project-related impact. **Cumulative operational traffic noise impacts would be less than significant.**

**Table IV.I-25
Cumulative Traffic Noise Impacts**

Roadway Segment	Existing Noise Level (dB CNEL)	Existing with Project Noise Level (dB CNEL)	Future with Project Noise Level (dB CNEL)	Cumulative Increase (dB CNEL)	Maximal Project Impact (dB CNEL)	Would Increase Result without Project?	Within "Normally Unacceptable" Noise Compatibility Category?	Significant Impact?
East 1 st Street West of South Vignes Street	66.3	66.3	66.7	0.4	0.0	No	No	No
East 1 st Street South of South Vignes Street	66.8	66.8	67.3	0.5	0.0	No	No	No
South Vignes Street North of 1 st Street	57.2	57.2	57.5	0.3	0.0	No	No	No
South Vignes Street South of 1 st Street	56.7	56.7	57.2	0.5	0.0	No	No	No
East 3 rd Street South Central Avenue to South Alameda Street	66.2	66.3	68.4	2.2	0.1	No	No	No
East 4 th Place East of South Alameda Street	64.5	65.4	68.1	3.6	0.9	Yes	No	No
East 4 th Street West of South Central Avenue	64.8	64.9	66.1	1.3	0.1	No	No	No
East 4 th Street South Central Avenue - South Alameda Street	65.2	65.3	66.4	1.2	0.1	No	No	No
East 4 th Street East of South Alameda Street	67.2	67.4	68.6	1.4	0.2	No	No	No
East 4 th Street West of Merrick Street	66.5	66.8	68.3	1.8	0.3	No	No	No
East 4 th Street East of Merrick Street	69.6	69.8	71.7	2.1	0.2	No	Yes	No
East 6 th Street West of Central Avenue	65.5	65.5	67.6	2.1	0.0	No	No	No

Roadway Segment	Existing Noise Level (dB CNEL)	Existing with Project Noise Level (dB CNEL)	Future with Project Noise Level (dB CNEL)	Cumulative Increase (dB CNEL)	Maximal Project Impact (dB CNEL)	Would Increase Result without Project?	Within "Normally Unacceptable" Noise Compatibility Category?	Significant Impact?
East 6 th Street South Central Avenue - South Alameda Street	66.9	66.9	68.8	1.9	0.0	No	No	No
East 6 th Street South Alameda Street - Mateo Street	66.8	66.8	69.9	3.1	0.0	Yes	No	No
East 6 th Street East of Mateo Street	66.0	66.0	67.2	1.2	0.0	No	No	No
East 7 th Street West of South Central Avenue	64.6	64.6	66.6	2.0	0.0	No	No	No
East 7 th Street South Central Avenue - South Alameda Street	64.6	64.6	66.9	2.3	0.0	No	No	No
East 7 th Street South Alameda Street - Mateo Street	64.5	64.5	67.2	2.7	0.0	No	No	No
East 7 th Street, Mateo Street - South Santa Fe Avenue	64.0	64.0	67.2	3.2	0.0	Yes	No	No
East 7 th Street East of Santa Fe Avenue	64.9	64.8	67.8	2.9	-0.1	No	No	No
East 2 nd Street West of South Alameda Street	61.5	61.5	62.0	0.5	0.0	No	No	No
East 2 nd Street East of South Alameda Street	59.6	59.6	60.5	0.9	0.0	No	No	No
South Central Avenue North of East 3 rd Street	67.1	67.1	67.5	0.4	0.0	No	No	No
South Central Avenue East 3 rd Street - East 4 th Street	68.2	68.2	69.0	0.8	0.0	No	No	No

Roadway Segment	Existing Noise Level (dB CNEL)	Existing with Project Noise Level (dB CNEL)	Future with Project Noise Level (dB CNEL)	Cumulative Increase (dB CNEL)	Maximal Project Impact (dB CNEL)	Would Increase Result without Project?	Within "Normally Unacceptable" Noise Compatibility Category?	Significant Impact?
South Central Avenue East 4 th Street - East 6 th Street	67.6	67.6	68.3	0.7	0.0	No	No	No
South Central Avenue East 6 th Street - East 7 th Street	68.0	68.0	69.3	1.3	0.0	No	No	No
South Central Avenue South of East 7 th Street	68.3	68.3	69.1	0.8	0.0	No	No	No
South Alameda Street North of East 2 nd Street	69.0	69.2	70.6	1.6	0.2	No	Yes	No
South Alameda Street East 2 nd Street - East 3 rd Street	69.1	69.3	70.7	1.6	0.2	No	Yes	No
South Alameda Street East 3 rd Street - East 4 th Street	69.2	69.4	71.2	2.0	0.2	No	Yes	No
South Alameda Street East 4 th Street - East 6 th Street	68.7	68.9	70.9	2.2	0.2	No	Yes	No
South Alameda Street East 6 th Street - East 7 th Street	68.8	69.0	70.4	1.6	0.2	No	Yes	No
South Alameda Street South of East 7 th Street	68.7	68.9	70.3	1.6	0.2	No	Yes	No
Merrick Street North of East 4 th Street	55.1	55.1	55.5	0.4	0.0	No	No	No
Molino Street, South of East 4 th Street	52.5	52.5	59.1	6.6	0.0	Yes	No	No
Mateo Street North of East 6 th Street	58.3	58.4	60.7	2.4	0.1	No	No	No
Mateo Street East 6 th - East 7 th Street	58.6	58.7	60.4	1.8	0.1	No	No	No

Roadway Segment	Existing Noise Level (dB CNEL)	Existing with Project Noise Level (dB CNEL)	Future with Project Noise Level (dB CNEL)	Cumulative Increase (dB CNEL)	Maximal Project Impact (dB CNEL)	Would Increase Result without Project?	Within "Normally Unacceptable" Noise Compatibility Category?	Significant Impact?
South Santa Fe Avenue North of East 7 th Street	62.9	62.8	65.2	2.3	-0.1	No	No	No
South Santa Fe Avenue East 7 th Street - East 8 th Street	65.4	65.3	66.5	1.1	-0.1	No	No	No
South Santa Fe Avenue S of East 8 th Street	66.4	66.4	67.4	1.0	0.0	No	No	No
East Olympic Boulevard West of South Alameda Street	68.1	68.1	69.2	1.1	0.0	No	No	No
East Olympic Boulevard East of South Alameda Street	69.5	69.5	70.7	1.2	0.0	No	Yes	No
South Alameda Street North of East Olympic Boulevard	69.0	69.1	70.5	1.5	0.1	No	Yes	No
South Alameda Street South of East Olympic Boulevard	69.1	69.2	70.4	1.3	0.1	No	Yes	No
South Boyle Avenue North of East 4 th Street	63.2	63.3	63.6	0.4	0.1	No	No	No
South Boyle Avenue East 4 th Street – Whittier Boulevard	64.3	64.3	64.6	0.3	0.0	No	No	No
South Boyle Avenue South of Whittier Boulevard	65.7	65.7	66.0	0.3	0.0	No	No	No
South Soto Street North of East 4 th Street	67.8	67.8	68.1	0.3	0.0	No	No	No

Roadway Segment	Existing Noise Level (dB CNEL)	Existing with Project Noise Level (dB CNEL)	Future with Project Noise Level (dB CNEL)	Cumulative Increase (dB CNEL)	Maximal Project Impact (dB CNEL)	Would Increase Result without Project?	Within "Normally Unacceptable" Noise Compatibility Category?	Significant Impact?
South Soto Street South of East 4 th Street	68.2	68.2	68.6	0.4	0.0	No	No	No
4 th Street West of U.S.-101 NB Off-Ramp	69.0	69.2	70.9	1.9	0.2	No	Yes	No
4 th Street U.S.-101 NB Off-Ramp – Boyle Avenue	68.9	69.0	70.5	1.6	0.1	No	Yes	No
4 th Street Boyle Avenue – I-5 SB Ramps	69.7	69.8	70.8	1.1	0.1	No	Yes	No
4 th Street I-5 SB Ramps – I-5 NB Ramps	69.8	69.8	70.6	0.8	0.0	No	Yes	No
4 th Street I-5 NB Ramps - Soto Street	68.7	68.7	69.3	0.6	0.0	No	No	No
4 th Street East of Soto Street	68.7	68.7	69.1	0.4	0.0	No	No	No
Whittier West of Boyle Avenue	67.7	67.8	68.4	0.7	0.1	No	No	No
Whittier East of Boyle Avenue	67.5	67.5	68.2	0.7	0.0	No	No	No
Source: Giroux & Associates and Envicom Corporation. 2022. Noise and Vibration Impact Analysis for the 4 th and Hewitt Project, Los Angeles. April (Revised). (Appendix J.)								

(ii) *Cumulative Stationary Source Noise Impacts*

As previously addressed, the LAMC limits stationary noise from select items such as HVAC and other rooftop-mounted equipment. Therefore, noise levels from such sources at the Project Site and at the Related Project locations at the property line would be less than significant based on required regulatory compliance. Furthermore, the rooftop-mounted equipment for the Project would be acoustically screened from nearby sensitive uses. **Based on the Project's operational noise levels, the Project design, and requirements of the LAMC, the Project's contribution to stationary source noise impacts would not be cumulatively considerable, and cumulative impacts would be less than significant.**

(d) *Operational Vibration*

(i) *Cumulative Operational Vibration Impacts*

Operational vibration impacts are localized and rarely impact off-site uses. As discussed earlier, the Project would not generate significant vibration levels during operations. Therefore, they would not have the potential to worsen the impact of another project and would therefore not be cumulatively considerable. There are no Related Projects that are close enough to the Project Site and that propose land uses with substantial vibration sources for vibration impacts to be a concern (the Related Projects are generally residential or commercial in nature). **Therefore, the Project's contribution to vibration impacts during operations would not be cumulatively considerable, and cumulative impacts would be less than significant.**

(2) Mitigation Measures

Cumulative off-road construction noise and composite construction noise impacts would be reduced by the LAMC-dictated construction hours and days as well as the Project's implementation of NOI-MM-1. Cumulative vibration damage impacts from off-road construction would be reduced by NOI-MM-2, NOI-MM-3, and NOI-MM-4. There would be no feasible mitigation for cumulative vibration annoyance impacts from on-road vehicular construction. There are no additional mitigation measures that would mitigate cumulative impacts.

(3) Level of Significance After Mitigation

(a) *Cumulative Construction Noise*

Following implementation of NOI-MM-1, cumulative construction-period noise impact at 428 South Hewitt Street associated with off-road construction equipment use would remain significant and unavoidable. Similarly, the Project's composite construction noise

impact from the combined effect of on- and off-road noise sources at three sensitive receptor locations (428 South Hewitt Street, 442 Colyton Street, and 449 South Hewitt Street) would be significant and unavoidable. Cumulative noise from on-road vehicular construction trips would be less than significant without mitigation.

(b) Cumulative Construction Vibration

Cumulative construction vibration damage impacts from off-road equipment at 427 South Hewitt Street would be less than significant without mitigation. Cumulative construction damage impacts from on-road vehicular construction trips would be less than significant without mitigation. The cumulative vibration impact related to human annoyance from off-road construction equipment would be less than significant without mitigation. The cumulative vibration impact related to human annoyance from on-road vehicular construction trips would be significant and unavoidable.

(c) Cumulative Operational Noise

Cumulative impacts related to noise from traffic and off-road stationary equipment during operations are cumulatively less than significant without mitigation.

(d) Cumulative Operational Vibration

Cumulative impacts related to vibration during operations are cumulatively less than significant without mitigation.

IV. Environmental Impact Analysis

J. Population and Housing

1. Introduction

This section analyzes the potential effects of the Project's contribution to population and housing growth within the geographical boundaries of the City of Los Angeles (City), taking into account population and housing policies established in the Central City North Community Plan (Community Plan). Project effects on these demographic characteristics are compared to adopted and growth forecasts and relevant policies and programs regarding planning for future development to determine whether the Project would be inconsistent with adopted growth forecasts in a way that could result in negative environmental effects associated with unplanned growth. Supporting documentation including calculations of cumulative growth is provided in Appendix A4, Related Projects, of this Draft Environmental Impact Report (EIR). To evaluate impacts related to population and housing associated with construction and operation of the Project, information from the United States Census Bureau's American Community Survey (ACS) and the Southern California Association of Governments' (SCAG) population, housing, and employment growth forecasts for the City were used. Potential growth-inducing impacts of the Project are further addressed in Chapter V, Other California Environmental Quality Act (CEQA) Considerations.

2. Environmental Setting

a) Regulatory Framework

There are several plans, policies, and programs regarding Population and Housing at the State of California (State), regional, and local levels. Described below, these include:

- The Sustainable Communities and Climate Protection Act of 2008 (California Senate Bill 375, Steinberg)
- Southern California Association of Governments' Regional Transportation Plan/Sustainable Communities Strategy
- City of Los Angeles General Plan, including:
 - Framework Element
 - Community Plan

- Los Angeles Municipal Code (LAMC)

- (1) State

- (a) *The Sustainable Communities and Climate Protection Act of 2008 (California Senate Bill 375, Steinberg)*

Senate Bill (SB) 375 focuses on aligning transportation, housing, and other land uses to achieve regional greenhouse gas (GHG) emission reduction targets established under the California Global Warming Solutions Act, also known as Assembly Bill (AB) 32. SB 375 requires Metropolitan Planning Organizations (MPOs) to develop a Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan (RTP), with the purpose of identifying policies and strategies to reduce per capita passenger vehicle-generated GHG emissions. As set forth in SB 375, the SCS must: (1) identify the general location of land uses, residential densities, and building intensities within the region; (2) identify areas within the region sufficient to house all the population of the region, including all economic segments of the population, over the course of the planning period; (3) identify areas within the region sufficient to house an eight-year projection of the regional housing need; (4) identify a transportation network to service the regional transportation needs; (5) gather and consider the best practically available scientific information regarding resource areas and farmland in the region; (6) consider the State housing goals; (7) establish the land use development pattern for the region that, when integrated with the transportation network and other transportation measures and policies, will reduce GHG emissions from automobiles and light-duty trucks to achieve GHG emission reduction targets set by the California Air Resources Board (CARB), if there is a feasible way to do so; and (8) comply with air quality requirements established under the Clean Air Act.

As discussed further below, on September 3, 2020, SCAG adopted its Connect SoCal: The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS), which is an update to the previous 2016 RTP/SCS.¹ Using growth forecasts and economic trends, the RTP/SCS provides a vision for transportation throughout the region for the next 25 years that achieves the statewide reduction targets; and in so doing identifies the amount and location of growth expected to occur within the region.

- (2) Regional

- (a) *Southern California Association of Governments' Regional Transportation Plan/Sustainable Communities Strategy*

The City is located within the jurisdiction of SCAG, a Joint Powers Agency established under California Government Code Section 6502 et seq. Pursuant to federal and State

¹ SCAG. 2020. Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy. Adopted September 3.

law, as discussed above, SCAG serves as a Council of Governments, a Regional Transportation Planning Agency, and the MPO for Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial Counties. SCAG's mandated responsibilities include developing plans and policies with respect to the region's population growth, transportation programs, air quality, housing, and economic development. Specifically, SCAG is responsible for preparing the RTP/SCS and the Regional Housing Needs Assessment, in coordination with other State and local agencies. These documents include population, employment, and housing projections for the region and its 15 subregions. The City is located within the Los Angeles Subregion.

SCAG is tasked with providing demographic projections for use by local agencies and public service and utility agencies in determining future service demands. Projections in the SCAG RTP/SCS serve as the basis for demographic estimates in this analysis of Project consistency with growth projections. The findings regarding growth in the region are consistent with the methodologies prescribed by SCAG and reflect SCAG goals and procedures.

SCAG data is periodically updated to reflect changes in development activity and actions of local jurisdictions (e.g. zoning changes). Through these updates, public agencies have advance information regarding changes in growth that must be addressed in planning for their provision of services. Changes in the growth rates are reflected in the new projections for service and utilities planning through the long-term time horizon.

Pursuant to Government Code Section 65080(b)(2)(B), SCAG must prepare a RTP/SCS which (1) identifies the general location of uses, residential densities, and building intensities within the region; (2) identify areas within the region sufficient to house all the population of the region over the course of the planning period of the regional transportation plan taking into account net migration into the region, population growth, household formation and employment growth; (3) identify areas within the region sufficient to house an eight-year projection of the regional housing need for the region pursuant to Government Code Section 65584; (4) identify a transportation network to service the transportation needs of the region; (5) gather and consider the best practically available scientific information regarding resource areas and farmland in the region; and (6) consider the State housing goals specified in Sections 65580 and 65581, (7) set forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce the GHG emissions from automobiles and light trucks to achieve the GHG reduction targets approved by the State Board, and (8) allow the RTP to comply with air quality conformity requirements under the federal Clean Air Act.

On September 3, 2020, SCAG's Regional Council adopted the Connect SoCal 2020–2045 RTP/SCS. On October 30, 2020, CARB accepted SCAG's determination that the SCS would achieve GHG emission reduction targets. The 2020-2045 RTP/SCS meets

federal and State requirements and is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The RTP/SCS contains baseline socioeconomic projections that serve as the basis for SCAG's transportation planning. It includes projections of population, households, and employment forecasted for the years 2020, 2030, 2035, and 2045 at the regional, county, and local jurisdictional levels, and Traffic Analysis Zones (TAZ) that provide small area data for transportation modeling. However, TAZ-level projections are utilized by SCAG for regional modeling purposes and are not adopted as part of the 2020-2045 RTP/SCS nor included as part of the Forecasted Regional Development Pattern.²

(3) Local

(a) *City of Los Angeles General Plan*

The City of Los Angeles General Plan (General Plan) was prepared pursuant to State law to guide future development and to identify the community's environmental, social, and economic goals. The General Plan sets forth goals, objectives, and programs to provide a guideline for day-to-day land use policies and to meet the existing and future needs and desires of the community, while at the same time integrating a range of State-mandated elements including Transportation, Noise, Safety, Housing, Open Space/Conservation, and Environmental Justice. The General Plan also includes the General Plan Framework Element (Framework Element), discussed below, and the Community Plan, which guides land use at the level of the community plan area.

(i) *General Plan Framework Element*

The Framework Element sets forth a citywide comprehensive long-range growth strategy and defines citywide policies regarding land use, housing, urban form, neighborhood design, open space and conservation, economic development, transportation, infrastructure, and public services.³ Framework Element land use policies are implemented at the community level through the City's Community Plans and Specific Plans.

The Framework Element also includes population, housing, and employment projections to guide future Community Plan amendments. However, the Framework Element makes clear that its population forecasts are estimates for guiding amendments: "... it [Framework Element] is not dependent upon these population levels or distributions for

² SCAG. 2020. Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, Demographics and Growth Forecast Technical Report, Page 27. Adopted September 3.

³ City of Los Angeles, Department of City Planning. 2001. Citywide General Plan Framework Element. Originally adopted by City Council on December 11, 1996 and re-adopted on August 8.

its implementation. It does not mandate specific levels of growth for any specific area (neither minimums nor caps).”⁴

(ii) *Community Plan*

The General Plan Land Use Element (Land Use Element) includes 35 community plans. Community plans are intended to provide an official guide for future development and propose approximate locations and dimensions for land use. The community plans establish standards and criteria for the development of housing, commercial uses, and industrial uses, as well as circulation and service systems. The community plans implement the Framework Element at the local level. The community plans consist of both text and an accompanying generalized land use map. The community plans’ texts express goals, objectives, policies, and programs to address growth in the community. The community plans’ maps depict the desired arrangement of land uses as well as street classifications and the locations and characteristics of public service facilities. Per State law, each community plan must be consistent with the other elements and components of the General Plan and, thus, incorporates information from these plans.

The Project Site is located within the Central City North Community Plan area, which was adopted on December 15, 2000 and is further divided into seven subareas, each with its own character. As described in Chapter III, Environmental Setting, the Project Site is located in two overlapping subareas of the Community Plan area: the Artists-in-Residence District and the South Industrial subarea. The Artists-in-Residence District identifies the high concentration of artists that work and reside in the area. The South Industrial subarea industrial uses include Union Pacific and Burlington Northern Santa Fe railways that connect to the Ports of Los Angeles and Long Beach. Although not a specific land use district or subarea of the Community Plan, the Project Site is also located in the Arts District, which is generally bounded by 1st Street to the north, Alameda Street to the west, the Los Angeles River to the east, and 7th Place/Violet Street to the south.

The Community Plan includes residential, commercial, and industrial objectives that establish a development concept for its neighborhoods and districts. As the Project Site is not located on a site designated for residential uses and currently includes no residential uses, and as the Project proposes no residential uses, the Community Plan goals, objectives, and policies related to housing growth do not apply to the Project. The Community Plan objectives that relate to commercial and industrial growth and apply to the Project include:

⁴ City of Los Angeles, Department of City Planning. 2001. Citywide General Plan Framework Element, Page 2-2. Originally adopted by City Council on December 11, 1996 and re-adopted on August 8.

Commercial

- Objective 2-1: To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services.
- Objective 2-2: To attract uses which strengthen the economic base and expand market opportunities for existing and new businesses.

Industrial

- Objective 3-1: To provide for existing and future industrial uses which contribute job opportunities for residents and which minimize environmental and visual impacts to the community.
- Objective 3-2: Encourage the continued development and maintenance of the artists-in-residence community in industrial areas of the proposed redevelopment plan areas and of the plan, as appropriate.
- Objective 3-3: To retain industrial plan designations to maintain the industrial employment base for community residents and to increase it whenever possible.⁵

(iii) Community Plan Update

The City of Los Angeles Department of City Planning (Department of City Planning) is in the process of drafting updates to the 35 Community Plans, which provide a collective vision for each Community Plan Area. Although a Community Plan Update may not be formally adopted by the City Council it nonetheless discussed here to inform the public regarding future plans for the Community Plan area. Once adopted, a Community Plan Update will supersede the existing Community Plan for the respective Community Plan Area.

The Department of City Planning is in the process of updating the Central City and Central City North Community Plan. The Downtown Community Plan will combine the Central City and Central City North Community Plan areas and will guide development through the year 2040, providing strategies to promote compact development and increase mobility options by planning for more jobs, housing, and amenities in close proximity to transportation resources and each other. The Downtown Community Plan will promote sustainable growth through the following core principles that represent its long-term priorities:⁶

⁵ City of Los Angeles, Department of City Planning. 2000. Central City North Community Plan. Adopted December 15.

⁶ City of Los Angeles, Department of City Planning. 2021. Downtown Community Plan – Draft Plan Adoption Pending. Spring (Proposed Draft).

- Accommodate anticipated growth in an inclusive, equitable, sustainable, and healthy manner;
- Support and sustain Downtown's Ongoing Revitalization;
- Reinforce Downtown's jobs orientation;
- Grow and support the residential base;
- Strengthen neighborhood character;
- Promote a transit, bicycle, and pedestrian-friendly environment;
- Strengthen neighborhood character;
- Create linkages between districts; and
- Create a world-class public realm.

As currently drafted, the Downtown Community Plan designates the Project Site as Hybrid Industrial, which would allow for hybrid industrial mixed uses, creative office space, live/work units, and production activity uses. The Hybrid Industrial areas are planned to emphasize new construction that includes spaces for employment.⁷

(b) Los Angeles Municipal Code (LAMC)

Zoning regulations provide for the types and densities of commercial, institutional, industrial, and residential uses permitted in each of the City's zones. Zoning in the City establishes the maximum allowable development in a zone. Zoning also includes height limitations and other development standards which together regulate setbacks, building heights, floor area ratios (FAR), open space and parking for each parcel within the City, as applicable.

The LAMC is currently undergoing a comprehensive update to all Zoning Code sections as part of the re:code LA effort. re:code LA, which started in 2013, will update the Zoning Code to make the code more streamlined, visual, and easy to use. The existing Zoning Code will continue to be located in Chapter 1 of the Los Angeles Municipal Code, while the New Zoning Code will be located in a new Chapter 1A of the LAMC.

b) Existing Conditions

(1) Project Site Land Uses

The Project Site consists of six contiguous parcels totaling approximately 57,103 square feet, or 1.31 acres, in size. The Project Site currently consists of an existing building that was formerly occupied by the A+D Museum and ancillary storage space associated with

⁷ As of the date of this Draft EIR, the City Planning Commission recommended approval of the Downtown Community Plan and new Zoning Code (September 23, 2021). City Planning is in the process of preparing and publishing the Final EIR, the City Planning Commission's Letter of Determination, and the Recommended Community Plan and Zoning Code. Each of these components will be considered by the City Council's Planning and Land Use Management (PLUM) Committee, and then by the City Council.

that building, a one-story office building and related garage/storage space, and surface parking lots. Based on information provided by the Applicant, the Project Site currently supports attendants at the pay-to-park parking lot and office employees, and, until recently, it also supported three employees associated with the museum use.⁸ The office is in use during regular business hours with eight employees. The parking lot is open 24 hours per day and seven days per week and has one attendant.

(2) Population, Housing, and Employment Estimates

SCAG adopted the 2020-2045 RTP/SCS in September 2020. According to the 2020-2045 RTP/SCS, SCAG projects that, within the current RTP/SCS planning horizon of 2016 through 2045, the region will add 3.7 million residents, 1.6 million households, and 1.7 million jobs.⁹ The 2020 RTP/SCS published population, household, and employment information for the years 2016 and 2045 for each city and county within the SCAG jurisdiction, including the City. Project impacts are analyzed at the citywide level in the context of current and projected population, housing, and employment estimates from the 2020-2045 RTP/SCS.¹⁰ In addition, data from the current draft of the Downtown Community Plan Draft EIR (August 2020) is also provided later in this analysis to show the Project's impact relative to more localized population, housing, and employment growth. Once adopted, the Downtown Community Plan will replace the Central City North Community Plan as the guiding land use planning document for the Project Site. As the Downtown Community Plan (June 2021) and Draft EIR are only available in draft form as of the date of this Draft EIR, the Downtown Community Plan figures are provided for informational purposes only.

SCAG forecasts these numbers by considering information from several sources, such as the California Department of Finance, the Census data, and the California Employment Development Department. Table IV.J-1, Growth Estimates for the City and Downtown Community Plan Area includes current projected 2017 baseline, 2025 Project buildout year, and SCAG horizon year 2045 estimates for population, housing, and employment within the City and Downtown Community Plan Area.

⁸ At the time the Project Application was filed and when the Notice of Preparation and Initial Study were circulated for public comment, the CEQA baseline for an EIR analysis, the existing building on Colyton Street was occupied by the A+D Museum. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. Therefore, the most recent historic figures for the museum space are included as existing employees and are assumed to be similar for the anticipated future use in this analysis.

⁹ SCAG. 2020. Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy. Demographics and Growth Forecast Technical Report, Tables 13 and 14. Adopted September 3.

¹⁰ SCAG. 2020. Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy. Demographics and Growth Forecast Technical Report, Tables 13 and 14. Adopted September 3.

**Table IV.J-1
Growth Estimates for the City and Downtown Community Plan Area**

Growth and Geographic Area	2017 Baseline ^{c,d}	Project Buildout Year (2025)			SCAG Horizon Year (2045)		
		Projection ^{c,d}	Growth from 2017	Percent Increase from 2017	Projection ^{c,d}	Growth from 2017	Percent Increase from 2017
Population							
City of Los Angeles ^a	3,962,679	4,193,714	231,034	6%	4,771,300	808,621	20%
Downtown Community Plan ^{b, e}	76,000	137,217	61,217	81%	290,261	214,261	282%
Employment							
City of Los Angeles	1,858,217	1,937,555	79,338	4%	2,135,900	277,683	15%
Downtown Community Plan ^e	219,000	248,913	29,913	14%	323,696	104,696	48%
Housing							
City of Los Angeles	1,381,690	1,499,207	117,517	9%	1,793,000	411,310	30%
Downtown Community Plan ^e	34,000	68,432	34,432	101%	154,512	120,512	354%
<p>^a SCAG. 2020. Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy. Demographics and Growth Forecast Technical Report, Tables 13 and 14. Adopted September 3.</p> <p>^b City of Los Angeles, Department of City Planning. 2020. Downtown Community Plan Update/New Zoning Code for Downtown Community Plan. Draft EIR, Section 4.12 Population, Housing and Employment. August.</p> <p>^c Population, housing and employment rate data for years 2017 (the baseline year) and 2025 (the anticipated buildout year of the Project) within the City are calculated based on a linear interpolation of the 2016 to 2045 projections in SCAG's 2020-2045 RTP/SCS. The 2045 population, employment, and housing estimates for the City are based on the 2020-2045 RTP/SCS.</p> <p>^d Population, housing and employment rate data for years 2017 (the baseline year) and 2025 (the anticipated buildout year of the Project) within the Downtown Community Plan Area are calculated based on a linear interpolation of the 2017 to 2040 projections in the Downtown Community Plan Update. The Downtown Plan only shows up to the year 2040; therefore, the 2045 population, employment, and housing estimates are calculated using the same consistent rate from years 2017 to 2040 and are applied to 2025.</p> <p>^e Growth projections assume adoption of the Downtown Community Plan. As of the date of this Draft EIR, the City Planning Commission recommended approval of the Downtown Community Plan and new Zoning Code (September 23, 2021). City Planning is in the process of preparing and publishing the Final EIR, the City Planning Commission's Letter of Determination, and the Recommended Community Plan and Zoning Code. Each of these components will be considered by the City Council's PLUM Committee, and then by the City Council. Using the 2017 baseline projections of the Downtown Community Plan results in more conservative growth estimates than by forecasting growth based on the Community Plan/Framework Element projections). By comparison, the 2010 projections included in the Framework Element were a population of 38,840; 41,855 employees; and 7,481 residential units. When using a linear interpolation for growth based on the Framework Element projections (Table 2-2), the 2017 projections for the Community Plan area would be a population of 52,504; 46,853 employees; and 10,281 residential units, which would all fall below the Downtown Community Plan projections shown in this table for 2017 (and therefore, for all subsequent years).</p>							
<p>Note: Estimates are rounded.</p>							

3. Project Impacts

a) Thresholds of Significance

In accordance with Appendix G of the CEQA Guidelines, the Project would have a significant impact in regard to population and housing if it would:

Threshold a): Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); or

Threshold b): Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

For this analysis, the Appendix G Thresholds are relied upon. The analysis utilizes factors and considerations identified in the City's 2006 L.A. CEQA Thresholds Guide (L.A. CEQA Thresholds Guide), as appropriate, to assist in answering the Appendix G threshold questions. The factors to evaluate population and housing impacts include:

Population and Housing Growth

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

b) Methodology

The following population and housing analysis is based on the applicable regulations and thresholds of significance described in the preceding sections. As the Project would not develop residential land uses or directly generate a residential population, the analysis focuses on the employee growth that would occur in the SCAG region, citywide, and in the Downtown Community Plan area as a result of Project implementation. Employment during construction of the Project is based on the construction workforce numbers generated by Gibson Transportation Consulting, Inc. (refer to Appendix L1, Transportation Impact Study, of this Draft EIR). The employees of the Project during operations are also based on information provided by Gibson Transportation Consulting, Inc.; however, the number of existing employees at the Project are accounted for here; therefore, a net increase in employees as a result of the Project is conveyed in this

analysis. As described in Table IV.J-1, Growth Estimates for the City and Downtown Community Plan Area, growth rates for citywide and Downtown Community Plan area population, housing, and employment in the baseline year of 2017 and buildout year of 2025 are interpolated from the 2016 and 2045 projections in the SCAG 2020-2045 RTP/SCS, projections from the Downtown Community Plan Draft EIR (August 2020) are also utilized (until adopted, the existing Community Plan continues to represent the applicable Land Use Element of the General Plan; however, the projections of the Downtown Community Plan Draft EIR are more recent).

c) Project Design Features

No specific project design features are proposed with regards to population or housing.

d) Analysis of Project Impacts

Threshold a): Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

(1) Impact Analysis

(a) Construction

Development of the Project would require a construction workforce between 2022 and 2025. During peak construction activity, the workforce would number approximately 150 construction workers. These workers operate on a temporary job to job basis and may work on several projects within a specific timeframe, depending on the demand for their particular skill (i.e., excavator operator, electrician, or plumber). Given the short-term and mobile nature of construction work and the fact that the labor pool in Los Angeles and surrounding communities is extensive, it is unlikely that construction workers would relocate from outside the region in order to construct the Project. As the Project would draw from the existing available construction labor pool, there would be no significant housing or population impacts from construction of the Project. **Therefore, Project construction would not induce substantial population growth directly or indirectly in the Project area, and impacts would be less than significant.**

(b) Operation

As previously described, the 2020-2045 SCAG RTP/SCS provides citywide population, housing, and employment data for 2016 and 2045. Table IV.J-1, Growth Estimates for the City, above, summarized the 2016 and 2045 figures, and presents interpolated data based on the 2016 and 2045 SCAG RTP/SCS data to arrive at 2017 baseline projections,

as well as projections for 2025, the buildout year of the Project. The Downtown Community Plan presents interpolated data based on the years 2017 to 2040 to arrive at projections for 2025 and 2045. As shown, the City, Downtown Community Plan area, and SCAG region will experience increases in population, housing, and employment between the baseline year, the time of Project buildout, and SCAG's Horizon Year.

The Applicant is requesting a General Plan Amendment, Vesting Zone Change, and Height District Change to construct and operate the Project. The General Plan Amendment would change the current land use designation from Heavy Industrial, as identified in the current Community Plan, to Regional Center Commercial, which would permit a variety of commercial and residential uses. The Vesting Zone Change would change the current zone from Manufacturing (M3), to Commercial (C2), which would allow for the proposed range of commercial uses. The Height District Change would change the current Height District from Height District No. 1 to Height District No. 2, which would increase the maximum allowable floor area ratio. The approval of these requests would increase the intensity of development on the Project Site, leading to a net increase in employment of 1,270 jobs. However, the Project does not include housing and would not generate a residential population. The Project would result in employment opportunities, which are calculated in Table IV.J-2, Employees Generated by the Project, below.

Table IV.J-2
Employees Generated by the Project

Land Use Type	Number of Employees
Existing Site Employees to Remain with the Project	
Museum ^a	3
Existing Site Employees Associated with Land Uses to be Demolished	
Office and Surface Parking Lots	9
<i>Total Existing Employees</i>	<i>12</i>
Proposed Employees	
Museum ^a	3
Commercial Office and Restaurant	1,279
<i>Total Proposed Employees</i>	<i>1,282</i>
Net Increase in Employees at the Project Site	1,270
Source for Project (Office and Restaurant) Employee Generation: Gibson Transportation Consulting, Inc. 2022. Transportation Impact Study for the 4 th and Hewitt Project. April (Revised) (Appendix L1.)	
Note: ^a At the time the Project Application was filed and the Notice of Preparation and Initial Study were circulated for public review, the commercial space was occupied by the A+D Museum that employed three people. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. Therefore, it is reasonably foreseeable that the number of proposed employees would be the same.	

The Project's employment is compared to the Downtown Community Plan area, citywide, and SCAG projections for employment in Table IV.J-3, Employment Impact of the Project. As shown, the Project would provide employment opportunities, that, at the Downtown Community Plan area level, would account for a negligible amount (four percent) of the employment growth that the Downtown Community Plan forecasts to occur through 2025, the Project buildout year. In addition, at the City level, the Project employment would account for an even smaller percentage (two percent) of the employment growth that SCAG forecasts to occur through 2025, the Project buildout year. Further, SCAG's growth projections estimate that the region will add 1.7 million jobs over the 2016 through 2045 RTP/SCS planning horizon. The Project would represent only 0.08 percent of the projected regional employment growth through 2045. (As described in Table IV.J-1, data for years 2017 [the Project baseline year] and 2025 [the anticipated buildout year of the Project] are calculated based on linear interpolations of the 2016 to 2045 projections in SCAG's 2020-2045 RTP/SCS.)

Table IV.J-3
Employment Impact of the Project

Geographic Area	Net Increase in Employees Generated by the Project	Employment Growth from 2017-2025	Project's Percentage of Employment Growth from 2017-2025
Downtown Community Plan Area ^a	1,270	29,913	4%
City of Los Angeles ^b	1,270	79,338	2%
SCAG ^b	1,270	457,931	0.3%
Geographic Area	Net Increase in Employees Generated by the Project	Employment Growth from 2017-2045^c	Project's Percentage of Employment Growth from 2017-2045
Downtown Community Plan Area	1,270	104,696	1%
City of Los Angeles ^b	1,270	277,683	0.5%
SCAG	1,270	1,545,518	0.08%
^a Source: City of Los Angeles, Department of City Planning. 2020. Downtown Community Plan Update/New Zoning Code for Downtown Community Plan. Draft EIR, Section 4.12 Population, Housing and Employment. August.			
^b Source: SCAG. 2020. Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy. Demographics and Growth Forecast Technical Report, Tables 13 and 14. Adopted September 3.			
^c The Downtown Community Plan only shows up to the year 2040, and therefore the 2045 employment estimates are calculated using the same consistent rate from years 2017 to 2040 and applied to 2045.			

(i) *Substantial Unplanned Growth Relative to SCAG 2020-2045 RTP/SCS Projections*

The 2020-2045 RTP/SCS growth projections are initially based on a set of national employment forecasts. As part of the 2020-2045 RTP/SCS process, draft growth forecasts were circulated by SCAG to local jurisdictions for their review and input. Local input was mainly based on the existing general plan of the local jurisdiction, in this case, the City.¹¹ As stated above, the Project would require a General Plan Amendment and Zone Change, which are considered to be alterations to the General Plan and LAMC. Since SCAG data, which is utilized to project employee growth, is based on General Plan projections, a General Plan Amendment (as well as Zone Change and Height District Change) indicate unplanned employment growth. However, the employment growth of the Project would not represent substantial unplanned growth in the SCAG region, as the Project would only account for 0.3 percent of regional SCAG employment growth to 2025 (the Project buildout year) and only 0.08 percent of regional SCAG employment growth to 2045 (the RTP/SCS horizon year). Further, although the Project would add jobs to the area, it is not anticipated to draw employees from outside the SCAG region (which would contribute to unplanned growth in the SCAG region if it were to occur). It is also important to note that, as it is currently planned/zoned for industrial/manufacturing uses, the SCAG assumed some employment growth for the Project Site in the RTP/SCS (albeit, it would have been less than that provided with the Project, due to the reduced intensity of uses without the General Plan Amendment and Zone Change). Lastly, the Project would not add housing to the Project Site; therefore, it would not introduce a new permanent residential population to the SCAG region. **As such, the Project would result in a less-than-significant impact related to substantial unplanned growth based on SCAG 2020-2045 RTP/SCS growth projections.**

(ii) *Substantial Unplanned Growth Relative to Citywide and Downtown Community Plan Projections*

As stated above, the Project would require a General Plan Amendment, Zone Change, and Height District Change, which are considered to be alterations to the General Plan. SCAG data, which is utilized to project employee growth as shown above, is based on general plan projections; therefore, the General Plan Amendment and related discretionary actions requested by the Project indicate unplanned employment growth. However, the employment growth of the Project would not represent substantial unplanned growth at the citywide or Downtown Community Plan levels, as the Project would only account for four percent of the Downtown Community Plan area employment growth through 2025 and two percent of the citywide employment growth through 2025.

¹¹ Southern California Association of Governments. 2020. Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy. Demographics and Growth Forecast Technical Report. Adopted September 3.

In addition, the Project would only account for one percent of the Downtown Community Plan area employment growth through 2045 and 0.5 percent of citywide employment growth through 2045. Further, as the Project would not add housing to the Project Site, it would not introduce a new permanent residential population to the area or SCAG region. Although the Project would contribute to unplanned growth in the City and Downtown Community Plan area to a minimal extent, the unplanned growth would not be substantial. **Therefore, the Project would result in a less-than-significant impact related to substantial unplanned growth based on citywide and Downtown Community Plan projections.**

(iii) *Infrastructure*

Unplanned growth may occur indirectly in cases where utility infrastructure is extended to a previously undeveloped area that would require such infrastructure in order to support new land uses. However, the Project Site is located in an urban area that is served by existing roads and utility infrastructure, including water mains, electrical lines, natural gas lines, telephone lines, sewer mains, and storm drains. The Project would not require the construction of infrastructure extensions that could result in substantial, unplanned population growth that exceeds growth forecasts or accelerates growth in an undeveloped area, resulting in adverse effects on the environment. Minor utility connections or improvements that may be necessary to serve the Project would occur in previously disturbed areas (i.e., within the urban infill Project Site and adjacent roadways). **Therefore, the Project would result in no impact related to substantial unplanned growth resulting from infrastructure development.**

(2) Mitigation Measures

Project impacts related to substantial unplanned growth at the SCAG, citywide, and Downtown Community Plan levels are less than significant without mitigation. The Project would result in no impact related to substantial unplanned growth from infrastructure development. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project impacts related to substantial unplanned growth at the SCAG, City, and Downtown Community Plan levels were determined to be less than significant without mitigation, and the Project would result in no impact related to substantial unplanned growth from infrastructure development. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold b): Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

As discussed in Section V.A, Impacts Found not to be Significant and, in the IS (Appendix A2, Initial Study), the Project would not displace an existing residential population. **Therefore, the Project would have a less-than-significant impact with respect to population or housing displacement. No further analysis of this topic is required.**

e) Cumulative Impacts

(1) Impact Analysis

This cumulative impact analysis addresses the impacts of known and anticipated development in the Project Site vicinity, in combination with the Project, with respect to projected amounts and distribution of population, housing, and employment. A total of 137 Related Projects are identified in Chapter III, Environmental Setting. As detailed in Chapter III, the Related Projects generally consist of mixed-use, infill redevelopments that are comprised predominately of residential, commercial (such as hotel, restaurant, bar, and retail), and office spaces. To a lesser extent, some Related Projects include industrial, sports complex, museum, school, and day care uses.

The employee numbers generated by the Related Projects are provided in Table IV.J-4, Employee Estimates for Related Projects, below. It should be noted that the cumulative employee estimate is conservative, as the calculations for cumulative development projects do not necessarily reflect the numbers of employees associated with existing development that would be replaced by new projects, some of the Related Projects will not be developed or may be approved at reduced densities (with associated reductions in employee numbers), and other Related Projects may not be operational until after the 2020-2045 RTP/SCS planning horizon year of 2045.

**Table IV.J-4
Employee Estimates for Related Projects**

Land Use	Area (Square Feet [sf]) ^a	Employee Generation Factor ^b	Employee Estimate
Office, Live/Work Office, Creative Office, Meeting Space, and Medical Office	14,349,665	0.00431	61,847
Commercial and Retail ^c	4,581,890	0.00271	12,417
Hotel	2,124,000	0.00113	2,400
Museum and Cultural Center	94,140	0.00271	255
Industrial	100,368	0.00352	353
Sports Complex and Event Space	834,030	0.00271	2,260
Art and Production Space	52,426	0.00271	142
School	118,389 ^e	0.00271	321
Correctional Facility	N/A	N/A	50 ^d
Other Miscellaneous Uses, including Pharmacy/Drugstore, Child Care, Community Space, Data Center, Flex, Other, Observation	507,052	0.00271	1,374

Land Use	Area (Square Feet [sf]) ^a	Employee Generation Factor ^b	Employee Estimate
Deck, Bus Facility, and Combined Office/Retail/Restaurant/ Market			
Total			81,419
<p>^a The methodology used to calculate areas for the Related Project land uses is conveyed in Chapter III, Environmental Setting.</p> <p>^b Employee Generation Rates: Schoolworks, Inc. 2020. 2020 Development School Fee Justification Study, Los Angeles School District. March.</p> <p>^c Includes the private club space of 24,000 sf, and the following two miscellaneous/flex uses: 27,500 sf of commercial space and 153,000 sf of retail space.</p> <p>^d Fehr and Peers. 2017. Consolidated Correctional Treatment Facility Transportation Impact Analysis. August.</p> <p>^e Three Related Projects include a school use: Related Project 123 – 29,300 sf, Related Project 20 – 532 students, and Related Project 131 – 625 students. Based on the California Department of Education’s Guide to School Site Analysis and Development, Building Area per Pupil (available at: https://www.cde.ca.gov/ls/fa/sf/guideschoolsite.asp, and accessed April 22, 2021), the size of schools is calculated at 59 sf/pupil for kindergarten through grade six; at 80 sf/pupil for grades seven and eight; and at an average of 92 sf/pupil for grades nine through twelve. For the three types of schools: 59 + 80 + 92 = 231/3, an average of 77 sf/pupil is required. 532 students would require a 40,964-sf school and 625 students would require 48,125 sf. The three schools total 118,389 sf.</p> <p>Note: Results are rounded.</p>			

Based on available data, the Project’s net increase in Project Site employees, in combination with all of the Related Project employees, would add 82,689 employees to the City. Employee numbers in the City are expected to grow by 79,338 employees between 2017 and 2025, and by 277,683 through 2045, as shown in Table IV.J-1, Growth Estimates for the City and Downtown Community Plan area. For the cumulative impact analysis, employee projections at year 2045 are the focus of the evaluation, as the timing of development is uncertain and Related Projects may not be operational until after the 2020-2045 RTP/SCS planning horizon year of 2045. The Project, in combination with Related Projects, would represent approximately 30 percent of the City’s employee growth in 2045 and approximately 79 percent of the Downtown Community Plan’s employee growth in 2045.

Cumulatively, the Project and Related Projects would represent a substantial amount of the employment growth that is anticipated to occur in the City and Downtown Community Plan area to 2045. However, as described in the Downtown Community Plan Draft EIR, Section 4.12, Population, Housing, and Employment (August 2020), the Downtown Community Plan is specifically intended to accommodate a high proportion of citywide population, housing, and employment growth due to its proximity to existing and future transit opportunities, and it would not cause an exceedance of the overall Citywide growth projection for the City. Nevertheless, where Related Projects require a General Plan Amendment and other requests for discretionary actions not accounted for in the Downtown Community Plan, they would represent unplanned growth, that, when combined, would be substantial. However, the Project’s increment of the cumulative

employment growth in the City and Downtown Community Plan area would not be substantial, despite the Project's request for a General Plan Amendment, Zone Change, and Height District Change. The Project would represent 0.4 percent of the combined City and Related Project employment growth in 2045 and 0.7 percent of the combined Downtown Community Plan area and Related Project employment growth in 2045. Therefore, the Project's contribution to cumulative impacts regarding substantial unplanned growth would not be cumulatively considerable, and cumulative impacts would be less than significant.

Furthermore, like the Project, the Related Projects represent urban infill development within the City. Therefore, the Related Project sites are also served by existing roads, utility infrastructure, and public services (i.e., fire and police protection services, schools, libraries, parks, hospitals, and airports). Without the necessity for extending new infrastructure, utilities, and public services to areas that are not currently served, the Project and Related Projects would not encourage or facilitate unplanned growth and therefore would not contribute to substantial unplanned growth resulting from infrastructure development.

As such, the Project's contribution to cumulative impacts regarding substantial unplanned growth would not be cumulatively considerable, and cumulative impacts would be less than significant.

(2) Mitigation Measures

Project impacts related to population and housing would be less than significant and no mitigation measures are required. The Project's contribution to cumulative population and housing impacts is also less than significant. Thus, no additional mitigation measures are required for cumulative impacts.

(3) Level of Significance After Mitigation

The Project's population and housing impacts would be less than significant. The Project's incremental impact to population and housing impacts is cumulatively less than significant.

IV. Environmental Impact Analysis

K.1 Public Services – Fire Protection Services

1. Introduction

This section of the Draft Environmental Impact Report (EIR) evaluates whether new or physically altered fire facilities would be required to provide fire protection services to the Project, the construction of which could cause significant environmental impacts. The analysis includes a description of the existing fire protection services in the vicinity of the Project Site. The analysis uses the following metrics from the Los Angeles Fire Department (LAFD) to assess potential demands on fire protection services and whether increased demands would create the need for new or expanded facilities: fire flow requirements, emergency access, and the ability of the LAFD to provide adequate fire protection services based on current facilities, equipment, and staffing levels. This analysis is based, in part, on information available on the LAFD website and inter-departmental correspondence from the LAFD to the City of Los Angeles Department of City Planning (Department of City Planning) (September 18, 2017), included in Appendix A3, Initial Study and Scoping Meeting Comments, of this Draft EIR.

2. Environmental Setting

a) Regulatory Framework

There are several plans, policies, and programs regarding Fire Protection at the federal, State of California (State), and local levels. Described below, these include:

- Occupational Safety and Health Administration
- Federal Emergency Management Act
- Disaster Mitigation Act of 2000
- California Building Code and California Fire Code
- California Fire Service and Rescue Emergency Aid System
- California Vehicle Code
- California Constitution Article XIII, Section 35
- California Governor's Office of Emergency Services

- City of Los Angeles Charter
- City of Los Angeles General Plan Framework Element
- City of Los Angeles General Plan Safety Element
- Central City North Community Plan
- Los Angeles Municipal Code
- City of Los Angeles Propositions F and Q
- City of Los Angeles Measure J
- Los Angeles Fire Department Strategic Plan 2018–2020

(1) Federal

(a) *Occupational Safety and Health Administration*

The Federal Occupational Safety and Health Administrations (OSHA) as well as California OSHA (Cal/OSHA) enforce the provisions of the federal and state Occupational Safety and Health Acts, respectively, which collectively require safety and health regulations for construction under Part 1926 of Title 29 Code of Federal Regulations (CFR). The fire-related requirements of the Federal Occupational Safety and Health Act are specifically contained in Subpart F, Fire Protection and Prevention, of Part 1926. Examples of general requirements related to fire protection and prevention include maintaining fire suppression equipment specific to construction on-site; providing a temporary or permanent water supply of sufficient volume, duration, and pressure; properly operating the on-site fire-fighting equipment; and keeping storage sites free from accumulation of unnecessary combustible materials.

(b) *Federal Emergency Management Act*

The Federal Emergency Management Act (FEMA) was established in 1979 via executive order and is an independent agency of the Federal Government. In March 2003, FEMA became part of the United States (U.S.) Department of Homeland Security with the mission to lead the effort in preparing the nation for all hazards and effectively manage federal response and recovery efforts following any national incident. FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

(c) *Disaster Mitigation Act of 2000*

Disaster Mitigation Act (42 United States Code [USC] Section 5121) provides the legal basis for FEMA mitigation planning requirements for state, local, and Indian Tribal governments as a condition of mitigation grant assistance. It amends the Robert T. Stafford Disaster Relief Act of 1988 (42 USC Section 5121-5207) by repealing the previous mitigation planning provisions and replacing them with a new set of requirements

that emphasize the need and creates incentives for state, tribal, and local agencies to closely coordinate mitigation planning and implementation efforts. This Disaster Mitigation Act reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and the streamlining of the administration of federal disaster relief and programs to promote mitigation activities. Some of the major provisions of this Disaster Mitigation Act include:

- Funding pre-disaster mitigation activities
- Developing experimental multi-hazard maps to better understand risk
- Establishing state and local government infrastructure mitigation planning requirements
- Defining how states can assume more responsibility in managing the Hazard Mitigation Grant Program
- Adjusting ways in which management costs for projects are funded

The mitigation planning provisions outlined in Section 322 of the Disaster Mitigation Act establish performance-based standards for mitigation plans and require states to have a public assistance program (Advance Infrastructure Mitigation) to develop county government plans. The consequence for counties that fail to develop an infrastructure mitigation plan is the chance of a reduced federal share of damage assistance from 75 percent to 25 percent if the damaged facility has been damaged on more than one occasion in the preceding 10-year period by the same type of event.

(2) State

(a) *California Building Code and California Fire Code*

The California Building Code (California Code of Regulations [CCR], Title 24, Part 2) is a compilation of building standards, including general fire safety standards for new buildings, which are presented with more detail in the California Fire Code (CCR Title 24, Part 9). California Building Code standards are based on building standards that have been adopted by State agencies without change from a national model code; building standards based on a national model code that have been changed to address particular California conditions; and building standards authorized by the California legislature but not covered by the national model code. The 2019 edition of the California Building Code became effective on January 1, 2020.¹ The building standards in the California Building Code apply to all locations in California, except where more stringent standards have been adopted by State agencies and local governing bodies. Typical fire safety requirements of the California Fire Code include: the installation of fire sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building

¹ California Building Code (CCR, Title 24, Part 2).

materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures within wildfire hazard areas. Specific California Fire Code fire safety regulations have been incorporated by reference in the Los Angeles Municipal Code (LAMC) with local amendments, as discussed below.²

(b) *California Fire Service and Rescue Emergency Aid System*

The LAFD participates in the California Fire Service and Rescue Emergency Mutual Aid System through which the California Governor's Office of Emergency Service (Cal OES), Fire and Rescue Division is responsible for the development, implementation and coordination of the California Fire Service and Rescue Emergency Mutual Aid Plan (Mutual Aid Plan).³ The Mutual Aid Plan outlines procedures for establishing mutual aid agreements at the local, operational, regional, and State levels, and divides the State into six mutual aid regions to facilitate the coordination of mutual aid. The LAFD is located in Region I. Through the Mutual Aid Plan, the Cal OES is informed of conditions in each geographic and organizational area of the State, and the occurrence or imminent threat of disaster. All Cal OES Mutual Aid Plan participants monitor a dedicated radio frequency for fire events that are beyond the capabilities of the responding fire department and provide aid in accordance with the management direction of Cal OES.⁴

(c) *California Vehicle Code*

Section 21806 of the California Vehicle Code (CVC) pertains to emergency vehicles responding to Code 3 incidents/calls.⁵ This section of the (CVC) states the following:

“Upon the immediate approach of an authorized emergency vehicle which is sounding a siren and which has at least one lighted lamp exhibiting red light that is visible, under normal atmospheric conditions, from a distance of 1,000 feet to the front of the vehicle, the surrounding traffic shall, except as otherwise directed by a traffic officer, do the following: (a) (1) Except as required under paragraph (2), the driver of every other vehicle shall yield the right-of-way and shall immediately drive to the right-hand edge or curb of the highway, clear of any intersection, and thereupon shall stop and remain stopped until the authorized emergency vehicle has passed. (2) A person driving a vehicle in an exclusive or preferential use lane shall exit that lane immediately upon determining that the exit can be accomplished with reasonable safety. (b) The operator of every street car shall immediately stop the street car, clear of any intersection, and remain stopped until the authorized emergency vehicle has passed. (c) All pedestrians upon the highway shall

² Los Angeles Fire Department. 2014. Mutual Aid Agreements/Disaster Declarations/Potential Fiscal Impacts, July 3.

³ Governor's Office of Emergency Services. 2019. Fire and Rescue Division. California Fire Service and Rescue Emergency Mutual Aid System. Mutual Aid Plan. Revised April.

⁴ Los Angeles Fire Department. 2014. Mutual Aid Agreements/Disaster Declarations/Potential Fiscal Impacts. July 3.

⁵ A Code 3 response to any emergency may be initiated when one or more of the following elements are present: a serious public hazard, an immediate pursuit, preservation of life, a serious crime in progress, and prevention of a serious crime. A Code 3 response involves the use of sirens and flashing red lights.

proceed to the nearest curb or place of safety and remain there until the authorized emergency vehicle has passed.”

(d) *California Constitution Article XIII, Section 35*

Section 35 of Article XIII of the California Constitution at subdivision (a)(2) provides: “The protection of public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services.” Section 35 of Article XIII of the California Constitution was adopted by the voters in 1993 under Proposition 172. Proposition 172 directs the proceeds of a 0.50-percent sales tax to be expended exclusively on local public safety services. California Government Code Sections 30051-30056 provide rules to implement Proposition 172. Public safety services include fire protection. Section 30056 mandates that cities are not allowed to spend less of their own financial resources on their combined public safety services in any given year compared to the 1992-93 fiscal year. Therefore, the City of Los Angeles (City) is required to use Proposition 172 to supplement its local funds used on fire protection services, as well as other public safety services. In *City of Hayward v. Board of Trustees of the California State University* (2015) 242 Cal. App. 4th 833, the court found under Section 35 that, cities have “a constitutional obligation to provide adequate fire protection services.”

(e) *California Governor’s Office of Emergency Services*

In 2009, the State passed legislation creating the Cal OES and authorized it to prepare a Standard Emergency Management System (SEMS) program (Government Code Section 8607; Title 19 CCR Section 2401 et seq.), which sets forth measures by which a jurisdiction should handle emergency disasters. In California, SEMS provides the mechanism by which local government requests assistance. Non-compliance with SEMS could result in the State withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster. Cal OES coordinates the State’s preparation for, prevention of, and response to major disasters, such as fires, floods, earthquakes, and terrorist attacks. During an emergency, Cal OES serves as the lead State agency for emergency management in the State. It also serves as the lead agency for mobilizing the State’s resources and obtaining federal resources. Cal OES coordinates the State response to major emergencies in support of local government. The primary responsibility for emergency management resides with local government. Local jurisdictions first use their own resources and, as they are exhausted, obtain more from neighboring cities and special districts, the county in which they are located, and other counties throughout the State through the statewide mutual aid system (see discussion of Mutual Aid Agreements, below). California Emergency Management Agency maintains oversight of the State’s mutual aid system.

(3) Local

(a) *City of Los Angeles Charter*

Section 520 of the Los Angeles City Charter states that the LAFD's duty is to control and extinguish injurious or dangerous fires and to remove that which is liable to cause those fires. It also requires the LAFD to enforce all ordinances and laws relating to the prevention or spread of fires, fire control, and fire hazards within the City of Los Angeles (City), as well as to conduct fire investigations and protect lives and property in case of disaster or public calamity.

(b) *City of Los Angeles General Plan Framework Element*

The City of Los Angeles General Plan (General Plan) Framework Element (Framework Element), adopted in December 1996 and readopted in August 2001, sets forth general guidance regarding land use issues for the entire City and defines citywide policies regarding land use, including infrastructure and public services. Relevant goals, objectives, and policies of the Framework Element are provided in Table IV.K.1-1, Relevant General Plan Framework Element Infrastructure and Public Services Goals, Objectives, and Policies. Goal 9J of the Infrastructure and Public Services Chapter of the Framework Element specifies that every neighborhood should have the necessary level of fire protection service, emergency medical service, and infrastructure.⁶ Objective 9.16 requires that the demand for existing and projected fire facilities and service be monitored and forecasted. Objective 9.17 requires that all areas of the City have the highest level of fire protection and emergency medical service, at the lowest possible cost, to meet existing and future demand. Objective 9.18 requires that the development of new fire facilities be phased with growth. Further, Objective 9.19 requires the maintenance of the LAFD's ability to assure public safety in emergency situations. Under the Framework Element, the City goal for response distance for emergency medical response and the distance of fire stations for engine companies from neighborhood land uses is 1.5 miles.⁷ This is consistent with the specifications for response distances within the LAMC.

⁶ City of Los Angeles, Department of City Planning. 2001. Citywide General Plan Framework Element, Chapter 9: Infrastructure and Public Services. Originally adopted by City Council on December 11, 1996 and re-adopted on August 8.

⁷ City of Los Angeles, Department of City Planning. 2001. Citywide General Plan Framework Element, Chapter 9: Infrastructure and Public Services, Status of Infrastructure System/Facilities, Fire. Originally adopted by City Council on December 11, 1996 and re-adopted on August 8.

Table IV.K.1-1
Relevant General Plan Framework Element Infrastructure and
Public Services Goals, Objectives, and Policies

Goal/Objective/Policy	Description
Goal 9J	Every neighborhood has the necessary level of fire protection service, emergency medical service (EMS) and infrastructure.
Objective 9.16	Monitor and forecast demand for existing and projected fire facilities and service.
Policy 9.16.1	Collect appropriate fire and population development statistics for the purpose of evaluating fire service needs based on existing and future conditions.
Objective 9.17	Assure that all areas of the City have the highest level of fire protection and EMS, at the lowest possible cost, to meet existing and future demand.
Policy 9.17.2	Identify areas of the City with deficient fire facilities and/or service and prioritize the order in which these areas should be upgraded based on established fire protection standards.
Policy 9.17.4	Consider the Fire Department's concerns and, where feasible adhere to them, regarding the quality of the area's fire protection and emergency medical services when developing General Plan amendments and zone changes, or considering discretionary land use permits.
Objective 9.18	Phase the development of new fire facilities with growth.
Policy 9.18.1	Engage in fire station development advance planning, acknowledging the amount of time needed to fund and construct these facilities.
Objective 9.19	Maintain the Los Angeles Fire Department's ability to assure public safety in emergency situations.
Policy 9.19.1	Maintain mutual aid or mutual assistance agreements with local fire departments to ensure an adequate response in the event of a major earthquake, wildfire, urban fire, fire in areas with substandard fire protection, or other fire emergencies.
Policy 9.19.3	Maintain the continued involvement of the Fire Department in the preparation of contingency plans for emergencies and disasters.
Source: City of Los Angeles, Department of City Planning. 2001. Citywide General Plan Framework Element. Originally adopted by City Council on December 11, 1996 and re-adopted on August 8.	

(c) City of Los Angeles General Plan Safety Element

The General Plan Safety Element (Safety Element), adopted on November 26, 1996, includes policies related to the City's response to hazards and natural disasters, including fires. In particular, the Safety Element sets forth requirements, procedures, and standards to facilitate effective fire suppression and emergency response capabilities, as shown in Table IV.K.1-2, Relevant General Plan Safety Element Goals, Objectives, and Policies. In addition, the Safety Element designates disaster routes. In the vicinity of the Project Site, the Safety Element identifies 4th Street, including East 4th Street immediately north of the Project Site, and Alameda Street, 515 feet west of the Project Site, as Selected Disaster Routes.

Table IV.K.1-2
Relevant General Plan Safety Element Goals, Objectives, and Policies

Goal/Objective/ Policy	Description
Goal 2	A city that responds with the maximum feasible speed and efficiency to disaster events so as to minimize injury, loss of life, property damage and disruption of the social and economic life of the City and its immediate environs.
Objective 2.1	Develop and implement comprehensive emergency response plans and programs that are integrated with each other and with the City's comprehensive hazard mitigation and recovery plans and programs.
Policy 2.1.5	Response: Develop, implement, and continue to improve the City's ability to respond to emergency events. [All EOO emergency response programs and all hazard mitigation and disaster recovery programs related to protecting and reestablishing communications and other infrastructure, service and governmental operations systems implement this policy.]
Policy 2.1.6	<p>Standards/fire. Continue to maintain, enforce and upgrade requirements, procedures and standards to facilitate more effective fire suppression. [All peak load water and other standards, code requirements (including minimum road widths, access, and clearances around structures) and other requirements or procedures related to fire suppression implement this policy.]</p> <p>The Fire Department and/or appropriate City agencies shall revise regulations or procedures to include the establishment of minimum standards for location and expansion of fire facilities, based upon fire flow requirements, intensity and type of land use, life hazard, occupancy and degree of hazard so as to provide adequate fire and emergency medical event response. At a minimum, site selection criteria should include the following standards which were contained in the 1979 General Plan Fire Protection and Prevention Plan:</p> <p>Fire stations should be located along improved major or secondary highways. If, in a given service area, the only available site is on a local street, the site must be on a street which leads directly to an improved major or secondary highway.</p> <p>Fire station properties should be situated so as to provide drive-thru capability for heavy fire apparatus.</p> <p>If a fire station site is on the side of a street or highway where the flow of traffic is toward a signalized intersection, the site should be at least 200 feet from that intersection in order to avoid blockage during ingress and egress.</p> <p>The total number of companies which would be available for dispatch to first alarms would vary with the required fire flow and distance as follows: (a) less than 2,000 gpm [gallons per minute] would require not less than 2 engine companies and 1 truck company; (b) 2,000 but less than 4,500 gpm, not less than 2 or 3 engine companies and 1 or 2 truck companies; and (c) 4,500 or more gpm, not less than 3 engine companies and 2 truck companies.</p> <p>These provisions of the 1979 Plan were modified by the Fire Department for purposes of clarification.</p>
Goal 3	A city where private and public systems, services, activities, physical condition and environment are reestablished as quickly as feasible to a level equal to or better than that which existed prior to the disaster.
Objective 3.1	Develop and implement comprehensive disaster recovery plans which are integrated with each other and with the City's comprehensive hazard mitigation and emergency response plans and programs.

Goal/Objective/ Policy	Description
Policy 3.1.1	Coordination: Coordinate with each other, with other jurisdictions and with appropriate private and public entities prior to a disaster and to the greatest extent feasible within the resources available, to plan and establish disaster recovery programs and procedures which will enable cooperative ventures, reduce potential conflicts, minimize duplication and maximize the available funds and resources to the greatest mutual benefit following a disaster. [All EOO recovery programs involving cooperative efforts between entities implement this policy.]
Source: City of Los Angeles, Department of City Planning. 1996. Safety Element of the Los Angeles City General Plan. Adopted November 26.	

(d) *Central City North Community Plan*

The Land Use Element of the General Plan includes 35 community plans. Community plans are intended to provide an official guide for future development and propose approximate locations and dimensions for land use. The community plans establish standards and criteria for the development of housing, commercial uses, and industrial uses, as well as circulation and service systems. The community plans implement the City's Framework Element at the local level and consist of both text and an accompanying generalized land use map. The community plans' texts express goals, objectives, policies, and programs to address growth in the community, including those that relate to fire protection required to support such growth. The community plans' maps depict the desired arrangement of land uses as well as street classifications and the locations and characteristics of public service facilities. The Project Site is located within the Central City North Community Plan (Community Plan). The current Community Plan, adopted in 2000, includes the following objective and policy that are relevant to fire protection:

- Objective 9-1: Ensure that fire facilities and fire protection services are sufficient for the existing and future population and land uses of Central City North.
 - Policy 9-1.1: Coordinate with the Fire Department as part of the review of significant development projects and General Plan Amendments affecting land use to determine the impact on service demands.

The Department of City Planning is in the process of updating the Community Plan. The Combined Draft EIR for updates to the Central City and Central City North Community Plans, or collectively, the Downtown Community Plan, or DTLA 2040, will guide development through the year 2040. Although the Spring 2021 Proposed Draft of the Downtown Community Plan⁸ does not include policies related to fire facilities and fire protection services, the goals, objectives, and policies of the Framework Element and Safety Element, identified above, remain applicable.

⁸ In addition, the August 26, 2021 Supplemental Recommendation Report and the September 2021 Technical Modifications/Corrections to the Staff Recommendation Report for Case No. CPC-2017-432-CPU; CPC-2014-1582-CA; CEQA: ENV-2017- 433-EIR (the Downtown Community Plan and EIR) by the Department of City Planning do not include policies directly related to fire facilities.

(e) *Los Angeles Municipal Code*

The Los Angeles Fire Code (LAMC Chapter V, Article 7) incorporates by reference portions of the California Fire Code and the International Fire Code. The City's Fire Code sets forth regulatory requirements pertaining to the prevention of fires; the investigation of fires and life safety hazards; the elimination of fire and life safety hazards in any building or structure (including buildings under construction); the maintenance of fire protection equipment and systems; and the storage, use, and handling of hazardous materials. Specific regulations regarding fire prevention and protection are discussed below.

Section 57.107.5.2 provides that the Fire Chief shall have the authority to require drawings, plans, or sketches as may be necessary to identify: (1) occupancy access points; (2) devices and systems; (3) utility controls; (4) stairwells; and (5) hazardous materials/waste.

Section 57.108.7 requires that the installation, alteration, and major repair of the following be performed pursuant to a permit issued by the Department of Building and Safety: LAFD communication systems, building communication systems, automatic elevators, heliports, emergency power systems, fire escapes, private fire hydrants, fire assemblies, fire protective signaling systems, pilot lights and warning lights for heat-producing equipment, refrigerant discharge systems, smoke detectors, emergency smoke control systems, automatic sprinkler systems, standpipe systems, and gas detection systems.

Section 57.118 establishes LAFD's fire/life safety plan review and LAFD's fire/life safety inspection for new construction projects.

Section 57.118.1.1 requires that all new high-rise buildings greater than 75 feet in height (measured from the lowest point with fire vehicle access) must include fire/life safety reviews by the Department of Building and Safety and LAFD.

Sections 57.408 requires the preparation of an Emergency Plan that establishes dedicated personnel and emergency procedures to assist the LAFD during an emergency incident, and establishes a drill procedure to prepare for emergency incidents. The Emergency Plan would also establish an on-site emergency assistance center and establish procedures to be followed during an emergency incident. The Emergency Plan must be submitted to the LAFD for approval prior to implementation, and must be submitted annually (and revised if required by the LAFD).

Section 57.4704.5.1 of the LAMC requires that the smoke detectors required by Chapter 9 of the LAMC (City Building Code) be maintained in dependable operating condition and tested every six months or as required by the Fire Chief. An accurate record of such tests must be kept by the owner, manager, or person in charge of the property, and such records must be open to examination by the Fire Chief.

Section 57.4705.1.6 requires there must be at least one elevator which shall be available for fire emergency medical service (EMS) and shall have its controls designed so that key switches located in the building control station/fire command center will recall said elevator or elevators to the designated main floors. The elevator or elevators must be interconnected with the standby power.

Section 57.4705.4 requires each building to have a rooftop emergency helicopter landing facility in a location approved by the Chief, unless certain life safety features, as specified in LAFD Requirement No. 10, are provided and approved by the Fire Marshal in compliance with two options.

Section 57.503.1.4 requires an approved, posted fire lane whenever any portion of an exterior wall is more than 150 feet from the edge of a roadway.

Section 57.507.3.1 establishes fire water flow standards, which vary from 2,000 gallons per minute (gpm) in low-density residential areas to 12,000 gpm in high-density commercial or industrial areas (where local conditions indicate that consideration must be given to simultaneous fires, an additional 2,000 to 8,000 gpm will be required), with a minimum residual water pressure of 20 pounds per square inch (psi) remaining in the water system. Site-specific fire flow requirements are determined by the LAFD based on land use, life hazard, occupancy, and fire hazard level.

Section 57.507.3.2 addresses land use-based requirements for fire hydrant spacing and type. Regardless of land use, every first story of a residential, commercial, or industrial building must be within 300 feet of an approved hydrant. The site-specific number and location of hydrants would be determined as part of LAFD's fire/life safety plan review for each development.

Section 57.507.3.3 limits the maximum response distances to an LAFD station based on the type of land use. Applicable distances are based on LAFD's comment letter for each individual project.

Section 57.512.1 provides that response distances, which are based on land use and fire flow requirements and range from 0.75 mile for an engine company to 2 miles for a truck company, shall comply with Section 57.507.3.3. Where a site's response distance is greater than permitted, all structures must have automatic fire sprinkler systems.

(f) City of Los Angeles Propositions F and Q

Proposition F, the City of Los Angeles Fire Facilities Bond, was approved by City voters in November 2000. This bond allocated \$532.6 million of general obligation bonds to finance the construction and rehabilitation of fire stations and animal shelters. Under Proposition F, new regional fire stations to provide training and other facilities at or near

standard fire stations must be designed and built on a single site of at least two acres. This is to ensure that firefighters in training remain in the service area and are available to respond to emergency calls. Proposition F allocated \$378.6 million to build 19 new or replacement neighborhood Fire/Paramedic Stations and an Emergency Air Operations and Helicopter Maintenance Facility, for a total of 20 Proposition F projects. As of January 2017, all of the proposed projects have been completed.⁹ Also, as reported in November 2019, Bureau of Engineering completed the original Proposition F program projects under budget and funded two additional fire stations with the remaining savings and interest.¹⁰ Proposition Q, the citywide Public Safety Bond Measure, was approved by voters in March 2002. Proposition Q allocated \$600 million to renovate, improve, expand, and construct public safety (police, fire, 911, and paramedic) facilities. In March 2011, the program was expanded to include renovations to existing LAFD facilities throughout the City. A total of 80 renovation projects at LAFD facilities were scheduled. These renovation projects include the installation of diesel exhaust capture systems, upgrades to air filtration and electrical systems, re-roofing, remodeling, parking lot repair, painting, and other improvements. The fire renovation projects identified under this measure have been completed.¹¹

(g) City of Los Angeles Measure J

Measure J, which was approved by City voters at the November 7, 2006 General Election, is a charter amendment and ordinance that involves technical changes to Proposition F. Measure J allows new regional fire stations funded by Proposition F to be located in densely developed areas to be designed and built on one or more properties equaling less than two acres. Components of a regional fire station can be built on two or more sites within close proximity, or the facility can be designed to fit on a single site of less than two acres. Components of a regional fire station can be built on two or more sites within close proximity, or the facility can be designed to fit on a single site of less than two acres.

(h) Los Angeles Fire Department Strategic Plan 2018–2020

The Los Angeles Fire Department Strategic Plan 2018–2020, A Safer City 2.0, is a collaborative effort between LAFD staff, City leaders, and community members to accomplish the LAFD's organizational vision. The Strategic Plan 2018–2020 builds upon the progress of the first Strategic Plan from 2015–2017, which resulted in the achievement of 70 percent of its goals. As provided in the Strategic Plan 2018–2020, five goals will guide the LAFD for the next three years: (1) Provide exceptional public safety and emergency service; (2) Embrace a healthy, safe, and productive work environment;

⁹ Los Angeles Fire Department. 2016. Los Angeles 2000 Prop F Fire Facilities Bond, Progress Report. February-March.

¹⁰ City of Los Angeles, Department of Public Works, Bureau of Engineering. 2019. Newsletter No. 20-5. November 6.

¹¹ City of Los Angeles. 2016. A 2002 Proposition Q Citywide Safety Bond Program Progress Report. February-March.

(3) Implement and capitalize on advanced technology; (4) Enhance LAFD sustainability and community resiliency; and (5) Increase opportunities for personal growth and professional development.

b) Existing Conditions

(1) Existing Facilities and Services

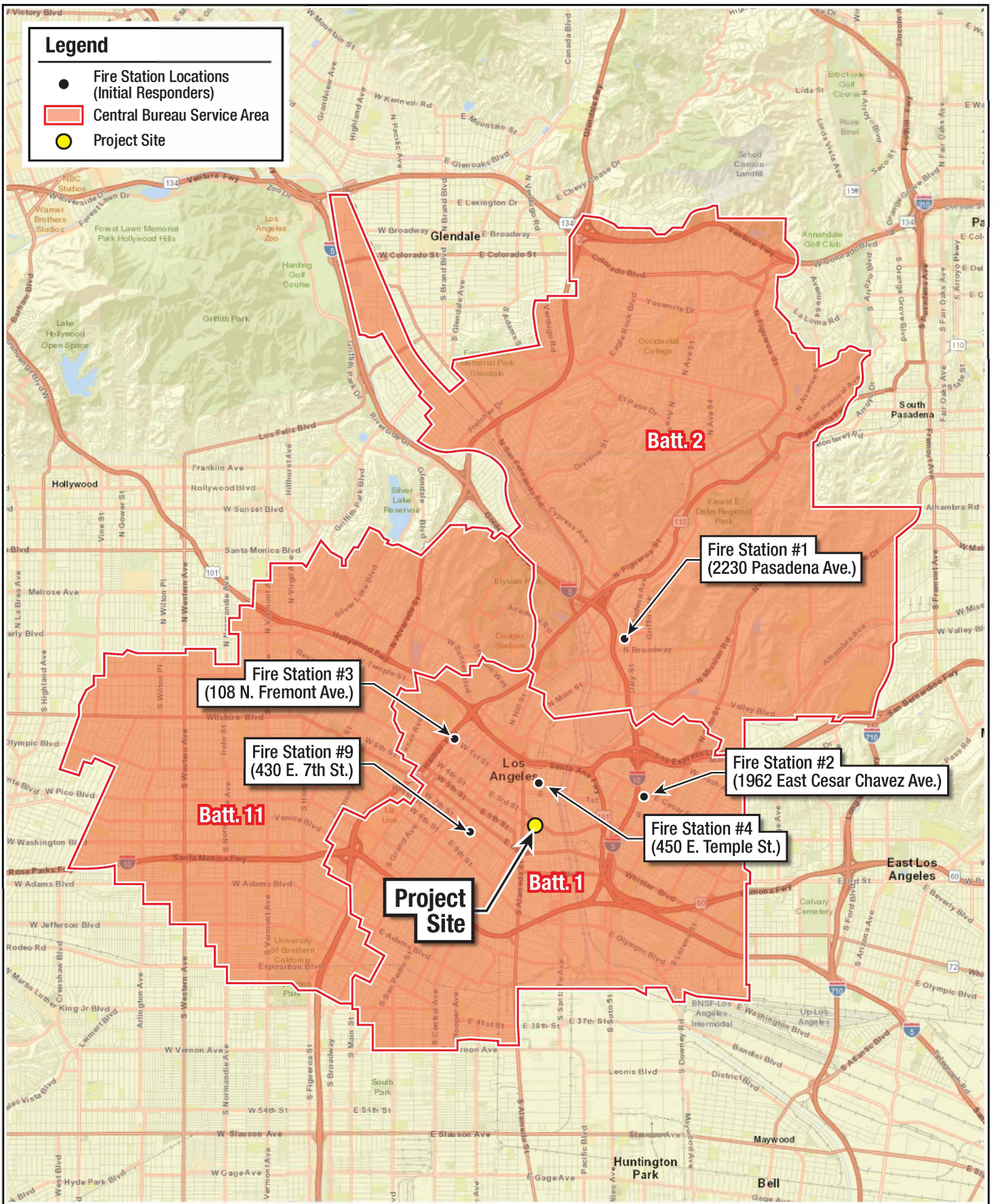
All fire prevention, suppression, and life safety services within the City are provided by the LAFD, which employs 3,435 uniformed personnel, and 381 non-uniformed professional support personnel. The LAFD provides the following services to the City: fire prevention, firefighting, emergency medical care, technical rescue, hazardous materials mitigation, disaster response, public education, and community service. The LAFD has a 469-square-mile jurisdiction containing 106 fire stations, at which 1,018 professionally trained firefighters are on duty at all times.¹²

The Project Site is located within the LAFD's Central Bureau, which is comprised of three Battalions (1, 2, and 11), 22 neighborhood Fire Stations, and 645 fire personnel.¹³ The Project Site is located within Battalion 1 and is primarily served by Fire Station No. 4, which is situated approximately one mile north of the Project Site at 450 East Temple Street (refer to Figure IV.K.1-1, LAFD Stations in the Project Area).

There are five LAFD fire stations located within three miles of the Project Site that are available for initial response to the Project Site. Personnel, equipment, and services are available at Fire Stations No. 4 and No. 9, located one mile from the Project Site, and three other stations in the Project area, located within three miles of the Project Site, are listed in Table IV.K.1-3, Initial Responding Fire Stations in the Project Area.

¹² Los Angeles Fire Department. Our Mission. Available at: <http://www.lafd.org/about/about-lafd/our-mission>. Accessed on March 25, 2021.

¹³ Los Angeles Fire Department. Central Bureau. Available at: <https://www.lafd.org/about/central-bureau>. Accessed on March 25, 2021.



Sources: ESRI World Street Map background imagery, 2017. LAFD service area from www.www.cert-la.com/downloads/battalions/LAFD-Battalion-map.pdf, Dec. 12, 2017.

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LAFD Stations in the Project Area



FIGURE IV.K.1-1

**Table IV.K.1-3
Initial Responding Fire Stations in the Project Area**

Fire Station	Address	Distance to Project Site	Services and Equipment	Number of Personnel
Fire Station No. 4	450 East Temple Street ^a	1.0 mile	Task Force Truck and Engine Company, Hazardous Materials Unit	14
Fire Station No. 9	430 East 7 th St.	1.0 mile	Task Force Truck and Engine Company, Paramedic Rescue Ambulance, Battalion 1 Headquarters	12
Fire Station No. 3	108 N. Fremont Ave.	1.7 mile	Task Force Truck and Engine Company, Paramedic Rescue Ambulance, EMT Rescue Ambulance – Division Headquarters	16
Fire Station No. 2	1962 Cesar Chavez Ave.	2.2 miles	Task Force Truck and Engine Company, Paramedic Rescue Ambulance	12
Fire Station No. 1	2230 Pasadena Ave.	2.9 miles	Task Force Truck and Engine Company, Paramedic Rescue Ambulance	10
Sources: Terrazas, Ralph M. (LAFD Fire Chief). 2017. Letter to Vincent Bertoni, AICP, Director of Planning, and William Lamborn. Notice of Preparation of Environmental Impact Report and Public Scoping Meeting for Case No. ENV-2017-470-EIR. September 18. (Appendix A3.)				
Los Angeles Fire Department. Find Your Station. Available at: https://www.lafd.org/fire-stations/station-results . Accessed on March 25, 2021.				
^a At the time the letter from the LAFD Fire Chief was issued in 2017 (sourced above), Fire Station No. 4 was located at 800 North Main Street (1.0 mile from the Project Site, with 14 personnel). The information here has been updated to show the new location of Fire Station No. 4.				

(a) Response Distance and Times

As previously described, the Fire Code establishes response distances based on land use types and limits the maximum response distances to an LAFD station. The maximum response distance from an industrial or commercial development (such as the Project) to a fire station is one mile for an engine company and 1.5 miles from a truck company. In cases where distances exceed the Fire Code metrics, projects are required to equip structures with additional fire protection devices, which may include sprinklers, fire extinguishers, smoke removal systems, or fire signaling devices. However, as shown in Table IV.K.1-1 above, the Project Site is located one mile south from Fire Station No. 4, which serves as both a truck and engine company.

LAFD has not established response times standards for emergency response, nor adopted the National Fire Protection Association (NFPA) standard of 5 minutes for EMS response and 5 minutes, 20 seconds for fire suppression response. Roadway congestion, intersection level of service (LOS), weather conditions, and construction traffic along a response route can affect response time. Generally, multi-lane arterial roadways allow emergency vehicles to travel at higher rates of speed and permit other traffic to maneuver out of a path of an emergency vehicle. Additionally, the LAFD, in collaboration with Los Angeles Department of Transportation (LADOT), has developed a Fire Preemption System (FPS), a system that automatically turns traffic lights to green for emergency vehicles traveling along designated City streets to aid in emergency response. The City of Los Angeles has over 205 miles of major arterial routes that are equipped with FPS.

Average operational response times for the fire stations in the Project area are shown in Table IV.K.1-4, Average Operational Response Times for Fire Stations in the Project Area and Average Citywide Operational Response Times. According to the LAFD, although response time is considered to assess the adequacy of fire protection services, it is one factor among several that LAFD utilizes in considering its ability to respond to fires and life and health safety emergencies, including required fire flow, response distance from existing fire stations, and the LAFD's judgement for needs in an area. If the number of incidents in a given area increases, it is the LAFD's responsibility to assign new staff and equipment, and potentially build new or expanded facilities, as necessary, to maintain adequate levels of service. In conformance with the California Constitution Article XIII, Section 35(a)(2) and the *City of Hayward v. Board of Trustees of the California State University* (2015) ruling, the City has and will continue to meet its legal obligations to provide adequate public safety services, including fire protection and emergency medical services.

Table IV.K.1-4
Average Operational Response Times for Fire Stations in the Project Area and
Average Citywide Operational Response Times

Fire Station	Average Operational Response Time to EMS Incidents	Average Operational Response Time to Non-EMS Incidents	Average Operational Response Time to Structure Fires
Fire Station No. 1	7:16 minutes	7:26 minutes	5:32 minutes
Fire Station No. 2	6:43 minutes	6:02 minutes	5:10 minutes
Fire Station No. 3	6:53 minutes	5:38 minutes	4:57 minutes
Fire Station No. 4	6:55 minutes	6:34 minutes	4:54 minutes
Fire Station No. 9	6:17 minutes	5:30 minutes	4:35 minutes
Citywide	6:48 minutes	6:22 minutes	5:03 minutes
Source: Los Angeles Fire Department. Citywide and Station 1, 2, 3, 4, and 9 Response Metrics. Available at: https://www.lafd.org/fsla/stations-map . Accessed on March 25, 2021.			
Notes:			
EMS/Non-EMS = Emergency Medical Service/Non- Emergency Medical Service			

(b) *Emergency Access*

The Safety Element identifies East 4th Street and Alameda Street in the vicinity of the Project Site as Selected Disaster Routes. The County of Los Angeles also identifies the segment of East 4th Street to the north of the Project Site and Alameda Street to the west of the Project Site as disaster routes. Per the Safety Element, such routes function as primary thoroughfares for the movement of emergency response traffic and access to critical facilities (i.e., hospitals). The Project Site is currently served by existing roadway infrastructure and emergency services and allows for emergency access to the existing land uses.

(c) *Fire Water Infrastructure*

The Project Site receives water from the LADWP. As described in Appendix N, Utilities Technical Report, of this Draft EIR, a six-inch water main is located in East 4th Street, an eight-inch water main is located in Colyton Street, and another eight-inch water main is located in South Hewitt Street. There are also two existing fire hydrants on East 4th Street at the corners of Colyton Street and South Hewitt Street, in addition to an existing fire hydrant located mid-block of Colyton Street between East 4th Street and East 5th Street. A total of three existing hydrants are located within 300 feet of the Project Site.¹⁴

3. Project Impacts

a) Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the Project would have a significant impact related to fire protection if it would:

Threshold a): Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection.

In assessing impacts related to fire protection in this section, the City uses Appendix G of the State CEQA Guidelines as the thresholds of significance. The criteria identified below from the 2006 L.A. CEQA Thresholds Guide were used where applicable and relevant to assist in analyzing the Appendix G thresholds.

¹⁴ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Project, Utilities Technical Report. February 23. (Appendix N.)

The Thresholds Guide states that a project would normally have a significant impact on fire protection services if it requires the addition of a new fire station or the expansion, consolidation, or relocation of an existing facility to maintain service.

b) Methodology

The LAFD evaluates the demand for fire protection services for each project and reviews a project's site plan, design, and emergency features in order to determine whether the proposed development would require additional equipment, personnel, and/or expanded or new facilities. In addition to applicable regulations and the Project's characteristics, the analysis of the effects of the Project on fire protection services consider available fire flow, distance between the Project and engine and truck companies, fire hydrant size and location, emergency/evacuation routes, and site access. The analysis also considers whether a project would be subject to the effects of a fire or other emergency resulting from the use or storage of hazardous materials. This analysis is therefore based on information provided by the LAFD,¹⁵ information included on the LAFD website, and the requirements of the Fire Code.

The need for or deficiency in adequate fire protection and emergency medical services in and of itself is not a CEQA impact, but rather a social and/or economic impact. Where a project causes a need for additional fire protection and emergency medical services resulting in the need to construct new facilities or additions to existing facilities, and the construction results in a potential impact to the environment, then the impact would need to be assessed in this EIR. The ultimate determination of whether there is a significant impact to the environment related to fire protection and emergency medical services from a project is determined by whether construction of new or expanded fire protection and emergency medical facilities is a reasonably foreseeable direct or indirect effect of the project.

There are no current capital improvement plans for the construction or expansion of fire facilities in the impact area. Therefore, the City makes the following assumptions based on existing zoning standards and based on historical development of fire and emergency facilities, that in the event the City determines that expanded or new emergency facilities are warranted, such facilities (1) would occur where allowed under the designated land use, (2) would be located on parcels that are infill opportunities on lots that are between 0.5 and 1 acre in size, and (3) could qualify for a Categorical Exemption under CEQA Guidelines Section 15301 or 15332 or Mitigated Negative Declaration.

¹⁵ Terrazas, Ralph M. (LAFD Fire Chief). 2017. Letter to Vincent Bertoni, AICP, Director of Planning, and William Lamborn. Notice of Preparation of Environmental Impact Report and Public Scoping Meeting for Case No. ENV-2017-470-EIR. September 18. (Appendix A3.)

c) Project Design Features

The Project does not propose project design features that are specifically related to fire protection. The Project would include Project Design Feature TRANS-PDF-1, which is described in Section IV.L, Transportation, and includes implementation of a Construction Management Plan. Furthermore, the Project would include Project Design Feature POL-PDF-1, which, as described in Section IV.K.2, Public Services – Police Protection Services, includes a provision that security personnel would be present on-site during construction and that their duties shall include construction, entrance and exit monitoring, fire/life/safety system monitoring, and parking facilities monitoring.

d) Analysis of Project Impacts

Threshold a): Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities (i.e., fire), or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services?

(1) Impact Analysis

(a) Construction

The potential for accidental fires would be elevated during demolition activities, grading, and construction of the Project, due to the storage, handling, and use of flammable construction materials; machinery and equipment that generate heat; exposed electrical lines; and chemical reactions from combustible, hazardous materials. Pursuant to Cal/OSHA, and California and City Building Code and Fire Code requirements, construction managers and workers would be trained in fire prevention and emergency response practices, and fire protection and prevention equipment would be available and maintained on-site during construction. As evaluated in Section IV.F, Hazards and Hazardous Materials, all applicable codes and ordinances would be adhered to relative to the maintenance of construction vehicles and equipment; the handling, use and storage of hazardous and flammable materials; and the cleanup of accidental hazardous material spills. Required compliance with such regulations and code requirements that encompass training, procedures, and fire suppression equipment maintenance would render the impacts of construction activities on fire protection services less than significant.

With regard to construction of the Project, East 4th Street and Alameda Street in the vicinity of the Project Site are Selected Disaster Routes that function as primary

thoroughfares for the movement of emergency response traffic and access. During construction of the Project, including potential work in surrounding roadways for utility connections or upgrades, slower-moving trucks or equipment accessing the Project Site, queuing of haul trucks for soil and demolition and construction debris export, or partial or full lane closures for construction along the Project Site's frontages may impede traffic flow, including emergency responders, along evacuation/emergency routes. However, these impacts would be less than significant due to the following factors:

- Construction activities are temporary in nature, and would not generate ongoing impacts to fire protection services;
- Project Design Feature POL-PDF-1 would assure that security personnel would be present on-site during construction and that they monitor on-site fire/life/safety systems; and
- Project Design Feature TRANS-PDF-1 would require the implementation of a Construction Traffic Management Plan to address traffic and access control during construction. The plan would be subject to the review and approval of the LADOT and would include the designation of detour routes and staging areas where necessary, traffic control procedures, emergency access provisions, and construction crew parking provisions.

Furthermore, the Project Site is located approximately one mile south from the first-in Fire Station, No. 4, which has an average operational response time for 2021 (January through February) of 6 minutes and 55 seconds for EMS events and 6 minutes and 34 seconds for non-emergency medical service (non-EMS) events. Due to the response distance of the first-in fire station to the Project Site, the availability of additional resources from Station Nos. 1, 2, 3, and 9 in the Project area; and the fact that fire trucks and other emergency responder vehicles are empowered to clear traffic through the use of sirens as well as circumvent traffic and traffic signals, temporary lane closures or construction vehicles would not adversely impact fire protection services to the extent that a new or expanded fire facility would be required to maintain acceptable service. Moreover, although the average response times listed above in Table IV.K.1-2 for LAFD Fire stations in the Project vicinity and citywide do not meet the NFPA response time standards, LAFD has not formally adopted the NFPA standards and the current average response times are not considered deficient. **Based on the above, Project construction would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services. Therefore,**

Project construction impacts on fire protection services would be less than significant.

(b) Operation

The Project would increase the overall amount of developed square footage on the Project Site by 329,095 square feet, and it would generate a net increase of 1,270 employees (refer to Section IV.J, Population and Housing) and visitors to the Project Site, thereby potentially increasing the demand for fire protection services.

The following sections evaluate the Project's potential impacts to fire protection services during the life of the Project, including fire flow availability and required life safety features, response distances, and emergency access.

(i) Fire Flow Availability and Required Life Safety Features

The requirements for fire flow are closely related to the type and size of the land use. The quantity of water necessary for fire protection varies with the type of development, life hazard, occupancy, and the degree of fire hazard. City-established fire flow requirements vary from 2,000 gpm in low-density residential areas, to 12,000 gpm in high-density commercial or industrial areas. In any instance, a minimum residual water pressure of 20 psi is to remain in the water system while the required gpm is flowing.¹⁶ All water mains and lines that are designed and sized according to City of Los Angeles Department of Water and Power (LADWP) standards consider fire flow and pressure requirements.

As previously stated, existing water infrastructure in the vicinity of the Project Site includes a six-inch water main in East 4th Street, an eight-inch water main in Colyton Street, and another eight-inch water main in South Hewitt Street. There are also two existing fire hydrants on East 4th Street at the corners of Colyton Street and South Hewitt Street, in addition to an existing fire hydrant located mid-block of Colyton Street between East 4th Street and East 5th Street. All three existing hydrants are located within 300 feet of the Project Site.

The Project shall include life safety features as outlined in LAFD Requirement No. 10. Water for fire-fighting purposes would be provided by the Project's connection to the existing water mains and hydrants located in East 4th Street, Colyton Street, and/or South Hewitt Street. Although the Project Site is not located within an Inadequate Fire Hydrant Service Area recognized by the City, based on communication with LAFD,¹⁷ the Project's general land use type will require that, during a fire, a flow of 7,500 gpm from five hydrants flowing simultaneously would be required for proper hydrant coverage. This requirement

¹⁶ Los Angeles Municipal Code. Chapter 5, Fire Service Features, 507.3.1 Fire Flow Requirements.

¹⁷ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Project, Utilities Technical Report. February 23. (Appendix N.)

may be achieved with two additional public fire hydrants, installed mid-block along South Hewitt Street and Colyton Street.

Based on a preliminary evaluation of local water delivery infrastructure near the Project Site, a water line upgrade may be required to provide pressures to supply a minimum of 7,500 gpm for five public hydrants flowing simultaneously around the perimeter of the Project Site.¹⁸ If such upgrades are necessary, the Applicant will follow the regulatory compliance process. A new fire service connection for the Project would also consist of a separate dedicated firewater service connection with a second fire connection to provide the required redundancy for all high-rise structures per the City Building Code. Hydrants, water lines, and water tanks would be installed per Division 7, Section 57.09.06 of the Fire Code. In addition, the Project Applicant would be required to submit the proposed plot plans for the Project to the LAFD and LADWP for review for compliance with applicable California and City Fire Code and Building Code requirements. Such review is a legal prerequisite, with which the Project would be required to comply. The installation of additional fire hydrants and upgraded water lines would not result in significant adverse effects to the environment, because the improvements would occur within previously developed public rights-of-way and would be short-term in nature, occurring over a few days to a few weeks. Therefore, Project impacts relative to fire flow, water pressure, and life safety features would be less than significant.

(ii) *Response Distances and Times*

As previously described, the Project Site is located within the LAFD's Central Bureau. The Project Site is primarily served by Fire Station No. 4, which is situated approximately one mile north of the Project Site. Fire Station No. 9 is also located one mile west from the Project Site, and three additional stations are located within three miles of the Project Site, with Station No. 1 located northeast, Station No. 2 located east, and Station No. 3 located northwest from the Project Site. The maximum response distance from an industrial or commercial development (such as the Project) to a fire station per the Fire Code is one mile for an engine company and 1.5 miles from a truck company. Based on this criterion, the LAFD considers fire protection to be adequate to the Project Site.¹⁹

In order to improve its systems, processes, and practices, the LAFD has undertaken several efforts, including the installation of automatic vehicle location (AVL) systems on all LAFD apparatus; replacing fire station alerting systems that control fire station dispatch audio, signal lights, and other fire station alerting hardware and software; developing a new computer aided dispatch system to manage fire and EMS incidents; and using traffic

¹⁸ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Project, Utilities Technical Report. February 23. (Appendix N.)

¹⁹ Terrazas, Ralph M. (LAFD Fire Chief). 2017. Letter to Vincent Bertoni, AICP, Director of Planning, and William Lamborn. Notice of Preparation of Environmental Impact Report and Public Scoping Meeting for Case No. ENV-2017-470-EIR. September 18. (Appendix A3.)

pre-emption systems, which allow the normal operation of traffic lights to be pre-empted by an emergency vehicle in order to improve response time by stopping conflicting traffic in advance and providing the right-of-way to the emergency vehicle the right-of-way. In addition, and as discussed above, operational response times are also facilitated by the ability of emergency responders to use sirens to clear a path of travel on roadways and to drive in the lanes of opposing traffic.

Furthermore, compliance with applicable City Building Code and Fire Code requirements, which include LAFD review of the Plot Plan to assure the proposed building incorporates required fire protection, prevention, and suppression features, would assure that the Project would not adversely impact fire protection services to the extent that a new or expanded fire facility would be required to maintain acceptable service. Due to the fact that the first-in fire station is located one mile from the Project Site per the Fire Code standard, other fire stations are located in the Project area and may serve as initial responders, the City is implementing improved processes, and emergency responders are empowered to use sirens and other means to reduce traffic delays, Project impacts on response distances and times are considered less than significant.

(iii) Emergency Access

Emergency access to the Project Site would be available to the LAFD and other emergency responders from East 4th Street to the north, Colyton Street to the west, and South Hewitt Street to the east, which all immediately border the Project Site. Within the proposed structure, pathways and lobbies, elevators, and stairways would be designed to comply with California and City Building Code and Fire Code requirements and would therefore provide the features necessary to facilitate the movement of emergency personnel and equipment throughout the building. The Project would also provide specific life safety features, as listed in LAFD Requirement No. 10, and including features such as a separate elevator for firefighters complete with communication systems, a video camera surveillance system, supplementary wider stairwells and stairwells with roof access, enclosed elevator lobbies, escalator openings or stairways that are not part of the means of egress system and connect more than two stories protected by approved power-operated automatic shutters at every penetrated floor and state of the art smoke detectors, alarm systems, and automated sprinkler systems. Project compliance with all such requirements would be enforced through LAFD's review and approval of the plot plan. Section IV.F, Hazards and Hazardous Materials, addresses Project impacts associated with hazards and hazardous materials and emergency response and evacuation plans, and Section IV.L, Transportation, includes further analysis of Project impacts related to emergency access. Project impacts related to emergency access would be less than significant.

(c) *Conclusion*

Based on the operational impacts analysis provided above, and in conformance with the California Constitution Article XIII, Section 35(a)(2) and the *City of Hayward v. Board of Trustees of the California State University* (2015) ruling, the City has and will continue to meet its legal obligations to provide adequate public safety services, including fire protection and emergency medical services. **Therefore, Project impacts during operations would be less than significant.**

(2) Mitigation Measures

Impacts related to fire protection service would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts related to fire protection service were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

e) Cumulative Impacts

(1) Impact Analysis

As described in Chapter III, Environmental Setting, 137 Related Projects have been identified by the Department of City Planning as developments that may be constructed in the Project area. These projects would also be located within the LAFD's Central Bureau service area, and the majority of them would be served by the same fire stations that would serve the Project Site. Therefore, the Project, in combination with Related Projects, may potentially result in cumulatively considerable impacts to fire protection services. However, cumulative impact significance conclusions are based on whether the Project's incremental effect is cumulatively considerable in light of the identified project design features and regulatory compliance, or whether mitigation measures are necessary to avoid or alleviate a cumulative impact.

The geographic scope for the fire protection services cumulative impacts analysis includes the Project Site and the Related Projects that are located in the LAFD's Central Bureau service area; specifically, those that fall within the service areas of Fire Station Nos. 1, 2, 3, 4, and 9. The Project, in combination with the Related Projects located within the service areas of these stations, would primarily add residential, commercial (such as hotel, restaurant, bar, and retail), and office spaces to the Project area. Many of the Related Projects represent infill developments that would replace existing land uses. Nevertheless, the increased density of proposed developments, which would include an

increased residential population generated directly by proposed residential developments, would increase the demand for fire protection services and may also result in cumulative impacts to fire protection services, if the Project and Related Projects would not comply with LAFD requirements and applicable State and City regulations. Over time, this demand may potentially evolve from increased staffing and equipment needs to the need for new or expanded fire protection facilities, or the relocation of present facilities,²⁰ the development of which have the potential to result in environmental impacts.

(a) *Construction*

With regard to cumulative impacts during the construction period, the Project, in combination with Related Projects, has the potential to disrupt fire protection services if construction at the Project Site would coincide with construction of the Related Projects located in close proximity, specifically with Related Project Nos. 37, 44, 52, 78, 79, 85, 94, 96, 120, and 137. Cumulative construction activities of these projects would be temporary in nature; however, in combination, they may adversely affect access for fire trucks and ambulances that travel along Alameda Street, East 4th Street, East 4th Place, Colyton Street, and South Hewitt Street in the vicinity of the Project Site. Multiple sites that are under construction at the same time and are in close geographic proximity have the potential to require staging areas and lane closures that may potentially decrease the response times of the LAFD stations and other emergency responders. However, as for the Project, the site plans of Related Projects would be subject to review and approval of the LAFD, and where necessary, would be required to implement a construction traffic management plan pursuant to LAMC 62.250.C. The Construction Traffic Management Plan (Project Design Feature TRANS-PDF-1) would address temporary impacts, including traffic and access control during construction, such as placement of barricades, warning lights, signs, striping, flags, and additional measures that would facilitate adequate traffic flow during demolition and construction activities. Such a provision, combined with the fact that emergency vehicles are empowered to clear traffic through the use of sirens as well as circumvent traffic and traffic signals, would assure that emergency access and traffic flow are not disrupted by cumulative construction activities. **Therefore, the Project's contribution to cumulative impacts on fire protection services during the construction period would not be cumulatively considerable and cumulative impacts would be less than significant.**

(b) *Operation*

During the life of the Project, typical daily operations of its commercial and office uses, in combination with the operation of the Related Projects, would result in a cumulative

²⁰ Terrazas, Ralph M. (LAFD Fire Chief). 2017. Letter to Vincent Bertoni, AICP, Director of Planning, and William Lamborn. Notice of Preparation of Environmental Impact Report and Public Scoping Meeting for Case No. ENV-2017-470-EIR. September 18. (Appendix A3.)

demand for LAFD services. However, the Project and Related Projects are located in a highly urbanized area that is served by multiple LAFD stations. In addition, and as previously discussed for the Project's direct less than significant fire protection service impacts during operation, the Project and Related Projects would be required to comply with the identified regulatory framework, which includes LAFD and LADWP review and approval of the site plans to assure that adequate fire flow is maintained, fire safety features are implemented, and emergency response distances and access are maintained. For example, as for the Project, each Related Project would be required to consult with the LAFD and LADWP to establish fire flow and pressure requirements for their proposed land uses and to determine the adequacy of existing infrastructure and identify the need for upgrades (additional hydrants and/or water line upgrades), if any. In cases where a project's location exceeds the maximum applicable LAMC response distance standard, the project would be required to install automatic fire sprinkler systems or other features to compensate for the additional response distance.

In addition to individual project development, the Department of City Planning is in the process of updating several of the City's 35 Community Plans, which together comprise the Land Use Element, as well as developing a New Zoning Ordinance, which will amend Chapter 1 of the LAMC. With regard to the Project and Related Projects in its vicinity, the City released a "Notice of Preparation of a Combined Draft Environmental Impact Report and Notice of Scoping Meeting for Updates to the Central City and Central City North Community Plans, and Amendments to the City of Los Angeles Municipal Code to Adopt a New Zoning Code for the Central City and Central City North Plan Areas (as Part of the Re:Code LA Project)" in February 2017.²¹ According to the NOP, the updates to the Central City and Central City North Community Plans, or collectively, the Downtown Community Plan or DTLA 2040, will guide development through the year 2040 and will allocate land for jobs, housing, parks and open space (where feasible), and civic functions, as well as improve the link between land use and transportation. The updated DTLA 2040 would include new goals, objectives, and policies for fire protection services. The CEQA analyses that will be prepared by the City to address impacts associated with implementation of the DTLA 2040 will be required to evaluate the DTLA 2040's impacts on LAFD service ratios, response times, and emergency access, as well as whether the need for additional staff, equipment, or facilities is necessary.

As part of these planning efforts, the LAFD and other City administrative departments are also responsible for assessing annual programming needs and allocating the City's budget accordingly to meet these needs. Requirements for new or expanded fire stations, relocated fire stations, or increases in staffing would be identified through this

²¹ City of Los Angeles, Department of City Planning. 2017. Notice of Preparation of a Combined Draft Environmental Impact Report and Notice of Scoping Meeting for Updates to the Central City and Central City North Community Plans, and Amendments to the City of Los Angeles Municipal Code to Adopt a New Zoning Code for the Central City and Central City North Plan Areas (as part of the re:code LA project). February 6.

programming and budgeting process. In addition, tax revenue generated by the Project and Related Projects would also contribute to funding expanded or new public facilities, such as LAFD stations, and the hiring of additional firefighters and other emergency response staff.

Additional or expanded fire stations have not yet been identified as planned projects in the Project area. However, in the event that the LAFD determines that a new or expanded fire station is warranted, or that fire stations need to be consolidated or relocated, the environmental effects that may result from such endeavors would be subject to the City's environmental review process. In the case of the Project area (in DTLA and the Arts District specifically), land parcels for future fire stations would likely be comprised of infill lots with existing land uses that would be replaced by the fire station. Due to the relatively small size and limited function, or land use, of fire stations (i.e., fire stations are generally one to two stories in height, as compared to multi-level and mixed-use projects), it is unlikely that development of a fire station would result in significant and unavoidable impacts. However, if such an impact were identified, the fire station project would be required to implement mitigation measures, as necessary, to avoid or minimize adverse impacts.

With regard to cumulative impacts on fire protection, consistent with *City of Hayward v. Board of Trustees of the California State University* (2015) 242 Cal.App.4th 833 ruling and the requirements stated in the California Constitution Article XIII, Section 35(a)(2) discussed in Subsection 3.b.(1) above, the obligation to provide adequate fire protection and emergency medical services is the responsibility of the City. Through the City's regular budgeting efforts, LAFD's resource needs, including staffing, equipment, trucks and engines, ambulances, other special apparatuses and possibly station expansions or new station construction, would be identified and allocated according to the priorities at the time. At this time, LAFD has not identified any new station construction in the area impacted by this Project either because of this Project or other projects in the service area. If LAFD determines that new facilities are necessary at some point in the future, such facilities (1) would occur where allowed under the designated land use, (2) would be located on parcels that are infill opportunities on lots that are between 0.5 and 1 acre in size, and (3) could qualify for a categorical exemption under CEQA Guidelines Section 15301 or 15332 or Mitigated Negative Declaration and would not be expected to result in significant impacts. Further analysis, including a specific location, would be speculative and beyond the scope of this document.

Therefore, the Project's contribution to cumulative impacts on fire protection services would not be cumulative considerable and cumulative impacts would be less than significant.

(2) Mitigation Measures

Cumulative impacts related to fire protection service would be less than significant; thus, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative impacts related to fire protection service were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included for cumulative impacts, and the impact level remains less than significant.

IV. Environmental Impact Analysis

K.2 Public Services – Police Protection Services

1. Introduction

This section analyzes whether the Project's new or physically altered police facilities would be required to provide police protection services to the Project, the construction of which could cause significant environmental impacts. The analysis is based, in part, on the information provided by the Los Angeles Police Department (LAPD) and includes statistical data regarding police protection facilities and services and response times. This information is included in Appendix K, Public Services Correspondences of this Draft Environmental Impact Report (EIR). Additional information included in this analysis is also based on the LAPD crime control model computer statistics (COMPSTAT) database and other data on the LAPD website.

2. Environmental Setting

a) Regulatory Framework

There are several plans, policies, and programs regarding Police Protection at the State of California (State), regional, and local levels. Described below, these include:

- California Vehicle Code, Section 21806
- California Constitution Article XIII, Section 35
- California Penal Code
- County of Los Angeles Office of Emergency Management (OEM)
- City of Los Angeles General Plan, including:
 - Framework Element
 - Central City North Community Plan
- City of Los Angeles Charter
- Administrative and Municipal Codes

- LAPD Computer Statistics Unit (COMPSTAT) Program
- LAPD Guidelines and Plan Review

(1) State

(a) *California Vehicle Code, Section 21806*

Section 21806 of the California Vehicle Code (CVC) pertains to emergency vehicles responding to Code 3 incident/calls.¹ This section of the CVC states the following:

“Upon the immediate approach of an authorized emergency vehicle which is sounding a siren and which has at least one lighted lamp exhibiting red light that is visible, under normal atmospheric conditions, from a distance of 1,000 feet to the front of the vehicle, the surrounding traffic shall, except as otherwise directed by a traffic officer, do the following: (a)(1) Except as required under paragraph (2), the driver of every other vehicle shall yield the right-of-way and shall immediately drive to the right-hand edge or curb of the highway, clear of any intersection, and thereupon shall stop and remain stopped until the authorized emergency vehicle has passed. (2) A person driving a vehicle in an exclusive or preferential use lane shall exit that lane immediately upon determining that the exit can be accomplished with reasonable safety....(c) All pedestrians upon the highway shall proceed to the nearest curb or place of safety and remain there until the authorized emergency vehicle has passed.”

(b) *California Constitution Article XIII, Section 35*

Section 35 of Article XIII of the California Constitution was adopted by the voters in 1993 under Proposition 172. Proposition 172 directed the proceeds of a 0.50-percent sales tax to be expended exclusively for local public safety services. California Government Code Sections 30051-30056 provide rules to implement Proposition 172. Public safety services include police protection. Section 30056 provides that cities are not allowed to spend less of their own financial resources on their combined public safety services in any given year compared to the 1992-93 fiscal year. Therefore, an agency is required to use Proposition 172 to supplement its local funds used on police protection, as well as other public safety services. Section 35 at subdivision (a)(2) provides: “The protection of public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services.” In *City of Hayward v. Board of Trustees of the California State University* (2015) 242 Cal. App. 4th 833, the court found that Section 35 of Article XIII of the California Constitution requires local agencies to provide public safety services, including police protection, and that it is reasonable to

¹ A Code 3 response to any emergency may be initiated when one or more of the following elements are present: a serious public hazard, an immediate pursuit, preservation of life, a serious crime in progress, and prevention of a serious crime. A Code 3 response involves the use of sirens and flashing red lights.

conclude that the city will comply with that provision to ensure that public safety services are provided.

(c) *California Penal Code*

All law enforcement agencies in California are organized and operated in accordance with the applicable provisions of the California Penal Code. This code sets forth the authority, rules of conduct, and training for peace officers. Under State law, all sworn municipal and county officers are State peace officers.

(2) **Regional**

(a) *County of Los Angeles Office of Emergency Management*

The County of Los Angeles OEM, established by Chapter 2.68 of the Los Angeles County Code, is responsible for organizing and directing emergency preparedness efforts, as well as the day-to-day coordination efforts, for the County's Emergency Management Organization. The OEM's broad responsibilities include, among others, planning and coordination of emergency services on a Countywide basis.²

Los Angeles County organizes a formal mutual aid agreement between all police departments within its jurisdiction to provide police personnel and resources to assist other member agencies during emergency and/or conditions of extreme peril. This ensures adequate resources should an emergency arise that requires immediate response by more law enforcement personnel than would be available to LAPD using only its own available resources.

(3) **Local**

(a) *City of Los Angeles General Plan*

(i) *Framework Element*

The City of Los Angeles General Plan (General Plan) Framework Element (Framework Element), originally adopted in December 1996 and re-adopted in August 2001, provides a comprehensive vision for long-term growth within the City of Los Angeles (City) and guides subsequent amendments of the City's Community Plans Specific Plans, zoning ordinances, and other local planning programs.

Relevant goals, objectives, and policies of the Framework Element are provided in Table IV.K.2-1, Relevant General Plan Framework Element Infrastructure and Public Services

² County of Los Angeles, Chief Executive Office, Office of Emergency Management. About Emergency Management. Available at: <https://ceo.lacounty.gov/emergency-management/#1509664666354-388bbaed-fcaf>. Accessed on December 17, 2021.

Goals, Objectives, and Policies, below. Chapter 9 of the General Plan Framework addresses infrastructure and public services.

Table IV.K.2-1
**Relevant General Plan Framework Element Infrastructure and
 Public Services Goals, Objectives, and Policies**

Goal/Objective/ Policy	Description
Goal 9I	Every neighborhood in the City has the necessary police services, facilities, equipment, and manpower required to provide for the public safety needs of that neighborhood.
Objective 9.13	Monitor and forecast demand for existing and projected police service and facilities.
Policy 9.13.1	Monitor and report police statistics, as appropriate, and population projections for the purpose of evaluating police service based on existing and future needs.
Objective 9.14	Protect the public and provide adequate police services, facilities, equipment and personnel to meet existing and future needs.
Policy 9.14.1	Work with the Police Department to maintain standards for the appropriate number of sworn police officers to serve the needs of residents, businesses, and industries.
Policy 9.14.5	Identify neighborhoods in Los Angeles where facilities are needed to provide adequate police protection.
Policy 9.14.7	Participate fully in the planning of activities that assist in defensible space design and utilize the most current law enforcement technology affecting physical development.
Objective 9.15	Provide for adequate public safety in emergency situations.
Policy 9.15.1	Maintain mutual assistance agreements with local law enforcement agencies, State law enforcement agencies, and the National Guard to provide for public safety in the event of emergency situations.
Source: City of Los Angeles, Department of City Planning. 2001. Citywide General Plan Framework Element. Originally adopted by City Council on December 11, 1996 and re-adopted on August 8.	

(ii) Central City North Community Plan

The Land Use Element of the General Plan includes 35 community plans. Community plans are intended to provide an official guide for future development and propose approximate locations and dimensions for land use. The community plans establish standards and criteria for the development of housing, commercial uses, and industrial uses, as well as circulation and service systems. The community plans implement the General Plan Framework at the local level and consist of both text and an accompanying generalized land use map. The community plans' texts express goals, objectives, policies, and programs to address growth in the community, including those that relate to police protection required to support such growth. The community plans' maps depict the desired arrangement of land uses as well as street classifications and the locations and

characteristics of public service facilities. The Project Site is located within the Central City North Community Plan (Community Plan). The current Community Plan, adopted in 2000, includes the following objectives and policies that are relevant to police protection:

- Objective 8-1: To provide adequate police facilities and personnel to correspond with population and service demands in order to provide adequate police protection.
 - Policy 8-1.1: Consult with the Police Department as part of the review of new development projects and land use changes to determine law enforcement needs and demands.
- Objective 8-2: To increase the community’s and the Police Department’s ability to minimize crime and provide adequate security.
 - Policy 8-2.1: Support and encourage community based crime prevention efforts (such as Neighborhood Watch and the Senior Lead Officer Program), through regular interaction and coordination with existing community based policing, foot and bicycle patrols, watch programs, and regular communication with neighborhood and civic organizations.
 - Policy 8-2.2: Ensure that landscaping around buildings be placed so as not to impede visibility.
 - Policy 8-2.3: Ensure adequate lighting around residential, commercial, and industrial buildings in order to improve security.

The Department of City Planning is in the process of updating the Community Plan. The Combined Draft EIR for updates to the Central City and Central City North Community Plans, or collectively, the Downtown Community Plan or DTLA 2040, will guide development through the year 2040. Although the Spring 2021 Proposed Draft of the Downtown Community Plan³ does not include policies related to police facilities and police protection services, the goals, objectives, and policies of the Framework Element and Safety Element, identified above, remain applicable.

(b) City of Los Angeles Charter

The City Charter at Section 570 gives the power and the duty to the LAPD to enforce the penal provisions of the Charter, City ordinances, and State and federal laws. The Charter also gives responsibility to the LAPD to act as peace officers and to protect lives and property in case of disaster or public calamity.

³ In addition, the August 26, 2021 Supplemental Recommendation Report and the September 2021 Technical Modifications/Corrections to the Staff Recommendation Report for Case No. CPC-2017-432-CPU; CPC-2014-1582-CA; CEQA: ENV-2017- 433-EIR (the Downtown Community Plan and EIR) by the Department of City Planning do not include policies directly related to police facilities.

(c) Administrative and Municipal Codes

Section 22.240 of the Administrative Code requires the LAPD to adhere to the State standards described in Section 13522 of the California Penal Code for the training of police dispatchers. LAMC Chapter 5 includes regulations, enforceable by the police, related to fire arms, illegal hazardous waste disposal, and nuisances (such as excessive noise), and providing support to the Department of Building and Safety Code Enforcement inspectors and the LAFD in the enforcement of the City’s Fire, Building, and Health Codes. The LAPD is also given the power and the duty to protect residents and property, and to review and enforce specific security related mitigation measures in regards to new development.

(d) LAPD Computer Statistics Unit (COMPSTAT) Program

The LAPD COMPSTAT was created in 1994 and implements the Framework Element goal of assembling statistical population and crime data to determine necessary crime prevention actions. This system implements a multi-layer approach to police protection services through statistical and geographical information system (GIS) analysis of growing trends in crime through its specialized crime control model. COMPSTAT has effectively and significantly reduced the occurrence of crime in Los Angeles communities through accurate and timely intelligence regarding emerging crime trends or patterns.⁴

(e) LAPD Guidelines and Plan Review

Projects subject to City review are required to develop an Emergency Procedures Plan to address emergency concerns and practices. The plan is subject to review by LAPD. In addition, projects are encouraged to comply with the LAPD’s Design Out Crime Guidelines, which incorporates techniques of Crime Prevention Through Environmental Design and seeks to deter crime through the design of buildings and public spaces. Specifically, projects are recommended to provide on-site security personnel whose duties shall include but not be limited to the following:

- Monitoring entrances and exits;
- Managing and monitoring fire/life/safety systems;
- Controlling and monitoring activities in parking facilities;
- Installing security industry standard security lighting at recommended locations including parking structures, pathway options, and curbside queuing areas;
- Installing closed-circuit television at select locations including (but not limited to) entry and exit points, loading docks, public plazas and parking areas;

⁴ Los Angeles Police Department. COMPSTAT. Available at: <https://www.lapdonline.org/office-of-the-chief-of-police/office-of-special-operations/detective-bureau/crime-mapping-and-compstat/>. Accessed on December 17, 2021.

- Providing adequate lighting of parking structures, elevators, and lobbies to reduce areas of concealment;
- Providing lighting of building entries, pedestrian walkways, and public open spaces to provide pedestrian orientation and to clearly identify a secure route between parking areas and points of entry into buildings;
- Designing public spaces to be easily patrolled and accessed by safety personnel;
- Designing entrances to, and exits from buildings, open spaces around buildings, and pedestrian walkways to be open and in view of surrounding sites; and
- Limiting visually obstructed and infrequently accessed “dead zones.”

b) Existing Conditions

(1) Existing LAPD Facilities and Services

All police protection services within the City are provided by the LAPD, which employs approximately 10,038 sworn officers and 2,819 civilian support staff. The LAPD is comprised of four bureaus (Valley, West, Central, and South) and is comprised of 21 subdivisions. Each division has its own police station that serves as the division’s headquarters.⁵

The Project Site is located within the LAPD’s Central Bureau. The Central Bureau oversees operations in the Central Area, Rampart Area, Hollenbeck Area, Northeast Area, and Newton Area, as well as the Central Traffic Division,⁶ and it includes six Basic Car patrols.⁷ The Project Site is located within the Central Area and is served by the Central Community Police Station, located at 251 East 6th Street, Los Angeles, CA 90014. The service boundaries for the Central Area are: Stadium Way, Pasadena Freeway to the north, Washington Blvd, 7th Street to the south, Los Angeles River to the east, and the Harbor Freeway to the west, as shown in Figure IV.K.2-1, Central Community Police Station Location and Service Area.⁸

The Central Community Police Station is staffed by approximately 400 sworn personnel and civilian staff and is situated approximately one mile west of the Project Site. The Central Community Police Station serves a population of 40,000 people and covers approximately 4.5 square miles.⁹ The Central Community Police Station serves the

⁵ City of Los Angeles, Department of City Planning. 2020. Downtown Community Plan Update/New Zoning Code for Downtown Community Plan. Draft EIR, Section 4.13 Public Services. August.

⁶ Los Angeles Police Department. Central Bureau. Available at: http://www.lapdonline.org/central_bureau/content_basic_view/1910. Accessed December 17, 2021.

⁷ Los Angeles Police Department. 2005. Central Area Basic Car Map. February.

⁸ Neal, Al (LAPD). 2017. Response to Information Request by Envicom Corporation. June 3. (Appendix K.)

⁹ Los Angeles Police Department. About Central Area. Available at: http://www.lapdonline.org/central_community_police_station/content_basic_view/1681. Accessed March 17, 2021.

following Downtown Los Angeles (DTLA) communities: Chinatown, Little Tokyo, South Park, Central City East, Historic Core, Financial District, Olvera Street, Jewelry District, the Convention Center, Fashion District and the majority of the Arts District.¹⁰ The officer-to-population ratio in the Central Area is one sworn personnel to approximately 128 residents. Of the 400 personnel in the Central Area, 313 are patrol and probation officers that take response calls.¹¹ By comparison, the citywide officer-to-population ratio is one sworn personnel to 422 residents.¹²

(2) Arts District Los Angeles Business Improvement District Safety Team Services

In addition to the LAPD, the Arts District Los Angeles Business Improvement District (Arts District BID, or ADLA) includes a safety team. ADLA is a 501(c)3 non-profit that was re-established in 2014 and is managed by the Arts District Board of Directors, which is mainly comprised of property owners and community stakeholders. The boundaries of the Arts District BID are roughly United States Route 101 to the north, Alameda Street to the west, the Los Angeles River to east, and Produce Street and 7th Street to the south. The efforts of ADLA are funded by a special assessment that is paid by the property owners within the boundaries of the Arts District BID. The primary function of ADLA is to keep the neighborhood clean and safe. The ADLA Safety Team patrols the neighborhood 24 hours per day and seven days per week by foot, bike, Segway, and vehicle. In addition to patrols, the Safety Team provides public assistance, crime prevention, homeless outreach, personal safety escort, and nuisance intervention services.¹³

(3) LAPD Response Times

Response time reflects the time elapsed from the initiation of a call for assistance to the arrival of a police unit at the scene. Police response to calls are prioritized based on the nature of the call and, unlike fire services (as discussed in Section IV.K.1, Public Services – Fire Protection Services), police units are generally patrolling a beat, making the distance between the Police Station and the Project Site less important. The number of deployed officers is a factor that relates more directly to the response time. However, the average response time for the Central Community Police Station to emergency calls for service in 2016 was approximately 2.7 minutes. For non-emergency calls, the average response time during 2016 was 13.7 minutes.¹⁴

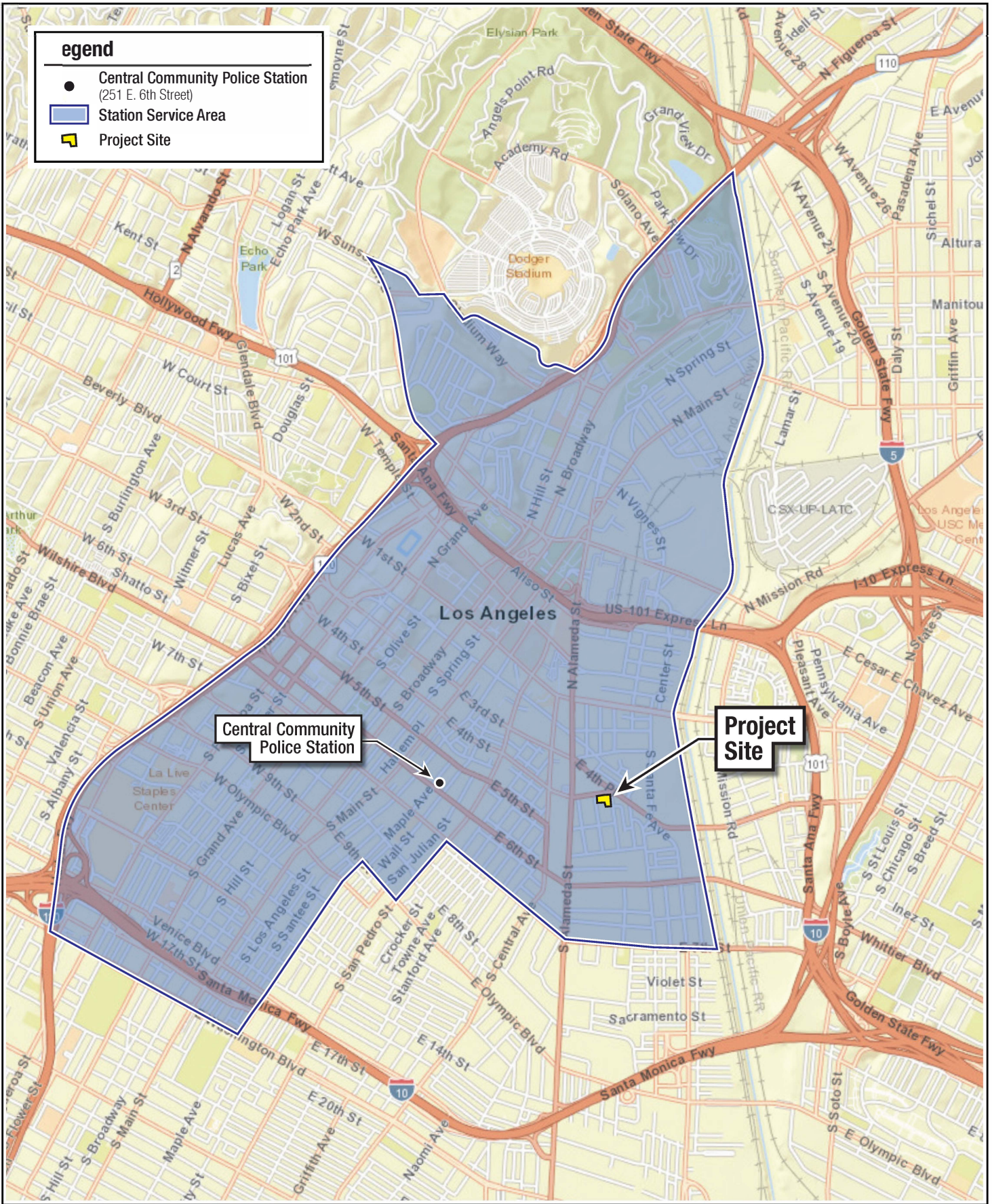
¹⁰ Los Angeles Police Department. About Central Area. Available at: http://www.lapdonline.org/central_community_police_station/content_basic_view/1681. Accessed March 17, 2021.

¹¹ City of Los Angeles, Department of City Planning. 2020. Downtown Community Plan Update/New Zoning Code for Downtown Community Plan. Draft EIR, Section 4.13 Public Services. August.

¹² Los Angeles Police Department. 2021. COMPSTAT Citywide Profile, Year to Date 2021. December 13.

¹³ Arts District Los Angeles. BID overview. Available at: <http://www.artsdistrictla.org/bid-overview/>. Accessed on March 18, 2021.

¹⁴ Neal, Al (LAPD Commanding Officer). 2017. Correspondence. June 3. (Appendix K.)



Source: ESRI World Street Map background imagery, 2017. City of Los Angeles. 2006. L.A. CEQA Thresholds Guide: Your Guide to Preparing CEQA Analyses in Los Angeles.

4TH AND HEWITT PROJECT

Central Community Police Station Location and Service Area



FIGURE IV.K.2-1

(4) Crime Statistics

The LAPD Central Area crime statistics for 2021 are provided in Table IV.K.2-2, Central Area Crime Statistics, below.

**Table IV.K.2-2
Central Area Crime Statistics**

Crime	2021 (Year to Date)
Homicide	23
Rape	128
Robbery	748
Aggravated Assault	1,302
Burglary	495
Motor Vehicle Theft	779
Burglary or Theft from Motor Vehicle	1,984
Personal/Other Theft	1,934

Source: Los Angeles Police Department. 2021. COMPSTAT Central Area Profile, Year to Date 2021. December 13.

Table IV.K.2-3, Citywide and Central Community Police Station Service Area Comparison, below, summarizes the officer to resident population ratio and number of crimes per resident throughout the City and within the Central Community Police Station service area specifically.

**Table IV.K.2-3
Citywide and Central Community Police Station Service Area Comparison**

Area Served	Area Size (square miles)	Population	LAPD Sworn Personnel	Officer-to-Resident Ratio	Number of Crimes	Crimes per Resident
Central Community Police Station Service Area ^a	4.5	40,000	313 ^b	1:128	7,393 ^c	0.18
City of Los Angeles ^d	472.9	4,015,546	9,521	1:422	113,027	0.03

Sources:
^a Los Angeles Police Department: About Central Area. Available at: http://www.lapdonline.org/central_community_police_station/content_basic_view/1681. Accessed March 17, 2021.
^b Los Angeles Department of City Planning. 2020. Downtown Community Plan Update/New Zoning Code for Downtown Community Plan. Draft EIR, Section 4.13 Public Services. August. Reflects patrol and probation officers that take response calls.
^c Los Angeles Police Department. 2021. COMPSTAT Central Area Profile, Year to Date 2021. December 13.
^d Los Angeles Police Department. 2021. COMPSTAT Citywide Profile, Year to Date 2021. December 13.

3. Project Impacts

a) Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the Project would have a significant impact related to police protection if it would:

Threshold a): Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection.

For this analysis, the Appendix G thresholds are relied upon. The analysis utilizes factors and considerations identified in the City's 2006 L.A. CEQA Thresholds Guide, as appropriate, to assist in answering the Appendix G Threshold questions. The L.A. CEQA Thresholds Guide identifies the following criteria to evaluate police protection:

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

b) Methodology

The analysis of the Project's impacts on police protection services addresses the Project's effects on the ability of police officers to serve the existing and future population in their respective station's service areas, taking into consideration the regulatory framework discussed above, the project design features (which are described below and include security and other design features that would reduce the demand for police protection services and/or reduce the need for new or expanded police protection facilities), and additional input received from the LAPD. The analysis presents Central Area and citywide statistical data, including the ratio of officers to residential population, which is used by the LAPD to measure the increase in police services required for the Project, if any. It should be noted that the Project would not directly generate a new residential population,

as it does not propose the development of residential units. The ratio is used as an indicator nonetheless, as the LAPD does not provide service ratios for non-residential land uses. Project employee estimates are provided by the Gibson Transportation Consulting, Inc. Transportation Impact Study for the 4th and Hewitt Project (Revised April 2022), provided in Appendix L. The number of employees from existing Project Site land uses are not considered in order to provide a conservative analysis (i.e., the net increase in employees as a result of Project development, which would be a slightly smaller figure, is not utilized).

The need for or deficiency in adequate police protection services in and of itself is not a CEQA impact, but rather a social and/or economic impact.¹⁵ Moreover, pursuant to the *Hayward* ruling, the need for additional public safety services is not an environmental impact that CEQA requires a project proponent to mitigate.¹⁶ To the extent a project generates a demand for additional police services that results in the need to construct new facilities or expand existing facilities, and the construction could result in a potential impact to the environment, then that impact needs to be evaluated within the project EIR and mitigated (if feasible), if found to be significant. The ultimate determination of whether a significant impact to the environment related to police services would result from a project is determined by whether construction of new or expanded police facilities is reasonably foreseeable as a direct or indirect effect of the project.

There are no current capital improvement plans for the construction or expansion of police facilities in the Project area. In the event that the City determines that expanded or new police facilities are warranted, such facilities (1) would occur where allowed under the designated land use, (2) would be located on parcels that are infill opportunities on lots that are between 0.5 and 1 acre in size, and (3) could qualify for a categorical exemption under CEQA Guidelines Section 15301 or 15332 or Mitigated Negative Declaration.

c) Project Design Features

The following project design features, POL-PDF-1 and POL-PDF-2, are proposed for police protection.

POL-PDF-1e Prior to issuance of a demolition permit, the Project shall:

- Provide security fencing around the perimeter of the Project Site during the construction phase; and
- Provide on-site security personnel whose duties shall include construction site entrance and exit monitoring.

¹⁵ City of Hayward v. Board Trustees of California State University (2015) 242 Cal, App. 4th 833, 843, 847.

¹⁶ City of Hayward v. Board Trustees of California State University (2015) 242 Cal, App. 4th 833, 843, 847.

Prior to issuance of a certificate of occupancy, the Project shall:

- Provide on-site security personnel whose duties shall include Office Building (including parking levels) video surveillance monitoring and fire/life/safety system monitoring; and
- Provide adequate security lighting of parking areas, elevators, lobbies, and pathways for pedestrian orientation and to reduce areas of concealment.

The Applicant shall consult with the Los Angeles Police Department (LAPD) to ensure that available and feasible crime prevention features have been incorporated during the construction period and into the Project design and receive LAPD's approval.

POL-PDF-2: Emergency Procedures Plan. Prior to the issuance of a certificate of occupancy, the Applicant shall develop an Emergency Procedures Plan that addresses emergency concerns and practices and provides a diagram that illustrates each portion of the property, including access routes. The plan shall be submitted to the Los Angeles Police Department Central Area Commanding Officer for review and approval.

d) Analysis of Project Impacts

Threshold a): Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?

(1) Impact Analysis

(a) Construction

Construction of the Project would occur from 2023 to 2025 and would not generate a permanent population. Although temporary in nature, construction activity, and construction sites, can often attract nuisances, create hazards, and encourage theft and vandalism. When a site is improperly secured, it can become a distraction for local law enforcement away from other urgent matters. As a result, developers typically take measures to prevent trespassing on their construction sites. On the Project Site, temporary security fencing shall be installed around the perimeter of construction activities, as required by Project Design Feature POL-PDF-1, above. Another effective method for preventing on-site crime during the construction phase is the deployment of security guards, which is another requirement of Project Design Feature POL-PDF-1. These precautions generally decrease the need for local law enforcement services at the

construction site. In addition to securing and patrolling the Project Site, the Project would implement Project Design Feature TRANS-PDF-1, which includes implementation of a Construction Traffic Management Plan in order to assure that emergency service personnel would be able to access the Project Site and neighboring properties during the construction period. Features of the construction traffic management plan would be developed in consultation with the Los Angeles Department of Transportation and will include appropriate construction traffic control measures (e.g., signs, flag persons, etc.), which would also be utilized to ensure emergency access to the Project Site and traffic flow is maintained on adjacent rights-of-way. Furthermore, construction-related traffic generated by the Project would not significantly impact LAPD response within the Project vicinity as emergency vehicles normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic, pursuant to CVC Section 21806.

Based on the above analysis and compliance with State law, construction-related impacts would be minimized and would not generate a demand for additional police protection services that would substantially exceed the capability of the LAPD to serve the Project Site. **Project construction would not necessitate the provision of new or physically altered governmental facilities in order to maintain the LAPD’s capability to serve the Project Site; accordingly, the Project would not result in adverse physical impacts associated with the construction of new or physically altered governmental facilities. Therefore, impacts on police protection services during Project construction would be less than significant.**

(b) Operation

Increases in land use activity and increases in the demand for police protection services do not have a direct proportional relationship. However, the increase of both on-site activity and traffic on adjacent streets and arterials could increase the number of calls for police response to commercial and vehicle burglaries, vehicle damage, traffic-related incidents, and crimes against persons. Calls such as these are typical of problems faced in nearby communities rather than representing unique law enforcement issues specific to the Project. Implementing design features that deter crime would reduce the demand for police protection services. Such design features include limiting public access to sufficiently patrolled public areas, sufficient and strategically positioned functional lighting, minimizing visual obstructions, and eliminating infrequently accessed areas, or dead zones. The Project would include crime prevention features, such as an on-site security service, security lighting, and minimized areas of concealment. The responsibilities of the Project’s security personnel would include assisting employees and visitors when necessary, monitoring points of ingress and egress, managing and monitoring fire/life/safety systems, and patrolling the property, including the parking levels. An emergency procedures plan would also be visibly posted for employees and visitors of

the Project's offices and commercial businesses. Further, the LAPD would review and provide guidance on the Project's security features, which would be incorporated into the final design. These measures are integrated into the Project as Project Design Features POL-PDF-1 and POL-PDF-2.

(i) *Police Service Population and Crime Rate*

The adequacy of police protection is evaluated using the following information: existing number of police officers in the Project's police service area, the number of people currently served in the area, the adequacy of existing officer-to-population ratio in the area, and the number of additional people that the Project would introduce to the area. Table IV.K.2-4, Central Community Police Station and Project Service Comparison, shows the increase in officer-to-resident ratio based on the Project's projected employee population in conjunction with the existing Central Community Police Station. This ratio presents a conservative scenario wherein the employees of the Project are considered a permanent residents of the Central Community's service area population.

**Table IV.K.2-4
Central Community Police Station and Project Service Comparison**

Area Served	Area Size	Population	LAPD Sworn Personnel	Officer-to-Resident Ratio
Existing				
Central Community Police Station Service Area ^a	4.5 square miles	40,000	313 ^c	1:128
Project				
Project	N/A	1,279 ^b	N/A	N/A
Project + Existing				
		41,279	313	1:132
Sources:				
^a Los Angeles Police Department: About Central Area. Available at: http://www.lapdonline.org/central_community_police_station/content_basic_view/1681 . Accessed March 17, 2021.				
^b Project Employee Generation: Gibson Transportation Consulting, Inc. 2022. Transportation Impact Study for the 4 th and Hewitt Project. April (Revised). (Appendix L.) (Employees from existing Project Site land uses are not considered for a conservative analysis [i.e., the smaller net increase figure is not utilized].)				
Note:				
^c Reflects patrol and probation officers that take response calls.				

With a current staff of 313 sworn patrol and probation personnel that take response calls serving a community of approximately 40,000 persons, the LAPD's Central Community Station has an officer to resident ratio of one officer for every 128 residents. Conservatively assuming that the Project's employee population of 1,279 are residents, rather than employees, the Project would increase the existing Central Community Police Station's service population from 40,000 to 41,279 persons. Without a change to staffing levels, the resulting officer-to-population ratio would increase by four persons per officer, from one officer for every 128 residents to one officer for every 132 residents, which would be below the Citywide ratio of one officer for every 422 residents. The Project would not

cause a substantial change in the officer-to-population ratio for the Central Community Station service area such that the provision of new or physically altered police facilities would be required.

(ii) *Emergency Access*

Vehicular emergency access to the Project Site would be acquired via the existing street system, the Project's ingress and egress driveways on East 4th Street, and the loading dock on South Hewitt Street. The pedestrian courtyard and passageway and ground floor commercial uses would provide further access points for emergency personnel on foot. The design and construction of the Project would be implemented in accordance with LAMC regulations to assure adequate emergency access. As discussed above, the Applicant would also provide an emergency preparedness plan, including access routes, that would facilitate police response to the Project Site (refer to Project Design Feature POL-PDF-2). In addition, per CVC Section 21806, emergency vehicles have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic. For these reasons, increases in Project-related traffic would not substantially affect the ability of police officers and vehicles to access the Project Site in an emergency.

(c) *Conclusion*

Based on the above analysis, the Project operation would not necessitate the provision of new or physically altered police facilities, the construction of which would cause significant environmental impacts, in order to maintain LAPD's capability to serve the Project Site. Thus, impacts to police protection services during Project operation would be less than significant.

(2) Mitigation Measures

Project impacts to police protection services would be less than significant. Therefore, mitigation measures would not be required.

(3) Level of Significance After Mitigation

Project impacts related to police protection services would be less than significant without mitigation.

e) Cumulative Impacts

(1) Impact Analysis

The development that is proposed by the Project and the 137 Related Projects, identified in Chapter III, Environmental Setting, may potentially result in cumulatively considerable

impacts to police protection services. The projected growth reflected by the Related Projects is a conservative assumption, as some of the Related Projects may not be built out by 2025 (i.e., the Project buildout year), may never be built, or may be approved and built at reduced densities.

The geographic scope for the police protection services cumulative impacts analysis includes the Project Site and the Related Project sites that are located in the LAPD's jurisdiction, namely those that are located within the Central Community Police Station's service area. As shown by Figure III-1, Locations of Related Projects, and Figure IV.K.2-1, the Project Site and the majority of the Related Projects are located within the Central Community Police Station's service area. The Project, in combination with these Related Projects, would primarily add residential, commercial (such as hotel, restaurant, bar, and retail), and office spaces to the Project area. As described in Chapter III, Environmental Setting (refer to Table III-2, Summary of Related Project Land Uses), if the Related Projects are all developed as currently envisioned, they would generate 33,511 residential units; 55 assisted living beds; 4,248 hotel rooms; 14,349,665 square feet of office space; 1,464,850 additional square feet for the correctional facility;¹⁷ 118,389 square feet of schools, and 6,169,906 square feet of museum/cultural center, sports/event facilities, arts and production, industrial, commercial, retail space, and miscellaneous uses. This is a conservative estimate that does not account for the population associated with existing land uses that would be replaced by the Related Projects. Nevertheless, it is anticipated that the increased density of proposed developments, which would include commercial developments as well as an increased residential population generated directly by proposed residential developments, would increase the demand for police protection services in the Central Community Police Station's service area. Over time, this demand may potentially evolve from increased staffing and equipment needs to the need for new or expanded police protection facilities, the development of which may result in environmental impacts. Cumulative impacts of the Project and Related Projects on police protection services are evaluated in further detail below.

(a) *Construction*

With regard to cumulative impacts during the construction period, the Project, in combination with Related Projects, has the potential to disrupt police protection services if construction at the Project Site would coincide with construction of the Related Projects located in close proximity, specifically with Related Project Nos. 37, 44, 52, 78, 79, 85, 94, 96, 120, and 137. Cumulative construction activities of these Related Projects would be temporary in nature; however, in combination, they may adversely affect access for responding police vehicles that travel along Alameda boulevards, East 4th Street, East 4th

¹⁷ Fehr and Peers. 2017. Consolidated Correctional Treatment Facility Transportation Impact Analysis. August. The proposed square footage is 2,400,000 square feet, but the current facility is 935,150 square feet in size.

Place, Colyton Street, and South Hewitt Street in the vicinity of the Project Site. Multiple sites that are under construction at the same time and are in close geographic proximity have the potential to require staging areas and lane closures that may potentially decrease the response times of the LAPD. However, as with the Project, the site plans of Related Projects would be subject to review and approval of the LAPD during the project permitting process, and where necessary, would be required to implement a construction traffic management plan. Such a provision, combined with the fact that emergency vehicles are empowered to clear traffic through the use of sirens as well as circumvent traffic and traffic signals, would assure that emergency access and traffic flow are not disrupted by cumulative construction activities.

Due to these factors, and as the Project itself would not result in a direct significant impact to police protection services during the construction period, its contribution to the cumulative police protection service impact during construction would not be cumulatively considerable and cumulative impacts would be less than significant.

(b) Operation

Typical daily operation of the Project's commercial and office uses, in combination with the operation of the Related Projects, would result in a cumulative demand for LAPD services. However, the Project and Related Projects are located in a highly urbanized area that is served by multiple LAPD stations. In addition, and as previously discussed for the Project's direct less than significant police protection service impacts during operation, the Project and Related Projects would be required to comply with the identified regulatory framework, which includes LAPD review and approval of the site plans during the permitting process to ensure that adequate security features are implemented, and that emergency response times and access are maintained. In addition, the security features of the Project, described in Chapter II, Project Description (including 24-hour video surveillance and lighting at the perimeter of the Office Building above retail and service entries and in the passageway and courtyard), and Project Design Feature POL-PDF-2 (emergency preparedness plan) would help offset the increased demand for police protection services. Also, per CVC Section 21806, emergency vehicles have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic.

In addition to individual project development, the Department of City Planning is in the process of updating several of the City's 35 Community Plans, which together comprise the Land Use Element, as well as developing a New Zoning Ordinance, which will amend Chapter 1 of the LAMC. The City released a "Notice of Preparation of a Combined Draft Environmental Impact Report and Notice of Scoping Meeting for Updates to the Central City and Central City North Community Plans, and Amendments to the City of Los

Angeles Municipal Code to Adopt a New Zoning Code for the Central City and Central City North Plan Areas (as Part of the Re:Code LA Project)” in February 2017.¹⁸ According to the NOP, the updates to the Central City and Central City North Community Plans, or collectively, the Downtown Community Plan, or DTLA 2040, will guide development through the year 2040 and will allocate land for jobs, housing, parks and open space (where feasible), and civic functions, as well as improve the link between land use and transportation. The updated Downtown Community Plan would include new goals, objectives, and policies for police protection services. The comprehensive CEQA analyses that will be prepared by the City to address impacts associated with implementation of the Downtown Community Plan will be required to evaluate its impacts on LAPD service ratios, response times, and emergency access, as well as whether the need for additional staff, equipment, or facilities is necessary.

As part of these planning efforts, the LAPD and other City administrative departments are responsible for assessing annual programming needs and allocating the City’s budget accordingly to meet these needs. Requirements for new or expanded police stations, relocated police stations, or increases in staffing would be identified through this programming and budgeting process. In addition, tax revenue generated by the Project and the Related Projects would also contribute to funding expanded or new public facilities, such as LAPD stations, and the hiring of additional officers and other emergency response staff.

In the event that the LAPD determines that a new or expanded police station is warranted, or that police stations need to be consolidated or relocated, the environmental effects that may result from such endeavors would be subject to the City’s environmental review process. In the case of the Project area (in DTLA and the Arts District specifically), land parcels for future police stations would likely be comprised of infill lots with existing land uses that would be replaced by the police station. Due to the relatively small size and limited function, or land use, of police stations (i.e., police stations are generally one to two stories in height, as compared to multi-level and mixed-use projects), it is unlikely that development of a police station would result in significant and unavoidable impacts. However, if such an impact were identified, the police station project would be required to implement mitigation measures, as necessary, to avoid or minimize adverse impacts.

With regard to cumulative impacts on police protection, consistent with the *City of Hayward v. Board of Trustees of the California State University* ruling and the requirements stated in the California Constitution Article XIII, Section 35(a)(2), the obligation to provide adequate police protection services is the responsibility of the City.

¹⁸ City of Los Angeles, Department of City Planning. 2017. Notice of Preparation of a Combined Draft Environmental Impact Report and Notice of Scoping Meeting for Updates to the Central City and Central City North Community Plans, and Amendments to the City of Los Angeles Municipal Code to Adopt a New Zoning Code for the Central City and Central City North Plan Areas (as part of the re:code LA project). February 6.

LAPD will continue to monitor population growth and land development in the City and identify additional resource needs, including staffing, equipment, basic cars, other special apparatuses, and possibly station expansions or new station construction needs that may become necessary to achieve the required level of service. Through the City's regular budgeting efforts, LAPD's resource needs will be identified and allocated according to the priorities at the time. At this time, LAPD has not identified any new station construction in the area impacted by this Project either because of this Project or other projects in the service area. If LAPD determines that new facilities are necessary at some point in the future, such facilities: (1) would occur where allowed under the designated land use; (2) would be located on parcels that are infill opportunities on lots that are between 0.5 and 1 acre in size; and (3) could qualify for a categorical exemption or Mitigated Negative Declaration under CEQA Guidelines Section 15301 or 15332 and would not be expected to result in significant impacts. Further analysis, including a specific location, would be speculative and beyond the scope of this document.

Therefore, the Project's contribution to cumulative operational impacts to police protection services would not be cumulatively considerable. The Project would not result in cumulative adverse impacts associated with the provision of new or physically altered police facilities, need for new or physically altered police facilities, the construction of which would cause significant environmental impacts, in order to maintain service. As such, cumulative impacts on police protection services would be less than significant.

(2) Mitigation Measures

Cumulative impacts with regard to police protection services would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative impacts related to police protection services would be less than significant without mitigation.

IV. Environmental Impact Analysis

L. Transportation

1. Introduction

This section analyzes the Project's potential impacts on Transportation. The analysis is primarily based on the Transportation Impact Study for the 4th and Hewitt Project, Los Angeles, California¹ prepared for the Project (TIS), and included in its entirety in Appendix L1, Transportation Impact Study, of this Draft Environmental Impact Report (EIR).

The analysis of Vehicle Miles Traveled (VMT) is based on the TIS. The TIS was prepared pursuant to the City of Los Angeles Department of Transportation's (LADOT's) Transportation Assessment Guidelines (TAG) (July 2019), which establish the guidelines and methodology for assessing transportation impacts for development projects based on the updated California Environmental Quality Act (CEQA) Guidelines from the State of California (State) that require transportation impacts be evaluated based on VMT rather than level of service (LOS) or any other measure of a project's effect on automobile delay.² The TIS was approved by LADOT in April 2020. A copy of LADOT's Assessment Letter for the TIS is included as Appendix L2 of the Draft EIR).

As discussed in the December 2021 Transportation Assessment for the 4th and Hewitt Project³ (Transportation Assessment) (provided in Appendix L3), since preparation of the TIS, LADOT released an updated version of the TAG (July 2020), and the Project buildout year was also revised from 2023 to 2025. However, the CEQA analysis methodology and impact thresholds remain consistent with the 2019 TAG and the findings of the TIS remain unchanged. Therefore, the analysis presented below is consistent with the guidelines and methodology of both the 2019 TAG and 2020 TAG. LADOT provided concurrence of the findings of the Transportation Assessment in January 2022 (provided as Appendix L4 of the Draft EIR).

¹ Gibson Transportation Consultants, Inc. 2022. Transportation Impact Study for the 4th and Hewitt Project. April (Revised). (Appendix L1.)

² It should be noted that, because the Notice of Preparation (NOP) for the Project was issued in September 2017, prior to the adoption of the TAG, the 2020 TIS also provides the LOS analysis consistent with the methodology and guidelines in the LADOT's December 2016 Transportation Impact Study Guidelines.

³ Gibson Transportation Consultants, Inc. 2021. Transportation Assessment for the 4th and Hewitt Project. December. (Appendix L2.)

2. Environmental Setting

a) Regulatory Framework

There are several plans, regulations, and programs that include policies, requirements, and guidelines regarding transportation at the federal, State, regional, and local levels. As described below, these plans, guidelines, and laws include:

- Americans with Disabilities Act of 1990
- Complete Streets Act
- California Assembly Bill 32 and Senate Bill 375
- California Vehicle Code
- California Senate Bill 743
- CEQA Guidelines Section 15064.3
- Southern California Association of Governments 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy
- City of Los Angeles Mobility Plan 2035
- Central City North Community Plan
- Los Angeles Municipal Code
- LADOT Transportation Assessment Guidelines
- LADOT Manual of Policies and Procedures Section 321
- LADOT Vision Zero
- LADOT Interim Guidance for Freeway Safety
- Citywide Design Guidelines
- Plan for A Healthy Los Angeles

(1) Federal

(a) *Americans with Disabilities Act of 1990*

Titles I, II, III, and V of the Americans with Disabilities Act have been codified in Title 42 of the United States Code, beginning at Section 12101. Title III prohibits discrimination based on disability in “places of public accommodation” (businesses and non-profit agencies that serve the public) and “commercial facilities” (other businesses). The regulation includes Appendix A through Part 36 (Standards for Accessible Design), establishing minimum standards for ensuring accessibility when designing and constructing a new facility or altering an existing facility. Examples of key guidelines

include detectable warnings for pedestrians entering traffic where there is no curb, a clear zone of 48 inches for the pedestrian travel way, and a vibration-free zone for pedestrians.

(2) State

(a) *Complete Streets Act*

Assembly Bill (AB) 1358, the Complete Streets Act (Government Code Sections 65040.2 and 65302), was signed into law by Governor Arnold Schwarzenegger in September 2008. As of January 1, 2011, the law requires cities and counties, when updating the part of a local general plan that addresses roadways and traffic flows, to ensure that those plans account for the needs of all roadway users. Specifically, the legislation requires cities and counties to ensure that local roads and streets adequately accommodate the needs of bicyclists, pedestrians and transit riders, as well as motorists.

At the same time, the California Department of Transportation (Caltrans), which administers transportation programming for the State, unveiled a revised version of Deputy Directive 64 (DD-64-R1 October 2008), an internal policy document that now explicitly embraces Complete Streets as the policy covering all phases of State highway projects, from planning to construction to maintenance and repair.

(b) *California Assembly Bill 32 and Senate Bill 375*

With the passage of Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006, the State committed itself to reducing statewide greenhouse gas (GHG) emissions to 1990 levels by 2020. The California Air Resources Board (CARB) is coordinating the response to comply with AB 32.

On December 11, 2008, CARB adopted its Scoping Plan for AB 32. This scoping plan included the approval of Senate Bill (SB) 375 as the means for achieving regional transportation-related GHG targets. SB 375 provides guidance on how curbing emissions from cars and light trucks can help the State comply with AB 32.

There are five major components to SB 375. First, regional GHG emissions targets: CARB's Regional Targets Advisory Committee guides the adoption of targets to be met by 2020 and 2035 for each Metropolitan Planning Organization (MPO) in the State. These targets, which MPOs may propose themselves, are updated every eight years in conjunction with the revision schedule of housing and transportation elements.

Second, MPOs are required to prepare a Sustainable Communities Strategy (SCS) that provides a plan for meeting regional targets. The SCS and the Regional Transportation Plan (RTP) must be consistent with each other, including action items and financing

decisions. If the SCS does not meet the regional target, the MPO must produce an Alternative Planning Strategy that details an alternative plan to meet the target.

Third, SB 375 requires that regional housing elements and transportation plans be synchronized on eight-year schedules. In addition, Regional Housing Needs Assessment (RHNA) allocation numbers must conform to the SCS. If local jurisdictions are required to rezone land as a result of changes in the housing element, rezoning must take place within three years.

Fourth, SB 375 provides CEQA streamlining incentives for preferred development types. Certain residential or mixed-use projects qualify if they conform to the SCS. Transit-oriented developments (TODs) also qualify if they 1) are at least 50 percent residential, 2) meet density requirements, and 3) are within 0.5 mile of a transit stop. The degree of CEQA streamlining is based on the degree of compliance with these development preferences.

Finally, MPOs must use transportation and air emissions modeling techniques consistent with guidelines prepared by the California Transportation Commission (CTC). Regional Transportation Planning Agencies, cities, and counties are encouraged, but not required, to use travel demand models consistent with the CTC guidelines.

(c) California Vehicle Code

The California Vehicle Code (CVC) provides requirements for ensuring emergency vehicle access regardless of traffic conditions. Sections 21806(a)(1), 21806(a)(2), and 21806(c) define how motorists and pedestrians are required to yield the right-of-way to emergency vehicles.

(d) California Senate Bill 743

On September 27, 2013, Governor Jerry Brown signed SB 743, which went into effect in January 2014. SB 743 directed the Governor's Office of Planning and Research (OPR) to develop revisions to the CEQA Guidelines by July 1, 2014 to establish new criteria for determining the significance of transportation impacts and define alternative metrics for traffic LOS. This started a process that changes transportation impact analysis under CEQA. These changes include elimination of auto delay, LOS, and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts for land use projects and plans in California. Additionally, as discussed further below, as part of SB 743, parking impacts for particular types of development projects in areas well served by transit are not considered significant impacts on the environment. According to the legislative intent contained in SB 743, these changes to current practice were necessary to "more appropriately balance the needs of congestion management

with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions.”

On January 20, 2016, OPR released the Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA, which was an update to Updating Transportation Impacts Analysis in the CEQA Guidelines, Preliminary Discussion Draft of Updates to the CEQA Guidelines Implementing Senate Bill 743, which had been released August 6, 2014. Of particular relevance was the updated text of the proposed new CEQA Guidelines Section 15064.3 that relates to the determination of the significance of transportation impacts, alternatives, and mitigation measures. Specifically, CEQA Guidelines Section 15064.3, which is discussed further below, establishes VMT as the most appropriate measure of transportation impacts. In November 2018, the California Natural Resources Agency finalized the updates to the CEQA Guidelines and the updated guidelines became effective on December 28, 2018.

Based on these changes, on July 30, 2019, the City of Los Angeles City Council (City Council) adopted the CEQA Transportation Analysis Update, which sets forth the revised thresholds of significance for evaluating transportation impacts as well as screening and evaluation criteria for determining impacts. The CEQA Transportation Analysis Update establishes VMT as the formal method of the City of Los Angeles (City) for evaluating a project’s transportation impacts. In conjunction with this update, LADOT adopted its TAG (adopted in July 2019 and updated in July 2020), which defines the methodology for analyzing a project’s transportation impacts in accordance with SB 743.

(e) *CEQA Guidelines Section 15064.3*

As discussed above, recent changes to CEQA include the adoption of Section 15064.3, Determining the Significance of Transportation Impacts. CEQA Guidelines Section 15064.3 establishes VMT as the most appropriate measure of transportation impacts. Generally, land use projects within 0.5 miles of either an existing major transit stop⁴ or a stop along an existing high quality transit corridor⁵ should be presumed to cause a less-than-significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less-than-significant transportation impact. A lead agency has discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may also use models to estimate VMT, and may revise those estimates to reflect professional judgment based on substantial evidence. As discussed further below, LADOT developed

⁴ “Major transit stop” is defined in Public Resources Code Section 21064.3 as a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

⁵ “High-quality transit corridors” are defined in Public Resources Code Section 21155 as a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

City of Los Angeles VMT Calculator Version 1.3 (May 2020) (VMT Calculator) to estimate project-specific daily household VMT per capita and daily work VMT per employee for developments within City limits.⁶ The methodology for determining VMT based on the VMT Calculator is consistent with CEQA Guidelines Section 15064.3 and the TAG.

(3) Regional

(a) *Southern California Association of Governments 2020-2045 Regional Transportation Plan / Sustainable Communities Strategy*

In compliance with SB 375, on September 3, 2020, the Southern California Association of Governments (SCAG) Regional Council adopted the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS), a long-range visioning plan that incorporates land use and transportation strategies to increase mobility options and achieve a more sustainable growth pattern while meeting GHG reduction targets set by the CARB. The 2020-2045 RTP/SCS contains baseline socioeconomic projections that are used as the basis for SCAG's transportation planning, as well as the provision of services by the six-county region of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. SCAG policies are directed towards the development of regional land use patterns that contribute to reductions in vehicle miles and improvements to the transportation system.

The 2020-2045 RTP/SCS builds on the long-range vision of SCAG's prior 2016-2040 RTP/SCS to balance future mobility and housing needs with economic, environmental and public health goals. A substantial concentration and share of growth is directed to Priority Growth Areas (PGAs), which include high quality transit areas (HQTAs), Transit Priority Areas (TPAs), job centers, Neighborhood Mobility Areas (NMAs) and Livable Corridors. These areas account for four percent of SCAG's total land area but the majority of directed growth. HQTAs are corridor-focused PGAs within one half mile of an existing or planned fixed guideway transit stop or a bus transit corridor where buses pick up passengers at a frequency of every 15 minutes (or less) during peak commuting hours. TPAs are PGAs that are within a half mile of a major transit stop that is existing or planned. Job centers are defined as areas with significant higher employment density than surrounding areas which capture density peaks and locally significant job centers throughout all six counties in the region. NMAs are PGAs with robust residential to non-residential land use connections, high roadway intersection densities, and low-to-moderate traffic speeds. Livable Corridors are arterial roadways where local jurisdictions may plan for a combination of the following elements: high-quality bus frequency; higher

⁶ The Project TIS VMT analysis is based on the LADOT VMT Calculator Version 1.2, which was current at the time the TIS was prepared. The Project VMT was also prepared using the updated Version 1.3 of the LADOT VMT Calculator, which also shows that the Project would result in a less-than-significant VMT impact (refer to Appendix P, Alternatives Technical Documentation).

density residential and employment at key intersections; and increased active transportation through dedicated bikeways.

The 2020-2045 RTP/SCS' "Core Vision" prioritizes the maintenance and management of the region's transportation network, expanding mobility choices by co-locating housing, jobs, and transit, and increasing investment in transit and complete streets. Strategies to achieve the "Core Vision" include but are not limited to: Smart Cities and Job Centers, Housing Supportive Infrastructure, Go Zones, and Shared Mobility. The 2020-2045 RTP/SCS intends to create benefits for the SCAG region by achieving regional goals for sustainability, transportation equity, improved public health and safety, and enhancement of the regions' overall quality of life. These benefits include but are not limited to a five percent reduction in VMT per capita, a nine percent reduction in vehicle hours traveled, and a two percent increase in work-related transit trips.

(4) Local

(a) *City of Los Angeles Mobility Plan 2035*

In August 2015, the City Council adopted Mobility Plan 2035 (Mobility Plan), which serves as the City of Los Angeles General Plan (General Plan) Circulation Element. The City Council has adopted several amendments to the Mobility Plan since its initial adoption, including the most recent amendment on September 7, 2016.⁷ The Mobility Plan incorporates "complete streets" principles and lays the policy foundation for how the City's residents interact with their streets. The Mobility Plan includes five main goals that define the City's high-level mobility priorities:

- (1) Safety First;
- (2) World Class Infrastructure;
- (3) Access for All Angelenos;
- (4) Collaboration, Communication, and Informed Choices; and
- (5) Clean Environments and Healthy Communities.

Each of the goals contains objectives and policies to support the achievement of those goals.

Street classifications are designated in the Mobility Plan, and may be amended by a community plan, and are intended to create a balance between traffic flow and other important street functions, including transit routes and stops, pedestrian environments, bicycle routes, building design and site access, etc. The Complete Streets Design Guide,

⁷ City of Los Angeles, Department of City Planning. 2016. Mobility Plan 2035: An Element of the General Plan. Approved by City Planning Commission on June 23 and adopted by City Council on September 7.

which was adopted by the City Council alongside the Mobility Plan, defines the street classifications as follows:

- **Arterial Streets**: Major streets that serve through traffic and provide access to major commercial activity centers. Arterials are divided into two categories:
 - **Boulevards** represent the widest streets that typically provide regional access to major destinations and include two further categories, Boulevard I and Boulevard II.
 - **Avenues** pass through both residential and commercial areas and include three further categories, Avenue I, Avenue II, and Avenue III.
- **Collector Streets**: Generally located in residential neighborhoods and provide access to and from arterial streets for local traffic and are not intended for cut-through traffic.
- **Local Streets**: Intended to accommodate lower volumes of vehicle traffic and provide parking on both sides of the street.
 - Continuous local streets that connect to other streets at both ends, and/or
 - Non-Continuous local streets that lead to a dead-end.

The Mobility Plan also identifies enhanced networks of major and neighborhood streets that facilitate multi-modal mobility within the citywide transportation system. This layered approach to complete streets selects a subset of the City's streets to prioritize travel for specific transportation modes. In all, there are four enhanced networks: the Bicycle Enhanced Network (BEN), Transit Enhanced Network (TEN), Vehicle Enhanced Network (VEN), and Neighborhood Enhanced Network (NEN). In addition to these networks, many areas that could benefit from additional pedestrian features are identified as Pedestrian Enhanced Districts (PED). These networks and PED are defined as follows:

- The NEN is a selection of streets that provide comfortable and safe routes for localized travel of slower-moving modes, such as walking, bicycling, or other slow speed motorized means of travel.
- The TEN is the network of arterial streets prioritized to improve existing and future bus service for transit riders.
- The BEN is a network of streets to receive treatments that prioritize bicyclists. Tier 1 Protected Bicycle Lanes are bicycle facilities that are separated from vehicular traffic. Tier 2 and Tier 3 Bicycle Lanes are facilities on roadways with striped separation. Tier 2 Bicycle Lanes are those more likely to be built by 2035.
- The VEN identifies streets that prioritize vehicular movement and offer safe, consistent travel speeds and reliable travel times.

- The PEDs identify where pedestrian improvements on arterial streets could be prioritized to provide better walking connections to and from the major destinations within communities.

(b) *Central City North Community Plan*

The Land Use Element of the City's General Plan includes 35 community plans. Community plans are intended to provide an official guide for future development and propose approximate locations and dimensions for land use. The community plans establish standards and criteria for the development of housing, commercial uses, and industrial uses, as well as circulation and service systems. The community plans implement the City's General Plan Framework Element (Framework Element) at the local level and consist of both text and an accompanying generalized land use map. The community plans' texts express goals, objectives, policies, and programs to address growth in the community, including those that relate to the transportation system required to support such growth. The community plans' maps depict the desired arrangement of land uses as well as street classifications and the locations and characteristics of public service facilities.

The Project Site is located within the Central City North Community Plan (Community Plan) area. The Community Plan includes the following transportation and circulation objectives that are applicable to the Project:

- Objective 12-1: To pursue transportation management strategies that can maximize vehicle occupancy, minimize average trip length, and reduce the number of vehicle trips.
 - Policy 12-1.1: Encourage non-residential development to provide employee incentives for utilizing alternatives to the automobile (i.e., carpools, vanpools, buses, flex time, bicycles, and walking).
 - Policy 12-1.3: Require that proposals for major new non-residential development projects include submission of a TDM [Travel Demand Management] Plan to the City.
 - Policy 12-1.4: TDM measures in Central City North should be consistent with adopted City policy.
- Objective 13-1: To promote an adequate system of bikeways for commuter, school, and recreational use.
- Policy 13-1.4: Encourage the provision of changing rooms, showers, and bicycle storage at new and existing and non-residential developments and public spaces.

The City of Los Angeles Department of City Planning (Department of City Planning) is currently preparing the Central City and Central City North Community Plan Update,

knows as the Downtown Community Plan, or DTLA⁸ 2040. However, as the Downtown Community Plan has not yet been approved or adopted by the City, the Project is evaluated for consistency with the existing Community Plan.

(c) *Los Angeles Municipal Code*

With regard to construction traffic, Los Angeles Municipal Code (LAMC) Section 41.40 limits construction activities to the hours from 7:00 a.m. to 9:00 p.m. on weekdays and from 8:00 a.m. to 6:00 p.m. on Saturdays and national holidays. No construction is permitted on Sundays.

LAMC Section 12.37 sets forth requirements for street dedications and improvements for new development projects. Specifically, LAMC Section 12.37 states that no building or structure shall be erected or enlarged on any property, and no building permit shall be issued, on any R3 or less restrictive zone, or in any lot in the RD1.5, RD2, or R3 Zones, if the lot abuts a major or secondary highway or collector street unless one-half of the street adjacent to the subject property has been dedicated and improved to the full width to meet the standards for a highway or collector street as provided in the LAMC.

With regard to on-site bicycle parking, LAMC Section 12.21 A.16 sets forth requirements for long-term and short-term bicycle parking for residential and commercial buildings. Where there is a combination of uses on a lot, the number of bicycle parking spaces required shall be the sum of the requirements of the various uses. LAMC Section 12.21 A.16 also includes facility requirements, design standards and siting requirements for bicycle parking. LAMC Section 12.21 A.4(x)(3) requires one space per 500 square feet of commercial (commercial, office, retail, restaurant) uses within any Enterprise Zone, and LAMC Section 12.21 A.4 also allows non-residential buildings to replace up to 20 percent of required automobile parking spaces with bicycle parking spaces at a rate of one automobile space per four bicycle parking spaces provided.

LAMC Section 12.26 J provides for TDM and Trip Reduction Measures that are applicable to the construction of new non-residential gross floor area. Different TDM requirements are provided for developments in excess of 25,000 square feet of gross floor area, 50,000 square feet of gross floor area, and 100,000 square feet of gross floor area. The TDM requirements set forth therein vary depending upon the maximum non-residential gross floor area described above, and include measures such as the provision of a bulletin board, display case, or kiosk with transit information and carpool/vanpool parking spaces.

⁸ DTLA = Downtown Los Angeles.

(d) *LADOT Transportation Assessment Guidelines*

As discussed above, on July 30, 2019, LADOT updated its Transportation Impact Study Guidelines, travel demand model and transportation impact thresholds based on VMT, pursuant to State CEQA Guidelines Section 15064.3, of the 2019 CEQA Updates that implement SB 743.⁹ The City established the TAG that includes both CEQA thresholds (and screening criteria) and non-CEQA thresholds (and screening criteria). LADOT most recently updated the TAG in July 2020.¹⁰ The CEQA thresholds provide the methodology for analyzing the Appendix G transportation thresholds, including providing the City's adopted VMT thresholds. The non-CEQA thresholds provide a method to analyze projects for purposes of entitlement review and making necessary findings to ensure a project is consistent with adopted plans and policies including the Mobility Plan. Specifically, the TAG is intended to effectuate a review process that advances the City's vision of developing a safe, accessible, well-maintained, and well-connected multimodal transportation network. The TAG have been developed to identify land use development and transportation projects that may impact the transportation system; to ensure proposed land use development projects achieve site access design requirements and on-site circulation best practices; to define whether off-site improvements are needed; and to provide step-by-step guidance for assessing impacts and preparing Transportation Assessment Studies.¹¹

(e) *LADOT Manual of Policies and Procedures Section 321*

LADOT Manual of Policies and Procedures (MPP) Section 321 provides the basic criteria for the review of driveway design. As discussed in MPP Section 321, the basic principle of driveway location planning is to minimize potential conflicts between users of the parking facility and users of the abutting street system, including the safety of pedestrians.

(f) *Vision Zero*

The Vision Zero Los Angeles program, implemented by LADOT, represents a citywide effort to eliminate traffic deaths in the City by 2025. Vision Zero has two goals: a 20-percent reduction in traffic deaths by 2017 and zero traffic deaths by 2025. In order to achieve these goals, LADOT has identified a network of streets, called the High Injury Network (HIN), which has a higher incidence of severe and fatal collisions. The HIN, which was last updated in 2018, represents six percent of the City's street miles but accounts for approximately two thirds (64 percent) of all fatalities and serious injury collisions involving people walking and biking.

⁹ LADOT. 2019. Transportation Assessment Guidelines. July.

¹⁰ LADOT. 2020. Transportation Assessment Guidelines. July.

¹¹ The 2019 TAG was used in the TIS, which was prepared and approved by LADOT (October 2019) prior to the completion of the 2020 TAG.

(g) Interim Guidance for Freeway Safety

In May 2020, LADOT issued Interim Guidance for Freeway Safety Analysis (City Interim Freeway Guidance) identifying City requirements for a safety analysis of freeway facilities as part of a transportation assessment. The City Interim Freeway Guidance relates to the identification of potential safety issues at freeway off-ramps as a result of increased traffic from development projects. It provides a methodology and criteria for assessing whether additional vehicle queueing at off-ramps could result in a safety issue due to speed differentials between vehicles on the freeway mainline and the freeway off-ramp.

(h) Citywide Design Guidelines

The Citywide Design Guidelines serve to implement the Framework Element's urban design principles and are intended to be used by Department of City Planning staff, developers, architects, engineers, and community members in evaluating project applications, along with relevant policies from the Framework Element and community plans. The Citywide Design Guidelines were updated in October 2019 and include guidelines pertaining to pedestrian-first design which serves to reduce VMT.

(i) Plan for a Healthy Los Angeles

Plan for a Healthy Los Angeles: A Health and Wellness Element of the General Plan (Plan for a Healthy Los Angeles) provides guidelines to enhance the City's position as a regional leader in health and equity, encourage healthy design and equitable access, and increase awareness of equity and environmental issues.¹² The Plan for a Healthy Los Angeles addresses GHG emission reductions and social connectedness, which are affected by the land use pattern and transportation opportunities.

b) Existing Conditions**(1) Street System**

The existing regional roadway system in the Project area consists of freeways, primary and secondary arterials, and collector and local streets that provide regional, sub-regional, or local access and circulation. These streets generally provide two to six travel lanes and usually allow parking on either side of the street. Speed limits typically range between 25 and 35 miles per hour (mph) on the streets and between 55 and 65 mph on freeways. The street system in the Project area is described below.

¹² City of Los Angeles, Department of City Planning. 2015. Plan for a Healthy Los Angeles: A Health and Wellness Element of the General Plan. March.

(a) *Freeways*

Primary regional access to the Project Site is provided by the United States (U.S.) Highway (or Route) 101 (U.S.-101), Interstate (I)-5, and I-10, as described in the TIS (Appendix L1 of this Draft EIR) and summarized below.

- U.S.-101 generally runs in the north-south direction and is located less than one mile east of the Project Site. In the vicinity of the Project Site, U.S.-101 provides three travel lanes in each direction. Access to and from U.S.-101 is available via interchanges at 1st Street, 4th Street, and 7th Street.
- I-5 generally runs in the north-south direction and is located less than one mile east of the Project Site. In the vicinity of the Project Site, I-5 provides five travel lanes in each direction. Access to and from I-5 is available via interchanges at 4th Street.
- I-10 generally runs in the east-west direction and is located 1.50 miles south of the Project Site. In the vicinity of the Project Site, I-10 provides three to five travel lanes in each direction. Access to and from I-10 is available via interchanges at Porter Street.

(b) *Roadways*

The major arterials providing regional and sub-regional access to the Project vicinity include Alameda Street and 4th Street. The following is a brief description of these major arterials and other roadways in the Project area as described in the TIS (Appendix L1 of this Draft EIR), including their classifications under Mobility Plan 2035.

- 1st Street is designated Avenue II in the Mobility Plan. It travels in the east-west direction and is located north of the Project Site. It provides four travel lanes, two in each direction, with left-turn lanes at some intersections. Parking is generally prohibited east of Alameda Street, with metered spots available west of Alameda Street.
- 2nd Street is a designated Modified Collector Street in the Mobility Plan. It travels in the east-west direction and is located north of the Project Site. It provides two travel lanes, one in each direction. Parking is generally available within the Project area.
- 3rd Street is designated Avenue II in the Mobility Plan. It travels in the east-west direction and is located north of the Project Site. It provides four westbound travel lanes. Parking is generally available within the Project area and is metered west of Alameda Street.
- 4th Place is designated Avenue II between Alameda Street and 4th Street and a Collector Street between Molino Street and 4th Street in the Mobility Plan. It travels

in the east-west direction and is located adjacent to the northern boundary of the Project Site. 4th Place diverges from 4th Street at Hewitt Street and converges with 3rd Street at Alameda Street. It provides four westbound travel lanes between Alameda Street and 4th Street and two travel lanes, one in each direction, between Molino Street and 4th Street. Parking is generally available within the Project area and is metered between Alameda Street and 4th Street.

- 4th Street is designated Avenue III in the Mobility Plan for the portion between Alameda Street and 4th Place, directly adjacent to the Project Site, and transitions to a designated Avenue II west of Alameda. It generally travels in the east-west direction and is located on the northern boundary of the Project Site. It provides five travel lanes, two in each direction and a bi-directional lane in the center, east of Hewitt Street and four eastbound lanes west of Hewitt Street. Parking is generally available on both sides of the street with peak hour restrictions east of I-5 and west of Hewitt Street within the Project area. Parking is generally prohibited between Hewitt Street and I-5.
- 6th Street/Whittier Boulevard is designated Avenue II in the Mobility Plan. It travels in the east-west direction and is located south of the Project Site. It provides four travel lanes, two in each direction, with left-turn lanes at intersections. Parking is generally available within the Project area but prohibited on the 6th Street Viaduct.
- 7th Street is designated Avenue II in the Mobility Plan. It travels in the east-west direction and is located south of the Project Site. It provides four travel lanes, two in each direction, with left-turn lanes at intersections. Parking is generally available west of the 7th Street Bridge on the north side of the street.
- Olympic Boulevard is designated Modified Avenue I in the Mobility Plan. It travels in the east-west direction and is located south of the Project Site. It provides four travel lanes, two in each direction, with left-turn lanes at intersections. Parking is generally unavailable within the Project area.
- Central Avenue is designated Avenue I in the Mobility Plan. It travels in the north-south direction and is located west of the Project Site. It provides four travel lanes, two in each direction, with left-turn lanes provided at intersections. Parking is generally available on the west side within the Project area.
- Alameda Street is designated Avenue I in the Mobility Plan. It travels in the north-south direction and is located west of the Project Site. It provides four travel lanes, two in each direction, with left-turn lanes at intersections. Metered on-street parking is available between 3rd and 4th Streets; elsewhere, parking is generally prohibited within the Project area.
- Molino Street is designated Collector Street in the Mobility Plan. It travels in the north-south direction and is located west of the Project Site. It provides two travel lanes, one in each direction. Parking is generally available within the Project area.

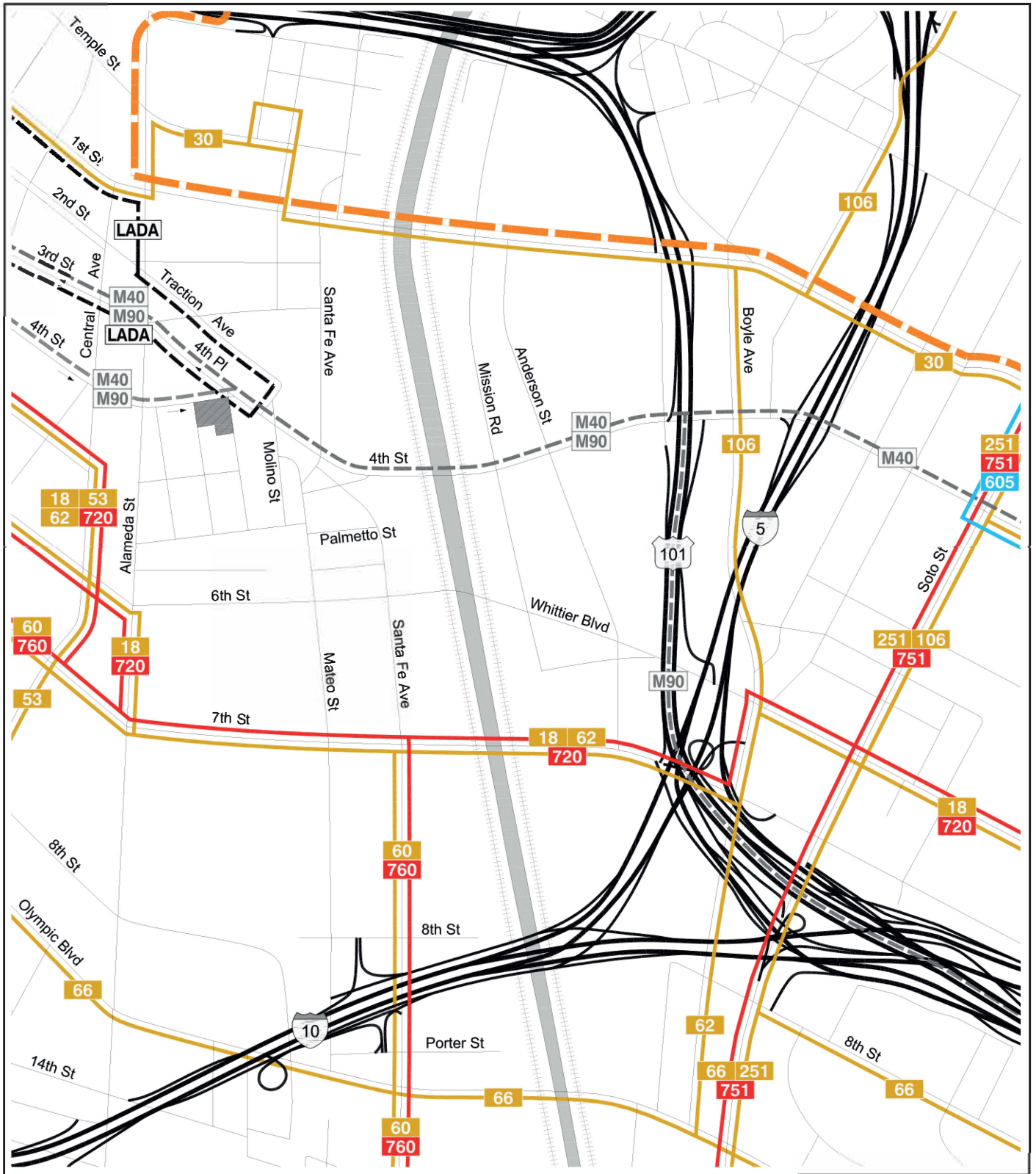
- Merrick Street is designated Collector Street in the Mobility Plan. It travels in the north-south direction and is located east of the Project Site. It provides two travel lanes, one in each direction. Parking is generally available within the Project area.
- Vignes Street is designated Collector Street in the Mobility Plan. It travels in the north-south direction and is located east of the Project Site. It provides two travel lanes, one in each direction. Parking is generally available within the Project area.
- Mateo Street is a designated Avenue III in the Mobility Plan. It travels in the north-south direction and is located east of the Project Site. It provides two travel lanes, one in each direction. Parking is generally available within the Project area.
- Santa Fe Avenue is a designated Avenue II in the Mobility Plan. It travels in the north-south direction and is located east of the Project Site. It provides four travel lanes, two in each direction, with left-turn lanes at major intersections. Parking is generally available within the Project area.
- Boyle Avenue is designated Avenue II in the Mobility Plan. It travels in the north-south direction and is located east of the Project Site. It provides four travel lanes, two in each direction, with left-turn lanes at intersections. Parking is generally prohibited within the Project area.
- Soto Street is designated Avenue II in the Mobility Plan. It travels in the north-south direction and is located east of the Project Site. It provides four travel lanes, two in each direction, with left-turn lanes at major intersections. Parking is generally available within the Project area.

(2) Public Transit Services¹³

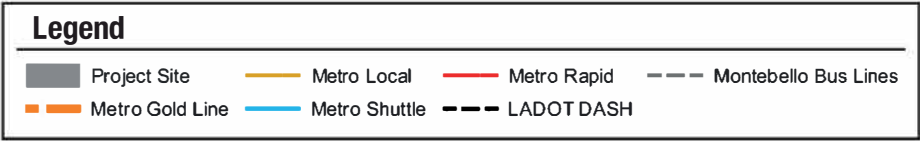
The Project area is served by public transit services operated by Metro, LADOT Downtown Area Short Hop (DASH), and Montebello Bus Lines. Figure IV.L-1, Existing Transit Service, illustrates the existing transit service in the vicinity of the Project Site. According to the TIS (Appendix L1 of this Draft EIR), bus transit service in the Project vicinity is generally available along the following streets: 1st Street, 3rd Street, 4th Street, 4th Place, 6th Street, 7th Street, Traction Avenue, Olympic Boulevard, Central Avenue, Alameda Street, Boyle Avenue, and Soto Street.

As shown in Figure IV.L-1, the following three bus lines operate on streets adjacent to the Project Site:

¹³ The public transit services described in this section and shown on Figure IV.L-1 represent the existing conditions at the time that the Notice of Preparation for the Project was issued (September 20, 2017), the CEQA baseline for this Draft EIR. Since December 13, 2020, Metro has implemented improvements to bus service in the Project area as part of the NextGen Plan, which increased bus frequency to areas with the greatest demand, as well as to help with social distancing on busier lines. As such, Metro Rapid Lines 751 and 760 have been replaced by more frequent lines, Metro Local 251 and Metro Local 60, according to Metro (Metro. Service Changes Coming to Metro Bus System on Dec. 13 Including More Frequent Buses. Available at: <https://thesource.metro.net/2020/11/24/service-changes-coming-to-metro-bus-system-on-dec-13-including-more-frequent-buses/>. Accessed on April 28, 2022).



Source: Gibson Transportation Consulting, Inc., February 2020.



- LADOT DASH A is a local line that travels within DTLA between City West and Little Tokyo, with average headways of approximately seven minutes during morning and afternoon peak hours. The line travels along 3rd Street, 4th Place, Traction Avenue, and Merrick Street in the vicinity of the Project Site.
- Montebello Bus Lines M40 is a local line that travels from DTLA to Whittier through Montebello via Beverly Boulevard, with average headways of approximately 10 to 15 minutes during morning and afternoon peak hours. It provides service to East Los Angeles. The line travels along 4th Street in the vicinity of the Project Site.
- Montebello Bus Lines M90 is an express line that travels from DTLA to Whittier through Montebello via Beverly Boulevard, with average headways of approximately 20 to 30 minutes during the morning and afternoon peak hours. The line travels along 4th Street in the vicinity of the Project Site.

The following bus lines also serve the Project vicinity:

- Metro Local 18 is a local line that travels from Wilshire Center to Montebello through DTLA via 6th Street and Whittier Boulevard, with average headways of approximately 10 to 15 minutes during the morning and afternoon peak hours. It provides service to East Los Angeles, Boyle Heights, and Westlake. This line travels along 6th Street in the vicinity of the Project Site.
- Metro Local 30 is a local line that travels from East Los Angeles to West Hollywood through DTLA via San Vicente Boulevard, Pico Boulevard, and 1st Street, with average headways of approximately 30 to 35 minutes during the morning and afternoon peak hours. It provides service to Boyle Heights and Mid-City. This line travels along 1st Street in the vicinity of the Project Site.
- Metro Local 53 is a local line that travels from DTLA to California State University, Dominguez Hills via Central Avenue, with average headways of approximately 10 to 15 minutes during the morning and afternoon peak hours. It provides service to South Los Angeles, Willowbrook, and Compton. This line travels along 6th Street and Central Avenue in the vicinity of the Project Site.
- Metro Local 60 is a local line that travels from DTLA to the Artesia Station via Long Beach Boulevard, with average headways of approximately 10 minutes during the morning and afternoon peak hours. It provides service to Vernon, Lynwood, and Compton. The line travels along 7th Street and Santa Fe Avenue in the vicinity of the Project Site.
- Metro Local 62 is a local line that travels from DTLA to Hawaiian Gardens via Telegraph Road, with average headways of approximately 25 to 30 minutes during the morning and afternoon peak hours. It provides service to East Los Angeles,

Santa Fe Springs, and Norwalk. The line travels along 7th Street and Boyle Avenue in the vicinity of the Project Site.

- Metro Local 66 is a local line that travels from Wilshire Center to Montebello through DTLA via 8th Street and Olympic Boulevard, with average headways of approximately 15 to 20 minutes during the morning and afternoon peak hours. It provides service to Boyle Heights, East Los Angeles, and City of Commerce. This line travels along Olympic Boulevard in the vicinity of the Project Site.
- Metro Local 106 is a local line that travels from the East Los Angeles College Transit Center to Los Angeles County + University of Southern California (USC) Medical Center (LAC+USC) via State Street, Whittier Boulevard, and 1st Street, with average headways of 60 minutes during the morning and afternoon peak hours. It provides service to Boyle Heights, East Los Angeles, and Monterey Park. The line travels along Boyle Avenue in the vicinity of the Project Site.
- Metro Local 251 is a local line that travels from Cypress Park to Lynwood via Soto Street, with average headways of approximately 15 to 20 minutes during the morning and afternoon peak hours. It provides service to Cypress Park, Vernon, and Huntington Park. The line travels along Soto Street in the vicinity of the Project Site.
- Metro Shuttle 605 is a shuttle that travels from LAC+USC to Olympic Boulevard, with average headways of approximately 15 to 20 minutes during the morning and afternoon peak hours. It provides service to Boyle Heights. The line travels along Soto Street in the vicinity of the Project Site.
- Metro Rapid Route 720 is a rapid line that travels from Santa Monica to the Commerce Center via Wilshire Boulevard and Whittier Boulevard, with average headways of approximately 10 to 15 minutes during morning and afternoon peak hours. It provides service to DTLA, Beverly Hills, and Century City. The line travels along 6th Street and 7th Street in the vicinity of the Project Site.
- Metro Rapid Line 751 is a rapid line that travels from Huntington Park to Cypress Park via Soto Street, with average headways of approximately 15 to 20 minutes during the morning and afternoon peak hours. It provides service to Lincoln Heights, Boyle Heights, and Vernon. The line travels along Soto Street in the vicinity of the Project Site.
- Metro Rapid Line 760 is a rapid line that travels from Long Beach Boulevard Green Line Station to DTLA via Long Beach Boulevard, with average headways of approximately 15 to 20 minutes during the morning and afternoon peak hours. It provides service to Vernon, Huntington Park, and South Gate. The line travels along 7th Street and Santa Fe Avenue in the vicinity of the Project Site.

In addition to the bus lines that serve the Project vicinity, the Metro Gold Line operates within the Project area, and the Gold Line Little Tokyo/Arts District Station is located one-

half mile to the north of the Project Site. The Metro Gold Line runs between Azusa and East Los Angeles. The Metro Gold Line has connecting service to the Metro Red Line, which runs between DTLA and North Hollywood, and to the Purple Line, which runs between DTLA and Koreatown, at Union Station, approximately 1.5 miles north of the Project Site.

Table IV.L-1, Existing Transit Service, summarizes the transit lines operating in the Project area for each of the service providers in the region, the type of service (peak vs. off-peak, express vs. local), and frequency of service, as described above.

Table IV.L-1
Existing Transit Service

Provider, Route, and Service Area	Service Type	Hours of Operation	Average Headway (Minutes)			
			AM Peak Period		PM Peak Period	
			NB/EB	SB/WB	NB/EB	SB/WB
Metro Bus						
18 Wilshire Center - DTLA - Montebello via 6 th St. and Whittier Blvd.	Local	24-Hour	10	12	9	6
30 East Los Angeles - DTLA - West Hollywood via San Vicente Blvd., Pico Blvd., & 1 st St.	Local	24-Hour	30	30	34	27
53 DTLA - CSU Dominguez Hills via Central Ave.	Local	4:45 am - 12:15 am	8	15	14	9
60 DTLA - Artesia Station via Long Beach Blvd.	Local	24-Hour	9	8	7	7
62 DTLA - Hawaiian Gardens via Telegraph Rd.	Local	5:00 am - 12:15 am	24	22	27	22
66 Wilshire Center – DTLA - Montebello via 8 th St. and Olympic Blvd.	Local	4:15 am - 1:30 am	16	17	17	13
106 East LA College Transit Center - USC Medical Center via State St., Whittier Blvd. & 1 st St.	Local	5:30 am - 8:30 pm	60	60	60	60
251 Cypress Park - Lynwood via Soto St.	Local	24 Hour	18	16	20	22
605 LAC+USC Outpatient Clinic - Olympic Blvd.	Shuttle	5:30 am - 7:30 pm	17	15	15	15
720 Santa Monica - Commerce Center via Wilshire Blvd. and Whittier Blvd.	Rapid	4:15 am - 1:30 am	12	4	6	10
751 Huntington Park - Cypress Park via Soto St.	Rapid	5:00 am - 8:30 pm	20	16	15	17
760 Long Beach Blvd. Green Line Station – DTLA via Long Beach Blvd.	Rapid	5:15 am - 8:30 pm	13	17	17	14
Metro Rail			NB/EB	SB/WB	NB/EB	SB/WB
Gold Azusa - East Los Angeles	Rail	4:30 am - 3:30 am	7	7	7	7

Provider, Route, and Service Area	Service Type	Hours of Operation	Average Headway (Minutes)			
			AM Peak Period		PM Peak Period	
LADOT DASH			NB/EB	SB/WB	NB/EB	SB/WB
A Little Tokyo, City West	Local	6:00 am - 6:30 pm	7	7	7	7
Montebello Bus Lines			NB/EB	SB/WB	NB/EB	SB/WB
M40 DTLA - Montebello - Whittier via Beverly Blvd.	Local	4:45 am - 11:00 pm	11	12	11	11
M90 DTLA - Montebello - Whittier via Beverly Blvd.	Express	6:00 am - 7:00 pm	30	20	30	30
Source: Gibson Transportation Consultants, Inc. 2022. Transportation Impact Study for the 4 th and Hewitt Project. April (Revised). (Appendix L1.)						
Note: The public transit services described in this table represent the existing conditions at the time that the Notice of Preparation for the Project was issued (September 20, 2017), the CEQA baseline for this Draft EIR. Since December 13, 2020, Metro has implemented improvements to bus service in the Project area as part of the NextGen Plan, which increased bus frequency to areas with the greatest demand, as well as to help with social distancing on busier lines. As such, Metro Rapid Lines 751 and 760 have been replaced by more frequent lines, Metro Local 251 and Metro Local 60, according to Metro (Metro. Service Changes Coming to Metro Bus System on Dec. 13 Including More Frequent Buses. Available at https://thesource.metro.net/2020/11/24/service-changes-coming-to-metro-bus-system-on-dec-13-including-more-frequent-buses/ . Accessed on April 28, 2022).						

Table IV.L-2, Existing Transit Service Patronage, uses the public transit services shown in Table IV.L-1 and summarizes the total residual capacity of transit lines in the periphery of the Project Site during the morning and afternoon peak hours, based on the frequency of service of each line and the maximum seated and standing capacity of each bus.

As shown, the transit lines within walking distance (0.25 miles) of the Project Site currently have a residual capacity for 4,617 persons (3,369 bus riders and 1,248 rail riders) during the morning peak hour and 4,403 persons (3,427 bus riders and 976 rail riders) during the afternoon peak hour.

Table IV.L-2
Existing Transit Service Patronage

AM Peak Period							
Provider	Route	Number of Runs During Peak Hour ^a	Capacity ^b	Average Load ^c	Load Factor – Average Load/Capacity	Average Residual Capacity per Run	Average Residual Capacity in Peak Hour ^d
Metro - Bus	18	13	50	19	0.38	31	403
	30	19	50	5	0.10	45	855
	53	17	50	27	0.54	23	391
	62	6	50	18	0.36	32	192
	720	22	75	23	0.31	52	1,144
LADOT DASH	A	16	30	6	0.20	24	384
	40	10	No Information Provided				

Montebello Bus Lines	90	2	No Information Provided				
Total Residual Capacity in Peak Hour – Bus Lines							3,369
Metro - Rail	Gold	16	126	48	0.38	78	1,248
Total Residual Capacity in Peak Hour – Rail Line							1,248
PM Peak Period							
Provider	Route	Number of Runs During Peak Hour^a	Capacity^c	Average Load^d	Load Factor – Average Load/Capacity	Average Residual Capacity per Run	Average Residual Capacity in Peak Hour^d
Metro - Bus	18	19	50	20	0.40	30	570
	30	19	50	8	0.16	42	798
	53	12	50	23	0.46	27	324
	62	5	50	27	0.54	23	115
	720	22	75	21	0.28	54	1,188
LADOT DASH	A	16	30	3	0.10	27	432
Montebello Bus Lines	40	10	No Information Provided				
	90	3	No Information Provided				
Total Residual Capacity in Peak Hour – Bus Lines							3,427
Metro - Rail	Gold	16	126	65	0.52	61	976
Total Residual Capacity in Peak Hour – Rail Line							976
Source: Gibson Transportation Consultants, Inc. 2022. Transportation Impact Study for the 4 th and Hewitt Project. April (Revised). (Appendix L1.)							
Notes:							
^a Number of runs in both directions combined during peak hour.							
^b Capacity assumptions based on discussions with agencies: Metro Regular Bus - 40 seated / 50 seated and standing. Metro Articulated Bus - 66 seated / 75 seated and standing. Metro Light Rail - 36 seated / 126 standing (175 percent of seated capacity) per car x 2 cars per train = 126 patrons. LADOT DASH - 25 seated / 30 seated and standing.							
^c Maximum Load is the maximum number of people per bus in the peak direction.							
^d Maximum residual capacity in peak hours = (Maximum residual capacity per run) x (number of peak hour runs).							

(3) Bicycle Network

Based on the description of the existing bicycle network provided in the Mobility Plan, the following bicycle facilities are provided along corridors within the Project area:

- Bicycle Lanes (Class II with dedicated striping): 3rd Street east of Santa Fe Avenue.
- Bicycle Routes (Class III no dedicated striping): 1st Street, and 2nd Street east of Santa Fe Avenue.

(4) Pedestrian Routes

The existing pedestrian network (i.e., marked pedestrian crossings, comfortable sidewalks, pedestrian connectivity) within the Arts District is limited due to the industrial nature of the area. As discussed in the Analysis of Project Impacts subsection below, an improved pedestrian network is proposed for future development.

(5) Vision Zero

Vision Zero identified the HIN to raise awareness of the streets in the City with a high concentration of traffic collisions that result in severe injuries and deaths, with an emphasis on those involving people walking and bicycling. The Project Site is not located along the HIN; however, the following streets located in proximity to the Project Site are in the HIN:

- 4th Street between San Pedro Street and Alameda Street and between Gless Street and Soto Street;
- 6th Street between Mateo Street and Alameda Street;
- 7th Street west of Mateo Street;
- Alameda Street north of 6th Street; and
- Central Avenue.

3. Project Impacts

a) Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, a project would have a significant impact related to transportation if it would:

Threshold a): Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;

Threshold b): Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b);

Threshold c): Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); and/or

Threshold d): Result in inadequate emergency access.

In response to the transportation updates to the State CEQA Guidelines and SB 743, LADOT's adopted TAG includes thresholds similar to the State CEQA Guidelines threshold questions listed above, which supersede the criteria contained in the L.A. CEQA Thresholds Guide that rely on the LOS method of analysis for evaluating transportation and traffic impacts.

b) Methodology

The following section describes the methodology and sources of assumptions used to analyze the impacts related to conflicts with programs, plans, ordinances, or policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities; VMT; geometric design features or incompatible use hazards; and emergency access.

(1) Conflicts with Circulation System Programs, Plans, Ordinances, or Policies

As previously described, the TIS is based on the July 2019 TAG, as it was prepared and approved by LADOT prior to preparation of the July 2020 TAG. However, as the CEQA analysis methodology and impact thresholds of the July 2020 TAG remain consistent with the July 2019 TAG, the analysis presented below is consistent with the guidelines and methodology of both the July 2019 TAG and July 2020 TAG. Table 2.1-1 of the TAG provides the City plans, policies, programs, ordinances and standards relevant in determining a project's consistency. Table 2.1-2 of the TAG provides a list of questions to help guide the evaluation in determining whether a project conflicts with the City's relevant transportation plans, programs, ordinances, or policies, including the Mobility Plan; Plan for a Healthy Los Angeles; the Land Use Element, or specifically for the Project, the Central City North Community Plan; the LAMC; Vision Zero; Citywide Design Guidelines; LADOT Transportation Technology Strategy- Urban Mobility in a Digital Age; Mobility Hub Reader's Guide; and the LADOT MPP.

(2) Vehicle Miles Traveled Analysis

LADOT developed the VMT Calculator to estimate project-specific daily household VMT per capita and daily work VMT per employee for developments within City limits, which are based on the following types of one-way trips:

- Home-Based Work Production: trips to a workplace destination originating from a residential use at the Project Site;
- Home-Based Other Production: trips to a non-workplace destination (e.g., retail, restaurant, etc.) originating from a residential use at the Project Site; and
- Home-Based Work Attraction: trips to a workplace destination at the Project Site originating from a residential use.

As detailed in LADOT and Department of City Planning's VMT Calculator Documentation from February 2019, the household VMT per capita threshold applies to home-based work production and home-based other production trips, and the work VMT per employee

threshold applies to home-based work attraction trips, as the location and characteristics of residences and workplaces are often the main drivers of VMT.

Other types of trips generated by the Project include Non-Home-Based Other Production (trips to a non-residential destination originating from a non-residential use at the Project Site), Home-Based Other Attraction (trips to a non-workplace destination at the Project Site originating from a residential use), and Non-Home-Based Other Attraction (trips to a non-residential destination at the Project Site originating from a non-residential use). These trip types are not factored into the VMT per capita and VMT per employee thresholds, as those trips are typically localized and are assumed to have a negligible effect on the VMT impact assessment. However, those trips were factored into the calculation of total Project VMT for screening purposes when determining that VMT analysis for the Project would be required.

A commercial project would result in a significant VMT impact if it would generate work VMT per employee exceeding 15 percent below the existing average work VMT per employee for the Area Planning Commission (APC) area in which a project is located. The Project is located in the Central APC with a work VMT impact threshold of 7.6 VMT per employee.

(i) *Travel Behavior Zone*

The City developed Travel Behavior Zone (TBZ) categories to determine the magnitude of VMT and vehicle trip reductions that could be achieved through TDM strategies. As detailed in the VMT Calculator Documentation, the development of the TBZs considered the population density, land use density, intersection density, and proximity to transit of each Census tract in the City and are categorized as follows:

1. Suburban (Zone 1): Very low-density primarily centered around single-family homes and minimally connected street network.
2. Suburban Center (Zone 2): Low-density developments with a mix of residential and commercial uses with larger blocks and lower intersection density.
3. Compact Infill (Zone 3): Higher density neighborhoods that include multi-story buildings and well-connected streets.
4. Urban (Zone 4): High-density neighborhoods characterized by multi-story buildings with a dense road network.

The VMT Calculator determines a Project's TBZ based on the latitude and longitude of the project address.

(ii) *Mixed-Use Development Methodology*

As detailed in the VMT Calculator Documentation, the VMT Calculator accounts for the interaction of land uses within a mixed-use development and considers the following sociodemographic, land use, and built environment factors for the Project area:

- The project's jobs/housing balance;
- Land use density of the project;
- Transportation network connectivity;
- Availability of and proximity to transit;
- Proximity to retail and other destinations;
- Vehicle ownership rates; and
- Household size.

(iii) *VMT Calculator*

The VMT Calculator determines a project's VMT based on trip length information from the City's Travel Demand Forecasting (TDF) Model. The TDF Model considers the traffic analysis zone where the Project is located to determine the trip length and trip type, which factor into the calculation of the Project's VMT.

(iv) *Population and Employment Assumptions*

As previously stated, the VMT thresholds identified in the TAG are based on household VMT per capita and work VMT per employee. Thus, the VMT Calculator contains population assumptions developed based on Census data for the City and employment assumptions derived from multiple data sources, including the Los Angeles Unified School District's 2012 Developer Fee Justification Study, the San Diego Association of Governments' Activity Based Model, Trip Generation, 9th Edition (Institute of Transportation Engineers 2012), the U.S. Department of Energy, and other modeling resources. A summary of population and employment assumptions for various land uses is provided in Table 1 of the VMT Calculator Documentation.

(v) *Transportation Demand Management Measures*

Additionally, the VMT Calculator measures the reduction in VMT resulting from a project's incorporation of TDM strategies as project design features or as mitigation measures, where necessary. The following seven categories of TDM strategies are included in the VMT Calculator:

- Parking;
- Transit;

- Education and Encouragement;
- Commute Trip Reductions;
- Shared Mobility;
- Bicycle Infrastructure; and
- Neighborhood Enhancement.

(3) Geometric Design Features or Incompatible Use Hazards

Further evaluation is required for projects that propose new access points or modifications along the public right-of-way (i.e., street dedications) under Threshold T-3 of the TAG. A review of project access points, internal circulation, and parking access would determine if a project would substantially increase hazards due to geometric design features, including safety, operational, or capacity impacts. The TIS therefore evaluated the safety of the proposed access points, which include ramps to the parking levels and a loading dock located at the ground level, for pedestrians and bicyclists.

(4) Emergency Access

The Project is evaluated to ensure that adequate emergency vehicle access is available during construction for first responders. The proposed parking and loading zone access points, as well as proposed sidewalk improvements, are also evaluated to ensure that the new improvements would not interfere with emergency vehicle accessibility during operations.

(5) Cumulative Analysis

The cumulative impact analysis is based on the following methodology:

- **Conflicts with Circulation System Programs, Plans, Ordinances, or Policies:** According to the TAG, a cumulative impact would occur if a project as well as other future development projects located on the same block were to preclude the City's ability to serve transportation user needs as defined by the City's transportation policy framework.
- **VMT Analysis:** Cumulative effects of the Project were determined in the TIS through a consistency check with the Southern California Association of Governments (SCAG) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), as directed by the TAG. The 2016-2040 RTP/SCS is the regional plan that demonstrates compliance with air quality conformity requirements and GHG reduction targets. Projects that are consistent with the 2016-2040 RTP/SCS for development location, density, and intensity are part of the regional solution for meeting air pollution and GHG goals. Projects that

are deemed to be consistent would have a less-than-significant cumulative impact on VMT. The 2020-2045 RTP/SCS was approved subsequent to preparation of the TIS. However, the goals and policies of the 2020-2045 RTP/SCS are similar to, and consistent with, the 2016-2040 RTP/SCS, sharing the same purposes of expanding transportation options, improving air quality, and supporting the regional economy. Therefore, as the Project would be consistent with the 2016-2040 RTP/SCS, it would also be consistent with the 2020-2045 RTP/SCS.

- **Geometric Design Features or Incompatible Use Hazards:** The TAG stipulates that access plans for Related Projects with access points proposed along the same block(s) as the Project should be reviewed to determine the combined impact and the Project's contribution to the cumulative impact, if any.
- **Emergency Access:** The TAG does not specifically address cumulative emergency access impacts. However, for purposes of this analysis, the same methodology that is applied to assess cumulative geometric design features or incompatible use hazard impacts is applied to emergency access; access plans for Related Projects with access points proposed along the same block(s) as the Project should be reviewed to determine the combined impact and the Project's contribution to the cumulative impact, if any.

(a) *Related Projects*

In accordance with the CEQA Guidelines, the TIS considered the effects of the Project in relation to the Related Projects listed in Chapter III, Environmental Setting. This involved evaluating the potential impact of the Project within the context of the cumulative impact of all ongoing development capable of producing cumulative impacts. Related Projects within a 1.5-mile radius of the Project Site were considered in the analysis, as the TIS assumed trips generated by these projects would generally affect the traffic patterns in the Project area. Though the buildout years of many of these Related Projects are uncertain and may be well beyond the buildout year of the Project, and notwithstanding that some may never be approved or developed or that some may be replacing existing traffic, all Related Projects were considered as part of the TIS and conservatively were assumed to be completed by the Project buildout year of 2023, the anticipated Project buildout year when the TIS was prepared and approved by LADOT. Since preparation of the TIS, the Project buildout year has been revised to 2025. As discussed in the Transportation Assessment (Appendix L3), the refinement to the Project's future buildout year would not affect the CEQA transportation impact analysis presented in the TIS. The transportation effects due to the development of Related Projects considered in this analysis is highly conservative and, by itself, substantially overestimates the actual traffic volume growth in the Arts District and the general DTLA area that would likely occur prior

to Project buildout year. As the TAG typically requires that related projects within a one-quarter mile of a project site are considered, this analysis is even more conservative.

(b) *Future Improvements*

According to the TAG, the cumulative impact analysis should consider planned transportation system improvements within the Project area. As described in greater detail in the TIS, the following transportation system improvements were funded and are reasonably expected to be implemented prior to the buildout of the Project. Other proposed trip reduction strategies, such as TDM programs, for individual buildings and developments are omitted from this list.¹⁴

- 6th Street Viaduct Replacement Project. Due to a rare chemical reaction in the cement supports and seismic vulnerability, the 6th Street Viaduct, which provided a connection between the Arts District and the Boyle Heights neighborhood, was demolished in early 2016 as part of the 6th Street Viaduct Replacement Project. As a result, 6th Street/Whittier Street between Mateo Street and U.S.-101 is closed to through traffic. Construction of the new bridge is anticipated to be complete by 2020.
- Arts District Active Transportation Program. Recent Active Transportation Program (ATP) funding was awarded to Council District 14 to create a more multi-modal environment in the Arts District. The Active Transportation Program includes installation of new traffic signals, pedestrian signals, new pedestrian crosswalks, and bicycle lanes and paths. Funding for the ATP improvements was awarded, with construction anticipated to begin in 2020. Completion of the ATP improvements is projected in 2022.
- LADOT DASH Route Expansion. LADOT is conducting a thorough line-by-line analysis of its existing transit services to determine whether expectations are being met and to identify expansion opportunities to existing transit service and routes. Within the Project area, LADOT has proposed changes to the DASH A and DASH F lines. DASH A currently travels between City West and Little Tokyo and DASH F currently travels between the Financial District and Exposition Park/USC. With the proposed changes, DASH A would run between the Los Angeles Sports and Entertainment District and Little Tokyo. Adjacent to the Project Site; minor route changes would shift DASH A from Merrick Street to Hewitt Street via Traction Avenue. The proposed changes to DASH F would extend the route to Union Station via 7th Street and Santa Fe Avenue. The timeline of implementation for

¹⁴ In addition to these future improvements, the I-5 Southbound Ramps & 4th Street improvement (installation of a traffic signal at the intersection of the I-5 southbound ramps and 4th Street) was completed in Year 2018.

these improvements to DASH A and F is currently unknown and the improvements would not affect the configurations of the corridors in the Project area.

- Metro Regional Connector. The Metro Regional Connector Project is a 1.9-mile underground light-rail system that will extend from the Little Tokyo/Arts District Station to the 7th Street/Metro Center Station, allowing passengers to make direct transfers between the Gold, Blue, Expo, Red, and Purple Lines. The Metro Regional Connector will improve access to both local and regional destinations by providing continuous service between these lines and providing connectors to other rail lines via the 7th Street/Metro Center Station. Three new transit stations will be developed with the operation of the Metro Regional Connector. The Metro Regional Connector is anticipated to be complete and in operation by 2020. The Metro Regional Connector will be underground and will not affect the configurations of the corridors in the Project area.
- Connect US Action Plan. Metro's Connect US Action Plan (formerly Union Station and 1st/Central Station Linkages Study) is a strategy to encourage walking and bicycling to Union Station and the future Metro Regional Connector 1st/Central Station from surrounding neighborhoods. The Connect US Action Plan consists of constructing Esplanades, Walk-Bike Streets, and Walk Streets within existing public right-of-way, without additional dedication or acquisition of additional right-of-way. None of the Connect US Action Plan improvements are within the Project area.
- Future Bicycle System. As proposed in the 2010 Bicycle Plan and the Mobility Plan, the bicycle system in the Project area will be expanded to create a more integrated network. The three components of the bicycle network designated in the 2010 Bicycle Plan include the Backbone, the Neighborhood Network, and the Green Network. Class II bicycle lanes will be added to high volume corridors to and from the Backbone of the network, while in-road bikeways in lower volume and collector streets will form the Neighborhood Network through the implementation of Class II bicycle routes and bicycle friendly streets. The Green Network consists of dedicated bike paths that connect the City's open spaces. The 2010 Bicycle Plan proposes dedicated bicycle lanes on Central Avenue, Soto Street, 6th Street east of Central Avenue, 7th Street, and Olympic Boulevard, bicycle routes/bicycle friendly streets on Boyle Avenue, Santa Fe Avenue, and Mateo Street, and a bicycle path along the Los Angeles River. As detailed in the Mobility Plan, within the Project area, the Bicycle Enhanced Network designates Central Avenue, Santa Fe Avenue north of 2nd Street, and Soto Street for Tier 1 protected bicycle lanes. The Bicycle Lane Network consists of Tier 2 and Tier 3 bicycle lanes. The Bicycle Lane Network would include Tier 2 bicycle lanes on 3rd Street between Alameda Street and Santa Fe Avenue, Santa Fe Avenue between 2nd Street and 7th Street, and 7th Street east of Central Avenue. Similar to the 2010

Bicycle Plan, these improvements have not been definitively scheduled for implementation.

- Future Pedestrian Network. The Neighborhood Network established in the 2010 Bicycle Plan, which included a network of local streets that were adequate for bicycling, could also serve local pedestrian activity, as recognized in the Mobility Plan. The Neighborhood Enhanced Network of the Mobility Plan reflects the synthesis of the bicycle and pedestrian networks and serves as a system of local streets that are slow moving and safe enough to connect neighborhoods through active transportation. The Neighborhood Enhanced Network has designated the following streets within the Project area as part of the Neighborhood Network:
 - Santa Fe Avenue south of 1st Street;
 - Mateo Street between 4th Street and Olympic Boulevard; and
 - Boyle Avenue between 1st Street and 6th Street.

The Mobility Plan aims to promote walking to reduce the reliance on auto-travel by providing more attractive and wider sidewalks, as well as adding pedestrian signalizations, street trees, and pedestrian-oriented design features. The Pedestrian Enhanced District of the Mobility Plan has designated the following arterial streets within the Project area as Pedestrian Segments:

- Central Avenue between 1st Street and 4th Street and south of 6th Street;
- Alameda Street north of 4th Street and south of 7th Street;
- Boyle Avenue north of 4th Street;
- Soto Street;
- 1st Street west of Santa Fe Avenue and east of the Los Angeles River;
- 4th Street east of Saint Louis Street; and
- 7th Street west of Mill Street.

These pedestrian improvements are anticipated to provide better connectivity to and from major destinations within the Arts District and surrounding area.

c) Project Design Features

TRANS-PDF-1: Construction Traffic Management Plan. The Applicant will prepare and submit a detailed Construction Traffic Management Plan to the City of Los Angeles (City) for review and approval. The Construction Traffic Management Plan will include

temporary street closure information, a detour plan, haul routes, and an equipment staging plan. The Construction Traffic Management Plan will formalize how construction shall be carried out and identify specific actions that will be required to reduce effects on the surrounding community. The Construction Traffic Management Plan will be based on the nature and timing of the specific construction activities and other projects in the vicinity of the Project Site, and shall include, but not be limited to, the following elements, as appropriate:

- Advanced notification of adjacent property owners and occupants, as well as nearby schools, of upcoming construction activities, including durations and daily hours of construction.
- Prohibition of construction worker parking on adjacent residential streets.
- Prohibition of construction-related vehicle parking on surrounding public streets.
- Temporary pedestrian and vehicular traffic controls during all construction activities adjacent to East 4th Street, Colyton Street, and South Hewitt Street to ensure traffic safety on public rights-of-way. These controls shall include, but are not limited to, flag people trained in pedestrian and student safety.
- Temporary traffic control during all construction activities adjacent to public rights-of-way to improve traffic flow on public roadways (e.g., flag men).
- Scheduling of construction activities to reduce the effect on traffic flow on surrounding arterial streets.
- Safety precautions for pedestrians and bicyclists through such measures as alternate routing and protection barriers as appropriate, including along all identified Los Angeles Unified School District (LAUSD) pedestrian routes to nearby schools.
- Scheduling of construction-related deliveries, haul trips, etc., so as to occur outside the commuter peak hours to the extent feasible, and so as to not impede school drop-off and pick-up activities and students using LAUSD's identified pedestrian routes to nearby schools.
- Coordination with public transit agencies to provide advanced notifications of stop relocations and durations.
- Advanced notification of temporary parking removals and duration of removals.
- Provision of detour plans to address temporary road closures during construction.

TRANS-PDF-2: Transportation Management Organization. The Applicant will provide its fair share of seed funding for the Arts District portion of a Downtown/Arts District Transportation Management Organization (TMO), following approval of the Project, by providing funding for TMO operations and marketing efforts. The Applicant will commit its fair share required in the first year to cover the cost of launching the Arts District portion of a Downtown/Arts District TMO and shall continue to commit to nine additional years (10 years in total), as a charter member with annual dues.

TRANS-PDF-3: Transportation Demand Management (TDM) Program. The Project will develop and implement a Transportation Demand Management (TDM) program to promote non-auto travel and reduce the use of single-occupant vehicle trips. The TDM program will be subject to review and approval by the City of Los Angeles Department of City Planning and Los Angeles Department of Transportation (LADOT). The TDM Program must be approved by LADOT prior to the issuance of the first Certificate of Occupancy. The strategies in the TDM program may include, but would not be limited to, the following:

- Educational Programs/On-Site TDM Coordinator – A TDM coordinator on the building management staff would reach out to employers and employees directly to make them aware of the various programs offered and promote the benefits of the TDM.
- Transportation Information Center/Kiosks – A Transportation Information Center is a centrally-located commuter information center where Project employees and visitors can obtain information regarding commute programs, and individuals can obtain real-time information for planning travel without using an automobile. A Transportation Information Center will support orientation for new employees as well as providing information about transit schedules, commute planning, rideshare, telecommuting, and bicycle and pedestrian plans.
- Bicycle and Pedestrian Amenities – The Project would incorporate features for bicyclists and pedestrians, such as exclusive access points, secured bicycle parking facilities and showers. Additionally, the Project Site would be designed to be a friendly and convenient environment for pedestrians.
- City Bicycle Plan Trust Fund – The Applicant would contribute to the City Bicycle Plan Trust Fund for implementation of bicycle improvements in the Project area under the 2010 Bicycle Plan and Mobility Plan.
- Ridesharing Services Programs – The TDM program would provide services to match employees together to establish carpools and vanpools.
- Incentives for Using Alternative Travel Modes – The TDM program could incorporate various incentives for use of its programs. For example, carpool and vanpool users could be offered preferential load/unload areas or convenient

designated parking spaces. Unbundled parking is a program wherein parking spaces are rented separately from the building space, which allows for a separate charge for parking and the flexibility to vary the number of spaces rented.

- Mobility Hub Support – The Project would support existing and/or future efforts by LADOT to provide first-mile and last-mile service for transit users through the mobility hub program. Mobility hubs, typically located at or near public transit centers, would provide amenities such as, but not limited to, bicycle parking, and transit information. In cooperation with the proposed Downtown/Arts District Transportation Management Organization (TMO), the Project could provide space for similar amenities at the Project Site to complement future mobility hubs in the Project area.

d) Analysis of Project Impacts

Threshold a): Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

(1) Impact Analysis

As summarized below, the Project is consistent with the City documents listed in Table 2.1-1 of the TAG; therefore, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities and impacts would be less than significant. Detailed discussions of the applicable plans, programs, ordinances, or policies are provided below.

(a) Mobility Plan

Project conflicts with the applicable objectives and policies of the Mobility Plan, adopted for the purpose of avoiding or mitigating an environmental effect, are evaluated in Appendix I, Land Use Policy Consistency Tables, of this Draft EIR (refer to Table IV.L-3, Project Conflicts with Mobility Plan 2035 Policies therein), and summarized here. The Project would not be in conflict with the applicable policies of the Mobility Plan. During construction, the Project would support Policy 1.6 through the implementation of a Construction Traffic Management Plan to ensure motorist, pedestrian, and bicyclist safety during development of the Project Site. The Construction Traffic Management Plan would also serve to minimize conflicts between the construction activities and street and sidewalk traffic, and to maintain traffic movement around temporary and partial street or sidewalk closures. During operations, the Project would support Policies 2.3, 2.6, 3.1, 3.3, 3.4, and 3.8 by providing jobs on-site and developing a commercial building within walking distance of existing bus stops and a transit station (0.5 miles from the Metro L (Gold) Line

Little Tokyo/Arts District Station to the north of the Site on Alameda Street) and in proximity to other commercial development, as well as multi-family and live/work residential land uses. It would also provide vehicle and short- and long-term bicycle parking, shower facilities, and a bike repair area, which would maximize the potential for mobility and accessibility for people. The Project also improves walkability in the immediate vicinity of the Project Site by providing sidewalks along portions of the Colyton and South Hewitt Street rights-of-way where none currently exist, introducing ground floor restaurant options, and adding a pedestrian passageway that would connect South Hewitt and Colyton Streets. The Project would also support Policies 4.8, 4.9, and 5.2 by creating and executing a TDM program to promote non-auto travel and reduce the use of single-occupant vehicle trips. The Project also includes funding the TMO for the Downtown/Arts District, which oversees the development, implementation, and operation of TDM strategies within a particular project area, which are measures implemented to increase transit and mode choices. Therefore, the Project includes features that would encourage the use of alternatives modes of transportation, protect public safety, and reduce VMT, which would be consistent with the Mobility Plan.

For additional discussion of the manner by which the Project implements the goals of the Mobility Plan and would not conflict with the Mobility Plan, please refer to Appendix L1 of this Draft EIR.

(b) Central City North Community Plan

The Land Use Element contains 35 community plans that establish specific goals and strategies for the various neighborhoods across the City. As detailed in the Community Plan, the Project Site is located within the Artist-in-Residence District subarea, as well as the South Industrial subarea. The Project is not located within a specific plan area identified in the Community Plan.

The Project is requesting a General Plan Amendment to change the land use designation of the Community Plan from Heavy Industrial to Regional Center Commercial. The Project would align with the goals of the Community Plan to provide pedestrian friendly commercial areas and job opportunities in proximity to transit stations, as the Project would provide commercial, restaurant, and office uses within 0.5 miles of the Metro Gold Line Little Tokyo/Arts District Station.

The Project would implement Project Design Feature TRANS-PDF-3, which requires creating and executing a TDM program, and Project Design Feature TRANS-PDF-2, which includes funding the TMO for the Downtown/Arts District. The Project would also provide short- and long-term bicycle parking and shower facilities, which would all promote non-auto travel and reduce the use of single-occupant vehicle trips. Thus, the Project would support the transportation-related policies of the Community Plan that are

focused on utilizing alternatives to the automobile for travel, require a TDM Plan, and encourage the provision of changing rooms, showers, and bicycle storage at new and existing and non-residential developments and public spaces.

It should also be noted that the City is currently in the process of developing the Downtown Community Plan, which will serve as an update to the Central City North Community Plan and the Central City Community Plan. The Downtown Community will provide a collective plan for DTLA. However, as the Downtown Community Plan has not yet been approved or adopted by the City, the Project's proposed zoning has been evaluated above for consistency with the existing zoning designation of the Project Site and the applicable LAMC standards. Project consistency with the transportation-related policies of the currently adopted Community Plan for Central City North is further detailed in Appendix I, Land Use Policy Consistency Tables, of this Draft EIR (refer to Table IV.H-4, Project Conflicts with Applicable Central City North Community Plan Policies, therein).

(c) *Los Angeles Municipal Code*

(i) *Sections 12.21 A 4 and 12.21 A.16*

LAMC Section 12.21 A.16, Case No. CPC-2016-4216-CA and Council File No. 12-1297-S1 detail the bicycle parking requirements for new developments. The proposed bicycle parking short-term and long-term supply would satisfy the LAMC requirement for the Project, as described below.

The following automobile parking rates are indicated in Section 12.21 A.4(a) of the LAMC and Section 12.21 A.4(x)(3) for uses within any Enterprise Zone, as defined by the California Department of Commerce:

- Commercial Uses (Commercial, Office, Retail, Restaurant)
 - One space per 500 square feet

Per LAMC Section 12.21 A.4, non-residential buildings may replace up to 20 percent of required automobile parking spaces with bicycle parking spaces at a rate of one automobile space per four bicycle parking spaces provided. These parking rates and reductions were applied to the proposed floor area of the Project to determine the required amount of off-street automobile parking stalls, as shown in Table IV.L-3, LAMC Automobile Parking Requirements.

**Table IV.L-3
LAMC Automobile Parking Requirements**

Use	LAMC 12.21 A.4	Spaces Required	Use
Institution/ Museum^a (7,800 square feet [square feet, or sf])	2 per 1,000 sf LAMC 12.21 A.4(d) (Existing to remain)	16 (replaces 16 existing spaces)	Institution/ Museum (7,800 sf)
Commercial - restaurant/office/ common (336,125 sf)	2 per 1,000 sf LAMC 12.21 A.4(x) (State Enterprise Zone)	672	Commercial - restaurant/office/ common (336,125 sf)
Total		688	
Allowable Vehicle Space Reduction per Bicycle Replacement^b			-28
Vehicle Parking Minimum Requirement			660
Total Vehicle Parking Provided			660
<p>^a At the time that the Notice of Preparation for the Project was issued (September 20, 2017), the CEQA baseline for the Project, the building was occupied by the A+D Museum. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. The Project's requested discretionary approvals would not physically alter the 7,800-square-foot building.</p> <p>^b Per the City of Los Angeles Bicycle Parking Ordinance (LAMC Section 12.21 A.16), Off-Street Automobile Parking Requirements, new or existing automobile parking spaces required by Code, for all land uses, may be replaced by bicycle parking at a ratio of one standard or compact automobile parking space for every four required or non-required bicycle parking spaces provided. No more than 20 percent of the required automobile parking spaces for nonresidential uses shall be replaced at a site.</p>			

The aforementioned off-street automobile parking ratios were applied to these components to determine the off-street automobile parking requirement for the Project. The Project proposes 112 bicycle parking spaces to be located on the ground floor. The Project is required to provide 688 automobile parking spaces, but with the provision of 112 bicycle parking spaces per Section 12.21 A.4 of the LAMC, the Project could replace up to 28 LAMC-required automobile parking spaces with bicycle parking spaces. The LAMC parking requirement would therefore be accommodated on-site.

The bicycle parking requirements of the LAMC are subdivided into short-term and long-term parking based on Section 12.21 A.16(a)(2). Short-term bicycle parking is characterized by bicycle racks that support the bicycle frame at two points; conversely, long-term bicycle parking is characterized by an enclosure protecting all sides from inclement weather and secured from the general public. Table IV.L-4, LAMC Bicycle

Parking Requirements, summarizes the short- and long-term bicycle space requirement for the Project.¹⁵

Table IV.L-4
LAMC Bicycle Parking Requirements

Use	Spaces Required LAMC Section 12.21.A.16			Spaces Proposed		
	Short-term	Long-term	Total	Short-term	Long-term	Total
Office/Exterior Common Area (327,976 sf)	33 (1/10,000 sf)	66 (1/5,000 sf)	99	34	67	101
Food and Beverage (Restaurant) (8,149 sf)	4 (1/2,000 sf or 2 per shop)	4 (1/2,000 sf or 2 per shop)	8	6	5	11
Institution/ Museum^a (7,800 sf)	0 (Existing use to remain. None required.)			0	0	0
Total	37	70	107	40	72	112

^a At the time that the Notice of Preparation for the Project was issued (September 20, 2017), the CEQA baseline for this Project, the building was occupied by the A+D Museum. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. The Project's requested discretionary approvals would not physically alter the 7,800-square-foot building.

As shown, the Project would be required to provide 37 short-term bicycle parking spaces and 70 long-term bicycle parking spaces, for a total of 107 spaces. A total of 112 bicycle parking spaces would be provided by the Project, including 40 short-term and 72 long-term spaces. The LAMC bicycle parking requirement for the Project would be accommodated on-site.

(ii) Section 12.26 J

LAMC Section 12.26 J, the TDM Ordinance, establishes trip reduction requirements for non-residential projects in excess of 25,000 square feet. The Project would develop a TDM program as provided in Project Design Feature TRANS-PDF-3, aimed at encouraging the use of alternative transportation modes in line with the requirements set forth in the TDM Ordinance.

¹⁵ The 2013 Bicycle Ordinance was in effect at the time the Project Application was submitted to the City. However, the Project will comply with the 2018 Bicycle Ordinance.

(iii) *Section 12.37*

LAMC Section 12.37 sets forth requirements for street dedications and improvements for new development projects. The Project's discretionary approvals include a request for a waiver of dedications along East 4th, South Hewitt, and Colyton Streets; and a waiver of standard improvements to provide modified street standards (including sidewalk and travel lane dimensions) and to maintain the existing street grade and drainage system along South Hewitt and Colyton Streets. Therefore, with the discretionary approvals, the Project would be consistent with the LAMC regulations related to Waivers of Dedication and Improvement to the Public Right of Way Process.

(d) *LADOT Manual of Policies and Procedures for Driveway Design*

The LADOT'S December 2008 MPP provides plans and requirements for traffic infrastructure features in the City. In addressing State CEQA Guidelines Threshold (a), which corresponds to TAG Threshold T-1 (Conflicting with Plans, Programs, Ordinances, or Policies), the TAG asks whether the Project would include driveways or loading zones in excess of City standards, referencing Section No. 321 of the Manual of Policies and Procedures, which provides driveway design and placement guidelines.

Consistent with the maximum allowable width and number of driveways along arterial frontages (Avenue or Boulevard) of 200-400 feet, the Project provides two, 30-foot driveways along East 4th Street, a designated Avenue III. The driveways and reservoir area would be designed in accordance with LADOT standards to provide sufficient vehicle queuing space between the driveway and the first parking stall. In addition, the two driveways would be spaced to provide an adequate pedestrian refuge area to minimize interferences to pedestrian safety. Additionally, truck access to the on-site loading docks would be provided via South Hewitt Street, a designated Collector Street. Loading docks would be designed and placed in accordance with the standards detailed in Section No. 321 of the Manual of Policies and Procedures. No vehicles would back into the loading docks from South Hewitt Street.

Thus, the Project driveways would not interfere with the applicable policies and procedures contained in the manual. Additionally, the Project complies with all applicable LADOT driveway design standards.

(e) *Vision Zero*

Vision Zero implements projects that are designed to increase safety on the most vulnerable City streets. The City has identified a number of streets as part of the HIN where City projects will be targeted. The Project Site is not located along the HIN; therefore, Project improvements to the pedestrian environment would not preclude future

Vision Zero Safety Improvements to HINs by the City. The addition of sidewalks to portions of Colyton Street and South Hewitt Street by the Project, as well as the Project pedestrian passageway that would link Colyton Street and South Hewitt Street, would promote safer pedestrian movement around the perimeter of the Project Site, as compared to the existing condition whereby pedestrians walk along these roadways, because no sidewalk is currently available (except along East 4th Street, north of the Project Site). As such, the Project does not conflict with Vision Zero.

(f) *Citywide Design Guidelines*

The Citywide Design Guidelines, which were initially adopted by the City Planning Commission in July 2013 and updated in October 2019, are intended as performance goals and not zoning regulations or development standards and, therefore, do not supersede regulations in the LAMC. The Citywide Design Guidelines incorporate the goals of the previous Walkability Checklist and interact with other guidelines such as those found in Community Design Overlays. The guidelines are focused on enhancing safe pedestrian movement and incorporating architectural and design elements that are energy-efficient, protect site users, and increase comfort and well-being. The Project provides ground floor restaurant uses and maintains the existing 7,800-square-foot building formerly occupied by the Architecture and Design (A+D) Museum on-site. The Project Site is located approximately 0.5 miles from the Metro Gold Line Little Tokyo/Arts District Station and is well served by various bus lines. The Project design also includes a pedestrian passageway connecting Colyton Street and South Hewitt Street and provides bicycle parking and shower facilities. In addition, with development of the Project, Colyton Street and South Hewitt Street would be improved to provide sidewalks, in accordance with the City's Living Streets design considerations. Thus, trees and sidewalk plantings would be incorporated to provide adequate shade and habitat to provide a more comfortable mobility environment for pedestrians. Therefore, the Project would align with the Citywide Design Guidelines to provide a safe, comfortable, and accessible experience for alternative transportation modes, including walking and transit. Project consistency with the Citywide Design Guidelines is further detailed in Section IV.H, Land Use and Planning.

(g) *Plan for a Healthy Los Angeles*

The Plan for a Healthy Los Angeles: A Health and Wellness Element of the General Plan introduces guidelines for the City to follow to enhance the City's position as a regional leader in health and equity, encourage healthy design and equitable access, and increase awareness of equity and environmental issues.¹⁶ The Project would concentrate new development and jobs on an urban infill site within walking distance to several Metro and

¹⁶ City of Los Angeles, Department of City Planning. 2015. Plan for a Healthy Los Angeles: A Health and Wellness Element of the General Plan. March.

LADOT bus lines along East 4th Street and the Metro L (Gold) Line Little Tokyo/Arts District Station. In addition, the Project would include short-term and long-term bicycle parking spaces, would provide a bike repair area and shower facilities, and would improve walkability and pedestrian safety by providing sidewalks along the South Hewitt and Colyton Street rights-of-way where none currently exist, a plaza on Colyton Street, and a pedestrian passageway that connects Colyton and South Hewitt Streets. The Project meets the intent of the Plan for a Healthy Los Angeles to promote healthy lifestyles by reducing vehicle use and VMT; thereby, reducing mobile source emissions and GHGs. Therefore, the Project would not interfere with any of the policies recommended by this plan. Project consistency with the Plan for a Healthy Los Angeles is further detailed in Appendix I, Land Use Policy Consistency Tables, of this Draft EIR (refer to Table IV.e-5 therein).

Based on the preceding analysis, the Project would not conflict with a program, plan, ordinance, or policy that addresses the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Project impacts related to such transportation policy conflicts would be less than significant.

(2) Mitigation Measures

Impacts related to Project conflicts with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts related to Project conflicts with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold b): Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b)?

(1) Impact Analysis

A commercial project would result in a significant VMT impact if it would generate work VMT per employee exceeding 15 percent below the existing average work VMT per employee for the APC area in which the project is located. The following VMT analysis was conducted for the Project in accordance with the TAG, which satisfies State requirements under SB 743, including CEQA Guidelines Section 15064.3(b).

The VMT Calculator was used to evaluate Project VMT for comparison to the VMT impact criteria. The VMT Calculator was set up with the Project's land use program and the respective sizes as the primary input. The assumptions that were utilized in the VMT Calculator, and the analysis results, are summarized in Table IV.L-5, Project VMT. Detailed output from the VMT Calculator is provided in the TIS, included as Appendix L1 of this Draft EIR. As the Project does not include any residential uses, per the LADOT and the Department of City Planning November 2019 VMT Calculator User Guide, the Project would not generate any household VMT per capita and would have no effect on household VMT. The Project includes several design features, which include measures to reduce the number of single occupancy vehicle trips to the Project Site. The VMT Calculator accounted for the following features in the VMT evaluation:

- Bicycle parking supply per LAMC requirements; and
- Pedestrian network improvements within the Project Site and connecting to off-site pedestrian facilities.

As shown in Table IV.L-5, Project VMT, the VMT Calculator estimates that the Project would generate 9,216 total work VMT and 1,279 jobs. Therefore, the Project would generate an average work VMT per employee of 7.2, which falls below the significance threshold for the Central APC (7.6 work VMT per employee). In addition, a TMO program and a TDM program would be developed to encourage the use of alternative transportation modes and to increase transit and mode choices in the Project area (Project Design Features TRANS-PDF-2, and TRANS-PDF-3, respectively). As the TDM and TMO project design features were not included in the VMT calculator, this VMT analysis is conservative and VMT would likely be less than reported here.

Therefore, the Project would result in a less-than-significant VMT impact.

**Table IV.L-5
Project VMT**

Project Information	
Project Land Uses	Size
Museum ^a	7,800 sf
Office	311,682 sf
Restaurant	8,149 sf
Project Analysis^b	
Total Population ^c	0
Total Employees ^d	1,279
Project Area Planning Commission	Central
Travel Behavior Zone ^e	Suburban Center
Maximum VMT Reduction ^f	20%
VMT Analysis^g	
Total Daily Project VMT	19,848
Household VMT Impact	

Project Information	
Total Household VMT per Capita	N/A
Household VMT per Capita ^h	N/A
Impact Threshold	6.0
Significant Impact	N/A
VMT Reduction	–
Work VMT Impact	
Total Work VMT	9,216
Work VMT per Employee ⁱ	7.2
Impact Threshold	7.6
Significant Impact	No
VMT Reduction	Not Required
Notes:	
<p>^a The museum was the existing use at the time the Project Application was filed, when the Notice of Preparation and Initial Study were circulated for public comment, the CEQA baseline for this Project, and when the TIS was prepared. The building was vacated in the Summer of 2020. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. The Project's requested discretionary approvals would not physically alter the 7,800-square foot building. Thus, it was not considered for the VMT evaluation as it would not generate new VMT.</p> <p>^b Project Analysis is from VMT Calculator output reports provided in the Appendix B.</p> <p>^c Total population estimate is based on a population factor of 2.25 persons/unit for multi-family households. The population factor is based on Census data for the City of Los Angeles.</p> <p>^d Total employment estimate is based on the following employment factors:</p> <ul style="list-style-type: none"> • Office: 4.0 / 1,000 sf High-Turnover Restaurant: 4.0 / 1,000 sf. • The employment factors are based on employee data from the Los Angeles Unified School District, 2012 SANDAG Activity Based Model, ITE trip generation rates, U.S. Department of Energy, and other modeling resources. <p>^e A "Suburban Center" TBZ is characterized as low-density developments with a mix of residential and commercial uses with larger blocks and lower intersection density.</p> <p>^f The maximum allowable VMT reduction is based on the Project's designated TBZ.</p> <p>^g The Project design features that were available and were applied in the VMT Calculator include:</p> <ul style="list-style-type: none"> • Bicycle parking per LAMC requirements; and • Pedestrian connections within the Project Site and connecting to off-site pedestrian facilities. <p>^h Household VMT per Capita is based on the "home-based work production" and "home-based other production" trip types.</p> <p>ⁱ Work VMT per Employee is based on the "home-based work attraction" trip types.</p>	

(2) Mitigation Measures

Impacts related to Project conflicts or inconsistency with CEQA Guidelines Section 15064.3, Subdivision (b) are less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts related to Project conflicts or inconsistency with CEQA Guidelines Section 15064.3, Subdivision (b) were determined to be less than significant without mitigation.

Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold c): Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

(1) Impact Analysis

(a) Construction

The Project is anticipated to be constructed in phases over a period of 28 months, beginning in 2022 and reaching completion in 2025. The construction period would include sub-phases of site demolition, excavation and grading, foundations, and building construction. Peak haul truck activity occurs during excavation and grading, and peak worker activity occurs during building construction. Construction activities are expected to be contained primarily within the Project Site boundaries and the adjacent public rights-of-way, for curb cuts, driveways, and sidewalk improvements. In addition, it is expected that construction fences may encroach into the public right-of-way (e.g., sidewalk and roadways) adjacent to the Project Site. The sidewalk and curb lane on East 4th Street and the parking lanes on Colyton and South Hewitt Streets adjacent to the Project Site would be used intermittently throughout the construction period for equipment staging, concrete pumping, and deliveries. In addition, roadwork in East 4th, Colyton, and/or South Hewitt Streets to install utility connection and/or upgrades may also be required. The use of the public rights-of-way along East 4th Street, Colyton Street, and South Hewitt Street would require temporary rerouting of pedestrian traffic, as the sidewalks fronting the Project Site would be closed to maintain public safety. There are no bus stops immediately adjacent to the Project Site and, therefore, no temporary impacts to public transit routes are expected. Parking is allowed adjacent to the Project Site on Colyton and South Hewitt Streets, so the construction fences could result in the temporary loss of up to eight unmetered parking spaces on Colyton Street and 13 unmetered parking spaces on South Hewitt Street. However, partial and temporary street closures and the temporary loss of parking spaces are not expected to result in substantial adverse effects, as East 4th Street offers four lanes of travel immediately north of the Project Site, alternative vehicle and pedestrian routes are available around the Project Site, and additional parking options are available along Colyton and South Hewitt Streets, East 4th Place, 5th Street, and Seaton Street.

To ensure the avoidance of potential roadway hazards during the construction period related to construction vehicle trips, construction vehicle and equipment staging, construction worker parking, and roadway and/or sidewalk closures, the Project includes a Construction Traffic Management Plan, described in Project Design Feature TRANS-

PDF-1. The Construction Traffic Management Plan would include provisions for off-peak haul route and construction worker trips; adequate parking for construction workers secured in the vicinity of the Project Site (and restrictions against workers parking in the public right-of-way in the vicinity of, or adjacent to, the Project Site); temporary traffic controls around any closures prepared in accordance with LADOT requirements to address any such temporary vehicle lane, bicycle lane, or sidewalk closures; and features to ensure pedestrian safety along the affected sidewalks and temporary walkways (e.g., use of directional signage, maintaining continuous and unobstructed pedestrian paths, and/or providing overhead covering).

Project construction is not expected to adversely affect access or transit, or create hazards for roadway travelers, bus riders, or parkers, so long as commonly practiced safety procedures for construction are followed. Such procedures and other measures (e.g., to address temporary traffic control, lane closures, sidewalk closures, etc.) have been incorporated into the Construction Traffic Management Plan described in Project Design Feature TRANS-PDF-1 as part of the Project. **Due to the temporary nature of construction activities, Project Design Feature TRANS-PDF-1, and required LADOT and City of Los Angeles Department of Building and Safety (LADBS) review and approval of temporary roadway modifications (i.e., closures), the construction-related traffic hazard impacts of the Project would be less than significant.**

(b) Operations

General employee and visitor vehicular access to the Project parking garage would be provided via two driveways on the south side of East 4th Street, with one driveway accessing the subterranean parking levels and one driveway accessing the above-grade parking levels. Both driveways would accommodate right-turn-only ingress and egress movements due to the one-way operation of East 4th Street. Access to the loading dock would be provided via the west side of South Hewitt Street. Pedestrian access into the Project Site would be provided from Colyton Street into the existing 7,800-square-foot building, from East 4th and South Hewitt Streets to each of the ground floor uses, and from Colyton and South Hewitt Streets to the passageway to the main lobby of the proposed Office Building. The pedestrian passageway would provide a cut-through between Colyton Street and South Hewitt Street that would include an outdoor courtyard south of the existing 7,800-square-foot building that would continue east into a covered passageway through the Office Building. The Project's vehicular and pedestrian access locations would be designed to City standards and would provide adequate sight distance, sidewalks, crosswalks, and pedestrian movement controls that meet the City's requirements for the protection of driver, bicyclist, and pedestrian safety.

The two driveways along East 4th Street would require installation of two new curb cuts, approximately 30 feet in width. Access to the loading dock along South Hewitt Street

would also require the installation of a new curb cut. The driveways would be designed, placed, and configured to limit vehicle queues and bicycle/pedestrian-vehicle conflicts. The driveways on East 4th Street would be located approximately 30 feet apart, providing an adequate pedestrian refuge between the two driveways. On-street parking adjacent to the Project Site would be removed along East 4th Street and South Hewitt Street to accommodate the new curb cut and to improve the roadways to meet City standards. Thus, sight distance from the Project driveways would be further enhanced.

No unusual or new obstacles are presented in the design that would be considered hazardous to motorized vehicles, non-motorized vehicles, or pedestrians. Neither East 4th Street nor South Hewitt Street are designated as part of the HIN or the PEN of Mobility Plan 2035. Pedestrian activity on both streets is minimal, and the new curb cuts would not present significant safety issues regarding traffic/pedestrian conflicts. Further, the Project's passageway provides an east-west pedestrian cut-through between Colyton and South Hewitt Streets, an alternative pedestrian path to East 4th Street. **Based on the site plan review and design assumptions, the Project does not present geometric design hazards as they relate to traffic movement, mobility, or pedestrian accessibility during operations. Therefore, Project impacts associated with design hazards and incompatible uses during operation would be less than significant.**

(2) Mitigation Measures

Project impacts related to hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project impacts related to hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold d): Would the Project result in inadequate emergency access?

(1) Impact Analysis

(a) Construction

As previously discussed, the Project's Construction Traffic Management Plan described in Project Design Feature TRANS-PDF-1 would provide temporary traffic control, lane closures, sidewalk closures, and a detour plan to address temporary vehicle lane, bicycle lane, or sidewalk closures that may be necessary during the construction period; as well

as features to ensure pedestrian safety along the affected sidewalks and temporary walkways. Such temporary controls would be coordinated with LADOT and LADBS. Through compliance with applicable Fire Code requirements and Project Design Feature TRANS-PDF-1, the Project would provide adequate emergency access for City of Los Angeles Fire Department (LAFD) and City of Los Angeles Police Department (LAPD) vehicles and other first responders. Project Design Feature TRANS-PDF-1 would avoid substantial effects from construction on emergency access by arranging for the orderly flow of vehicle and pedestrian traffic in the Project area. Should temporary lane or sidewalk closures be necessary, the remaining travel lanes would be maintained, and detour routes for pedestrians and motorists would be identified, in accordance with the LADOT-approved Construction Traffic Management Plan. Therefore, the Project would not impede emergency access. **Project impacts related to emergency access during the construction period would be less than significant.**

(b) Operations

The General Plan Safety Element (Safety Element) identifies East 4th Street and Alameda Street in the vicinity of the Project Site as Selected Disaster Routes. The County also identifies the segment of East 4th Street to the north of the Project Site and Alameda Street to the west of the Project Site as disaster routes. Per the Safety Element, such routes function as primary thoroughfares for the movement of emergency response traffic and access to critical facilities (i.e. hospitals). The Project Site is currently served by existing roadway infrastructure and emergency services, and emergency access to the Project Site and surrounding area would continue to be provided on adjacent roadways similar to existing conditions. The Project does not include design features that would impede emergency access and would not permanently close any existing streets. Project access would be designed to LADOT standards and reviewed by City staff. As required, the Project is also designed to meet LAMC standards for adequate emergency access, as well as to comply with the Fire Code's access, driveway, parking, and building (i.e., related to elevator shafts, stairways, sprinklers, etc.) standards. In addition, several options are available to emergency responders for facilitating movement around traffic, such as using sirens to clear the path of travel and circumventing traffic and traffic signals. **In conjunction with regulatory requirements for review and approval of Project Site access and circulation plans by LADOT and the LAFD, Project operations impacts related to emergency access would be less than significant.**

(2) Mitigation Measures

Project impacts on emergency access would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project impacts on emergency access were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

e) Cumulative Impacts

(1) Impact Analysis

(a) Conflicts with Circulation System Programs, Plans, Ordinances, or Policies

According to the TAG, the cumulative analysis should include known development projects within a 0.25-mile radius of the Project Site. Fifteen Related Projects are located within 0.25 mile of the Project Site; Nos. 20, 37, 39, 40, 44, 49, 52, 78, 79, 85, 94, 96, 120, 129, and 137. A cumulative impact would occur if a project as well as other future development projects located on the same block were to preclude the City's ability to serve transportation user needs as defined by the City's transportation policy framework. The Project would not interfere with the ability of transit users to access bus or rail stations; on the contrary, through the implementation of Project Design Features TRANS-PDF-2 (Downtown/Arts District TMO) and TRANS-PDF-3 (TDM program), the Project would facilitate user access to transit. As detailed above, the Applicant will provide funding for Downtown/Arts District TMO operations and marketing efforts, and the Project TDM program will promote non-auto travel to reduce the use of single-occupant vehicle trips. Further, the Project would provide short- and long-term bicycle parking spaces and showers, as well as provide sidewalks along portions of Colyton and South Hewitt Streets where none currently exist, in addition to providing a pedestrian passageway that links Colyton and South Hewitt Streets to facilitate safe pedestrian movement around the Project Site. The Project would also not result in permanent modifications to existing roadways and would provide parking and access/driveways in compliance with the LAMC.

Related Project No. 85 and Related Project No. 94 would be located on the same block as the Project. Available site plans for Related Project No. 85 (the Arts District Center project at 1129 East 5th Street) show that the project would provide sidewalks on portions of East 5th, Colyton, and Seaton Streets where none currently exist, and it would also include bicycle parking and an internal valet access drive between Colyton and East 5th Streets. Therefore, like the Project, Related Project No. 85, located southwest of the Project Site at the corner of Colyton Street and East 5th Street, would facilitate safe pedestrian flow around the project site and would not impede vehicle flow on area roadways as it proposes no changes to existing roadways. The Arts District Center project is also located in a TPA and would include a TDM program to promote the use of transit

and bicycle facilities and promote walkability. Related Project No. 94 would be located across South Hewitt Street, east of the Project Site. Site plans for Related Project No. 94 were not available for review as part of this analysis. However, as for all projects that are proposed in the City, the Related Projects would be subject to review by the LADOT, LADBS, and the Department of City Planning and would be required to meet the City's requirements for transportation, circulation, access, and parking pursuant to the LAMC. Furthermore, similar to the Project, the Related Projects would be individually responsible for complying with relevant plans, programs, ordinances, or policies addressing the circulation system. **As the Project would not conflict with plans, ordinances, or policies related to the circulation system, its contribution to impacts with respect to consistency with such plans, ordinances, or policies would not be cumulatively considerable, and cumulative impacts would be less than significant.**

(b) Vehicle Miles Traveled Analysis

Short-term cumulative VMT effects are based on the Project-level VMT analysis that is performed for a particular project, per the TAG. **As the Project's Work VMT per Capita would be less than significant, the Project's short-term cumulative VMT impacts would be less than significant.**

Long-term cumulative effects of the Project and Related Projects are determined through a consistency check with the RTP/SCS, as directed by the TAG. Projects that are consistent with the RTP/SCS for development location, density, and intensity are part of the regional solution for meeting air pollution and GHG goals. Projects that are deemed to be consistent would have a less-than-significant cumulative impact on VMT.

The Project is located within a TPA and would develop the Office Building within 0.5 miles of the Metro Gold Line Little Tokyo/Arts District Station. The Project Site is also well-served by various bus and shuttle lines. In addition, the Project would be designed to further reduce single occupancy trips to the Project Site through various TDM strategies including bicycle amenities, ground floor restaurant uses, and a pedestrian passageway that would contribute to the walkability of the Arts District. In addition, the Project would also participate as a member in the Downtown/Arts District TMO to increase transit and mode choices in the Arts District. Thus, through the implementation of Project Design Features TRANS-PDF-1 and TRANS-PDF-2, the Project encourages a variety of transportation options and is consistent with the RTP/SCS goal of maximizing mobility and accessibility in the region. The Project would also contribute to the productivity and use of the regional transportation system by providing employment near transit and encourage active transportation by providing new bicycle parking and active street frontages, consistent with RTP/SCS goals.

As detailed in Section IV.H, Land Use and Planning, and Section IV.J, Population and Housing, the Project would be consistent with the location, density, intensity, and growth projections in the RTP/SCS. Therefore the Project's long-term cumulative VMT impacts would be less than significant.

(c) Geometric Design Features, Incompatible Use Hazards, and Emergency Access

The TAG stipulates that access plans for Related Projects with access points proposed along the same block(s) as the Project should be reviewed to determine the combined impact and the Project's contribution to the cumulative impact, if any. The TAG does not specifically address cumulative emergency access impacts. However, for purposes of this analysis, the same methodology that is applied to assess cumulative geometric design features or incompatible use hazard impacts is applied to emergency access. The Project would not create adverse significant impacts related to vehicular access or to pedestrian and bicycle access and facilities, and it does not include geometric design features that would contribute to hazardous conditions or that would result in inadequate emergency access. As described above, Related Project No. 85 and Related Project No. 94 would be located on the same block as the Project. Each Related Project, like the Project, would be reviewed by the City to ensure compliance with the applicable requirements for safe vehicle, pedestrian, and bicyclist access, as well as to maintain adequate emergency access to the Project Site and surrounding community. **As the Project would result in a less significant impact related to geometric design features, incompatible use hazards, and emergency access, its contribution to such cumulative impacts would not be cumulatively considerable, and cumulative impacts would be less than significant.**

(2) Mitigation Measures

Cumulative transportation impacts would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative transportation impacts were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

f) LADOT Interim Guidance for Freeway Safety Analysis Supplement

As discussed in the Regulatory Framework section above, in May 2020, LADOT issued the City Interim Freeway Guidance, identifying City requirements for a CEQA safety analysis of freeway facilities as part of a transportation assessment. It is anticipated that Caltrans will publish guidelines that evaluate safety concerns on freeways in the future as well. Therefore, the following analysis is provided for informational purposes to address the City Interim Freeway Guidance.

Based on the City Interim Freeway Guidance, a transportation assessment for a development project must include a queuing analysis when a project adds 25 or more peak hour trips to any nearby freeway off-ramp. If, based on the queuing analysis, a project causes or contributes two or more vehicle lengths to a queue extending onto a freeway mainline, further analysis is required to determine the speed differential between the freeway off-ramp queue and the freeway mainline. A potential safety issue could be identified if the speed differential is 30 mph or more.

If the speed differential is 30 mph or more, corrective measures to offset the potential condition include TDM measures to reduce a project's trip generation, investments in active transportation or transit system infrastructure to reduce a project's trip generation, changes to the traffic signal timing or lane assignments at the ramp intersection, or physical changes to the off-ramp. According to the City Interim Freeway Guidance, any physical change to the ramp would have to improve safety, not induce greater VMT, and not result in secondary environmental issues.

Appendix I of the TIS includes the analysis of six freeway off-ramp locations along U.S.-101, I-5, and I-10 for ramp queue lengths, based on the Transportation Research Board's 2016 Highway Capacity Manual 6th Edition: A Guide for Multimodal Mobility Analysis methodology, which reports the 95th percentile queue lengths for each approach lane on the off-ramp. As detailed in Appendix I of the TIS, the addition of Project traffic would not be the cause of any freeway off-ramps extending beyond the available storage capacity. Furthermore, based on available data for nearby freeway facilities, speed differentials between the freeway mainline and freeway off-ramps with queues that extend beyond the available storage capacity would not exceed 30 mph. Thus, the Project would not adversely affect safety at any of the analyzed freeway off-ramp locations. Nonetheless, consistent with the corrective measures recommended in the City Interim Freeway Guidance, the Project's transportation improvements would include the implementation of a comprehensive TDM Program (TRANS-PDF-3), as well as the Project's participation in and contribution towards the Downtown/Arts District TMO (TRANS-PDF-2), which would reduce the Project's vehicle trips and VMT on the freeway off-ramp facilities, as well as in the general Project area, by promoting and supporting the utilization of

alternative transportation modes. In addition, as previously noted in the preceding Project transportation analysis, on-going mobility improvements throughout the area would further promote alternative transportation modes, reduce vehicular traffic, and increase mobility options in the Project area.

IV. Environmental Impact Analysis

M. Tribal Cultural Resources

1. Introduction

This section identifies and evaluates potential Project impacts on tribal cultural resources. The analysis in this section is based on the results of consultation with California Native American Tribes conducted by the City of Los Angeles (City) for the Project, as required by the California Environmental Quality Act (CEQA) as amended by Assembly Bill (AB) 52, as well as the results of the analysis of resources in Appendix M, Ethnographic Report, of this Draft Environmental Impact Report (EIR). The Native American consultation documentation is provided in Appendix M.

2. Environmental Setting

a) Regulatory Framework

The following describes the primary regulatory requirements regarding tribal cultural resources. Applicable plans and regulatory documents/requirements include the following:

- California Assembly Bill 52
- California Public Resources Code Section 5097
- California Penal Code

(1) State

(a) *California Assembly Bill 52*

AB 52 was approved on September 25, 2014. The act amended California Public Resources Code (PRC) Section 5097.94, and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. The primary intent of AB 52 is to involve California Native American Tribes early in the environmental review process and to establish a category of resources related to Native Americans, known as tribal cultural resources, that require consideration under CEQA. PRC Section 21074(a)(1) and (2) defines tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American

Tribe” that are either included or determined to be eligible for inclusion in the California Register or included in a local register of historical resources, or a resource that is determined to be a tribal cultural resource by a lead agency, in its discretion and supported by substantial evidence. A tribal cultural resource is further defined by PRC Section 20174(b) as a cultural landscape that meets the criteria of subdivision (a) to the extent that the landscape is geographically defined in terms of the size and scope of the landscape. PRC Section 20174(c) provides that a historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

PRC Section 21080.3.1 requires that, within 14 days of a lead agency determining that an application for a project is complete, or a decision by a public agency to undertake a project, the lead agency provide formal notification to the designated contact, or a tribal representative, of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the project (as defined in PRC Section 21073) and who have requested in writing to be informed by the lead agency of projects within their geographic area of concern.¹ Tribes interested in consultation must respond in writing within 30 days from receipt of the lead agency’s formal notification and the lead agency must begin consultation within 30 days of receiving the tribe’s request for consultation.²

PRC Section 21080.3.2(a) identifies the following as potential consultation discussion topics: the type of environmental review necessary; the significance of tribal cultural resources; the significance of the project’s impacts on the tribal cultural resources; project alternatives or appropriate measures for preservation; and mitigation measures. Consultation is considered concluded when either: (1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or (2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.³

In addition to other CEQA provisions, the lead agency may certify an EIR or adopt a Mitigated Negative Declaration for a project with a significant impact on an identified tribal cultural resource, only if a California Native American tribe has requested consultation pursuant to Section 21080.3.1 and has failed to provide comments to the lead agency, or requested a consultation but failed to engage in the consultation process, or the consultation process occurred and was concluded as described above, or if the California Native American tribe did not request consultation within 30 days.⁴

¹ California Public Resources Code Section 21080.3.1(b) and (c).

² California Public Resources Code Sections 21080.3.1(d) and 21080.3.1(e).

³ California Public Resources Code Section 21080.3.2(b).

⁴ California Public Resources Code Section 21082.3(d)(2) and (3).

PRC Section 21082.3(c)(1) states that any information, including, but not limited to, the location, description, and use of the tribal cultural resources, that is submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public without the prior consent of the tribe that provided the information. If the lead agency publishes any information submitted by a California Native American tribe during the consultation or environmental review process, that information shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.

Confidentiality does not apply to data or information that are, or become publicly available, are already in lawful possession of the project applicant before the provision of the information by the California Native American tribe, are independently developed by the project applicant or the project applicant's agents, or are lawfully obtained by the project applicant from a third party that is not the lead agency, a California Native American tribe, or another public agency.⁵

(b) California Public Resources Code

California PRC Section 5097.98, as amended by AB 2641, provides procedures in the event human remains of Native American origin are discovered during project construction. PRC Section 5097.98 requires that no further disturbances occur in the immediate vicinity of the discovery, that the discovery is adequately protected according to generally accepted cultural and archaeological standards, and that further activities take into account the possibility of multiple burials. PRC Section 5097.98 further requires the Native American Heritage Commission (NAHC), upon notification by a County Coroner, designate and notify a Most Likely Descendant (MLD) regarding the discovery of Native American human remains. Once the MLD has been granted access to the site by the landowner and inspected the discovery, the MLD then has 48 hours to provide recommendations to the landowner for the treatment of the human remains and any associated grave goods. In the event that no descendant is identified, or the descendant fails to make a recommendation for disposition, or if the land owner rejects the recommendation of the descendant, the landowner may, with appropriate dignity, reinter the remains and burial items on the property in a location that will not be subject to further disturbance.

⁵ California Public Resources Code Section 21082.3(c)(2)(B).

PRC Section 5097.99 prohibits acquisition or possession of Native American artifacts or human remains taken from a Native American grave or cairn after January 1, 1984, except in accordance with an agreement reached with the NAHC.

PRC Section 5097.5 provides protection for tribal resources on public lands, where Section 5097.5(a) states, in part, that:

No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.

(c) *California Penal Code*

California Penal Code Section 622.5 provides the following: “Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor.”

California Penal Code Section 623 provides the following: “Except as otherwise provided in Section 599c, any person who, without the prior written permission of the owner of a cave, intentionally and knowingly does any of the following acts is guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding one year, or by a fine not exceeding one thousand dollars (\$1,000), or by both such fine and imprisonment: (1) breaks, breaks off, cracks, carves upon, paints, writes or otherwise marks upon or in any manner destroys, mutilates, injures, defaces, mars, or harms any natural material found in any cave. (2) disturbs or alters any archaeological evidence of prior occupation in any cave. (3) kills, harms, or removes any animal or plant life found in any cave. (4) burns any material which produces any smoke or gas which is harmful to any plant or animal found in any cave. (5) removes any material found in any cave. (6) breaks, forces, tampers with, removes or otherwise disturbs any lock, gate, door, or any other structure or obstruction designed to prevent entrance to any cave, whether or not entrance is gained.

b) Existing Conditions

The purpose of the environmental setting below is to establish existing physical conditions of the Project Site and area, as well as to convey the historic context of the Project Area for tribal cultural resources.

(1) Current Project Site and Surrounding Land Uses

The Project Site is located in the Arts District and consists of six contiguous parcels generally bounded by Colyton Street to the west, East 4th Street to the north, South Hewitt Street to the east, and various industrial and commercial uses to the south, as shown in Chapter II, Project Description, Figure II-1, Project Site and Regional Location Map. The Project Site currently contains four structures, including a building formerly occupied by the Architecture and Design Museum, an office structure, and two associated garage/storage spaces, as well as surface parking lots. The land uses within the vicinity of the Project Site include a mix of low- to medium-intensity industrial, commercial, and mixed-use buildings, which vary widely in building style and period of construction. Surrounding land uses consist of a mix of low-intensity industrial warehouses and an array of commercial uses of varied intensities and creative live/work residential uses shown in Chapter II, Project Description, Figure II-2, Existing Site and Surrounding Land Uses.

(2) Ethnographic Context

The prehistoric and historic cultural setting for tribal cultural resources in the Project area is provided in Appendix M, Ethnographic Report. The ethnographic context provided below is a summary of the information provided therein and focuses on the period after A.D. 1000 to contact with the Spanish, which marks the Ethnographic Period of Native American history in Southern California.

The period from A.D. 1000 to 1542 represented a time of cultural change for Southern California Native Americans, with several researchers pointing to changes in water temperature, climate change, and drought as prominent factors in social and material cultural changes from the Late Prehistoric Period to the Ethnographic Period. The dominant ethnographic group in the Project region during the Ethnographic Period was the Tongva-Gabrieliño (which includes the Tongva-Fernandeño, located in the San Fernando Valley); historically one of the larger and more complex groups of California Native Americans. The Tongva-Gabrieliño people of the Los Angeles Basin area occupied land that was bordered to the north and northwest by the Chumash, to the north by the Tataviam, to the northeast by the Serrano, and to the south by the Cahuilla and Luiseño Tribal Groups. The San Fernando Valley appears to have been a shared area, with both Tongva-Fernandeño and Tataviam peoples having villages in the Valley. Similarly, the Topanga Creek Valley area was shared by both the Chumash and the Tongva-Gabrieliño peoples, with the creek forming a rough boundary between the two groups. The Channel Islands were another important shared area, with different islands being occupied by either the Chumash or the Tongva-Gabrieliño peoples.

The wealth of resources of the Pacific Coast and the inland waterways allowed the Tongva-Gabrieliño people to occupy a number of large village areas, as well as retain a population density greater than other Native American groups in California except for possibly the Chumash to the west. An abundance of resources appears to have led to increasingly complex social, political, and economic structures, expanded craft specialization, with specialized regional workshops, specialized tools, shell money, and an expanded trade network.

The earliest Spanish explorers of the California coast included Juan Rodriguez Cabrillo in 1542, Pedro de Unamuno in 1587, Sebastian Rodriguez Cermeño in 1595, and Sebastián Vizcaíno in 1602 . When the Spanish first came to the Los Angeles Basin, they encountered a region already long-settled by the Tongva-Gabrieliño peoples. Early Spanish explorer records show that the Tongva-Gabrieliño had large villages with extensive craft specialization and community wealth. Highly skilled artisans specialized in certain craft trades, such as stone bowl making or canoe building. The Tongva-Gabrieliño and their Chumash neighbors represented the most heavily populated Native American groups in California at the time of contact.

Tongva-Gabrieliño diet sources consisted of hunting, with small terrestrial game being hunted with deadfalls, rabbit hunts, and by burning undergrowth, and larger game such as deer being hunted using bows and arrows. Fish were also exploited, being taken by hook and line, nets, traps, spears, and poison. Finally, gathering of plant resources probably made up a large percentage of the Tongva-Gabrieliño diet, with the primary plant resources being fall-harvested acorns and late spring and summer seeds, bulbs, and tubers. Seeds harvested included chia, sages, various grasses, and islay or holly-leaved cherry.

The Tongva-Gabrieliño are estimated to have had a population of around 5,000 before the contact period. At least 26 Tongva-Gabrieliño villages were noted by the Spanish as existing within the proximity of the Los Angeles River, with an additional 18 being located farther into the Los Angeles Basin interior. The highest number of villages, and hence the densest Tongva-Gabrieliño populations, were reported to have been in the San Fernando Valley, the Glendale Narrows area north of present-day Downtown Los Angeles, and around the Los Angeles River's coastal outlets.

Some of the more historically important villages in the Project region included Maawnga in the Glendale Narrows, Totongna and Kawengna in the San Fernando Valley, Hahamongna, northeast of Glendale, and Yangna, located in the vicinity of present-day Downtown Los Angeles. The exact location of Yangna is currently unknown, with several Downtown locations being speculated upon. The village of Maawnga, also recorded as Maungna, is believed to have been located on a bluff overlooking Glendale Narrows in the hills now occupied by Elysian Park. A third possible village, named Geveronga, may

have been located in the present-day Downtown Los Angeles city center area, as it is reported in the San Gabriel Mission baptismal records of Native American converts. San Gabriel Mission baptismal records also show the village of Yangna (also referred to as Yaanga, or Ya'anga) being occupied until at least 1813, which would have placed the village occupation well into the Missionization period.

Starting in 1769, the Spanish government began establishing religious missions along the coast of California, as well as presidios (fortified settlements), and pueblos (ranch houses), to advance the colonization of the California region. Since most Native Americans were forced to live and work at mission sites by this time, it is unclear whether these records meant that they were people originally from Yangna who may have been baptized later during Missionization, or whether the actual village was still in use by this time. In the Project area, the Tongva-Gabrieliño people were forced to move to either the San Fernando Mission (established in 1798 in the San Fernando Valley) or to the San Gabriel Mission). By the early 1800s, most of the surviving Tongva-Gabrieliño had been forced into the mission system from their traditional villages. Missionization destroyed the traditional social subsistence system, disrupted regional trade networks, and transformed the Native American material culture into a mixture of surviving ethnographic artifacts and European goods. Disease, the loss of a lifestyle that had been adapted to the California environment for generations, and the predation of the Spanish all led to a rapid decline in Native American population numbers. Mexican Independence in 1822 and the secularization of the mission system led to the dispersal of Native Americans throughout Los Angeles.

(3) Identified Cultural Resources and Cultural Resources Sensitivity

(a) *California Historic Resources Information System Records Search Findings*

The California Historic Resources Information System (CHRIS) houses most records of known cultural resources within the State of California (State) and is divided into a number of regions. The South Central Coastal Information Center (SCCIC) at California State University, Fullerton, is the CHRIS depository relevant for this Project and houses records of the majority of known cultural resources that are located within the Project study area (including the Project Site, plus a 0.25-mile radius around the Project Site). The SCCIC also contains copies of most cultural resource inventory and evaluation projects that have taken place within the study area. On March 2, 2017, Envicom Corporation contacted the SCCIC with a request that they search their database for cultural resources within the study area. The search for cultural resource records, including tribal cultural resources, in the study area was completed by the SCCIC on April 18, 2017.

The record search findings obtained from the SCCIC were negative for cultural resources within the Project Site. The SCCIC identified that roughly one-fifth of the northeast corner of the Project Site had been previously investigated by one cultural resource report (LA-04448); however, this cultural resource report did not identify cultural resources on the Project Site.

The SCCIC identified 16 previously recorded cultural resources that are located outside the Project Site but within the 0.25-mile search area.⁶ The majority of these cultural resources are historic built environment commercial and residential structures associated with the urban environment of the Project area, but they also include a road bridge over a nearby rail yard, a railway station, and public utility buildings. None of the previously recorded cultural resources are Native American in origin.

The SCCIC also identified 23 previously published cultural resource reports involving parcels located outside the Project Site but within the 0.25-mile search area. These technical studies fell into two primary categories: infrastructure and public utilities improvements, which involved urban transportation, railroad tracks and yards, fiber optics lines, cell towers, roadways, metro services, or other City improvement projects; and commercial development projects, which included individual retail and commercial property development or renovation projects. The reports provided by the SCCIC did not identify that tribal cultural resources are located in the study area.

(b) NAHC Records Search Findings (Sacred Lands File Search)

Envicom Corporation contacted the NAHC initially on March 2, 2017, with a request that they search their database for tribal cultural resources within the study area. A Sacred Lands File search was provided by the NAHC on May 3, 2017, which was negative for tribal cultural resources within the Project Site. However, the response letter indicated the Project area is considered as “sensitive” for tribal cultural resources by the NAHC.

To protect the confidentiality of information regarding the nature and location of resources, the NAHC does not provide information on actual tribal cultural resources or criteria for the designation of an area as “sensitive” for tribal cultural resources. Such discovery, however, may take place during government-to-government consultation, as between the City of Los Angeles Department of City Planning (Department of City Planning) and NAHC and/or tribal group representatives, for example. The Lead Agency for the Project, the City, is empowered to communicate directly with the NAHC to determine the background that substantiates issuing a determination of “sensitive” for the Project area, if it so chooses.

⁶ The SCCIC cultural resource site numbers are P-19-002610, P-19-004460, P-19-150194, P-19-173336, P-19-174977, P-19-174978, P-19-175845, P-19-175846, P-19-187085, P-19-188195, P-19-190035a, P-19-190035b, P-19-190038, P-19-190036, P-19-190521, and P-19-190586.

In its response, the NAHC also provided a list of tribal representatives with whom they suggest Envicom Corporation consult in order to acquire additional information regarding potential impacts of the Project. However, such consultation is now undertaken by the City, as Lead Agency for the Project, pursuant to AB 52.

(c) *Assembly Bill 52 Tribal Consultation*

In compliance with AB 52, the Department of City Planning submitted Project notification letters on June 14, 2017, to 10 tribal group representatives identified on the Department of City Planning's AB 52 Notification List, which is utilized citywide for all projects under the City's jurisdiction as Lead Agency. One representative, Andrew Salas of the Gabrieleño Band of Mission Indians – Kizh Nation responded to the Department of City Planning's Project notification letter within the required 30-day response period via electronic mail on June 22, 2017 to Mr. William Lamborn, City Planner with the Department of City Planning's Major Projects section. No other tribal representatives requested consultation with the Department of City Planning for the Project under AB 52.

Tribal consultation between the City and the Gabrieleño Band of Mission Indians – Kizh Nation was conducted via phone on July 12, 2017 for the Project and three other projects in the Project Area. Tribal representatives for the Kizh Nation included Mr. Salas and Mr. Matt Teutimez. Representatives for the City included Mr. Lamborn, as well as Ms. Erin Strelch and Mr. Jonathan Chang, who are also with the Department of City Planning's Major Projects section. During the consultation, Mr. Salas and Mr. Teutimez shared tribal information related to Native American use of the area, which they consider highly sensitive for tribal cultural resources, and they requested that a Native American monitor be present during construction. During the call, Mr. Salas and Mr. Teutimez stated that:

- The Ya'angna was a prominent tribe/village that existed in the Arts District area;
- The Los Angeles River is a 'Mother' river and is a sacred river;
- Historically, floods in the area may have resulted in the deposition of tribal cultural resources; and
- Areas around the Arts District were used as trading routes.

Discoveries made in Downtown Los Angeles near Union Station (located approximately one mile to the north of the Project Site), were also discussed on the call and in follow-up electronic mail correspondences. Mr. Lamborn summarized the call discussion in electronic mail on July 12, 2017 to Mr. Salas.

Following the phone consultation, on July 13, 2017 and July 14, 2017, Mr. Salas sent Mr. Lamborn additional documentation on Gabrieleño Native American history and ethnography for consideration as part of the consultation process via electronic mail. These documents included:

- AECOM. 2015. Cultural Resources Assessment for the Metro Emergency Security Operations Center, Los Angeles, California. Prepared for the Los Angeles County Metropolitan Transportation Authority. June 19.
- Johnston, Bernice. 1962. California's Gabrielino Indians. Pages 1, 121, 122, 176.
- The Metropolitan Water District of Southern California. Headquarters Facility Project, Archaeological Investigations at CA-LAN-1575/H. Cover and pages 16, and 28-30.

Pursuant to PRC Section 21082.3 (c), confidential exhibits and consultation details that contain potentially sensitive information (i.e., the documents listed above) are omitted from the EIR and Appendix M, Ethnographic Report.

(i) *Assembly Bill 52 Tribal Consultation Document Review*

According to PRC Section 21074 (a)(2), a tribal cultural resource is any resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1, and that the significance of the resource to a California Native American tribe shall be considered. As Lead Agency for the Project, the City must determine whether substantial evidence exists, from the documents provided as part of AB 52 consultation, for a tribal cultural resource to be located on the Project Site.

The documents supplied by Mr. Salas summarize the history of the Project area, including technical reports and book sections. The AECOM document provided a summary of prehistoric and ethnographic history for the Project area, similar to that provided in this section. The most relevant information to the Project is as follows:

“Gabrielino villages are reported by early explorers to have been most abundant near the Los Angeles River, in the area north of what is now downtown known as the Glendale Narrows, and those areas along the river's various outlets into the ocean. Among those villages north of what is now downtown Los Angeles were Maawnga near present-day Griffith Park; Totongna and Kawengna in the present-day San Fernando Valley; Hahamongna, northeast of present-day Glendale; and, closest to the APE, the village of Ya'angna, in present-day downtown Los Angeles. At the time of Portola's visit, the village of Ya'angna is reported to have supported a population of at least 200 (Gumprecht 1999), and was later reported to have contained anywhere from 500 to 1,500 huts, implying an even greater population (Reid 1939 [1852]). The exact location of Ya'angna continues to be debated, although some believe it to have been located at the site of the present-day Civic Center (McCawley 1996). This settlement, widely regarded as a precursor of modern Los Angeles, was abandoned by 1836.

Gabrielino populations were particularly devastated by early Spanish colonization efforts, such that, by the late 1800s, very few Gabrielino people remained in their native homeland. Some fled to refuges with their kin farther inland or to villages of neighboring tribes to the north or south (Kroeber 1925). Many others perished from disease and conflict with the invading Spanish, who established the Pueblo of Los Angeles in the middle of Gabrielino territory. This early colonial pueblo quickly became a major political and economic center due to its strategic location along natural transportation corridors that ran east to west and north to south.”

Mr. Salas also provided excerpts regarding the general history of the Gabrieleño from a book written by Bernice Johnston (1962) and from the Metropolitan Water District of Southern California Headquarters Facility Project technical report. These also noted that several Native American villages were located along the Los Angeles River during prehistoric and contact time periods.

The conclusion of the documents research is that numerous Tongva (Gabrieleño) villages and other settlements were located along the ever-changing banks of the Los Angeles River for the last 10,000 years. These villages numbered few residents (between 50 and 200) until later ethnographic time, when changes in social organization and the use of the environment sustained villages with larger populations. However, even during the highest density eras just before and during contact with the Spanish, the footprint of these villages would have been small on the landscape, compared with the current urbanization of the Los Angeles Basin. Since no specific account of the location of known ethnographic villages exists, only a general idea of proximity to the Los Angeles River can be established. In addition, Late 18th Century Missionization of the Los Angeles Basin communities forced most of the Native Americans of the Project area to live at the Mission San Gabriel, which still exists in its original location. Since this mission is located several miles from the Project Site, remnants of Native American occupation after the 1800s on the Project Site is unlikely.

With regard to the documents provided for review and considered during the AB 52 consultation, the sensitivity findings and recommendations of the AECOM document were described as being applicable to the area of potential effect, which included the project site located at 401 Center Street and the immediately adjacent area. As that project is located 0.53 miles north of the Project Site, the AECOM report does not identify any known tribal cultural resources within the Project Site, the sensitivity assessment finding does not directly extend to the Project Site, and there is not substantial evidence for the presence of a known tribal cultural resource or increased sensitivity for unidentified resources within the Project Site.

With regard to the excerpts from the Bernice Johnston (1962) book that discuss the Gabrieleño village of Ya'angna (spelled as Yangna in the book) and archaeological discoveries in the areas near Union Station and the Bella Union Hotel, these similarly lack applicability to the Project Site, as the areas discussed are located 0.5 mile or farther from the Project Site. Therefore, the Johnston book also lacks substantial evidence for the presence of a known tribal cultural resource or increased sensitivity for unidentified tribal cultural resources within the Project Site.

The Metropolitan Water District report excerpts describe the prehistoric context of the discovery being investigated by the report (CA-LAN-1575/H). This report also describes other sites excavated in the vicinity of CA-LAN-1575/H; however, these included non-tribal remains that were historic or architectural in nature and related to the early pueblo, Zanja Madre, and a brothel. The Metropolitan Water District report focuses on the location, setting, and historic context of CA-LAN-1575/H. It does not specifically describe known archaeological or tribal cultural resources on or near the Project Site. Therefore, the excerpts from the Metropolitan Water District report do not provide substantial evidence for the presence of a known tribal cultural resource or increased sensitivity for unidentified tribal cultural resources within the Project Site.

(ii) Conclusion of AB 52 Consultation

As detailed above and in the January 6, 2022 letter “AB 52 Completion of Consultation 4th and Hewitt Project at 405 – 423 S. Hewitt Street; 900 – 926 E. 4th Street; 406 – 414 S. Colyton Street, Los Angeles, CA” from the Department of City Planning to Mr. Salas (included in Appendix M of this Draft EIR), the information and attachments presented during AB 52 Consultation “provide historic documentation of Indian settlements within the Los Angeles region. The information does not provide any site-specific evidence of tribal cultural resources occurring within the Project Site. While the history of the Gabrieleno Indians territory within the southern California region is well documented, the information provided by Chairman Salas does not provide any specific information or evidence regarding the presence of tribal cultural resources within the Project Site, and no criteria were provided to indicate why the project area should be considered sensitive enough such that monitoring for tribal cultural resources would be required to avoid adverse impacts.”

Therefore, the City, after acting in good faith and after reasonable effort, has concluded that mutual agreement cannot be reached for purposes of AB 52. Based upon the record, the City has determined that no substantial evidence exists to support a conclusion that the Project may cause a significant impact on tribal cultural resources. Therefore, the City has no basis under CEQA to impose any related mitigation measures; however, the City will add its standard Condition of Approval under its police powers to protect the

inadvertent discovery of tribal cultural resources, which is discussed in Project Impacts, below.

3. Project Impacts

a) Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the Project would result in a significant impact in regard to Tribal Cultural Resources if it would:

Threshold a): Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, [or] cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).

Threshold b): Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, [or] cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

The L.A. CEQA Thresholds Guide does not include criteria to evaluate tribal cultural resources impacts specifically. Thus, the potential for the Project to result in impacts related to tribal cultural resources is based on the State CEQA Guidelines Appendix G thresholds listed above.

b) Methodology

The following tribal cultural resources analysis is based on the requirements of AB 52 and the identified thresholds of significance, the Ethnographic Report (Appendix M), and results of the consultation between the Department of City Planning and tribal representatives, pursuant to the requirements of AB 52.

c) Project Design Features

No specific project design features are proposed with regard to tribal cultural resources.

d) Analysis of Project Impacts

Threshold a): Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, [or] cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

Threshold b): Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, [or] cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

(1) Impact Analysis

According to the Ethnographic Report, records searches by the SCCIC and NAHC yielded no tribal cultural resources on the Project Site. The SCCIC record search did note 16

discoveries in the study area (a 0.25-mile radius around the Project Site), but these discoveries were not tribal cultural resources. Although negative findings were also produced by the Sacred Lands File search by the NAHC for the Project Site, the NAHC noted a sensitivity of the Project area for tribal cultural resources. Details supporting this finding were not provided by the NAHC in the record search response letter, in order to maintain the confidentiality of resources.

Although information provided by Mr. Andrew Salas of the Gabrieleño Band of Mission Indians – Kizh Nation indicated that the Project area is sensitive for prehistoric cultural resources, including tribal cultural resources (specifically, the remnants of prehistoric or ethnographic villages), as discussed above, the documents provided for review during the AB 52 consultation process are not directly applicable to the Project Site (due to either the nature of the document or the geographic distance from the resources described in the documents and the Project Site) and do not provide substantial evidence that tribal cultural resources are located on the Project Site.

Construction of the Project would require excavation to a depth of approximately 38 feet;⁷ therefore, the Project may result in the inadvertent discovery of a buried tribal cultural resource. The City has established a standard Condition of Approval under its police power and land use authority to address the inadvertent discovery of a tribal cultural resource. In the event that a tribal cultural resource is inadvertently discovered during the Project development activities, the Project Applicant would be required to comply with the City's standard Condition of Approval for the treatment of inadvertent tribal cultural resource discoveries, as follows:

Tribal Cultural Resource Inadvertent Discovery: In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease on the Project Site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the Project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed Project; (2) and the Department of City Planning.
- If the City determines, pursuant to Public Resources Code (PRC) Section 21074 (a)(2), that the object or artifact appears to be a tribal cultural resource, the City

⁷ Construction is anticipated to require excavation across the majority of the Project Site to a depth of approximately 38 feet to accommodate the subterranean parking levels. However, for purposes of providing a conservative estimate for the amount of soil that would be exported during site preparation, excavation to a depth of 42 feet is assumed in order to calculate the quantity of soil export.

shall provide any affected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project Permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.

- The Project Permittee shall implement the tribe's recommendations if a Qualified Archaeologist, retained by the City and paid for by the Project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The Project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any affected tribes that have been reviewed and determined by the Qualified Archaeologist to be reasonable and feasible. The Project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
- If the Project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the Qualified Archaeologist, the Project Permittee may request mediation by a mediator agreed to by the Project Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The Project Permittee shall pay any costs associated with the mediation.
- The Project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the Qualified Archaeologist and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archaeological study or tribal cultural resources study or report detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.
- Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act and California PRC, and shall comply with the City's Assembly Bill 52 Confidentiality Protocols.

Therefore, with required adherence to the City's standard Condition of Approval for the treatment of inadvertent tribal cultural resource discoveries, the Project would not result in a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing, or to a tribal cultural resource that may be determined to have cultural value to a California Native American tribe and/or that may be determined to be a significant resource by the City in its role as the Project's Lead Agency, and impacts would be less than significant.

(2) Mitigation Measures

Impacts on tribal cultural resources would be less than significant without mitigation. Therefore, no mitigation is required.

(3) Level of Significance After Mitigation

Impacts on tribal cultural resources were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

e) Cumulative Impacts

(1) Impact Analysis

Cumulative growth in the Project area includes the 137 Related Projects identified in Chapter III, Environmental Setting and permissible growth associated with land use and zoning designations in the Central City North Community Plan (Community Plan) area. The Related Projects include a variety of residential and commercial land uses, and the majority of the projects would be comprised of mixed-use developments incorporating two or more of these uses. The projected growth that is represented by the Related Projects is a conservative assumption, as not all projects would be constructed, or they may be constructed in altered forms (i.e., at reduced densities or with modified land uses). Of the 137 Related Projects, 51 are located in the Community Plan area.

Impacts to tribal cultural resources would be site specific. The Project and Related Projects are located within a highly urbanized area that has been previously disturbed. As with the Project, each Related Project would be required to comply with applicable regulatory requirements, including consultation associated with AB 52 to identify resources on various project sites; adhere to the City's standard Condition of Approval for the treatment of inadvertent tribal cultural resource discoveries; and/or implement mitigation measures as part of the City's environmental review process to address project impacts to potential tribal cultural resources. Such regulations and measures require monitoring during grading activities and assure the proper identification of resources, as well as resource treatment, preservation, and curation of discovered resources where applicable. **As a result, the Project's contribution to impacts on tribal cultural resource would not be cumulatively considerable and cumulative impacts would be less than significant.**

(2) Mitigation Measures

Cumulative impacts would be less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative impacts on tribal cultural resources were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

IV. Environmental Impact Analysis

N.1 Utilities and Service Systems – Solid Waste

1. Introduction

This section of the Draft Environmental Impact Report (EIR) provides an analysis of the Project's potential impacts on solid waste facilities. The analysis describes existing solid waste facilities and their associated capacities, estimates the amount of solid waste that would be generated during construction and operation of the Project, and evaluates whether existing and planned solid waste facilities could accommodate the estimated solid waste generated by the Project. An assessment of the Project's consistency with applicable solid waste regulations and its potential to impair solid waste reduction goals is also included. This analysis is based in part on the County of Los Angeles Countywide Integrated Waste Management Plan (CoIWMP) 2019 Annual Report prepared by the County of Los Angeles Department of Public Works in September 2020. For a discussion of the regulatory requirements regarding the use, storage, and disposal of hazardous wastes, refer to Section IV.F, Hazards and Hazardous Materials, of this Draft EIR.

2. Environmental Setting

a) Regulatory Framework

The following describes the primary regulatory requirements regarding solid waste disposal. These plans, guidelines, and laws include:

- California Assembly Bill 939 (California Integrated Waste Management Act of 1989)
- California Assembly Bill 1327 (California Solid Waste Reuse and the Recycling Access Act of 1991)
- California Senate Bill 1374 (Construction and Demolition Waste Materials Diversion Requirements)
- California Assembly Bill 1826
- Zero Waste California

- California Green Building Standards
- California Assembly Bill 341 (California’s 75-Percent “Recycling” Goal, the County of Los Angeles Countywide Integrated Waste Management Plan 2017)
- City of Los Angeles General Plan Framework Element
- City of Los Angeles Solid Waste Integrated Resources Plan (Zero Waste Plan)
- RENEW LA Plan
- City of Los Angeles Space Allocation Ordinance
- Citywide Construction and Demolition Debris Recycling Ordinance
- The Citywide Exclusive Franchise System for Municipal Solid Waste Collection and Handling and Upcoming Zero Waste-LA Franchise System
- The City of Los Angeles Green Building Ordinance

(1) State

(a) *California Assembly Bill 939: Integrated Waste Management Act of 1089*

The California Integrated Waste Management Act of 1989 (Assembly Bill [AB] 939), as amended, was enacted to reduce, recycle, and reuse solid waste generated in the State of California (State). AB 939 requires city and county jurisdictions to divert 50 percent of the total waste stream from landfill disposal. AB 939 also requires each city and county to promote source reduction, recycling, and safe disposal or transformation. AB 939 further requires each city and county to conduct a Solid Waste Generation Study and to prepare a Source Reduction and Recycling Element (SRRE) to describe how it would reach these goals. The SRRE contains programs and policies for fulfillment of the goals of AB 939, including the above-noted diversion goals, and must be updated annually to account for changing market and infrastructure conditions. As projects and programs are implemented, the characteristics of the waste stream, the capacities of the current solid waste disposal facilities, and the operational status of those facilities are upgraded, as appropriate. California cities and counties are required to submit annual reports to California Department of Resources Recycling and Recovery (CalRecycle) to update their progress toward the AB 939 goals.¹ CalRecycle is a department within the California Environmental Protection Agency (CalEPA) that administers and provides oversight for all of California’s State-managed non-hazardous waste handling and recycling programs.

(b) *California Assembly Bill 1327*

The California Solid Waste Reuse and the Recycling Access Act of 1991 (AB 1327) is codified in Public Resources Code (PRC) Sections 42900-42911. As amended, AB 1327

¹ California Public Resources Code, Section 41821.

requires each local jurisdiction to adopt an ordinance requiring commercial, industrial, or institutional building, marina, or residential buildings having five or more living units to provide an adequate storage area for the collection and removal of recyclable materials. The size of these storage areas is to be determined by the appropriate jurisdiction's ordinance. Pursuant to AB 1327, the City of Los Angeles (City) adopted the Space Allocation Ordinance (Ordinance No. 171,687), discussed below.

(c) *California Senate Bill 1374*

Signed in 2002, the Construction and Demolition Waste Materials Diversion Requirements (Senate Bill [SB] 1374) were codified in PRC Section 42919. SB 1374 requires that jurisdictions include in their annual AB 939 report a summary of the progress made in diverting construction and demolition (C&D) waste. The legislation also required that CalRecycle adopt a model ordinance for diverting 50 to 75 percent of all C&D waste from landfills. The model ordinance was adopted by CalRecycle on March 16, 2004.²

(d) *California Assembly Bill 1826*

AB 1826 requires jurisdictions to implement an organic waste recycling program for businesses, including outreach, education, and monitoring of affected businesses. Additionally, each jurisdiction is to identify a multitude of information, including barriers to siting organic waste recycling facilities, as well as closed or abandoned sites that might be available for new organic waste recycling facilities. AB 1826 defines "organic waste" as food waste, green waste, landscape and pruning waste, non-hazardous wood waste, and food-soiled paper waste that is mixed in with food waste. It also defines a "business" as a commercial or public entity, including, but not limited to, a firm, partnership, proprietorship, joint stock company, corporation, or association that is organized as a for-profit or nonprofit entity, or a multifamily residential dwelling consisting of five or more units. As of January 1, 2017, businesses that generate 4 cubic yards or more of organic waste per week are subject to this requirement. Commencing January 1, 2019, businesses that generate 4 cubic yards or more of commercial solid waste per week also are required to arrange for organic waste recycling services. In September 2020, CalRecycle reduced this threshold to 2 cubic yards of solid waste (i.e., total of trash, recycling, and organics) per week generated by covered businesses.³

(e) *Zero Waste California*

Zero Waste California is a State program launched by CalRecycle in 2002 to promote a new vision for the management of solid waste by maximizing existing recycling and reuse efforts, while ensuring that products are designed for the environment and have the

² CalRecycle. 2018. Senate Bill 1374 (2002). August 24.

³ CalRecycle. Mandatory Commercial Organics Recycling. Available at: www.calrecycle.ca.gov/recycle/commercial/organics/. Accessed on April 6, 2021.

potential to be repaired, reused, or recycled. The Zero Waste California program promotes the goals of market development, recycled product procurement, and research and development of new and sustainable technologies.

(f) *California Green Building Standards*

The 2019 California Green Building Standards Code, referred to as the CALGreen Code,⁴ sets standards for new structures to minimize the State's carbon output. California requires that new buildings reduce water consumption, increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials. Each local jurisdiction retains the administrative authority to exceed the new CALGreen Code. The 2019 CALGreen Code went into effect January 1, 2020.

(g) *California Assembly Bill 341*

AB 341, signed on February 10, 2011, directed that no less than 75 percent of solid waste generated in California be source reduced,⁵ recycled, or composted by 2020, and required CalRecycle to provide a report to the Legislature that recommends strategies to achieve the policy goal by January 1, 2014. AB 341 also mandated local jurisdictions to implement commercial recycling by July 1, 2012.

(2) Regional

(a) *The Los Angeles County Integrated Waste Management Plan*

Pursuant to AB 939, each county is required to prepare and administer a CoIWMP, including preparation of an Annual Report. The CoIWMP is to comprise of the various counties' and cities' solid waste reduction planning documents, plus an Integrated Waste Management Summary Plan (Summary Plan) and a Countywide Siting Element (CSE). The Summary Plan describes the steps to be taken by local agencies, acting independently and in concert, to achieve the mandated State diversion rate by integrating strategies aimed toward reducing, reusing, recycling, diverting, and marketing solid waste generated within the county. The Los Angeles County Department of Public Works is responsible for preparing and administering the Summary Plan and the CSE.

Los Angeles County (County) continually evaluates landfill disposal needs and capacity as part of the preparation of the CoIWMP Annual Report. Within each annual report, future landfill disposal needs over the next 15-year planning horizon are addressed in part by determining the available landfill capacity. The most recent annual report, the CoIWMP

⁴ Building Standards Commission. CALGreen. Available at: www.dgs.ca.gov/BSC/Codes. Accessed on April 6, 2021.

⁵ Source reduction refers to activities designed to reduce the volume, mass, or toxicity of products throughout their life cycle. It includes the design and manufacture, use, and disposal of products with minimum toxic content, minimum volume of material, and/or a longer useful life.

2019 Annual Report, published in September 2020, provides disposal analysis and facility capacities for 2019, as well as projections to the CoIWMP's horizon year of 2034.⁶ As stated within the CoIWMP 2019 Annual Report, the County is not anticipating a solid waste disposal capacity shortfall within the next 15 years under current conditions.⁷ A variety of strategies, including mandatory commercial recycling, diversion of organic waste, and alternative technologies (e.g., engineered municipal solid waste conversion facilities or anaerobic digestion) would be implemented to ensure that the County would be able to accommodate the solid waste generated through the horizon year of 2034.⁸

(3) Local

(a) *City of Los Angeles General Plan Framework Element*

The City's General Plan Framework Element (Framework Element), adopted in August 2001, includes general guidance regarding land use issues that include direction on infrastructure and public services. The Framework Element includes an Infrastructure and Public Services Chapter, which responds to federal and State mandates to plan for adequate infrastructure in the future. The Framework Element supports AB 939 and its goals by encouraging "an integrated solid waste management system that maximizes source reduction and materials recovery and minimizes the amount of waste requiring disposal."⁹ The Framework Element addresses many of the programs the City has implemented to divert waste from disposal facilities such as source reduction programs and recycling programs (e.g., Curbside Recycling Program and composting). Furthermore, the Framework Element states that for these programs to succeed, the City should locate businesses where recyclables can be handled, processed, and/or manufactured to allow a full circle recycling system to develop. The Framework Element indicates that more transfer facilities will be needed to dispose of waste at remote landfill facilities due to the continuing need for solid waste transfer and disposal facilities, as well as the limited disposal capacity of the landfills in Los Angeles. Several landfill disposal facilities accessible by truck and waste-by-rail landfill disposal facilities that could be used by the City are identified to meet its disposal needs.¹⁰

⁶ County of Los Angeles, Department of Public Works. 2020. Countywide Integrated Waste Management Plan 2019 Annual Report, September.

⁷ County of Los Angeles, Department of Public Works. 2020. Countywide Integrated Waste Management Plan, 2019 Annual Report, Page 43. September.

⁸ County of Los Angeles, Department of Public Works. 2020. Countywide Integrated Waste Management Plan, 2019 Annual Report, Pages 50 and 51. September.

⁹ City of Los Angeles, Department of City Planning. 2001. Citywide General Plan Framework Element, Page 9-11. Originally adopted by City Council on December 11, 1996 and re-adopted on August 8.

¹⁰ City of Los Angeles, Department of City Planning. 2001. Citywide General Plan Framework Element, Chapter 9: Infrastructure and Public Services. Originally adopted by City Council on December 11, 1996 and re-adopted on August 8.

(b) City of Los Angeles Solid Waste Integrated Resources Plan

LA Sanitation and Environment (LASAN) developed the Solid Waste Integrated Resources Plan (SWIRP) also known as the “Zero Waste Plan,” a 20-year master plan to reduce solid waste, increase recycling, and manage trash in the City through the year 2030.¹¹ This plan encompasses on-going solutions and programs (i.e., blue and green bin recycling, multi-family recycling, restaurant food scrap diversion, alternative technologies, hazardous waste recycling, Los Angeles Unified School District recycling program, etc.) as well as new programs to be implemented during the planning horizon. In addition, the SWIRP is the result of a mayoral directive that is in line with the City Council’s RENEW LA plan, as discussed further below.¹² In May 2008, the stakeholders of the Zero Waste Plan adopted the Solid Waste Integrated Resources Plan guiding principles to help the City achieve its zero waste goals by 2030.¹³ The Solid Waste Integrated Resources Plan is intended to provide a long-term outline of the policies, programs, infrastructure, regulations, incentives, new green jobs,¹⁴ technology, and financial strategies necessary to achieve 90-percent diversion of solid waste by 2025.¹⁵ The term “zero waste” refers to maximizing recycling, minimizing waste, reducing consumption, and encouraging the use of products with recycled/reused materials. As noted by the City, “zero waste” is a goal and not a categorical imperative; the City is seeking to come as close to “zero waste” as possible. Based on the 2013 Zero Waste Progress Report and using the calculation methodology adopted by the State, the City achieved a landfill diversion rate of approximately 76 percent in 2012, exceeding Mayor Villaraigosa’s goal.¹⁶

(c) RENEW LA Plan

RENEW LA was adopted by the City Council in March 2006 for the purpose of facilitating a shift from solid waste disposal to resource recovery.¹⁷ This shift is predicted to result in “zero waste” and an overall diversion level of 90 percent by 2025.¹⁸ The plan focuses on combining key elements of existing reduction and recycling programs and infrastructure with new systems and conversion technologies to achieve resource recovery (without combustion) in the form of traditional recyclables, soil amendments, and renewable fuels,

¹¹ LASAN. 2013. Zero Waste Plan, Solid Waste Integrated Resources Plan. October.

¹² LASAN. 2013. Solid Waste Integrated Resources Plan (SWIRP) A Zero Waste Master Plan. Frequently Asked Questions (FAQs).

¹³ City of Los Angeles, Sanitation, Department of Public Works. 2009. Fact Sheet: The City’s Solid Waste Policies and Programs.

¹⁴ “Green jobs” is the term for work force opportunities created by companies and organizations whose mission is to improve environmental quality.

¹⁵ LASAN. 2013. Zero Waste Plan, Solid Waste Integrated Resources Plan. October.

¹⁶ LASAN. Recycling. Available at: https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-s-lsh-wwd-s-r?_adf.ctrl-state=sc2bv57ho_78&_afLoop=302690459702255&_afWindowMode=0&_afWindowId=ival6l59y#!%40%40%3F_afWindowId%3Dival6l59y%26_afLoop%3D302690459702255%26_afWindowMode%3D0%26_adf.ctrl-state%3Dsc2bv57ho_82. Accessed on April 7, 2021.

¹⁷ City of Los Angeles. Los Angeles Municipal Code. City Ordinance 184665.

¹⁸ City of Los Angeles. Los Angeles Municipal Code. City Ordinance 184665.

chemicals, and energy. The RENEW LA Plan also calls for reductions in the quantity of residual materials disposed in landfills and their associated environmental impacts.

(d) City of Los Angeles Space Allocation Ordinance

Pursuant to the California Solid Waste Reuse and the Recycling Access Act of 1991 (AB 1327), the City enacted the Space Allocation Ordinance (Ordinance No. 171,687) on August 13, 1997, which is incorporated in various sections of the Los Angeles Municipal Code (LAMC). The Space Allocation Ordinance requires the provision of an adequate recycling area or room for collecting and loading recyclable materials in all new construction projects, all existing multi-family residential projects of four or more units where the addition of floor area is 25 percent or more, and all other existing development projects where the addition of floor area is 30 percent or more.

(e) Citywide Construction and Demolition Debris Recycling Ordinance

On March 5, 2010, the City Council approved Council File 09-3029 pertaining to a Citywide Construction and Demolition Debris Recycling Ordinance (Ordinance No. 181,519) that requires LASAN to ensure that all mixed C&D waste generated within City limits be taken to a City-certified C&D waste processor. The policy became effective in January 2011.¹⁹ These facilities process received materials for reuse and have recycling rates that vary from 70 percent to 86 percent, thus exceeding the 70 percent reclamation standard.²⁰ Additionally, compliance with the Ordinance and the LAMC Section 66.32, which requires the haulers to meet the diversion goals, would ensure that 70 percent of solid waste generated by the City, including C&D waste, would be recycled.

(f) City-Wide Exclusive Franchise System for Municipal Solid Waste Collection and Handling and Upcoming Zero Waste-LA Franchise System

Solid waste collection, management, and disposal in the City are handled both by LASAN crews and by various permitted private solid waste haulers. The City provides solid waste collection, recycling, and green waste collection services primarily to single-family uses and multi-family uses with four units or less. Private solid waste haulers collect from most multi-family residential uses with four or more units and commercial uses based on an open permit system. Permitted waste haulers must obtain an annual permit, submit an annual report, and pay quarterly fees. However, unlike LASAN, private waste haulers are

¹⁹ LASAN. Construction and Demolition Recycling. Available at: https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-s/s-lsh-wwd-s-r/s-lsh-wwd-s-r-cdr?_afLoop=302750877623885&_afWindowMode=0&_afWindowId=null&_adf.ctrl-state=sc2bv57ho_155#!%40%40%3F_afWindowId%3Dnull%26_afLoop%3D302750877623885%26_afWindowMode%3D0%26_adf.ctrl-state%3Dsc2bv57ho_159. Accessed on April 7, 2021.

²⁰ LASAN. Strategic Programs. Available at: https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-s/s-lsh-wwd-s-c/s-lsh-wwd-s-c-whp?_adf.ctrl-state=1az3pjox07_5&_afLoop=69763588165455#!. Accessed June 23, 2021.

not required to provide recycling services, operate clean fuel vehicles, offer similar costs for similar services, or reduce vehicle miles traveled. Thus, the existing open permit system limits the ability of the City to address compliance with State environmental mandates and the City's waste diversion goals. Although the City has obtained a 76-percent solid waste diversion rate as identified in the 2013 Zero Waste Progress Report,²¹ nearly three million tons of solid waste from the City are still disposed in landfills annually, nearly 70 percent of which is comprised of waste collected by private waste haulers from multi-family residential and commercial customers.²²

To respond to these challenges, and in response to City Council directive, LASAN established Zero Waste LA, a new public-private partnership designed to address the three million tons of waste disposed annually by businesses, consumers and residents.²³ This innovative franchise system establishes a waste and recycling collection program for all commercial, industrial, and large multifamily customers in the City. In April 2014, the Mayor and City Council approved the ordinance that allows the City to establish an exclusive franchise system with 11 zones. With a single trash hauler responsible for each zone, the franchise system will allow for the efficient collection and sustainable management of solid waste resources and recyclables. Among other requirements, the City will mandate maximum annual disposal levels and specific diversion requirements for each franchise zone to promote solid waste diversion from landfills in an effort to meet the City's zero waste goals. This program began in July 2017.

(g) City of Los Angeles Green Building Ordinance

On December 17, 2013, the Los Angeles City Council approved Ordinance No. 182,849, which amended Chapter IX, Article 9 of the LAMC to reflect local administrative changes and incorporate by reference portions of the CALGreen Code. The amended Article 9 is referred to as the "Los Angeles Green Building Code." Projects must comply with the Los Angeles Green Building Code as amended to comply with various provisions of the CALGreen Code. The City's Green Building Code creates a set of development standards and guidelines to further energy efficiency and reduction of greenhouse gases. It builds upon and sets higher standards than those incorporated in CALGreen, and is implemented through the building permit process.

²¹ LASAN. 2013 Zero Waste Progress Report. March.

²² City of Los Angeles. 2013. Final Implementation Plan for Exclusive Commercial and Multifamily Franchise Hauling System. April.

²³ LASAN. Construction and Demolition Recycling. Available at: https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-s/s-lsh-wwd-s-r/s-lsh-wwd-s-r-cdr?_afLoop=302750877623885&_afWindowMode=0&_afWindowId=null&_adf.ctrl-state=sc2bv57ho_155#!%40%40%3F_afWindowId%3Dnull%26_afLoop%3D302750877623885%26_afWindowMode%3D0%26_afdf.ctrl-state%3Dsc2bv57ho_159. Accessed on April 7, 2021.

b) Existing Conditions

(1) Solid Waste Collection and Disposal

As previously described, solid waste collection, management, and disposal in the City are handled both by LASAN crews and by various permitted private solid waste haulers. The City provides solid waste collection, recycling, and green waste collection services primarily to single-family uses and multi-family uses with four units or less. The landfills once owned by the City have been closed or are in the process of closure.²⁴ Therefore, landfills used by solid waste generators and haulers operating in the City are owned and operated by the private sector, and in some cases, by the County.²⁵ According to the 2019 CoIWMP, the following landfills accept nonhazardous waste (Class III) from the City:

- Antelope Valley Landfill;
- Calabasas Landfill;
- Chiquita Canyon Landfill;
- Lancaster Landfill; and
- Sunshine Canyon City/County Landfill.²⁶

Table IV.N.1-1, Capacity of Class III Landfills Serving the City of Los Angeles, provides capacity information on the landfills serving the City. Based on tonnages disposed in 2019, Sunshine Canyon City/County Landfill accepted more waste than any other landfill serving the City. Therefore, the capacity of this landfill is used for purposes of conveying existing conditions and impacts of the Project.

Table IV.N.1-1
Capacity of Class III Landfills Serving the City of Los Angeles

Facility	Estimated Remaining Permitted Capacity as of December 31, 2019 (million tons)	Daily Permitted Capacity (tons)	Daily Average Disposal (tons)	Remaining Daily Capacity (tons)
Sunshine Canyon City/County Landfill	55.16	12,100	6,919	5,181
Antelope Valley Landfill	10.97	3,600	2,079	1,521
Calabasas Landfill	4.32	3,500	870	2,630
Chiquita Canyon Landfill	56.99	12,000	5,436	6,564

²⁴ LASAN. CLARTS and Landfills. Available at: https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-s/s-lsh-wwd-s-cl?_afLoop=2671242744925272&_afWindowMode=0&_afWindowId=167iyvdthx_123#!%40%40%3F_afWindowId%3D167iyvdthx_123%26_afLoop%3D2671242744925272%26_afWindowMode%3D0%26_adf.ctrl-state%3D167iyvdthx_366. Accessed on April 7, 2021.

²⁵ County of Los Angeles, Department of Public Works. 2020. Countywide Integrated Waste Management Plan, 2019 Annual Report. September.

²⁶ County of Los Angeles, Department of Public Works. 2020. Countywide Integrated Waste Management Plan, 2019 Annual Report. Appendix E-2, Table 4. September.

Facility	Estimated Remaining Permitted Capacity as of December 31, 2019 (million tons)	Daily Permitted Capacity (tons)	Daily Average Disposal (tons)	Remaining Daily Capacity (tons)
Lancaster Landfill	9.95	3,000	357	2,643
Total Remaining Daily Capacity of Landfills Serving the City				18,539
Source: County of Los Angeles, Department of Public Works. 2020. Countywide Integrated Waste Management Plan, 2019 Annual Report, Appendix E-2, Table 4. September.				

Sunshine Canyon City/County Landfill, located in Sylmar, is owned and operated by Republic Services, Inc.²⁷ The Sunshine Canyon City/County Landfill is located partly on City land and partly on County land. The maximum permitted daily capacity and average waste quantities disposed in 2019 are provided in Table IV.N.1-1, Capacity of Class III Landfills Serving the City of Los Angeles.

The Sunshine Canyon City/County Landfill has a total remaining capacity of 55,157,941 tons, or 69,776,017 cubic yards, and an estimated remaining life of 18 years (as of December 31, 2019), based on the current Solid Waste Facility Permit estimated closure date of January 2037. As shown in Table IV.N.1-1, Capacity of Class III Landfills Serving the City of Los Angeles, the landfill has a maximum permitted daily intake capacity of 12,100 tons and accepted an average of 6,919 tons daily in 2019. Therefore, this facility has a remaining permitted intake capacity of 5,181 tons/day. The landfill maintains a Waste Plan Conformance Agreement with the County, which requires the landfill operator to implement specified waste diversion and recycling programs to assist jurisdictions in achieving the mandates of statutory requirements discussed in the following regulatory setting.²⁸

In addition to the landfills that accept nonhazardous waste (Class III) from the City, such as the Sunshine Canyon City/County Landfill, Azusa Land Reclamation Landfill is the only permitted inert waste (chemically and biologically unreactive waste and waste that does not decompose or decomposes slowly, such as sand and concrete) landfill in the County that has a full solid waste facility permit. As shown in Table IV.N.1-2, Capacity of Inert Waste Landfill Serving the City of Los Angeles, the estimated remaining capacity of the Azusa Land Reclamation Landfill is approximately 58.8 million tons. Based on the solid waste facility permit, the landfill is expected to close in 26 years.²⁹

²⁷ County of Los Angeles, Department of Public Works. 2020. Countywide Integrated Waste Management Plan, 2019 Annual Report, Appendix E-2, Table 4. September.

²⁸ County of Los Angeles, Department of Public Works. 2020. Countywide Integrated Waste Management Plan, 2019 Annual Report. September.

²⁹ County of Los Angeles, Department of Public Works. 2020. Countywide Integrated Waste Management Plan, 2019 Annual Report. September.

Table IV.N.1-2
Capacity of Inert Waste Landfill Serving the City of Los Angeles

Facility	Estimated Remaining Permitted Capacity as of December 31, 2019 (million tons)	Daily Permitted Capacity (tons)	Daily Average Disposal (tons)	Remaining Daily Intake Capacity (tons)
Azusa Land Reclamation Landfill	58.84	6,500	854	5,646

Source: County of Los Angeles, Department of Public Works. 2020. Countywide Integrated Waste Management Plan, 2019 Annual Report, Appendix E-2, Table 4. September.

(2) Solid Waste Generation

The solid waste generated by existing facilities on the Project Site, shown in Table IV.N.1-3, Existing Solid Waste Generation of Project Site Land Uses, is based on generation factors provided by CalRecycle and the CalEPA Integrated Waste Management Board's Statewide Waste Characterization Study. As shown below, the operations of the museum and office uses on the Project Site generate an estimated 2.6 annual tons of solid waste.

Table IV.N.1-3
Existing Solid Waste Generation of Project Site Land Uses

Land Use ^a	Size (square feet [sf])	Disposal Factor	Disposal (annual pounds [Lbs])	Disposal (annual tons)
Museum ^b	7,800	1.72 lbs/visitor/day	13,467.6 ^c	6.7
Office	3,515	0.006 lbs/sf/day	7,697.9	3.8
Waste Disposal			21,165.5	10.5
Waste to be Diverted per 75% Reduction ^d			15,874	7.9
Total Waste for Landfill Disposal			5,291.5	2.6

Source for office disposal factor: CalRecycle. Estimated Solid Waste Generation Rates. Available at: <http://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>. Accessed on April 7, 2021.

Source for museum disposal factor, based on the event venue disposal factor (not available from CalRecycle): CalEPA Integrated Waste Management Board. 2006. Targeted Statewide Waste Characterization Study: Waste Disposal and Diversion Findings for Selected Industry Groups (Table 21). June.

Notes:

^a Remaining land uses on the Project Site, including a storage shed, garage, and surface parking lots, do not generate waste.

^b At the time the Project Application was filed and when the Notice of Preparation and Initial Study were circulated for public comment, the existing building on Colyton Street was occupied by the Architecture and Design (A+D) Museum. Although the building is currently vacant, and there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. Therefore, solid waste generation for this use is reflected here.

^c Based on Applicant provided data, these calculations assume 30 A+D museum visitors per day x 261 open days per year for an annual total of 7,830 visitors. Based on 12 visitors for June 2017 and accounting for one special event per month with 500 attendees (12 x 29 days per month = 348, + 500 for the 30th day = 848, and 848/30 days per month = 28.27, which is rounded to 30). (Jones, Dora Epstein. 2017. Personal communication with Johanna Falzarano, Envicom Corporation, regarding A+D Museum visitors. July 12.)

^d AB 341 requires 75 percent of all solid waste diverted by 2020.

(3) Solid Waste Collection and Processing

Prior to disposal at a landfill, waste collected in the City is typically transported to a transfer station, such as the Central Los Angeles Recycling and Transfer Station (CLARTS), which stores refuse temporarily before larger trucks are available to collect and haul it to a landfill. Other facilities that operate within and near the City and comprise a portion of the City's solid waste infrastructure and diversion strategy include facilities that receive, process, and transport recyclables and green waste, as well as transform waste. Such facilities include material recovery facilities (MRFs, which process source-separated recyclables), yard trimmings and food scraps processing facilities, C&D debris processing facilities, and waste-to-energy facilities.³⁰ Such facilities have helped the City to achieve a landfill diversion rate of approximately 76 percent, according to the 2013 Zero Waste Progress Report. This diversion rate exceeds the AB 939-required diversion rate of 50 percent.³¹

3. Project Impacts

a) Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the Project would have a significant impact related to solid waste and infrastructure if it would:

Threshold a): Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or

Threshold b): Not comply with federal, State, and local management and reduction statutes and regulations related to solid waste.

For this analysis, the Appendix G Thresholds are relied upon. The analysis utilizes factors and considerations identified in the 2006 L.A. City CEQA Thresholds Guide (L.A. CEQA Thresholds Guide), as appropriate, to assist in answering the Appendix G Threshold questions. The L.A. CEQA Thresholds Guide identifies the following criteria to evaluate solid waste:

- *Amount of projected waste generation, diversion, and disposal during demolition, construction, and operation of the project, considering proposed design and operational features that could reduce typical waste generation rates;*

³⁰ LASAN. CLARTS and Landfills. Available at: https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-s/s-lsh-wwd-s-cl?_afLoop=2671242744925272&_afWindowMode=0&_afWindowId=167iyvdthx_123#!%40%40%3F_afWindowId%3D167iyvdthx_123%26_afLoop%3D2671242744925272%26_afWindowMode%3D0%26_adf.ctrl-state%3D167iyvdthx_366. Accessed on November 24, 2021.

³¹ LASAN. 2013 Zero Waste Progress Report. March.

- *Need for an additional solid waste collection route, or recycling or disposal facility to adequately handle project-generated waste; and*
- *Whether the project conflicts with solid waste policies and objectives in the Source Reduction and Recycling Element (SRRE) or its updates, the City of Los Angeles Solid Waste Management Policy Plan (CiSWMPP), Framework Element or Curbside Recycling Program, including consideration of the land use-specific waste diversion goals contained in Volume 4 of the SRRE.*

b) Methodology

This environmental impact analysis considers the amount of solid waste that would be generated by the Proposed Project and whether sufficient landfill capacity is available to receive that solid waste, and is based on reference to the design of the Project as proposed, the regulatory framework, State and local agency information related to these resources, and consideration of existing conditions at the Project Site. The amount of solid waste to be generated by the Project is based on CalRecycle and CalEPA Integrated Waste Management Board disposal factors, as well data provided by the Applicant.

c) Project Design Features

No specific project design features are proposed with regard to solid waste services.

d) Analysis of Project Impacts

Threshold a): Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

(1) Impact Analysis

(a) Construction

The Project would generate solid waste during demolition and construction. As explained in Chapter II, Project Description, construction would require excavation across the majority of the Project Site to a depth of approximately 38 feet to accommodate the subterranean parking levels.³² This grading activity would result in the export of approximately 75,200 cubic yards of soil from the Project Site. Construction would require

³² Construction is anticipated to require excavation across the majority of the Project Site to a depth of approximately 38 ft to accommodate the subterranean parking levels. However, for purposes of providing a conservative estimate for the amount of soil that would be exported during site preparation, excavation to a depth of 42 ft is assumed in order to calculate the quantity of soil export.

the demolition of the existing one-story office and related garage (6,030 square feet combined), museum storage space (a separate 1,000-square-foot structure), as well as associated surface parking lots (39,751 square feet). The Project would maintain the existing 7,800-square-foot structure at the corner of East 4th and Colyton Streets that was formerly occupied by the Architecture and Design (A+D) Museum. As explained in Chapter II, Project Description, the solid waste generated from demolition of the existing structures and surface parking lots on the Project Site would amount to approximately 1,518 cubic yards of materials that would also be exported from the Project during the construction period; in addition, general construction debris would be approximately 7,875 cubic yards for the structural shell. Project construction is anticipated to begin in 2022 and conclude in 2025 Per City Ordinance #181,519, mixed C&D waste must be delivered to City Certified Processors for diversion of recyclable materials. C&D waste quantities anticipated to be sent to a City-certified processor are provided in Table IV.N.1-4, Project Construction and Demolition Solid Waste Generation.

Table IV.N.1-4
Project Construction and Demolition Solid Waste Generation

Type	Total Construction and Demolition (C&D) Waste Generated (cubic yards [cy])	Total C&D Waste Generated (tons)	Daily C&D Waste Generation (cy) ^a	Daily C&D Waste Generation (tons)
Soil Export	75,200	34,930.4 ^c	125	58.1
Demolition	1,518	753.7 ^d	3	1.5
Construction	7,875	1,905.8 ^e	13	3.1
Total Waste Generation	84,593	37,589.9	141	62.7
Construction Waste to be Diverted per 75% Reduction^b	63,445	28,192.4	105.8	47
Total Waste for Landfill Disposal	21,148	9,397.5	35.3	15.7

Source for waste quantities: Milender White. 2019. Electronic Communication to Envicom Corporation. May.

Source for conversions of cubic yards to pounds and tons: USEPA. Office of Resource Conservation and Recovery. 2016. Volume-to-Weight Conversion Factors. April.

Notes:

^a Construction is anticipated to begin in 2022 and be completed in 2025, with a 28-month duration. Assuming 20 work days per month, 600 work days are assumed for the calculation of daily construction waste generation.

^b AB 341 requires 75 percent of all solid waste diverted by 2020.

^c One cubic yard of dirt and sand is equivalent to 929 pounds, and there are 2,000 pounds in one ton.

^d One cubic yard of asphalt paving is equivalent to 993 pounds, and there are 2,000 pounds in one ton. Demolition will consist of asphalt parking lots and buildings; the higher weight for asphalt (rather than wood, composite, or demolition bulk materials) is used here for conservative purposes.

^e One cubic yard of construction bulk is equivalent to 484 pounds, and there are 2,000 pounds in one ton.

As shown in Table IV.N.1-2, Daily Landfill Intake and Capacity of the Sunshine Canyon City/County Landfill and Azusa Land Reclamation Landfill, the Azusa Land Reclamation Landfill has a remaining daily permitted intake capacity of 5,646 tons. Therefore, daily C&D waste generated by Project construction, 15.7 tons/day with diversion included, represents approximately 0.28 percent of the landfill's remaining daily intake capacity. It should be noted that this conservative estimate does not consider the capacity of other available landfills that may accept Project C&D waste. Regardless, the Azusa Land Reclamation Landfill would have sufficient remaining capacity to accommodate the Project's C&D waste. **Therefore, construction of the Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, and impacts would be less than significant.**

(b) *Operation*

Employees and visitors of the Project uses would generate solid waste during Project operations, which would consist mainly of food waste; plastic, glass, or cardboard food containers; and paper supplies. Solid waste collection services to the new office and commercial uses of the Project would be provided by a private contractor overseen by LASAN. During building operations, occupants would either sort recyclables into separate bins or this service would be provided by the private contractor serving the Project Site, to assist in maintaining and exceeding the City's current solid waste diversion rates and in compliance with AB 341. Estimates of the amount of solid waste that would be generated by the Project during operation have been calculated using commercial waste disposal data made available by CalRecycle and the CalEPA Integrated Waste Management Board. Operational period solid waste generation is provided in Table IV.N.1-5, Project Operational Solid Waste Generation.

**Table IV.N.1-5
Project Operational Solid Waste Generation**

Land Use	Size (square feet [sf])	Generation Factor	Disposal (Annual Pounds [Lbs])	Disposal (Annual Tons)
Existing				
Museum ^a	7,800	1.72 lbs per/visitor/day	13,467.6	6.7
Office	3,515	0.006 lbs/sf/day	7,697.9	3.8
Total Existing Solid Waste Disposal				10.5
Proposed				
Commercial –Restaurant	8,149	0.005 lbs/sf/day	14,871.9	7.4
Commercial –Office	327,976	0.006 lbs/sf/day	718,267.4	359.1
Museum	7,800	1.72 lbs per/visitor/day	13,467.6 ^b	6.7

Land Use	Size (square feet [sf])	Generation Factor	Disposal (Annual Pounds [Lbs])	Disposal (Annual Tons)
Total Proposed Solid Waste Disposal				373.2
Net Project Solid Waste Disposal				362.7
Operational Waste to be Diverted per 75% Reduction^c				272.0
Total Waste for Landfill Disposal				90.7
Source for office disposal factor: CalRecycle. Estimated Solid Waste Generation Rates. Available at: http://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates . Accessed on April 7, 2021.				
Source for museum disposal factor, based on the event venue disposal factor (not available from CalRecycle): CalEPA Integrated Waste Management Board. 2006. Targeted Statewide Waste Characterization Study: Waste Disposal and Diversion Findings for Selected Industry Groups (Table 21). June.				
Note:				
^a At the time the Project Application was filed and when the Notice of Preparation and Initial Study were circulated for public comment, the existing building on Colyton Street was occupied by the A+D Museum. Although the building is currently vacant, and there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. Therefore, solid waste generation for this use is reflected here.				
^b Based on Applicant provided data, these calculations assume 30 A+D Museum visitors per day x 261 open days per year for an annual total of 7,830 visitors. Based on 12 visitors for June 2017 and accounting for one special event per month with 500 attendees (12 x 29 days per month = 348 + 500 for the 30 th day = 848, and 848/30 days per month = 28.27, which is rounded to 30). (Jones, Dora Epstein. 2017. Personal communication with Johanna Falzarano, Envicom Corporation, regarding A+D Museum visitors. July 12.)				
^c AB 341 requires 75 percent of all solid waste diverted by 2020.				

As shown in Table IV.N.1-5, Project Operational Solid Waste Generation, the total annual solid waste generation from operational activities, including required diversion, is estimated to be 90.7 annual tons. The Sunshine Canyon City/County Landfill has a remaining permitted daily intake capacity of approximately 6,919 tons/day, with a remaining life of 18 years. The Project's generation of 90.7 annual tons of solid waste would equate to approximately 0.25 tons/day to be disposed of at Sunshine Canyon City/County Landfill, representing approximately 0.004 percent of the remaining permitted daily intake. The landfill has sufficient remaining capacity to serve the Project. **Therefore, operation of the Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, and impacts would be less than significant.**

(2) Mitigation Measures

Impacts regarding solid waste were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

(3) Level of Significance After Mitigation

Impacts regarding solid waste were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold b): Would the Project not comply with federal, State, and local statutes and regulations related to solid waste?

(1) Impact Analysis

As discussed in Section V.A, Impacts Found not to be Significant, and in the IS (Appendix A2, Initial Study), the Project would be consistent with applicable statutes and regulations related to solid waste. **A less than significant impact would occur, and no further analysis is required.**

e) Cumulative Impacts

The geographic scope for cumulative solid waste impacts is the County, as several of the landfills that serve the City are also open to other jurisdictions in the County. As previously described, the County continually evaluates landfill disposal needs and capacity as part of the CoIWMP, and future landfill disposal needs are addressed over 15-year planning horizons. According to the most recent annual report, the CoIWMP 2019 Annual Report, the County is not anticipating a solid waste disposal capacity shortfall within the next 15 years under current conditions. This cumulative analysis, therefore, focuses on the cumulative development within the City. Implementation of the Project, in conjunction with the 137 Related Projects identified in Chapter III, Environmental Setting, and the Downtown Community Plan (consisting of updates to the Central City and Central City North Community Plans), would result in an increase in solid waste generation and demand for Sunshine Canyon City/County Landfill capacity (and the other landfills serving the City specifically).

(1) Impact Analysis

(a) Construction

As described previously, the daily C&D waste generated by Project construction, 15.7 tons/day with diversion included, represents approximately 0.28 percent of the Azusa Land Reclamation Landfill's remaining daily intake capacity. As shown in Table IV.N.1-6, Related Project Construction Period Solid Waste, the Related Projects would generate 31,147 tons of construction-related waste per day, after the 75 percent mandatory landfill diversion (quantities for demolition waste associated with existing land uses that would be replaced by the Related Projects is not available).

**Table IV.N.1-6
Related Project Construction Period Solid Waste**

General Land Use	Size	Generation Rate	Waste Generation (pounds [Lbs])	Waste Generation (Tons)
Non-residential	22,761,960 square feet (sf) ^a	4.02 lbs/sf	91,503,079	45,752
Multi-Family Residential	33,511 units (36,117,016 sf) ^b	4.38 lbs/sf	157,786,544	78,893
Assisted Living	55 beds (23,484 sf) ^c	4.38 lbs/sf	102,860	51
Correctional Facility	1,464,850 sf ^d	4.38 lbs/sf	6,416,043	3,208
Total Waste Generation			255,808,526	127,904
Waste to be Diverted per 75% Reduction			191,856,395	95,928
Total Waste for Landfill Disposal			63,952,131	31,976
Sources for generation rates: USEPA. 1998. Report No. EPA530-98-010. Characterization of Building Related Construction and Demolition Debris in the United States, Tables A-1 and A-2. June.				
^a This represents the sum of all land uses from the Related Projects list (refer to Chapter III, Environmental Setting), excluding Multi-Family Residential, Assisted Living, and Correctional Facility land uses, and including two miscellaneous/flex uses: 27,500 sf of commercial space and 153,000 sf of retail space. The flex uses contemplated represent the most intensive uses of the flexible options and therefore result in the most conservative analysis.				
^b Square footage for multi-family rental units is based on U.S. Census Data showing 1,075 average sf per unit in 2020 (Available at: https://www.census.gov/construction/chars/highlights.html . Accessed on May 11, 2022).				
^c Assisted living space of 55 beds is estimated at 23,484 sf, based on 2.342 residents/1,000 sf (single occupancy), USEPA's Energy Star Program, Space Use Information-Senior Care Facility from https://www.energystar.gov/ia/business/tools_resources/target_finder/help/Space_Use_Information_-_Senior_Care_Facility.htm . Accessed on April 7, 2021.				
^d According to the Consolidated Correctional Treatment Facility Transportation Impact Analysis (Fehr and Peers, August 2017), the 2,400,000-square-foot facility would replace 935,150 square feet of existing jail uses, for a net increase of 1,464,850 square feet. The residential generation rate is applied.				

Therefore, the Project, in combination with the Related Projects, would generate approximately 31,976 tons of construction waste after required diversion. As the estimated remaining capacity of the Azusa Land Reclamation Landfill is 58.8 million tons, the Project and Related Projects would consume approximately 0.05 percent of this landfill's remaining capacity during the construction period. Based on this information, there is adequate capacity in the Azusa Land Reclamation Landfill for the disposal of the Project and Related Project's C&D waste. **Therefore, the Project's contribution to cumulative solid waste impacts related to C&D waste would not be cumulatively considerable, and cumulative impacts would be less than significant.**

(b) *Operation*

As would occur during the construction period, operation of the Project and Related Projects would increase demand for solid waste collection services and landfill capacity. Solid waste that is generated by all projects in the City would be collected and recycled by LASAN or various permitted private solid waste haulers. Cumulative development, including the Project, would not change this process, nor would it change collection and haul routes. Municipal solid waste from cumulative developments that is collected and cannot be recycled would be transported to Class III landfills such as the Sunshine Canyon City/County Landfill. The CoIWMP 2019 Annual Report describes that the cumulative County demand for Class III landfill disposal capacity through the year 2032 is 154.3 million tons, which will exceed the remaining permitted Class III landfill capacity of 148.4 million tons, assuming no use of out of county landfills or the development and use of alternative technologies.³³ However, disposal solution options are continuously being investigated by the State, County, and City, including expanding diversion activities and rates, developing waste conversion technologies, permitting and developing landfill expansions in the County, and utilizing disposal facilities outside of Los Angeles County. For example, additional landfill expansions, such as for Mesquite Landfill (located in Imperial County but planned to accept waste from Los Angeles County by rail), are also in the planning and approval processes. In addition, while California achieved a diversion rate of 65 percent in 2013 per the CoIWMP 2014 Annual Report,³⁴ the City achieved a diversion rate of approximately 76 percent in 2013 per the Zero Waste Progress Report.

The Project would contribute approximately 0.25 tons of solid waste per day after diversion to the Class III landfills serving the City, while the Related Projects would contribute 35.3 tons of solid waste per day after diversion, as shown in Table IV.N.1-7, Related Project Operational Period Solid Waste. The remaining daily capacity of the Class III landfills serving the City (including the Sunshine Canyon City/County, Calabasas, Chiquita Canyon, Lancaster, and Antelope Valley Landfills) is 18,539 tons/day (refer to Table IV.N.1-1, Capacity of Class III Landfills Serving the City of Los Angeles). Therefore, the Project and Related Projects would consume 0.2 percent of the remaining daily capacity of these landfills.

³³ County of Los Angeles, Department of Public Works. 2020. Countywide Integrated Waste Management Plan 2019 Annual Report, September.

³⁴ County of Los Angeles, Department of Public Works. 2015. Countywide Integrated Waste Management Plan, 2014 Annual Report. December.

Table IV.N.1-7
Related Project Operational Period Solid Waste

General Land Use	Size	Generation Rate	Daily Waste Generation (Lbs)	Daily Waste Generation (Tons)
Market-Rate and Affordable Apartments, Live/Work Apartments, Condominiums, Assisted Living, and Other Residential Units	33,566 units ^a	4 lbs/dwelling unit/day	134,264	67
Office, Live/Work Office, Creative Office, Meeting Space, and Medical Office	14,349,665 square feet (sf)	0.006 lbs/sf/day	86,098	43
Commercial and Retail ^b	4,581,890	0.0025 lbs/sf/day	11,455	6
Hotel	4,248 rooms	4 lbs/room/day	16,992	9
Museum and Cultural Center	94,140 sf	0.007 lbs/sf/day ^c	659	0.3
Industrial	100,368 sf	0.006 lbs/sf/day	602	0.3
Sports Complex and Event Space	834,030	0.0312 lbs/sf/day ^d	26,022	13
Art and Production Space	52,426	0.005 lbs/sf/day ^e	262	0.1
Other Miscellaneous Uses, including Pharmacy/Drugstore, Child Care, Community Space, Data Center, Flex, Other, Combined Office/Retail/Restaurant/Market, Observation Deck, and Bus Facility	507,052 sf	0.006 lbs/sf/day	3,042	2
School ^f	118,389 sf	0.007 lbs/sf/day	829	0.4
Total Waste Generation			280,225	141.1
Waste to be Diverted per 75% Reduction			210,169	105.8
Total Waste for Landfill Disposal			70,056	35.3
Source for disposal factors: CalRecycle. Estimated Solid Waste Generation Rates. Available at: http://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates . Accessed on April 7, 2021.				
Notes: CalRecycle does not provide a disposal factor for correctional facilities. Disposal factors for similar uses, residential and hotel uses, are based on units. Related Project 126, correctional facility replacement, would reduce the number of beds from 5,108 to 3,885. As a result, solid waste generated per bed (unit) would be reduced during operations as compared to existing conditions, and this use is therefore omitted from the table. (Source: Consolidated Correctional Treatment Facility Transportation Impact Analysis [Fehr and Peers, August 2017].)				
^a Based on 33,511 residential units and 55 assisted living units.				
^b Includes the private club space of 24,000 sf, and the following two miscellaneous/flex uses: 27,500 sf of commercial space and 153,000 sf of retail space. The flex uses contemplated represent the most intensive uses of the flexible options and therefore result in the most conservative analysis.				
^c Generation rate for public/institutional is applied as a rate for museums or cultural centers is not provided.				
^d The disposal factor for "other services" is used, as no factors are available from CalRecycle for sport, event, or bus facility uses.				

General Land Use	Size	Generation Rate	Daily Waste Generation (Lbs)	Daily Waste Generation (Tons)
<p>^e Generation rate for industrial is applied as a rate for art or production space is not provided.</p> <p>^f Three Related Projects include a school use: Related Project 123 – 29,300 sf, Related Project 20 – 532 students, and Related Project 131 – 625 students. Based on the California Department of Education’s Guide to School Site Analysis and Development, Building Area per Pupil (available at: https://www.cde.ca.gov/ls/fa/sf/guideschoolsite.asp, and accessed April 22, 2021), the size of schools is calculated at 59 sf/pupil for kindergarten through grade six; at 80 sf/pupil for grades seven and eight; and at an average of 92 sf/pupil for grades nine through twelve. For the three types of schools: 59 + 80 + 92 = 231/3, an average of 77 sf/pupil is required. 532 students would require a 40,964-sf school and 625 students would require 48,125 sf. The three schools total 118,389 sf.</p>				

According to the ColWMP 2019 Annual Report,³⁵ the City disposed of 4.3 million tons of solid waste in 2019. The Project is estimated to generate 90.7 tons annually, and the Related Projects would generate approximately 12,885 tons annuals (35.3 tons/day x 365 days/year). Therefore, the Project and Related Projects would represent 0.3 percent of that citywide figure. In addition, in the horizon year of the ColWMP 2019 Annual Report, 2034, the County as a whole is estimated to generate 34.7 million tons of solid waste. **As the Project and Related Projects would represent 0.04 percent of the 2034 Countywide solid waste generation, the Project’s contribution to cumulative impacts related to solid waste disposal capacity would not be cumulatively considerable, and cumulative impacts on solid waste would be less than significant.**

(2) Mitigation Measures

Cumulative solid waste impacts of the Project would be less than significant, and no mitigation measures are required.

(3) Level of Significance After Mitigation

The Project’s residual cumulative impacts related to solid waste would be less than significant and requires no mitigation.

³⁵ County of Los Angeles, Department of Public Works. 2020. Countywide Integrated Waste Management Plan, 2019 Annual Report. September.

IV. Environmental Impact Analysis

N.2 Utilities and Service Systems – Wastewater

1. Introduction

This section analyzes potential Project impacts on wastewater collection and treatment facilities and infrastructure, including whether such existing infrastructure has sufficient capacity to serve the Project. This analysis utilizes the Utilities Technical Report prepared by Psomas for the Project (Utilities Report) and is included as Appendix N of this Draft Environmental Impact Report (EIR).

2. Environmental Setting

a) Regulatory Framework

There are several plans, policies, and programs regarding Wastewater at the State of California (State) and local levels. Described below, these include:

- California Green Building Standards Code
- City of Los Angeles General Plan Framework
- Los Angeles Integrated Resources Plan
- One Water LA 2040 Plan
- Los Angeles Municipal Codes (LAMC) including the Los Angeles Green Building Code (Ordinance No. 181,480), Water Efficiency Requirements Ordinance (Ordinance No. 180,822), Sewer Capacity Availability Review (LAMC Section 64.15), Sewerage Facilities Charge (LAMC Sections 64.11.2 and 64.16.1), and the Bureau of Engineering Special Order No. SO 06-0691.

(1) State

(a) *California Green Building Standards Code*

The California Green Building Standards Code (CALGreen Code) is set forth in California Code of Regulations (CCR) Title 24, Part 11, and establishes voluntary and mandatory standards pertaining to the planning and design of sustainable site development and water conservation, among other issues. Under the CALGreen Code, all flush toilets are limited to 1.28 gallons per flush, and urinals are limited to 0.5 gallon per flush. In addition,

maximum flow rates for faucets are established at: 2.0 gallons per minute (gpm) at 80 pounds per square inch (psi) for showerheads; 1.2 gpm at 60 psi for residential lavatory faucets; and 1.8 gpm at 60 psi for kitchen faucets.

(2) Local

(a) *City of Los Angeles General Plan Framework*

The City of Los Angeles General Plan (General Plan) Framework Element (Framework Element) establishes the conceptual basis for the General Plan.¹ The Framework Element sets forth a comprehensive citywide long-range growth strategy and defines citywide policies regarding land use, housing, urban form and neighborhood design, open space and conservation, economic development, transportation, infrastructure, and public services. Chapter 9, Infrastructure and Public Services, of the Framework Element identifies goals, objectives, and policies for utilities in the City including wastewater collection and treatment. Goal 9A is to provide adequate wastewater collection and treatment capacity for the City and in basins tributary to City-owned wastewater treatment facilities.²

(b) *Los Angeles Integrated Resources Plan*

The City of Los Angeles Integrated Resources Plan (IRP) was developed by multiple departments in order to address the facility needs of the City's wastewater program, recycled water, and urban runoff/stormwater management through the year 2020.

The Final IRP 5-Year Review was released in June 2012, which included 12 projects that were separated into two categories: (1) "Go Projects" for immediate implementation; and (2) "Go-If Triggered Projects" for implementation in the future once a trigger is reached.³ Triggers for these projects include wastewater flow, population, regulations, or operational efficiency. Based on the Final IRP 5-Year Review, the Go Projects consisted of six capital improvement projects for which triggers were considered to have been met at the time the IRP EIR was certified. The Go-If Triggered Projects consisted of six capital improvement projects for which triggers were not considered to have been met at the time the IRP EIR was certified.

Since the implementation of the IRP, new programs and projects, which have resulted in a substantial decrease in wastewater flows, have affected the Go Projects and Go-If Triggered Projects. Based on the Final IRP 5-Year Review, two of the Go Projects have been moved to the Go-If Triggered category (Go Project 2 and Go Project 3) and two

¹ City of Los Angeles, Department of City Planning. 2001. Citywide General Plan Framework Element. Originally adopted by City Council on December 11, 1996 and re-adopted on August 8.

² City of Los Angeles, Department of City Planning. 2001. Citywide General Plan Framework Element, Chapter 9: Infrastructure and Public Services – Wastewater. Originally adopted by City Council on December 11, 1996 and re-adopted on August 8.

³ City of Los Angeles, Department of Public Works, Bureau of Sanitation and Department of Water and Power. 2012. Water Integrated Resources Plan 5-Year Review FINAL Documents. June.

have been deferred beyond the 2020 planning window of the IRP (Go Project 4 and Go Project 5). Construction of wastewater storage facilities at the Donald C. Tillman Water Reclamation Plant (Go Project 1) has been completed. In addition, Go Project 6, involving the design of the North East Interceptor Sewer Phase II, is no longer being pursued.⁴

(c) *One Water LA 2040 Plan*

In April 2018, the City prepared the One Water LA 2040 Plan (One Water LA Plan), an integrated approach to citywide recycled water supply, wastewater treatment, and stormwater management.⁵ The new plan builds upon the City's Water IRP, which projected needs and set forth improvements and upgrades to wastewater conveyance systems, recycled water systems, and runoff management programs through the year 2020, and extends its planning horizon to 2040. The One Water LA Plan proposes a collaborative approach to managing the City's future water, wastewater treatment, and stormwater needs with the goal of yielding sustainable, long-term water supplies for Los Angeles to ensure greater resilience to drought conditions and climate change. The One Water LA Plan is also intended as a step toward meeting the Mayor's Executive Directive to reduce the City's purchase of imported water by 50 percent by 2024.⁶ Major challenges addressed in the One Water LA Plan include recurring drought, climate change, and the availability of recycled water in the future in light of declining wastewater volumes.

(d) *Los Angeles Municipal Code*

(i) *Los Angeles Green Building Code*

The City has been pursuing a number of green development initiatives intended to promote energy conservation and reductions in the amount of greenhouse gas emissions generated within the City. While these ordinances do not focus on the provision of sewer services, they do mandate the use of water conservation features in new developments. Examples of such water conservation features include, but are not limited to, low water shower heads, toilets, clothes washers, and dishwashers. Because the flow through these fixtures is reduced, residual wastewater passing through is reduced, in turn reducing the demand for sewage conveyance and treatment.

LAMC Chapter IX, Article 9, the Los Angeles Green Building Code (LA Green Building Code, Ordinance No. 181,480),⁷ was adopted in April 2008 and provides standards and a mechanism for evaluating projects for their water conservation features during site plan review. The LA Green Building Code has been subsequently amended to incorporate

⁴ City of Los Angeles, Department of Public Works, Bureau of Engineering. Project Information Report, North East Interceptor Sewer (NEIS) Phase 2A.

⁵ City of Los Angeles. 2018. One Water LA 2040 Plan, Volume 1, Summary Report. April.

⁶ City of Los Angeles, Office of the Mayor. 2014. Executive Directive No. 5, Emergency Drought Response - Creating a Water Wise City. October 14.

⁷ City of Los Angeles. Ordinance No. 181480.

various provisions of the CALGreen Code. The LA Green Building Code includes mandatory requirements and elective measures pertaining to wastewater for three categories of buildings, the second of which applies to this Project: (1) low-rise residential buildings; (2) non-residential and high-rise residential buildings; and (3) additions and alterations to residential and non-residential buildings.

(ii) Water Efficiency Requirements Ordinance

LAMC Chapter XII, Article 5, the Water Efficiency Requirements Ordinance (Ordinance No. 180,822),⁸ effective December 1, 2009, requires the installation of efficient water fixtures, appliances, and cooling towers in new buildings and renovation of plumbing in existing buildings, to minimize the effect of water shortages for City customers and enhance water supply sustainability.

(iii) Sewer Capacity Availability Review (SCAR)

The LAMC includes regulations that require the City to assure available sewer capacity for new projects and to collect fees for improvements to the infrastructure system. LAMC Section 64.15 requires that the City perform a SCAR when an applicant seeks a sewer permit to connect a property to the City's sewer system, proposes additional discharge through their existing public sewer connection, or proposes a future sewer connection or future development that is anticipated to generate 10,000 gallons or more of sewage per day. A SCAR provides a preliminary assessment of the capacity of the existing municipal sewer system to safely convey a project's newly generated wastewater to the appropriate sewage treatment plant.

(iv) Sewerage Facilities Charge

LAMC Sections 64.11 and 64.12 require approval of a sewer permit, also called an "S" Permit, prior to connection to the wastewater system. LAMC Sections 64.11.2 and 64.16.1 require the payment of fees for new connections to the City's sewer system to assure the sufficiency of sewer infrastructure. New connections to the sewer system are assessed a Sewerage Facilities Charge. The rate structure for the Sewerage Facilities Charge is based upon wastewater flow strength as well as volume. The determination of wastewater flow strength for each applicable project is based on City guidelines for the average wastewater concentrations of two parameters, biological oxygen demand and suspended solids, for each type of land use. Sewerage Facilities Charge fees are deposited in the City's Sewer Construction and Maintenance Fund for sewer and sewage-related purposes, including, but not limited to, industrial waste control and water reclamation purposes.

⁸ City of Los Angeles. Ordinance No. 180822.

(v) *Bureau of Engineering Special Order*

The City establishes design criteria for sewer systems to assure that new infrastructure provides sewer capacity and operating characteristics to meet City standards (Bureau of Engineering Special Order No. SO 06-0691). Per the Special Order, lateral sewers, which are sewers 18 inches or less in diameter, must be designed for a planning period of 100 years. The Special Order also requires that sewers be designed so that the peak dry weather flow depth during their planning period does not exceed one-half of the pipe diameter (D) (i.e., depth-to-diameter ratio or d/D).⁹

b) Existing Conditions**(1) On-site Wastewater Generation**

According to information provided by the City of Los Angeles Bureau of Sanitation (now known as LA Sanitation and Environment, or LASAN), as part of their fulfillment of a Request for Wastewater Service Information (WWSI), which was processed on November 15, 2019, included as an attachment to Appendix N of this Draft EIR, the existing building on the Project Site formerly occupied by the Architecture and Design (A+D) Museum generated 234 gallons per day (gpd), as detailed in Table IV.N.2-1, Estimated Wastewater Discharges from Museum Use. This existing building would remain with the Project.¹⁰ The WWSI did not estimate the wastewater discharge from the current office land use on the Project Site that will be removed with the Project, due to its relatively small area (3,515 square feet) and nominal discharge; therefore, the estimate of the increase in wastewater generation by the Project is considered conservative.

**Table IV.N.2-1
Estimated Wastewater Discharges from Museum Use**

Land Use	Average Daily Flow (gpd)	Land Use Area (square feet [sf])	Average Daily Flow
Museum ^a	30 gpd/1,000 sf	7,800 sf	234 gpd
Total			234 gpd
Source: Psomas. 2022. 4 th and Hewitt, 401 South Hewitt Street Utilities Technical Report. February 23. (Appendix N.)			
Note:			
^a At the time the Project Application was filed and when the Notice of Preparation and Initial Study were circulated for public comment, the existing building on Colyton Street was occupied by the A+D Museum. Although the			

⁹ City of Los Angeles, Department of Public Works, Bureau of Engineering. 1991. Special Order No. 006-0691. Planning Period, Flow, and Design Criteria for Gravity Sanitary Sewers and Pumping Plants. June 6

¹⁰ At the time the Project Application was filed and when the Notice of Preparation and Initial Study were circulated for public comment, the CEQA baseline for this Draft EIR, the existing building on Colyton Street was occupied by the A+D Museum. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. Therefore, the existing and proposed wastewater generation for this building are equal.

Land Use	Average Daily Flow (gpd)	Land Use Area (square feet [sf])	Average Daily Flow
building is currently vacant, and there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. Therefore, wastewater generation for this use is reflected here.			

(2) Wastewater Infrastructure

Wastewater services to the City are provided by LASAN. The sewer system operated by LASAN is the largest in the nation, responsible for over four million people with a service area of 600 square miles and including over 6,500 miles of sewers, 140,000 maintenance holes, and 44 pumping plants. LASAN operates three sanitary sewer collection systems: the Hyperion System, the Terminal Island System, and the Los Angeles Regional System (Harbor Gateway) System.¹¹

The Project Site is located within the Hyperion System service area.¹² Currently, sewage infrastructure in the vicinity of the Project Site includes eight-inch public mains along Colyton Street, South Hewitt Street, and East 4th Street. The Colyton Street and South Hewitt Street sewers combine at Palmetto Street into a 10-inch main and flow west to a 20-inch main in Alameda Street. The Alameda Street sewer increase to a 22-inch main as it flows south, before discharging into a 40-inch line in 8th Street.¹³

The current approximate flow level (d/D, or the standard ratio of flow depth in the pipe to the diameter of the pipe) and the design capacities at d/D of 50 percent for the sewer system serving the Project Site are shown in Table IV.N.2-2, Current Estimated Sewer Flow Level.

**Table IV.N.2-2
Current Estimated Sewer Flow Level**

Pipe Diameter (inches)	Pipe Location	Current Gauging d/D (percent [%])	50% Design Capacity
8	Hewitt Ave.	47	256,391 gpd
10	Palmetto St.	44	415,790 gpd
12	Alameda St.	41	2.21 gpd
22	Alameda St.	39	3.09 million gpd
40	8 th St.	25	11.25 million gpd

Source: Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 401 Hewitt Street Project Request for Wastewater Service Information (November 15, 2019). February 23. (Appendix N.)

¹¹ LASAN. 2019. Sewer System Management Plan. January 25.

¹² LASAN. 2019. Sewer System Management Plan. January 25.

¹³ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 401 Hewitt Street Project Request for Wastewater Service Information (November 15, 2019). February 23. (Appendix N.)

(3) Wastewater Treatment

LASAN operates and maintains four water reclamation facilities that serve to remove pollutants from sewage and produce recycled water, which include the Donald C. Tillman WRP, Los Angeles–Glendale WRP, Hyperion WRP, and Terminal Island WRP and have a combined capacity of 580 million gpd, representing the largest wastewater collection system in the U.S.¹⁴

The Hyperion Service Area discharges waste to the Hyperion WRP, the Donald C. Tillman WRP, and the Los Angeles–Glendale WRP. As described above, the wastewater collection infrastructure serving the Project Site is located within the Hyperion System service area, and wastewater collected and discharged from the Project Site is treated at the Hyperion WRP. The Hyperion WRP is the oldest and largest facility in the wastewater system and is able to accommodate a flow of up to 450 million gpd, or 800 million gpd during peak wet weather. However, on average, 275 million gpd enters the Hyperion WRP on a dry weather day. Therefore, current flows to the Hyperion WRP (275 million gpd) are below its design capacity of approximately 450 million gpd. The Plant was the first large secondary treatment plant on the west coast and discharges effluent through a five-mile outfall in the Santa Monica Bay.¹⁵ LASAN monitors the impacts of treated wastewater on the water quality and general health of the Santa Monica Bay and other water bodies, and reports test result data (such as for bacteria, solids, heavy metals, and organic priority pollutants) to the LARWQCB. Daily monitoring of the Hyperion WRP and other treatment plant processes is required to ensure compliance with waste discharge and water recycling permits.¹⁶

3. Project Impacts

a) Thresholds of Significance

(1) State CEQA Guidelines Appendix G

In accordance with Appendix G of the State CEQA Guidelines, the Project would result in a significant impact related to wastewater if it would:

¹⁴ LASAN. Water Reclamation Plants. Available at: https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-cw/s-lsh-wwd-cw-p?_afLoop=18288152770235527&_afWindowMode=0&_afWindowId=irqr4tqlo&_adf.ctrl-state=6nohtlohe_155#!%40%40%3F_afWindowId%3Dirqr4tqlo%26_afLoop%3D18288152770235527%26_afWindowMode%3D0%26_afadf.ctrl-state%3D6nohtlohe_159. Accessed on April 9, 2021.

¹⁵ LASAN. Hyperion Water Reclamation Plant. Available at: https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-cw/s-lsh-wwd-cw-p/s-lsh-wwd-cw-p-hwrp?_afLoop=1475703890829739&_afWindowMode=0&_afWindowId=null#!%40%40%3F_afWindowId%3Dnull%26_afLoop%3D1475703890829739%26_afWindowMode%3D0%26_afadf.ctrl-state%3Dnb7wyat1v_418. Accessed on April 9, 2021.

¹⁶ LASAN. Environmental Monitoring. Available at: https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-cw/s-lsh-wwd-cw-p/s-lsh-wwd-cw-p-em?_adf.ctrl-state=o0xusiw4u_4&_afLoop=2743572971258739#!. Accessed on April 9, 2021.

Threshold a): Require or result in the relocation or construction of new or expanded wastewater treatment facilities, the construction or relocation of which could cause significant environmental effects; or¹⁷

Threshold b): Not result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

In assessing impacts related to wastewater in this section, the City used Appendix G as the thresholds of significance. The factors identified below from the L.A. CEQA Thresholds Guide were used where applicable and relevant to assist in analyzing the Appendix G thresholds.

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

b) Methodology

The wastewater generation of the Project was estimated by LASAN as part of their fulfillment of a Request for WWSI, which was processed on November 15, 2019, and wastewater infrastructure is described in the Utilities Report prepared for the Project by Psomas, both of which are included in Appendix N of this Draft EIR.

To evaluate potential impacts relative to wastewater treatment capacity, this analysis evaluates whether adequate treatment capacity within the Hyperion Service Area would be available to accommodate the Project based on the estimate of the Project's wastewater generation and data from LASAN. For the assessment of cumulative impacts on wastewater treatment, the projected cumulative wastewater generation is compared to the estimated available capacity of the Hyperion Service Area in 2025, the Project's buildout year.

¹⁷ Refer to Section IV.N.1, Utilities and Service Systems – Solid Waste, of this Draft EIR for a discussion of solid waste impacts; Section IV.N.3, Utilities and Service Systems – Water Supply and Infrastructure, of this Draft EIR for a discussion of water impacts; Section IV.N.4, Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Infrastructure, for a discussion of electric power, natural gas, and telecommunications facility impacts; and Section IV.G, Hydrology and Water Quality, for a discussion of stormwater impacts.

c) Project Design Features

No specific project design features are proposed with regard to wastewater. The Project would include water conservation features as Project Design Feature WS-PDF-1, which would also result in a reduction in wastewater flows, as described in Section IV.N.3, Utilities and Service Systems – Water Supply and Infrastructure. As discussed in Section IV.L, Transportation, the Project would also implement a Construction Traffic Management Plan as Project Design Feature TRANS-PDF-1, which would address temporary traffic controls, as needed, to accommodate utility work in public rights-of-way.

d) Analysis of Project Impacts

Threshold a): Would the Project require or result in the relocation or construction of new or expanded wastewater treatment facilities or expansion of existing facilities, the construction or relocation of which could cause significant environmental effects?

(1) Impact Analysis

(a) Construction

Construction workers would generate wastewater during construction of the Project between 2022 and 2025. The Project's wastewater discharge during the construction period would be collected in portable restrooms that are provided and maintained by private, licensed contractors, who are also responsible for collecting wastewater throughout the construction period and for disposing of it off-site at a licensed facility. LASAN maintains a program that involves the regulation of these septage haulers through a permitting process and also operates a disposal facility that accepts wastewater from portable toilets, septic tanks, cesspools, and other sanitation holding devices from within the County of Los Angeles. LASAN requires that haulers obtain a Septage Disposal Permit prior to disposal.¹⁸ Construction workers would generate a minimal amount of wastewater during the temporary construction period of the Project. Sewage from the portable restrooms would not be released to the City's sewer lines adjacent to the Project Site, and no new connections to the City's sewer system or expansion of the City's sewer system would be required to accommodate wastewater generated by construction employees. **Therefore, Project construction would not cause an increase in flows**

¹⁸ LASAN. Septage and Private Septage Disposal Facilities. Available at: https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-cw/s-lsh-wwd-cw-iwm/s-lsh-wwd-cw-iwm-pp/s-lsh-wwd-cw-iwm-pp-s?_afLoop=1947200129878393&_afWindowMode=0&_afWindowId=17iow3dtzg&_adf.ctrl-state=145ne2a3kv_273#!%40%40%3F_afWindowId%3D17iow3dtzg%26_afLoop%3D1947200129878393%26_afWindowMod e%3D0%26_adf.ctrl-state%3D145ne2a3kv_277. Accessed on April 9, 2021.

that would be greater than the available capacity of the existing sewer system, and construction impacts would be less than significant.

(b) Operation

The Project's wastewater discharge during operations would be conveyed to the City's sewer lines that lie in streets adjacent to the Project Site, including eight-inch public mains along Colyton Street, South Hewitt Street, and East 4th Street, a 10-inch line in Palmetto Street, 20-inch and 22-inch lines in Alameda Street, and a 40-inch main in 8th Street.¹⁹ Ultimately, wastewater would be conveyed to the Hyperion WRP, which LASAN has determined would service the Project Site, and discharged to the Santa Monica Bay after treatment. The Hyperion WRP is able to accommodate a flow of up to 450 million gpd, on average, and 275 million gpd enters the Hyperion WRP on a dry weather day. Therefore, current flows to the Hyperion WRP (275 million gpd) are below its design capacity of approximately 450 million gpd.

According to the WWSI prepared by LASAN, the Project would generate 56,246 gpd of wastewater, as detailed in Table IV.N.2-3, Projected Average Wastewater Discharges for the Project. Collection and conveyance of Project wastewater would be provided by the existing sewer lines that are located adjacent to the Project Site, as well as by the local connections that would be made as part of the Project.

However, prior to issuing a sewer permit, the City would confirm, via the SCAR process (LAMC Section 64.15[i]), that there is sufficient capacity in the local sewer conveyance lines to accommodate the Project's wastewater flows.

**Table IV.N.2-3
Projected Average Wastewater Discharges for the Project**

Land Use	Average Daily Flow per Land Use	Land Use Area	Average Daily Flow
Existing			
Museum ^a	30 gpd /1,000 square feet (sf)	7,800 sf	(234) gpd
Proposed			
Museum ^b	30 gpd /1,000 sf	7,800 sf	234 gpd
Restaurant (take out)	300 gpd /1,000 sf	8,149 sf	2,445
Office Building ^c	170 gpd /1,000 sf	311,682 sf	52,986
Common Area	50 gpd /1,000 sf	16,294 sf	815
Total			56,246
Source: Psomas. 2022. 4 th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 401 Hewitt Street Project Request for Wastewater Service Information (November 15, 2019). February 23. (Appendix N.)			

¹⁹ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 401 Hewitt Street Project Request for Wastewater Service Information (November 15, 2019). February 23. (Appendix N.)

Land Use	Average Daily Flow per Land Use	Land Use Area	Average Daily Flow
<p>Notes:</p> <p>^{a,b} At the time the Project Application was filed and when the Notice of Preparation and Initial Study were circulated for public comment, the existing building on Colyton Street was occupied by the A+D Museum. Although the building is currently vacant, and there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. Therefore, wastewater generation for that use is reflected here.</p> <p>^c The Average Daily Flow per Land Use for the proposed Office Building provided by LASAN is considered a conservative estimate, as it assumed the inclusion of a cooling tower, which the Project does not propose.</p>			

According to the WWSI, it appears that the existing sewer may be able to accommodate the estimated Project flows. However, detailed gauging and evaluation would be needed as part of the permit process to identify the specific sewer connection point, as well as to determine capacity of the local sewer conveyance lines. According to the Utilities Technical Report, development of the Project would also likely require multiple six-inch sewer house connections from the Project to the City's existing sewer lines. Laterals of this size typically require B-permit approval through the Bureau of Engineering for the sewer connection to the City's main.

In the event that the public sewer is found to have insufficient capacity by LASAN, the Project Applicant would be required to build new sewer lines to a point in the sewer system with sufficient capacity, or to expand existing lines. Connections, additions, or expansions to the local sewer conveyance lines would occur in concert with Project construction and would require trench work to execute underground work. These activities would be limited to the streets, gutters, curbs, and/or sidewalks adjacent to the Project Site. As discussed in Section IV.L, Transportation, the Project would implement a Construction Traffic Management Plan, included as TRANS-PDF-1, which would be subject to review and approval by the Los Angeles Department of Transportation. The Construction Traffic Management Plan would designate detour routes and staging areas, require traffic control procedures and emergency access provisions, and provide for construction crew parking to assure that vehicular and pedestrian traffic flow is maintained during trench work for the sewer connections. The potential construction or expansion of local sewer lines would not result in adverse impacts to the environment, as this activity would occur within previously disturbed areas of an urban environment (i.e., within roadways) and would occur over a brief construction period at the same time as Project construction.

Project wastewater would ultimately be conveyed to, and treated by, the Hyperion WRP. Currently, the Hyperion WRP has a remaining daily capacity of 175 million gpd.²⁰ As the Project is expected to generate a net increase of 56,246 gpd of wastewater, it would represent only 0.03 percent of the Hyperion WRP's available capacity. Therefore, as stated by LASAN in their response to the Request for WWSI, the Hyperion WRP has sufficient capacity to accommodate the Project,²¹ and the Project would not necessitate expansion of the Hyperion WRP or construction of a new WRP.

Through required compliance with the LAMC and its SCAR and permitting process that assures local sewer line capacity would be available to serve the Project, and based on the available capacity of the Hyperion WRP, the Project would not require or result in the construction of new wastewater facilities or the expansion of existing facilities that would cause significant environmental effects. As such, Project impacts during operations would be less than significant.

(2) Mitigation Measures

Impacts associated with the relocation or construction of new or expanded wastewater treatment facilities or expansion of existing facilities would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts associated with the relocation or construction of new or expanded wastewater treatment facilities or expansion of existing facilities were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold b): Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?

²⁰ LASAN. Hyperion Water Reclamation Plant. Available at: https://www.lacitysan.org/san/faces/home/portal/s-lsh-wwd/s-lsh-wwd-cw/s-lsh-wwd-cw-p/s-lsh-wwd-cw-p-hwrp?_afLoop=1475703890829739&_afWindowMode=0&_afWindowId=null#!%40%40%3F_afWindowId%3Dnull%26_afLoop%3D1475703890829739%26_afWindowMode%3D0%26_adf.ctrl-state%3Dnb7wyat1v_418. Accessed on April 9, 2021. An average of 275 mgd of wastewater enters the Hyperion WRP on a dry weather day (450 mgd – 275 mgd = 175 mgd).

²¹ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report. February 23. (Appendix N.)

(1) Impact Analysis

(a) Construction

Per the previous evaluation, construction workers would generate a minimal amount of wastewater during the Project construction period. Project wastewater generated by construction workers would be collected in portable restrooms that are provided and maintained by private, licensed contractors, who are also responsible for collecting wastewater and for disposing of it off-site at a licensed facility; and sewage from the portable restrooms generated during construction would not be released into the public sewer system. In addition, based on the temporary nature of construction of new on-site infrastructure and minor off-site work associated with connections to the public main line, as well as operational wastewater generation, the Project would not constrain existing and future scheduled wastewater treatment and infrastructure capacity. As previously described, the Project would be required to comply with the LAMC and its SCAR and permitting process that assures local sewer line capacity would be available to serve the Project, and the Hyperion WRP has adequate capacity according to LASAN. **Therefore, the Project would result in a determination by the wastewater treatment provider which serves the Project that it has adequate capacity to serve the Project's projected construction demand in addition to the provider's existing commitments, and impacts would be less than significant.**

(b) Operations

During operations, the Project would result in wastewater discharges from the Project Site of 56,246 gpd. Wastewater collection service for the Project would be provided by the existing sewer lines that are adjacent to the Project Site, as well as by the connections that would be made as part of the Project. As determined by LASAN in their response to the Request for WWSI, the existing local sewer infrastructure may be able to accommodate the Project's estimated flows. Whether the Project would require construction of a new sewer line or expansion of an existing line would be determined by LA Sanitation during the SCAR and sewer permit process. Furthermore, in order to issue permits, LASAN would have to confirm the local sewer system would be able to handle the increased flow from the Project, and the Project would comply with relevant design requirements as well as applicable sanitation and plumbing standards. Ultimately, Project sewage is conveyed to the Hyperion WRP for treatment, which has sufficient capacity to collect and treat the Project's wastewater.²² **Therefore, the Project would result in a determination by the wastewater treatment provider that it has adequate capacity to serve the project's projected operational demand in addition to the provider's existing commitments, and impacts would be less than significant.**

²² Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report. February 23. (Appendix N.)

(2) Mitigation Measures

Impacts associated with wastewater treatment capacity would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Impacts associated with wastewater treatment capacity were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

e) Cumulative Impacts

(1) Impact Analysis

The Project would result in a net increase in wastewater flow from the Project Site of 56,246 gpd. To estimate wastewater generation of the Related Projects and to determine the cumulative increase of the Related Projects in combination with the Project, wastewater generation rates from LASAN were applied to the Related Project proposed land uses, as shown in Table IV.N.2-4, Related Project Wastewater Generation. Refer to Appendix A4, Related Projects, for additional information regarding Related Projects.

**Table IV.N.2-4
Related Project Wastewater Generation**

General Land Use	Size	Generation Rate (average daily flow in gpd)	Estimated Wastewater
Residential			
Market-Rate and Affordable Apartments, Live/Work Apartments, Condominiums, and Assisted Living Units ^a	33,566 units	190 gpd/dwelling unit	6,377,540 gpd
Office			
Office, Live/Work Office, Creative Office, and Meeting Space	14,330,789 square feet (sf)	170 gpd/1,000 gross sf (with cooling towers)	2,436,234 gpd
Medical Office ^b	18,876 sf	250 gpd/1,000 gross sf	4,719 gpd
Hotel			
Hotel	4,248 rooms	120 gpd/room	509,760 gpd
Museum/Cultural Center			
Museum and Cultural Center	94,140 sf	30 gpd/1,000 gross sf	2,824 gpd
Industrial			
Industrial Park and Light Industrial ^c	100,368 sf	50 gpd/1,000 gross sf	5,018 gpd
Sports/Event Facilities			
Sports Complex and Event Space ^d	137,070 sf	200 gpd/1,000 gross sf	27,414 gpd
Event Facility ^e	250 seats	3 gpd/seat	750 gpd
Commercial and Retail			
Commercial, Grocery, Supermarket, Private Club, ^f Retail,	3,679,398 sf	50 gpd/1,000 gross sf	183,970 gpd

General Land Use	Size	Generation Rate (average daily flow in gpd)	Estimated Wastewater
Specialty Retail, Shopping Center, Bank, Pharmacy/Drugstore, Community Space, Data Center, Flex, Other, Office/Retail/ Restaurant/Market, Observation Deck, ^g Bus Facility ^h			
Restaurant ⁱ	1,117,836 sf (44,713 seats)	30 gpd/seat	1,341,390 gpd
Fast Food	5,477 sf	300 gpd/1,000 gross sf	1,643 gpd
Bar	10,290 sf	720 gpd/1,000 gross sf	7,409 gpd
Gym	62,148 sf	200 gpd/1,000 gross sf	12,430 gpd
Health Club	30,793 sf	650 gpd/1,000 gross sf	20,016 gpd
Arts and Production			
Art and Production Space ^j	52,426 sf	50 gpd/1,000 gross sf	2,621 gpd
Schools and Child Care			
School ^k	1,538 students	11 gpd/student	16,918 gpd
Child Care ^l	2,500 sf (32 children)	9 gpd/child	288 gpd
Total			10,950,944 gpd
Source for Sewage Generation Factors: LASAN. 2012. Sewerage Facilities Charge, Sewage Generation Factor for Residential and Commercial Categories. April 6.			
Notes:			
LASAN provides a sewage generation factor for prisons (i.e., correctional facilities), of 175 gpd per inmate (i.e., bed). However, Related Project 126, jail replacement, would reduce the number of beds from 5,108 to 3,885. As a result, wastewater generation per bed would be reduced during operations as compared to existing conditions, and this use is therefore omitted from the table. (Source: Consolidated Correctional Treatment Facility Transportation Impact Analysis [Fehr and Peers, August 2017].)			
^a To provide a conservative estimate, a three-bedroom condominium unit size is assumed for purposes of this analysis. Based on 33,511 residential units and 55 assisted living units.			
^b Medical office space for 66 employees is estimated at 18,876 sf, based on 3.4965 employees/1,000 sf of office space (Los Angeles Unified School District's [LAUSD's] Commercial/Industrial Development School Fee Justification Study, [March 2014 Development School Fee Justification Study]).			
^c Sewage generation rates provided by LASAN do not include industrial park or light industrial uses. The most comparable rate of 50 gpd/1,000 sf for machine shop or manufacturing/industrial facility (no industrial water permit required) is used.			
^d Sewage generation rates provided by LASAN do not include sports complex and event space land uses. The most comparable rate of 200 gpd/1,000 sf for gymnasium: basketball, volleyball is used.			
^e Sewage generation rates provided by LASAN do not include event facility land uses. The most comparable rate of 3 gpd/seat for lodge hall or school: stadium, pavilion is used.			
^f The Related Projects include two Private Clubs; one of 71,078 sf in size and one with 48 rooms. An area of 500 sf is assumed for each private club (and hotel) room included in this table; therefore, 48 rooms = 24,000 sf, per Chapter III, Environmental Setting.			
^g The Skyspace observation deck consists of the 69th and 70th floor areas of 13,000 sf (OUE Skyspace Los Angeles, Skyspace, Private Events, from: https://oue-skyspace.com/events/ , accessed March 9, 2018.			
^h The bus facility is two acres in size, or 87,120 sf, per Chapter III, Environmental Setting.			
ⁱ Includes restaurant, restaurant/bar, and restaurant/retail. Assumes 25 sf per seat.			
^j Sewage generation rates provided by LASAN do not include art and production space land uses. The most comparable rate of 50 gpd/1,000 sf for studio: film/tv – industrial use film process/machine shop is used.			
^k Information provided for three Related Projects with school uses included one, 29,300-sf school; one, 532-student school; and one, 625-student charter school. For the 29,300-sf school, an average of 77 sf/pupil is assumed, totaling approximately 381 students. This is added to the 532 students from the other schools for a total of 1,538 students. (Space is based on the California Department of Education's Guide to School Site Analysis and Development, Building Area per Pupil [available at: https://www.cde.ca.gov/ls/fa/sf/guideschoolsite.asp , and accessed April 22, 2021], the Department recommends the size of schools be calculated at 59 sf/pupil [minimum] for kindergarten			

General Land Use	Size	Generation Rate (average daily flow in gpd)	Estimated Wastewater
through grade six; at 80 sf/pupil [the minimum] for grades seven and eight; and at an average of 92 sf/pupil [the minimum] for grades nine through twelve. Therefore, for the three types of schools: $59 + 80 + 92 = 231/3$ an average of 77 sf/pupil is required.) To be conservative, the high school generation rate is used. ¹ Assumes 77 sf per child following Note j above.			

(a) *Wastewater Generation and Treatment*

The wastewater that would be generated by the Project and Related Projects listed in Chapter III, Environmental Setting and conveyed to the Hyperion WRP for treatment is estimated at 10,950,944 gpd. The estimates of wastewater generation are conservative estimates, not accounting for greater-than-required water conservation measures (which would also reduce wastewater quantities) that projects may implement, not accounting for existing land uses that the Related Projects would replace, and assuming that all of the Related Projects are not only built, but are built at the densities assumed in Chapter III, Environmental Setting, and not at reduced scales. The Project is expected to generate 56,246 gpd of wastewater, which represents approximately 0.5 percent of the cumulative wastewater generated. As previously stated, the Hyperion WRP has a remaining daily capacity of 175 million gpd. The estimated wastewater to be generated by the Project and Related Projects would account for approximately 6.3 percent of the remaining daily capacity at Hyperion WRP, and as previously evaluated, the Project's wastewater alone would represent 0.03 percent of the Hyperion WRP's remaining daily capacity.

With regard to wastewater treatment and water conservation, LASAN and LADWP are continually evaluating the City's infrastructure and planning improvements that would be necessary to accommodate future growth and development. As described in Section IV.J, Population and Housing, the Project and Related Projects are consistent with the growth projections of the 2020-2045 Southern California Association of Governments Regional Transportation Plan and Sustainable Communities Strategy. The City determined that no secondary tankage would be required to accommodate the anticipated ultimate buildout flow of 550 million gpd at the Hyperion WRP (as compared to the existing 450 million gpd design capacity).²³ Rather, through a series of more minor modifications and plant optimizations, the Hyperion WRP would be able to accommodate the potential 550 million gpd. Though the planning horizon of the IRP was 2020, the One Water LA Plan 2040 Plan has built on the IRP and extends the water planning horizon to 2040. The One Water LA 2040 Plan provides a Capital Improvement Program that includes wastewater projects at the Hyperion WRP, as well as the Donald C. Tillman WRP, Los Angeles-Glendale WRP, Terminal Island WRP, and the collection system.²⁴ **Therefore, the Project and**

²³ City of Los Angeles, Department of Public Works, Bureau of Sanitation and Department of Water and Power. 2012. Water IRP 5-Year Review FINAL Documents. June.

²⁴ LA Sanitation and LADWP. 2018. One Water LA 2040 Plan, Volume 1- Summary Report. Final Draft. April.

Related Projects contribution to wastewater generation would not be cumulatively considerable and the Project’s cumulative impact would be less than significant.

(b) *Wastewater Infrastructure*

As with the Project, new development occurring in the area would be required to coordinate with LASAN to submit a SCAR request to the City as part of the required environmental review. If sewer infrastructure upgrades are required as a result of a Related Project’s additional wastewater flow as determined by the SCAR process, the applicable sewer fees required by the LAMC that are paid by each Related Project applicant would help to fund the required improvements, as described in the Regulatory Setting section above. The City’s permit process therefore assures that projects are not constructed without available capacity in the local sewer collection lines. **Therefore, the Project and Related Projects contribution to wastewater infrastructure impacts would not be cumulatively considerable and the Project’s cumulative impact would be less than significant.**

(2) Mitigation Measures

Cumulative wastewater impacts would be less than significant. Thus, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative wastewater impacts were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

IV. Environmental Impact Analysis

N.3 Utilities and Service Systems – Water Supply and Infrastructure

1. Introduction

This section evaluates potential Project impacts on water supply and whether the Project would require or result in the construction of new water treatment facilities, including conveyance infrastructure, the construction of which would cause significant environmental effects. The Los Angeles Department of Water and Power (LADWP) is the water supplier for the Project Site. This section describes LADWP's available water supplies, current and projected regional water demand, municipal water infrastructure serving the Project Site, and the adequacy of water supplies and infrastructure to meet Project demand. Project consistency with relevant plans and regulations is also assessed.

The data and conclusions in this section regarding the availability of water supply to serve the Project are based on a Water Supply Assessment (WSA) prepared for the Project and adopted by LADWP and included in Appendix O1 of this Draft Environmental Impact Report (EIR), along with a copy of Resolution No. 021150 approving the WSA. Since preparation of the WSA, the Project buildout year has been revised from 2023 to 2025. According to LADWP staff, this change does not require preparation of a new WSA (refer to Appendix O2). Additional technical information used in the analysis is based on the Utilities Technical Report prepared by Psomas for the Project and included in Appendix N of this Draft EIR.

2. Environmental Setting

a) Regulatory Framework

There are several plans, policies, and programs regarding Water Supply & Infrastructure at the State of California (State), regional, and local levels. Described below, these include:

- California Urban Water Management Plan Act
- California Senate Bill 610, Senate Bill 221 and Senate Bill 7

- California Senate Bill X7-7 (Water Conservation Act of 2009)
- Sustainable Groundwater Management Act of 2014
- California Code of Regulations (Title 20 and Title 24)
 - Title 20
 - California Green Building Standards Code
 - Plumbing Code
- California Executive Order B-40-17
- California Executive Order N-10-21
- Metropolitan Water District
 - 2020 Urban Water Management Plan
 - 2015 Integrated Resources Plan
 - Water Surplus and Drought Management Plan
 - Long-Term Conservation Plan
 - Water Supply Allocation Plan
- Los Angeles Department of Water and Power’s 2020 Urban Water Management Plan
- City of Los Angeles Green New Deal
- One Water LA 2040 Plan
- City of Los Angeles General Plan, including
 - Framework Element
 - Community Plan
- Los Angeles Municipal Code (Ordinance Nos. 180,822, 181,480, 181,899, 183,833, 182,849, 184,692, and 184,248)

(1) State

(a) *California Urban Water Management Plan Act*

The California Urban Water Management Planning Act (Water Code, Section 10610, et seq.) addresses several State policies regarding water conservation and the development of water management plans to ensure the efficient use of available supplies. The California Urban Water Management Planning Act also requires Urban Water Suppliers to develop Urban Water Management Plans (UWMPs) every five years to identify short-term and long-term demand management measures to meet growing water demands during normal, dry, and multiple-dry years. Urban Water Suppliers are defined as water suppliers that either serve more than 3,000 customers or provide more than 3,000 acre-feet per year (afy) of water to customers.

(b) California Senate Bill 610, Senate Bill 221 and Senate Bill 7

Two of the State laws addressing the assessment of water supply necessary to serve large-scale development projects, Senate Bill (SB) 610 and SB 221, became effective January 1, 2002. SB 610, codified in Water Code Sections 10910-10915, specifies the requirements for water supply assessments (WSAs) and their role in the California Environmental Quality Act (CEQA) process, and defines the role UWMPs play in the WSA process. SB 610 requires that, for projects subject to CEQA that meet specific size criteria, the water supplier prepare WSAs that determine whether the water supplier has sufficient water resources to serve the projected water demands associated with the projects. SB 610 provides specific guidance regarding how future supplies are to be calculated in the WSAs where an applicable UWMP has been prepared. Specifically, a WSA must identify existing water supply entitlements, water rights, or water service contracts held by the public water system, and prior years' actual water deliveries received by the public water system. In addition, the WSA must address water supplies over a 20-year period and consider normal, single-dry, and multiple-dry year conditions. In accordance with SB 610, projects for which a WSA must be prepared are those subject to CEQA that meet any of the following criteria:

- Residential developments of more than 500 dwelling units;
- Shopping centers or business establishments employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- Commercial office buildings employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- Hotels, motels, or both, having more than 500 rooms;
- Industrial, manufacturing, or processing plants, or industrial parks planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;
- Mixed-use projects that include one or more of the projects specified in this subdivision; or
- Projects that would demand an amount of water equivalent to or greater than the amount of water required by a 500-dwelling-unit project. (Water Code Section 912, CEQA Guidelines Section 15155(a).

The WSA must be approved by the public water supplier serving the project at a regular or special meeting and must be incorporated into the CEQA document. The lead agency must then make certain findings related to water supply based on the WSA.

In addition, under SB 610, a water supplier responsible for the preparation and periodic updating of an UWMP must describe the water supply projects and programs that may be undertaken to meet the total project water use of the service area. If groundwater is

identified as a source of water available to the supplier, the following additional information must be included in the UWMP: (1) a groundwater management plan; (2) a description of the groundwater basin(s) to be used and the water use adjudication rights, if any; (3) a description and analysis of groundwater use in the past 5 years; and (4) a discussion of the sufficiency of the groundwater that is projected to be pumped by the supplier.

SB 221 also addresses water supply in the land use approval process for large residential subdivision projects. However, unlike SB 610 WSAs, which are prepared at the beginning of a planning process, SB 221-required Water Supply Verification (WSV) is prepared at the end of the planning process for such projects. Under SB 221, a water supplier must prepare and adopt a WSV indicating sufficient water supply is available to serve a proposed subdivision, or the local agency must make a specific finding that sufficient water supplies are or will be available prior to completion of a project, as part of the conditions for the approval of a final subdivision map. SB 221 specifically applies to residential subdivisions of 500 units or more. However, Government Code Section 66473.7(i) exempts "...any residential project proposed for a site that is within an urbanized area and has been previously developed for urban uses; or where the immediate contiguous properties surrounding the residential project site are, or previously have been, developed for urban uses; or housing projects that are exclusively for very low and low-income households."

SB 7, enacted on November 10, 2009, mandates new water conservation goals for UWMPs, requiring Urban Water Suppliers to achieve a 20 percent per capita water consumption reduction by the year 2020 statewide, as described in the "20 x 2020" State Water Conservation Plan.¹ As such, each updated UWMP must now incorporate a description of how each respective urban water supplier will quantitatively implement this water conservation mandate, which requirements in turn must be taken into consideration in preparing and adopting WSAs under SB 610.

(c) *California Senate Bill X7-7 – Water Conservation Act*

SB X7-7 (Water Conservation Act of 2009), codified in California Water Code Section 10608, requires all water suppliers to increase water use efficiency. Enacted in 2009, this legislation sets an overall goal of reducing per capita urban water use, compared to 2009 use, by 20 percent by December 31, 2020. The State was required to make incremental progress towards this goal by reducing per capita water use by at least 10 percent on or before December 31, 2015. Monthly statewide potable water savings reached 25.1 percent in February 2017 as compared to that in February 2013.² Cumulative statewide

¹ State Water Resources Control Board. 2010. 20 x 2020 Water Conservation Plan. February.

² State Water Resources Control Board. 2017. Fact Sheet, February 2017 Statewide Conservation Data. April 4 (updated).

savings from June 2015 through February 2017 were estimated at 22.5 percent.³ Following a multi-year drought and improvements to hydrologic conditions, statewide potable water savings reached 14.7 percent in August 2017 as compared to August 2013 potable water production.⁴

(d) *Sustainable Groundwater Management Act of 2014*⁵

The Sustainable Groundwater Management Act (SGMA) of 2014, passed in September 2014, is a comprehensive three-bill package that provides a framework for the sustainable management of groundwater supplies by local authorities⁶. The SGMA requires the formation of local groundwater sustainability agencies to assess local water basin conditions and adopt locally based management plans. Local groundwater sustainability agencies were required to be formed by June 30, 2017. The SGMA provides 20 years for groundwater sustainability agencies to implement plans and achieve long-term groundwater sustainability and protect existing surface water and groundwater rights. The SGMA provides local groundwater sustainability agencies with the authority to require registration of groundwater wells, measure and manage extractions, require reports and assess fees, and request revisions of basin boundaries, including establishing new subbasins. Furthermore, SGMA requires governments and water agencies of high and medium priority basins to stop overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. For the basins that are critically over-drafted the timeline is 2040. For the remaining high and medium priority basins, the deadline is 2042.

(e) *California Code of Regulations*

(i) *Title 20*

Title 20, Section 1605.3 (h) of the California Code of Regulations (CCR) establishes applicable State efficiency standards (i.e., maximum flow rates) for plumbing fittings and fixtures, including fixtures such as showerheads, lavatory faucets and water closets (toilets). Among the standards, the maximum flow rate for showerheads manufactured on or after July 1, 2018 is 1.8 gallons per minute (gpm) at 80 pounds per square inch (psi); and lavatory faucets manufactured after July 1, 2016 is 1.2 gpm at 60 psi. The standard for toilets sold or offered for sale on or after January 1, 2016 is 1.28 gallons per flush.⁷

³ State Water Resources Control Board. 2017. Media Release. "Statewide Water Savings Exceed 25 Percent in February; Conservation to Remain a California Way of Life." April 4.

⁴ State Water Resources Control Board. 2017. Fact Sheet, August 2017 Statewide Conservation Data. October 3 (updated).

⁵ Sustainable Groundwater Management Act (and Related Statutory Provisions from SB1168 [Pavley], AB1739 [Dickinson], and SB1319 [Pavley] as Chaptered). Effective January 1, 2019.

⁶ California Department of Water Resources. SGMA Groundwater Management. Available at:

<https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management>. Accessed on April 30, 2021.

⁷ 20 California Code of Regulations Section 1605.3(h).

(ii) CALGreen Code

Part 11 of Title 24, the title that regulates the design and construction of buildings, establishes the California Green Building Standards (CALGreen) Code. The purpose of the CALGreen Code is to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or a positive environmental impact and encouraging sustainable construction practices in the following categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. The CALGreen Code includes both mandatory measures as well as voluntary measures. The mandatory measures establish minimum baselines that must be met for a building to be approved. The mandatory measures for water conservation provide limits for fixture flow rates, which are the same as those for the Title 20 efficiency standards listed above. The voluntary measures can be adopted by local jurisdictions for greater efficiency.

(iii) Plumbing Code

Title 24, Part 5 of the CCR establishes the California Plumbing Code. The California Plumbing Code sets forth efficiency standards (i.e., maximum flow rates) for all new federally-regulated plumbing fittings and fixtures, including showerheads and lavatory faucets. The 2019 California Plumbing Code, which is based on the 2018 Uniform Plumbing Code, has been published by the California Building Standards Commission and went into effect on January 1, 2019.

(f) California Executive Order B-40-17

On April 7, 2017, Executive Order B-40-17 was issued to formally end the drought emergency and lifted the drought emergency in all California counties except Fresno, Kings, Tulare, and Tuolumne. In response to Executive Order B-40-17, on April 26, 2017, the SWRCB partially repealed the emergency regulation in regard to water supply stress test requirements and remaining mandatory conservation standards for urban water suppliers.^{8,9} The order also rescinded two drought-related emergency proclamations and four drought-related executive orders. Cities and water districts throughout the State are required to continue reporting their water use each month. Executive Order B-40-17 continued the ban on wasteful practices, including hosing off sidewalks and running sprinklers when it rains.

⁸ State Water Resources Control Board. Resolution 2016-0029. Emergency Conservation Regulation, Available at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2016/rs2016_0029_with_adopted_regs.pdf. Accessed on April 30, 2021.

⁹ State Water Resources Control Board. Resolution No. 2017-0024. To Partially Repeal a Regulation for Statewide Urban Water Conservation. Available at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2017/rs2017_0024.pdf. Accessed on April 30, 2021.

(g) California Executive Order N-10-21

On July 8, 2021 Executive Order N-10-21 (Order) was issued calling for voluntary cutbacks of water usage by 15% from 2020 usage levels. The Order lists commonsense measures Californians can undertake to achieve water usage reduction goals and identifies the State Water Resources Control Board (Water Board) for tracking of monthly reporting on the State's progress. The Order also directs State agencies, led by the Department of Water Resources and in coordination with local agencies, to encourage actions by all Californians, in their residential, industrial, commercial, agricultural, or institutional use, to reduce water usage, including through the statewide Save Our Water conservation campaign. Thirdly, the Order directs the DWR to monitor hydrologic conditions such as cumulative precipitation, reservoir storage levels, soil moisture and other metrics, and the Water Board to monitor progress on voluntary conservation as ongoing indicators of water supply risk that may inform future drought response actions.

(2) Regional

As discussed in detail below, the Metropolitan Water District of Southern California (MWD) is a primary source of water supply within Southern California. Based on the water supply planning requirements imposed on its member agencies and ultimate customers, MWD has adopted a series of official reports on the state of its water supplies. As described in further detail below, in response to recent developments in the Sacramento Delta, the MWD has developed plans intended to provide solutions that, when combined with the rest of its supply portfolio, will ensure a reliable long-term water supply for its member agencies, including the City of Los Angeles (City).

(a) MWD's 2015 Regional Urban Water Management Plan

The Metropolitan Water District's (MWD) 2015 UWMP addresses the future of MWD's water supplies and demand through the year 2040.¹⁰ Evaluations are prepared for average year conditions, single dry-year conditions, and multiple dry-year conditions. The analysis for multiple-dry year conditions, i.e. under the most challenging weather conditions such as drought and service interruptions caused by natural disasters, is presented in Table 2-4 of the 2015 UWMP.¹¹ The analysis in the 2015 UWMP concluded that reliable water resources would be available to continuously meet demand through 2040.¹² In the 2015 UWMP, the projected 2040 demand water is 2,201,000 afy, whereas the expected and projected 2040 supply is 2,941,000 afy based on current programs, and

¹⁰ Metropolitan Water District of Southern California. 2016. 2015 Urban Water Management Plan. June.

¹¹ Metropolitan Water District of Southern California. 2016. 2015 Urban Water Management Plan, Page 2-15. June.

¹² Metropolitan Water District of Southern California. 2016. 2015 Urban Water Management Plan, Page 2-15. June.

an additional 398,000 afy is expected to become available under programs under development for a potential surplus in 2040 of 1,138,000 afy.¹³

MWD has comprehensive plans for stages of actions it would undertake to address up to a 50-percent reduction in its water supplies and a catastrophic interruption in water supplies through its Water Surplus and Drought Management and Water Supply Allocation Plans. MWD has also developed an Emergency Storage Requirement to mitigate against potential interruption in water supplies resulting from catastrophic occurrences within the Southern California region and is working with the State to implement a comprehensive improvement plan to address catastrophic occurrences that could occur outside of the Southern California region. MWD is also working with the State on the Delta Risk Management Strategy to reduce the impacts of a seismic event in the Delta that would cause levee failure and disruption of State Water Project (SWP) deliveries. In addition, MWD has plans for supply implementation and continued development of a diversified resource mix, including programs in the Colorado River Aqueduct (CRA), SWP, Central Valley transfers, local resource projects, and in-region storage that enables the region to meet its water supply needs. As set forth in their 2015 UWMP, MWD will also continue investments in water use efficiency measures to help the region achieve the 20 percent per person potable water use reduction by 2020.

The 2020 UWMP was approved in June 2021.¹⁴ However, the 2015 UWMP would apply to the Project, as the Notice of Preparation (NOP) and Project-specific WSA were prepared prior to the approval to the 2020 UWMP.

(b) *MWD's 2015 Integrated Resources Plan*

The MWD prepares an Integrated Water Resources Plan (IRP) that provides a water management framework with plans and programs for meeting future water needs. It addresses issues that can affect future water supply such as water quality, climate change, and regulatory and operational changes. The most recent IRP (2015 IRP) was adopted in January 2016.¹⁵ It establishes a water supply reliability mission of providing its service area with an adequate and reliable supply of high-quality water to meet present and future needs in an environmentally and economically responsible way. Among other topics, the 2015 IRP discusses water conservation, local and imported water supplies, storage and transfers, water demand, and adaptation to drought conditions.

The 2015 IRP reliability targets identify developments in imported and local water supply, and in water conservation that, if successful, would provide a future without water shortages and mandatory restrictions under planned conditions. For imported supplies,

¹³ Metropolitan Water District of Southern California. 2016. 2015 Urban Water Management Plan, Page 2-15. June.

¹⁴ Metropolitan Water District of Southern California. 2021. 2020 Urban Water Management Plan. June.

¹⁵ Metropolitan Water District of Southern California. 2016. Integrated Water Resources Plan, 2015 Update. Report No. 1518. January.

MWD would make investments to maximize CRA deliveries in dry years. MWD would make ecologically-sound infrastructure investments to the SWP so that the water system can capture sufficient supplies to help meet average year demands and to refill the MWD storage network in above-average and wet years.

Planned actions to keep supplies and demands in balance include, among others, lowering regional residential per capita demand by 20 percent by the year 2020 (compared to a baseline established in 2009 State legislation), reducing water use from outdoor landscapes and advancing additional local supplies. IRP Table ES-1, 2015 IRP Update Total Level of Average-Year Supply Targeted (Acre-Feet, or AF), of the 2015 IRP, shows the supply reliability and conservation targets. As presented in the IRP, the total supply reliability target for each five-year increase between 2016 and 2040 would exceed the retail demand after conservation. In 2040, retail demand after conservation is estimated to be 4,273,000 AF and the total supply reliability target is approximately 4,539,000 AF, representing an excess of 266,000 AF.¹⁶

The 2020 IRP planning process is currently in development. The 2020 IRP analyzes multiple scenarios that could plausibly unfold in the future due to climate change, economic growth, legislation and regulations affecting water sources and demands, and other variables. With the variability of these impacts in mind, MWD is developing four scenarios to help understand the challenges of the future and effectively plan to ensure water reliability in the face of those challenges.

(c) *MWD's Water Surplus and Drought Management Plan*

In 1999, MWD incorporated the water storage contingency analysis that is required as part of any UWMP into a separate, more detailed plan, called the Water Surplus and Drought Management Plan (WSDM Plan). The overall objective of the WSDM Plan is to ensure that shortage allocation of MWD's imported water supplies is not required. The WSDM Plan provides policy guidance to manage MWD's supplies and achieve the goals laid out in the agency's IRP. The WSDM Plan separates resource actions into two major categories: Surplus Actions and Shortage Actions. The WSDM Plan considers the region to be in surplus only after MWD has met all demands for water, including replenishment deliveries. The Surplus Actions store surplus water, first inside then outside of the region. The Shortage Actions of the WSDM are separated into three subcategories: Shortage, Severe Shortage, and Extreme Shortage. Each category has associated actions that could be taken as part of the response to prevailing shortage conditions. Conservation

¹⁶ Metropolitan Water District of Southern California. 2016. Integrated Water Resources Plan, 2015 Update. Report No. 1518. January.

and water efficiency programs are part of MWD’s resource management strategy through all categories.¹⁷

(d) *MWD’s Water Supply Allocation Plan*

While the WSDM Plan included a set of general actions and considerations for MWD staff to address during shortage conditions, it did not include a detailed water supply allocation plan or implementation approach. Therefore, in February 2008, MWD adopted a water supply plan called the Water Supply Allocation Plan (WSAP). The WSAP includes a formula for determining equitable, needs-based reductions of water deliveries, with the potential application of a surcharge, to member agencies during extreme water shortages in MWD’s service area conditions (i.e., drought conditions or unforeseen interruptions in water supplies).

The WSAP allows member agencies the flexibility to choose among various local supply and conservation strategies to help ensure that demands on MWD stay in balance with limited supplies. The WSAP formula addresses shortages of MWD supplies, by taking into account growth, local investments, changes in supply conditions and the demand hardening aspects of non-potable recycled water use and the implementation of conservation savings programs.¹⁸ The allocation period covers 12 consecutive months from July of a given year through the following June.

(3) Local

(a) *Los Angeles Department of Water and Power’s Urban Water Management Plan (UWMP)*

In accordance with the California Urban Water Management Planning Act, UWMPs are updated at 5-year intervals. LADWP adopted the 2020 UWMP on May 25, 2021. The 2020 UWMP complies with the Urban Water Management Planning Act, builds upon the goals and progress made in the 2015 UWMP and currently serves as the City’s master plan for reliable water supply and resource management consistent with the City goals and objectives. The UWMP details LADWP’s efforts to promote the efficient use and management of its water resources. LADWP’s UWMP used a service area-wide methodology in developing its water demand projections. This methodology does not rely on individual development demands to determine area-wide growth. Rather, the projected growth in water use for the entire service area was considered in developing long-term water projections for the City to the year 2045. Long range projections are based on Southern California Association of Government (SCAG) growth projections. The 2020

¹⁷ Metropolitan Water District of Southern California. 1999. Water Surplus and Drought Management Plan. Report No. 1150. August.

¹⁸ Metropolitan Water District of Southern California. 2016. 2015 Urban Water Management Plan, Page 2-15. June.

UWMP is based on projections in the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

The Project's WSA was prepared and adopted by the LADWP on January 27, 2021 prior to the adoption of the 2020 UWMP. Therefore, the 2015 UWMP, which was adopted on April 27, 2016, applies to the Project.

(b) City of Los Angeles Green New Deal

The City released the first Sustainable City Plan in April 2015,¹⁹ which has been updated in 2019 as the City's Green New Deal. The Green New Deal includes a multi-faceted approach to developing a locally sustainable water supply to reduce reliance on imported water, reducing water use through conservation, and increasing local water supply and availability.

(c) One Water LA 2040 Plan

In April 2018, the City prepared the One Water LA 2040 Plan (One Water LA Plan), an integrated approach to citywide recycled water supply, wastewater treatment, and stormwater management.²⁰ The new plan builds upon the City's Water IRP, which projected needs and set forth improvements and upgrades to wastewater conveyance systems, recycled water systems, and runoff management programs through the year 2020, and extends its planning horizon to 2040. The One Water LA Plan proposes a collaborative approach to managing the City's future water, wastewater treatment, and stormwater needs with the goal of yielding sustainable, long-term water supplies for Los Angeles to ensure greater resilience to drought conditions and climate change. The One Water LA Plan is also intended as a step toward meeting the Mayor's Executive Directive to reduce the City's purchase of imported water by 50 percent by 2024.²¹ Major challenges addressed in the One Water LA Plan include recurring drought, climate change, and the availability of recycled water in the future in light of declining wastewater volumes.

(d) City of Los Angeles General Plan

(i) General Plan Framework Element

The City General Plan (General Plan) Framework Element (Framework Element) establishes the conceptual basis for the General Plan.²² The Framework Element sets forth a comprehensive citywide long-range growth strategy and defines citywide policies

¹⁹ City of Los Angeles. 2015. Sustainable City Plan.

²⁰ City of Los Angeles. 2018. One Water LA 2040 Plan. Volume 1. Summary Report. April.

²¹ City of Los Angeles, Office of the Mayor. 2014. Executive Directive No. 5. Emergency Drought Response - Creating a Water Wise City, October 14.

²² City of Los Angeles, Department of City Planning. 2001. Citywide General Plan Framework Element. Originally adopted by City Council on December 11, 1996 and re-adopted on August 8.

regarding land use, housing, urban form and neighborhood design, open space and conservation, economic development, transportation, infrastructure and public services. Chapter 9, Infrastructure and Public Services, of the Framework Element identifies goals, objectives, and policies for City utilities including water service. Goal 9C is to provide adequate water supply, storage facilities, and delivery system to serve the needs of existing and future water needs.²³ The goals, objectives and policies are addressed by the City in its ordinances and preparation of its UWMP.

The following General Plan goals, objectives and policies relate to water supply, as shown in Table IV.N.3-1, Relevant General Plan Utilities and Service Systems Goals, Objectives, and Policies.

Table IV.N.3-1
Relevant General Plan Utilities and Service Systems
Goals, Objectives, and Policies

Goal/Objective/Policy	Goal/Objective/Policy Description
Framework Element – Chapter 9 Infrastructure and Public Services	
Goal 9C	Adequate water supply, storage facilities, and delivery system to serve the needs of existing and future residents and businesses.
Objective 9.1	Monitor and forecast demand based upon actual and predicted growth.
Objective 9.8	Monitor and forecast water demand based upon actual and predicted growth.
Policy 9.8.1	Monitor water usage and population and job forecast to project future water needs.
Objective 9.9	Manage and expand the City's water resources, storage facilities, and water lines to accommodate projected population increases and new or expanded industries and businesses.
Policy 9.9.1	Pursue all economically efficient water conservation measures at the local and statewide level.
Policy 9.9.7	Incorporate water conservation practices in the design of new projects so as not to impede the City's ability to supply water to its other users or overdraft its groundwater basins.
Objective 9.10	Ensure that water supply, storage, and delivery systems are adequate to support planned development.
Policy 9.10.1	Evaluate the water system's capability to meet water demand resulting from the Framework Element's land use patterns.
Policy 9.10.2	Solicit public involvement, when appropriate, in evaluating options for the construction of new and/or expansion of existing water facilities.
Objective 9.11	Ensure, to the maximum extent possible, the continued provision of water capacity, quality and delivery after an earthquake or other emergency.

²³ City of Los Angeles, Department of City Planning. 2001. General Plan Framework Element, Chapter 9: Infrastructure and Public Services – Water Supply. Originally adopted by City Council on December 11, 1996 and re-adopted on August 8.

Goal/Objective/Policy	Goal/Objective/Policy Description
Policy 9.11.1	Provide for the prompt resumption of water service with adequate quantity and quality of water after an emergency.
Source: City of Los Angeles, Department of City Planning. 2001. General Plan Framework Element, Chapter 9: Infrastructure and Public Services – Water Supply. Originally adopted by City Council on December 11, 1996 and re-adopted on August 8.	

(ii) *Community Plan*

The Land Use Element of the General Plan includes 35 community plans. Community plans are intended to provide an official guide for future development and propose approximate locations and dimensions for land use. The community plans establish standards and criteria for the development of housing, commercial uses, and industrial uses, as well as circulation and service systems. The community plans implement the Framework Element at the local level and consist of both text and an accompanying generalized land use map. The community plans' texts express goals, objectives, policies, and programs to address growth in the community, including those that relate to utilities and service systems required to support such growth. The community plans' maps depict the desired arrangement of land uses as well as street classifications and the locations and characteristics of public service facilities. The Project Site is located in the Central City North Community Plan (Community Plan) area. There are no applicable goals, objectives, or policies that specifically address water supply in the Community Plan.

(e) *Los Angeles Municipal Code*

The City has adopted several ordinances, later codified in the Los Angeles Municipal Code (LAMC), in an effort to reduce water consumption. A summary of the City's key regulations regarding water conservation is provided below.

- Ordinance No. 180,822—amended LAMC Chapter XII, Article 5 to establish water efficiency requirements for new development and renovation of existing buildings, and mandate installation of high efficiency plumbing fixtures in residential and commercial buildings.
- Ordinance No. 181,480—amended LAMC Chapter IX by adding Article 9 (Green Building Code) to the LAMC to incorporate various provisions of the CALGreen Code. This ordinance added mandatory measures for newly constructed low-rise residential and non-residential buildings to reduce indoor water use by at least 20 percent by: (1) using water saving fixtures or flow restrictions; and/or (2) demonstrating a 20-percent reduction in baseline water use.
- Ordinance Nos. 181,899 and 183,833—amended LAMC Chapter VI, Article 4.4, Section 64.72 regarding stormwater and urban runoff to include new requirements, including Low Impact Development requirements that promote water conservation.

- Ordinance No. 182,849—amended LAMC Chapter IX, Article 9 (Green Building Code) to mandate that for new water service or for additions or alterations requiring upgraded water service for landscaped areas of at least 1,000 square feet, separate sub-meters or metering devices shall be installed for outdoor potable water use. This ordinance also required that for new non-residential construction with at least 1,000 square feet of cumulative landscaped area, weather or soil moisture-based irrigation controllers and sensors be installed.
- Ordinance No. 184,692—amended LAMC Chapter IX, Article 4 (Plumbing Code) by adopting by reference various sections of the California Plumbing Code. This ordinance also added requirements for plumbing fixtures and fixture fitting.
- Ordinance No. 184,248—amended LAMC Chapter IX, Article 4 (Plumbing Code) and Article 9 (Green Building Code) to establish citywide water efficiency standards and mandate a number of new fixture requirements and methods of construction for plumbing and irrigation systems.

The City also has adopted numerous requirements related to the provision of water for purposes of fire protection. These requirements are set forth in the Fire Code (LAMC Chapter V, Article 7). LAMC Section 57.507.3.1 establishes fire water flow standards. Fire water flow requirements, as determined by the Los Angeles Fire Department (LAFD), vary by project site as they are dependent on land use (e.g., higher intensity land uses require higher flow from a greater number of hydrants), life hazard, occupancy, and fire hazard level. As set forth in LAMC Section 57.507.3.1, fire water flow requirements vary from 2,000 gpm in low density residential areas to 12,000 gpm in high density commercial or industrial areas. A minimum residual water pressure of 20 psi is to remain in the water system with the required gpm flowing. As set forth in LAMC Section 57.507.3.1, Industrial and Commercial land uses (which the LAFD has classified the Project as) have a minimum required fire flow of 6,000 gpm to 9,000 gpm from four to six adjacent hydrants flowing simultaneously with a residual pressure of 20 psi unless otherwise determined by LAFD. LAMC Section 57.507.3.2 also addresses land use-based requirements for fire hydrant spacing and type. Land uses in the Industrial and Commercial category require one hydrant per 80,000 square feet of land with 300-foot distances between hydrants, and 2.5-inch by 4-inch double fire hydrants or 4-inch by 4-inch double fire hydrants. Regardless of land use, every first story of a residential, commercial, and industrial building must be within 300 feet of an approved hydrant.

b) Existing Conditions

(1) Water Infrastructure

Based on the Utilities Technical Report, included as Appendix N of this Draft EIR, the LADWP maintains the water infrastructure that provides service connections to the Project Site. There is an existing six-inch water main on East 4th Street, an eight-inch water main on Colyton Street, and an eight-inch water main on South Hewitt Street. There are two existing fire hydrants on East 4th Street at the corners of Colyton Street and South Hewitt Street, and one existing fire hydrant mid-block of Colyton Street between East 4th Street and East 5th Street. There are currently three existing hydrants within 300 feet of the Project Site.²⁴

(2) Water Supply

LADWP is responsible for providing water within the City limits and ensuring that the water quality meets applicable California health standards for drinking water. As the Project Site is located within the City, LADWP is the water provider for the Project Site.

Water is supplied to the City from four primary sources: the Los Angeles Aqueducts (LAA), local groundwater, purchased water from MWD, and recycled water. As shown in Table IV.N-2, LADWP Water Supply (Acre-Feet per Year), LADWP had an available water supply of 487,591 AF in 2020, with the vast majority of this supply from imported sources including the LAA and MWD. LADWP water sources are described in further detail below.

Table IV.N.3-2
LADWP Water Supply (Acre-Feet per Year)

Fiscal Year Ending	Los Angeles Aqueducts	Local Groundwater	MWD	Recycled Water	Transfer, Spread, Spills and Storage	Total
2016	57,853	79,056	339,975	9,913	-3,509	490,306
2017	224,724	50,439	216,299	8,032	9,350	490,144
2018	307,671	21,760	182,706	9,778	-200	522,116
2019	312,456	32,333	137,775	7,512	1,710	488,266
2020	292,095	34,363	152,647	9,641	1,155	487,591

Source: LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4th and Hewitt Project. January 20. (Appendix O1.)

(a) Los Angeles Aqueducts

Snowmelt runoff from the Eastern Sierra Nevada Mountains is collected and conveyed to the City via LAA. LAA supplies come primarily from snowmelt and secondarily from

²⁴ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Project, Utilities Technical Report. February 23. (Appendix N.)

groundwater pumping and can fluctuate annually due to the varying hydrologic conditions. In recent years, LAA supplies have been less than the historical average because of environmental restoration obligations in Mono and Inyo Counties.

The City holds water rights in the Eastern Sierra Nevada where the LAA water supplies originate. These supplies originate from both streams and groundwater. Average deliveries from the LAA system have been approximately 238,960 AF annually from Fiscal Year (FY) 2015/16 to 2019/20, and as indicated in Table IV.N.3-2, approximately 292,095 AF of LADWP's water supplies in 2020 were from the LAA. The average deliveries between FY 2015/16 to 2019/20 includes two of the five dry years that began in FY 2012/2013 and ended in FY 2016/2017, with the highest levels of snowpack at 203 percent of normal. Since imported supplies vary from year to year depending on the hydrology, LADWP plans to increase resiliency to address climate change and natural disasters by developing sustainable local water supplies.

(b) Groundwater

As discussed in the WSA prepared for the Project and included in Appendix O of this Draft EIR, LADWP pumps groundwater from three adjudicated basins, including the San Fernando, Sylmar, and Central Basins.

The San Fernando Basin (SFB) is the largest of the basins. The City has accumulated 591,460 AF of stored water credits in the SFB as of October 1, 2018. A portion of this water is available for the City to withdraw during normal and dry years, or in an emergency, in addition to the City's approximate 87,000 AF annual entitlement. With SFB remediation facilities estimated to be operational by 2023, the groundwater storage credits may be used to optimize pumping beyond the City's annual entitlement. While the majority of the City's groundwater is extracted from the SFB, the Sylmar and Central Basins also provide local groundwater supply. The City's current annual entitlement is 3,570 AF in the Sylmar Basin and 17,236 AF in the Central Basin. As of July 1, 2020, LADWP has accumulated 22,943 AF of stored water in the Central Basin, and pumping can be temporarily increased until stored water credits have been expended. Table IV.N.3-3, Local Groundwater Basin Supply (Acre-Feet) shows the groundwater produced by the City from the San Fernando, Sylmar, and Central Basins between FY 2014 and 2020.²⁵

²⁵ LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4th and Hewitt Project. January 20. (Appendix O1.)

Table IV.N.3-3
Local Groundwater Basin Supply (Acre-Feet)

Fiscal Year	San Fernando	Sylmar	Central
2014-2015	80,097	1	6,948
2015-2016	75,958	683	8,395
2016-2017	55,116	0	3,005
2017-2018	22,259	0	0.77
2018-2019	36,871	1	5
2019-2020	35,948	2	10

Source: LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4th and Hewitt Project. January 20. (Appendix O1.)

As shown in Table IV.N.3-3, the City extracted 35,948 AF, 2 AF, and 10 AF from the San Fernando, Central, and Sylmar Basins, respectively, during the 2019-2020 fiscal year. The City aims to continue to develop production from its groundwater basins in the coming years to offset reductions in imported supplies.²⁶

Both LADWP and California Department of Water Resources (DWR) have programs in place to monitor wells to prevent overdrafting. LADWP’s groundwater pumping practice is based on a “safe yield” operation. Furthermore, basin management is achieved by collective efforts of a court-appointed Watermaster and the Upper Los Angeles River Area (ULARA) Administrative Committee of representatives from five public water supply agencies overlying the ULARA Committee. These efforts include operation of groundwater remediation systems, use of an extensive network of groundwater monitoring wells, routine reporting on groundwater elevation and water quality, management and mitigation of urban runoff water quality, and development of enhanced stormwater recharge and groundwater replenishment.²⁷

(c) Metropolitan Water District of Southern California

MWD is the largest water wholesaler for domestic and municipal uses in Southern California. As one of the 26 member agencies, LADWP purchases supplemental water from MWD in addition to the supplies from local groundwater, recycled water and LAA. MWD imports a portion of its water supplies from Northern California through the SWP’s California Aqueduct and from the Colorado River through MWD’s own CRA. LADWP will continue to rely on MWD to meet its current and future water needs. As of June 30, 2020, LADWP has a preferential right to purchase 18.12 percent of the MWD’s total water supply.²⁸

²⁶ LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4th and Hewitt Project. January 20. (Appendix O1.)

²⁷ Metropolitan Water District. 2016. 2015 Urban Water Management Plan. June.

²⁸ LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4th and Hewitt Project. January 20. (Appendix O1.)

LADWP has worked with MWD in developing a plan for allocating water supplies during periods of shortage. On February 12, 2008, MWD Board adopted its WSAP. LADWP supported the adoption of this plan to acquire its dry weather condition supplies from MWD. The record dry and hot conditions of 2014 significantly impacted the water resources of both the State and MWD. DWR limited supplies to the point that allocation was the lowest ever in the history of SWP. MWD was able to meet demands in 2014 by relying heavily on storage reserves to make up for the historically low allocation on SWP. MWD's dry-year storage reserves ended 2014 at approximately 1.2 million AF. On April 14, 2015, to reduce withdrawals from MWD's dry-year storage reserves, MWD implemented WSAP at a Level 3 Regional Shortage Level, effective July 1, 2015, through June 30, 2016. MWD's dry-year storage reserves ended 2015 at approximately 0.87 million AF. On May 10, 2016, citing the improved water supply conditions and reduced water use due to conservation, MWD voted to end the current WSAP allocation and rescind WSAP Regional Shortage Level 3 and declared a Condition 2 Water Supply Alert for allocation year 2016/17. MWD, however, called for member agencies to continue with conservation efforts to safeguard against future dry years. On April 9, 2017, MWD voted to declare a Condition 1 Water Supply Watch.²⁹

The MWD provides available planning projections of water supply capability and demand in the 2015 UWMP, which is prepared every five years. The 2015 UWMP projects and plans for the MWD's water supplies and demand through the year 2040. As shown in the 2015 RWUMP, the MWD can provide reliable water supplies under both the single driest year and the multiple dry-year conditions. Based on the analysis of the multiple-dry year conditions (the most challenging weather conditions), shown in Table 2-5 of the 2015 UWMP, the projected 2040 water demand is 2,258,000 afy, whereas the projected 2040 supply is 2,260,000 afy based on current programs, and an additional 286,000 afy will become available under programs that are in development for a potential surplus of 288,000 afy in 2040.³⁰ The LADWP plans to reduce the purchase of MWD water supplies through increased conservation, increased recycled water production, and enhanced groundwater pumping through stormwater capture and groundwater replenishment. This would allow the LADWP to further reduce dependence on purchased imported water from the MWD and maintain a resilient and sustainable water supply for the City.³¹

(i) *State Water Project*

MWD imports water from the SWP, owned by the State and operated by DWR. The SWP is a water storage and delivery system of pump stations, reservoirs, aqueducts, tunnels, and power plants. The main purpose of the SWP is to divert and store surplus water during wet periods and distribute it to areas throughout the State. Other purposes of the

²⁹ LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4th and Hewitt Project. January 20. (Appendix O1.)

³⁰ Metropolitan Water District. 2016. 2015 Urban Water Management Plan. June.

³¹ LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4th and Hewitt Project. January 20. (Appendix O1.)

SWP include flood control, power generation, recreation, fish and wildlife protection, and water quality management in the Sacramento–San Joaquin River Delta. The SWP transports Feather River water stored in and released from Oroville Dam and conveyed through the Bay-Delta, as well as unregulated flows diverted directly from the Bay-Delta south via the California Aqueduct to four delivery points near the northern and eastern boundaries of MWD’s service area.

MWD receives SWP water at three locations including Castaic Lake in Los Angeles County, Devil Canyon Afterbay in San Bernardino County and Box Springs Turnout at Lake Perris in Riverside County. MWD is the largest of the 29 SWP contractors, holding a contract for 1.912 million afy, or 46 percent of the total contracted amount of the 4.173 million AF ultimate delivery capacity of the SWP. Variable hydrology, environmental issues, and regulatory restrictions in the San Francisco Bay/Sacramento–San Joaquin River Delta (Bay-Delta) have periodically reduced the quantity of water that the SWP delivers to the MWD.

Contract allocations for SWP contractors are based on the original projected SWP maximum yield of 4.173 million AF. Variables impacting projected water supplies include snowpack in the Sierra Nevada, capacity available in reservoirs, operational constraints, and demands of other water users.

(ii) Issues Related to the SWP

Both Endangered Species Act considerations and the New Bay-Delta Conveyance Facility have posed recent challenges to the SWP. The DWR altered the SWP’s operations to accommodate certain species that are threatened or endangered, including the Delta smelt, which impacts SWP deliveries to the MWD. The impact on total SWP deliveries to State Water Contractors attributable to the Delta smelt and salmonid species biological opinions combined is estimated to be one million AF in an average year, reducing total SWP deliveries to State Water Contractors from approximately 3.3 million AF to approximately 2.3 million AF for the year under average hydrology. On March 31, 2020 the California Department of Fish and Wildlife (CDFW) issued an Incidental Take Permit (ITP) to DWR for long-term operations of the SWP. In April 2020, MWD, with the MWD Board approval, joined the State Water Contractors in their litigation against DWR and CDFW over the ITP. The impacts to MWD from the ongoing negotiation of Voluntary Agreements on the new biological opinions and ITP, as well as litigation challenging them, remain unknown.

Additionally, in 2006, multiple State and federal resource agencies, water agencies and other stakeholder groups entered into a planning agreement for the Bay-Delta Conservation Plan (BDCP), which included alternatives for new water conveyance infrastructure and extensive habitat restoration in the Bay-Delta. In 2015, during the

administration of the Governor Brown, the State and federal lead agencies proposed an alternative implementation strategy and new alternatives to the BDCP to provide for the protection of water supplies conveyed through the Bay-Delta and the restoration of the ecosystem of the Bay-Delta, termed “California WaterFix” and “California EcoRestore,” respectively, and are considered improvements to the SWP. As originally approved by DWR, California WaterFix, if completed, will provide new conveyance facilities for the transportation of SWP and Central Valley Project water from the north Delta. In 2019, Governor Newsom issued an executive order directing State agencies to develop a comprehensive statewide strategy to build a climate-resilient water system which included consideration of a single-tunnel Bay-Delta conveyance facilities instead of the approved WaterFix project. Currently, DWR is pursuing a new environmental review and planning process for a single tunnel project to modernize the SWPs Bay-Delta conveyance.

(iii) Colorado River

MWD owns and operates the CRA, which delivers water from the Colorado River to Southern California. The Colorado River currently supplies approximately 17 percent of Southern California’s water needs, and on average makes up about 15 percent of LADWP’s purchases from MWD. This source of supply has been secured to MWD through long-standing legal entitlements. However, extended drought conditions and increased demands by other users have recently impacted its reliability.

The Colorado River supplies come from watersheds of the Upper Colorado River Basin in the states of Colorado, Utah, and Wyoming. Due to the way that Colorado River supplies are apportioned, snowpack and runoff levels do not impact MWD water supplies in the current year. Instead, snowpack and runoff would impact storage levels at Lake Powell and Lake Mead, which would then affect the likelihood of surplus or shortage conditions in the future. By MWD having two principal sources of supply that draw from two different watersheds, MWD is able to utilize supplies from the Colorado River to offset reductions in SWP supplies and buffer impacts of the California drought. MWD plans to use CRA deliveries, storage reserves and supplemental water transfers and purchases to meet regional demands.

California is apportioned 4.4 million AF, annually, plus one-half of any surplus that may be available for use, collectively, in Arizona, California, and Nevada. In addition, California has historically been allowed to use Colorado River water apportioned to, but not used by, Arizona or Nevada. Since 2003, due to increased consumption, there has been no such unused, apportioned water available to California. Of the California apportionment, MWD holds the fourth priority right to 550,000 afy under a 1931 priority system governing allotments to California. This is the last priority within California’s basic apportionment of 4.4 million AF. Beyond the basic apportionment, MWD holds the fifth priority right to 662,000 AF of water. Historically, MWD has been able to claim most of its legal

entitlement of Colorado River water and could divert over 1.2 million AF in any year, but persistent drought conditions since 1999 have contributed to a decrease in these claims. The recent 16-year drought has been so severe that it has resulted in major reductions in water deliveries from the Colorado River. In response, the Federal Government, states and urban and agricultural water districts that depend on the Colorado River worked together toward a solution. MWDs total supply from the CRA is approximately 1.5 million AF.³²

(iv) Additional MWD Actions to Address Supply

MWD has been developing plans and making efforts to provide additional water supply reliability for the entire Southern California region. LADWP coordinates closely with MWD to ensure implementation of these water resource development plans. MWD's long-term plans to meet its member agencies' growing reliability needs are through: improvements to the SWP as outlined in the EcoRestore plans, conjunctive management efforts on the Colorado River, water transfer programs, outdoor conservation measures, and development of additional local resources, such as recycling, brackish water desalination, and seawater desalination.

Additionally, MWD has more than 5.0 million AF of storage capacity available in reservoirs and banking/transfer programs. MWD was estimated to have 3.2 million AF of water in Water Surplus Drought Management storage and additional 750,000 AF in emergency storage as of January 1, 2021. Continued efficiency in the region kept demands low in 2020, resulting in available water supplies exceeding demands. With implementation of new and modified existing storage programs to manage the available surplus supplies, MWD was able to add to storage in 2020. MWD began FY 2021 with approximately 3.2 million AF of water in its dry-year storage portfolio.

MWD's 2015 UWMP reports on water reliability and identifies projected supplies to meet the long-term demand within MWD's service area. The WSA reports the MWD has supply capabilities that be sufficient to meet expected demands from 2020 through 2040 under average year, single dry-year and multiple dry-year hydrologic conditions.³³

(v) Global Warming and Climate Change

As discussed in the LADWP's 2015 UWMP, any water supplies that are dependent on natural hydrology are vulnerable to climate change, especially if the water source originates from mountain snowpack. For LADWP, the most vulnerable water sources subject to climate change impacts are imported water supplies from MWD and the LAA, though local sources can also expect to see some changes in the future. In addition to

³² LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4th and Hewitt Project. January 20. (Appendix O1.)

³³ LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4th and Hewitt Project. Table V. January 20. (Appendix O1.)

water supply impacts, changes in local temperature and precipitation are expected to alter water demand patterns. However, there is still general uncertainty within the scientific community regarding the potential impacts of climate change within the City. LADWP continues to monitor the latest developments in scientific knowledge and will continue to assess future research for the potential impacts of climate change on its water resources.³⁴ The City is required to adopt an UWMP every five years to comply with the California UWMP Act, codified in the Water Code.³⁵ The most current 2020 UWMP was approved in April 2021.³⁶ However, the 2015 UWMP would apply to the Project, as the NOP and Project-specific WSA were prepared prior to the approval to the 2020 UWMP.

MWD and DWR also continue to study climate change and address the implications of climate change on water supplies. MWD has established a technical process to identify key vulnerabilities from various sources, including climate change, in order to provide comprehensive analyses within its Integrated Water Resources Plans. In addition, DWR addresses climate change impacts on water supply in its California Water Plan Updates, which account for uncertainty, risk, and sustainability in planning for the future. With updates published every five years, the most recent California Water Plan Update 2018 identifies specific performance tracking metrics, recommending financing methods with stable revenues and incorporating principles of sustainability.³⁷

DWR has also been in the process of completing its Climate Action Plan since 2012. Phases I and II of the Climate Action Plan include the guidance of DWR in reducing greenhouse gas emission and the expertise of a climate change technical advisory group formed in 2012, respectively. Phase III of the plan was completed in 2017 with a vulnerability assessment and adaptation plan of DWR assets and activities, as related to the projected changes in temperature, wildfire, sea level rise, hydrology, and water supply.

(d) *Water Conservation and Recycling*

LADWP's 2015 UWMP details the City's efforts to promote the efficient use and management of its water resources and provides the basic policy principles that guide LADWP's decision-making process to secure a sustainable water supply for the City in the next 25 years. On October 14, 2014, Mayor Eric Garcetti established Executive Directive 5 (ED 5) - Emergency Drought Response to create an integrated water strategy that reduces potable water use and imported potable water use, and increases local water

³⁴ LADWP. 2016. 2015 Urban Water Management Plan. June.

³⁵ LADWP. About Us. Urban Water Management Plan. Available at: https://www.ladwp.com/ladwp/faces/ladwp?_afLoop=981715036706213&_afWindowMode=0&_afWindowId=null#%40%3F_afWindowId%3Dnull%26_afLoop%3D981715036706213%26_afWindowMode%3D0%26_adf.ctrl-state%3D16yim9c72j_34. Accessed on December 1, 2021.

³⁶ LADWP. 2021. 2020 Urban Water Management Plan. May.

³⁷ California Department of Water Resources. 2019. California Water Plan Update 2018. June.

supplies and improves water security in the context of climate change and seismic vulnerability.³⁸

To meet multiple water conservation goals established in ED 5, the Sustainable City Plan, and the Water Conservation Act of 2009, LADWP's 2015 UWMP aims to reduce per capita potable water use by 22.5 percent by 2025 and by 25 percent by 2035.³⁹ Following the target reduction of potable water use per capita by 25 percent by 2035, LA's Green New Deal adds an additional target for the City to maintain or reduce 2035 per capita water use through 2050.⁴⁰

Near-term State conservation strategies include but are not limited to enforcing prohibited uses of water, extending outreach efforts, and long-term supply State strategies include two long-term water-use efficient bills: Assembly Bill (AB) 1668 and SB 606. They require that by January 1, 2025, the indoor residential use will reduce to 55 gallons per day (gpd), 52.5 gpd from 2025 to 2030, and 50 gpd beginning January 1, 2030.⁴¹

While the State has these set goals, LADWP has and continues to implement various long-term strategies to develop and provide resilient and sustainable local water supplies for the City. The LADWP is continuing to expand rebates and incentives to improve water efficiency at public facilities. LADWP's 2015 UWMP set a target of delivering 75,400 afy of recycled water by 2040 to off-set imported water, which the City aims to implement through Recycled Water Master Planning, Groundwater Recharge (GWR) Project, Machado Lake Pipeline Project, Second Gap Connection Pipeline project and Harbor Recycled Water System Backup Project. Additionally, the City aims to enhance stormwater capture through the Stormwater Capture Master Plan and achieve its long-term strategy of enhancing local water supply through stormwater capture.⁴²

(3) Water Demand

(a) *Local Water Demand*

LADWP's 2015 UWMP provides water supply and demand projections in five-year increments to 2040, as shown in Table IV.N.3-4, City of Los Angeles Water Demand Projections.

³⁸ City of Los Angeles. 2014. Executive Directive No. 5. Emergency Drought Response. October 14.

³⁹ LADWP. 2016. 2015 Urban Water Management Plan. June.

⁴⁰ City of Los Angeles. 2019. L.A.'s Green New Deal.

⁴¹ LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4th and Hewitt Project. Table V. January 20. (Appendix O1.)

⁴² LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4th and Hewitt Project. Table V. January 20. (Appendix O1.)

Table IV.N.3-4
City of Los Angeles Water Demand Projections

Hydrological Conditions	Years				
	2020	2025	2030	2035	2040
Average Year	611.8K	644.7K	652.9K	661.8K	675.7K
Single Dry Year (FY 2014-2015)	642.4K	676.9K	685.5K	694.9K	709.5K
Multi-Dry Years (FY 2012-2013 and FY 2014-2015)	642.4K	676.9K	685.5K	694.9K	709.5K

Source: LADWP. 2016. 2015 Urban Water Management Plan, Exhibits 11F, 11G and 11H. June.

Notes:
 fy = fiscal year
 K = 1,000 (e.g., 611.8 = 611,800)
 Projections for each year made in acre-feet.

As shown in Table IV.N.3-4, in 2040 during average year hydrological conditions, the City's water demand is forecasted to be approximately 675,700 afy, with passive water conservation. The LADWP's 2015 UWMP concludes that adequate water supplies would be available to meet the projected demands of the service areas, including the Project Site, under normal, single-fry, and multi-dry conditions through 2040.⁴³

(b) On-Site Water Demand

The Project Site is currently developed with a vacant 7,800-square-foot building that was formerly occupied by the Architecture and Design (A+D) Museum and associated 1,000-square-foot detached storage space, a 6,030-square-foot office building with related garage/storage space, and approximately 39,751 square feet of surface parking lots. Current on-site operations include storage space and office activities. There is currently one meter for each of the water, electricity, and gas utilities on the Project Site. It is unclear whether the existing law office building and the building formerly occupied by the A+D Museum are connected to the meters located at 405 South Hewitt Street. The estimate of the current water demand at the Project Site from the existing office use is shown in Table IV.N.3-5, Existing Project Site Water Demand. As the existing building that was formerly occupied by the A+D Museum would remain in place with the Project, it is omitted from the analysis, as the existing and proposed water demand would be comparable.⁴⁴

⁴³ LADWP. 2016. 2015 Urban Water Management Plan. April.

⁴⁴ At the time the Project Application was filed and when the Notice of Preparation and Initial Study were circulated for public comment, the CEQA baseline for this Draft EIR, the existing building on Colyton Street was occupied by the A+D Museum. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. Therefore, the existing and proposed water demand for this building are comparable.

**Table IV.N.3-5
Existing Project Site Water Demand**

Existing Use	Area (sf)	Sewer Generation Ratio (gpd/unit)	Estimated Water Usage (gpd)	Estimated Water Usage (afy)
Office	3,515	0.12	422	0.47
Total Existing Water Demand			422	0.47
Source: LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4 th and Hewitt Project. January 20. (Appendix O1.)				
Notes: sf = square feet gpd = gallons per day afy = acre-feet per year				

As shown in Table IV.N.3-5, the existing Project Site office use's water usage is 422 gpd, or 0.47 afy.

3. Project Impacts

a) Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the Project would result in a significant impact related to water supply and infrastructure if it would:

Threshold a): Require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects; or

Threshold b): Not have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

In assessing impacts related to water supply and infrastructure in this section, the City will use Appendix G as the thresholds of significance. The L.A. CEQA Thresholds Guide states that the determination of significance of water supply impacts will be used where applicable and relevant to assist in analyzing the Appendix G thresholds, considering the following factors:

- *The total estimated water demand for the project;*
- *Whether sufficient capacity exists in the water infrastructure that would serve the project, taking into account the anticipated conditions at project buildout;*

- *The amount by which the project would cause the projected growth in population, housing or employment for the Community Plan area to be exceeded in the year of the project completion; and*
- *The degree to which scheduled water infrastructure improvements or project design features would reduce or offset service impacts.*

b) Methodology

(1) Water Infrastructure

The analysis of Project impacts related to water infrastructure is based on the analysis in the Utilities Technical Report, included as Appendix N of this Draft EIR, which identifies the existing water mains that would serve the Project Site and conveys the available and required water pressures based on information supplied by the LAFD. Impacts regarding the adequacy of water infrastructure for fire-fighting purposes are evaluated in detail in Section IV.K.1, Public Services – Fire Protection Services, of this Draft EIR.

(2) Water Supply

Pursuant to the CEQA Guidelines, Section 15206(b)(2)(C), the Project meets the criteria for being of “regional significance,” because it includes the development of a commercial office building encompassing more than 250,000 square feet of floor space or employing more than 1,000 persons. As such, the Project must comply with the WSA requirements of the Water Code, Section 10910-10915, and a WSA is required for the Project.

Per Water Code Section 10912, the Project’s water demand was calculated to determine whether it is within the projections of the 2015 UWMP and whether sufficient water supply is available to meet the Project’s demand. As discussed above, because there is limited current demand within the Project Site, it is assumed that the water demand generated by the Project would be the total increase in water demand by the Project Site. The LADWP calculates the base water demand for the Project by multiplying the proposed land uses by the appropriate City of Los Angeles Bureau of Sanitation Sewer Generation rates. The total increase in water demand is then calculated by subtracting the water savings to be achieved through compliance with water conservation requirements (e.g., City Ordinance No. 184,248, the 2017 Los Angeles Plumbing Code, and the 2017 Los Angeles Green Building Code), in addition to the Project’s conservation measures (reflected in Project Design Feature WS-PDF-1, below). The resulting total demand for water associated with the Project is then analyzed relative to LADWP’s existing and planned future water supplies to determine whether the LADWP can accommodate the Project’s water demands during average, single-dry, and multiple-dry years hydrologic conditions.

c) Project Design Features

The following project design feature relates to water supply and infrastructure and will be implemented as part of the Project. As calculated by the WSA, Project Design Feature WS-PDF-1 will reduce the Project's water demand by 466 gpd, or 0.52 afy. In addition, refer to Project Design Feature TRANS-PDF-1 (Construction Traffic Management Plan) in Section IV.L, Transportation of this Draft EIR.

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

- High Efficiency Toilets with a flush volume of 1.1 gallons per flush, or less.
- Showerheads with a flow rate of 1.5 gallons per minute, or less.
- Domestic Water Heating System located in close proximity to point(s) of use.
- Drip/Subsurface Irrigation (Micro-Irrigation)/Bubblers for trees.
- Proper Hydro-zoning/Zoned Irrigation.
- Drought Tolerant Plants.

d) Analysis of Project Impacts

Threshold a): Would the project require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects?⁴⁵

(1) Impact Analysis

(a) Construction

Construction of the Project would require water during demolition, grading, and construction activities on the Project Site, including for use in dust control, equipment cleaning, excavation/export, re-compaction, painting, and related tasks. As described in the Project's Utilities Technical Report, included as Appendix N of this Draft EIR, a six-inch water main is located in East 4th Street, an eight-inch water main is located in Colyton Street, and another eight-inch water main is located in South Hewitt Street. There are

⁴⁵ Refer to Section IV.N.1, Utilities and Service Systems – Solid Waste, of this Draft EIR for a discussion of solid waste impacts; Section IV.N.2, Utilities and Service Systems – Wastewater, of this Draft EIR for a discussion of wastewater impacts; Section IV.N.4, Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Infrastructure, of this Draft EIR for a discussion of electric power, natural gas, and telecommunications facility impacts; and Section IV.G, Hydrology and Water Quality, for a discussion of stormwater impacts.

also two existing fire hydrants on East 4th Street at the southwest corner of Colyton Street and northwest corner of South Hewitt Street, in addition to an existing fire hydrant located mid-block and on the west side of Colyton Street between East 4th Street and East 5th Street. A total of three existing hydrants are located within 300 feet of the Project Site.⁴⁶ Therefore, adequate water infrastructure exists in the Project vicinity to serve the Project Site during the construction period, and the Project would not require the construction of new distribution lines for the purpose of providing water during the construction phase. **As construction of the Project Site would not require new or expanded water facilities, Project construction impacts relative to the environmental effects of construction of new or expanded water facilities to serve the Project Site during construction would be less than significant.**

(b) *Operation*

As mentioned above, water service to the Project Site would continue to be supplied by LADWP for domestic and fire protection services. According to the WSA, the Project's net increase in water demand as compared to existing conditions would be 43,743 gpd, or 49.01 afy. LADWP has sufficient water supply to serve the Project, as discussed in detail in the response to Threshold b, below. The Project would connect to the existing six-inch water main on East 4th Street, the eight-inch water main on Colyton Street, and/or the eight-inch water main on South Hewitt Street in order supply water to the Project's commercial and office land uses.

With regard to the provision of adequate water and water pressure for firefighting and suppression specifically, City-established fire flow requirements vary from 2,000 gpm in low-density residential areas, to 12,000 gpm in high-density commercial or industrial areas. A minimum residual water pressure of 20 psi is to remain in the water system while the required gpm is flowing.⁴⁷ All water mains and lines that are designed and sized according to LADWP standards consider fire flow and pressure requirements. Per the City Fire Code Table 507.3.1, a high-rise is required to meet 6,000 to 9,000 gpm for four to six hydrants flowing simultaneously. Although the Project Site is not located within an Inadequate Fire Hydrant Service Area recognized by the City, based on communication with LAFD,⁴⁸ the Project's general land use type will require that, during a fire, a flow of 7,500 gpm from five hydrants flowing simultaneously would be required for proper hydrant coverage. This requirement may be achieved with two additional public fire hydrants, installed mid-block along South Hewitt Street and Colyton Street.

As described in Section IV.K.1, Public Services – Fire Protection Services, of this Draft EIR, based on a preliminary evaluation by LADWP of local water delivery infrastructure

⁴⁶ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Project, Utilities Technical Report. February 23. (Appendix N.)

⁴⁷ City of Los Angeles. Los Angeles Municipal Code. Chapter 5, Fire Service Features, 507.3.1 Fire Flow Requirements.

⁴⁸ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Project, Utilities Technical Report. February 23. (Appendix N.)

near the Project Site, a water line upgrade to existing facilities may be required specifically to provide pressures to supply a minimum of 7,500 gpm from five public hydrants flowing simultaneously around the perimeter of the Project Site. Since there are only three fire hydrants currently serving the Project Site, two new additional public fire hydrants would be required to meet the fire flow and pressure requirements. If such upgrades are necessary, the Applicant will be required to follow the regulatory compliance process. A new fire service connection for the Project would consist of a separate dedicated firewater service connection with a second fire connection to provide the required redundancy for all high-rise structures per the Building Code.⁴⁹ Such water lines would be installed per Division 7, Section 57.09.06 and Section 57.507.3 of the Fire Code. In addition, the Project Applicant would be required to submit the proposed plot plans for the Project to the LAFD and LADWP for review for compliance with applicable Fire Code, California Fire Code (CFC), and City Building Code requirements. Such review is a legal prerequisite, with which the Project would be required to comply. The installation of additional fire hydrants and upgraded water lines would not result in significant adverse effects to the environment, because the improvements would occur within previously developed public rights-of-way and would be short-term in nature, occurring over a few days to a few weeks. Furthermore, as discussed in Section IV.L, Transportation of this Draft EIR, in accordance with Project Design Feature TRANS-PDF-1, the Project will implement a Construction Traffic Management Plan to reduce temporary pedestrian and traffic impacts during construction, including construction of water distribution lines and connections to the public main. **Therefore, while the operation of the Project would require new connections to existing, the Project would not result in the relocation or construction of new or expanded water facilities, the construction of which would cause environmental effects, and impacts on water facilities would be less than significant.**

(2) Mitigation Measures

Water facility impacts are less than significant. Thus, no mitigation measures are required.

(3) Level of Significance After Mitigation

Water facility impacts were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

Threshold b): Would the project not have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

⁴⁹ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Project, Utilities Technical Report. February 23. (Appendix N.)

(1) Impact Analysis

(a) Construction

Construction of the Project would require water during demolition, grading, and construction activities on the Project Site, including for use in dust control, equipment cleaning, excavation/export, re-compaction, painting, and related tasks. Construction would occur in several stages over an approximately 30-month timeframe, during which time the demand for water would occur on an intermittent and temporary basis. Overall, construction activities would require minimal water consumption, the quantity of which would be substantially less than the estimated Project water demand during operations (presented below to be 43,743 gpd or 49.01 afy). As stated in the WSA, the LADWP finds adequate water supplies will be available to meet the total additional water demand of 49.01 afy for the Project, and the LADWP anticipates the projected water demand from the Project can be met during normal, dry, and multiple dry years, in addition to the existing and planned future demands on the LADWP. **Therefore, the Project would have sufficient water supplies available to meet the construction-period demand, and the Project's construction-related water supply impacts would be less than significant.**

(b) Operation

Water service to the Project Site would continue to be provided by the LADWP, as under existing conditions. Operation of the Project would result in an increase in long-term water demand for consumption, operational uses, maintenance and other activities around the Project Site. Table IV.N.3-6, Estimated Project Water Demand, estimates that Project operation would result in a net increase in average daily water demand of 43,743 gpd, which would equate to 49.01 afy.

The WSA found that the LADWP has adequate supplies during normal, single-dry and multiple-dry years to meet the water demand of the project in addition to the existing and projected future water demands within the LADWP's service area through 2040. The WSA concluded that the additional water demand of 49 AF annually for the Project has been accounted for in the City's overall total demand projections in the LADWP 2015 UWMP using a service area-wide approach that does not rely on individual development demand.

As stated in the WSA, LADWP's water demand projections in the 2015 UWMP are sufficient to meet the water demand for projects that are determined by the City to be consistent with both the 2012-2035 and subsequent 2016-2040 RTP/SCS adopted by SCAG. The City's Department of City Planning concluded that the Project is consistent with the demographic forecasts contained in the 2012-2035 and 2016-2040 RTP/SCS. Accordingly, LADWP has determined that the Project water demand is included in the

2015 UWMP. Furthermore, the LADWP 2015 UWMP forecasts adequate water supplies to meet all projected water demands in the City through the year 2040. LADWP therefore concludes that the projected 49.01 afy increase in the total water demand for the Project is accounted for in the 2015 UWMP's 25-year water demand projections. LADWP has determined it will be able to meet the estimated water demand of the Project as well as existing and planned future water demands of its service area.

As outlined in the 2015 UWMP, LADWP is committed to providing a reliable water supply for the City. The 2015 LADWP UWMP takes into account the realities of climate change and the concerns of drought and dry weather conditions. The UWMP states that the City will meet all new demand for water due to projected population growth through water conservation and recycling. As previously discussed, LA's Green New Deal addresses the current and future SWP supply shortages and concludes that the MWD will continue to ensure reliability of water deliveries.⁵⁰ **Therefore, LADWP would have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years. As such, the Project's operation-related water supply impacts would be less than significant.**

**Table IV.N.3-6
Estimated Project Water Demand**

Existing Use to be Removed	Quantity	Unit	Water Usage Factor (gpd/unit)			Existing Water Use to be Removed	
						gpd	afy
Existing Office	3,515	sf	0.12			422	
Existing to be Removed Total						422	0.47
Proposed New Uses	Quantity	Unit	Water Usage Factor (gpd/unit)	Base Demand (gpd)	Water Efficiency Requirements Ordinance Savings (gpd)	Proposed Water Demand	
						gpd	afy
Office	327,967	sf	0.12	39,357			
Restaurant	272	seat	30	8,160			
Base Demand Adjustment				1,213			
Commercial Office/Restaurant Total				48,730	4,649	44,081	49.38
Landscaping	8,955 ^b	sf		850	468	382	0.43
Covered Parking	254,881	sf	0.02	168	0	168	0.19
Proposed Subtotal				49,748	5,117	44,631	50.00
Existing to be Removed Total						-422	-0.47
Additional Conservation^a						-466	-0.52
Net Additional Water Demand						43,743	49.01

⁵⁰ LADWP. 2016. 2015 Urban Water Management Plan. June.

Existing Use to be Removed	Quantity	Unit	Water Usage Factor (gpd/unit)			Existing Water Use to be Removed	
						gpd	afy
Existing Office	3,515	sf	0.12			422	
Existing to be Removed Total						422	0.47
Proposed New Uses	Quantity	Unit	Water Usage Factor (gpd/unit)	Base Demand (gpd)	Water Efficiency Requirements Ordinance Savings (gpd)	Proposed Water Demand	
						gpd	afy
LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4 th and Hewitt Project. January 20. (Appendix O1.) Notes: gpd = gallons per day afy = acre-feet per year sf = square feet ^a Additional conservation refers to water conservation commitments agreed to by the Applicant, including but not limited to, high efficiency toilets, drip/subsurface irrigation, and drought tolerant plants included as Project Design Feature PDF-WS-1. The water conservation commitments are fully outlined in Appendix B of the WSA (Appendix O1 to the Draft EIR). ^b Provides a conservative estimate of the water demand from landscaped areas. Updated (March 2022) Project site plans include 6,246 sf of landscaped areas. Refer to Chapter II, Project Description, for additional details.							

(2) Mitigation Measures

Water supply impacts are less than significant. Thus, no mitigation measures are required.

(3) Level of Significance After Mitigation

Water supply impacts were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

e) Cumulative Impacts

(1) Impact Analysis

(a) *Water Infrastructure*

Project development in combination with development of the 137 Related Projects identified in Chapter III, Environmental Setting, would increase the service demand on the existing LADWP water infrastructure system. As with the Project, however, each

Related Project is subject to the City’s review to assure that these facilities would be adequate to meet both the potable water and fire water demands of each Related Project. The LADWP is continually evaluating the City’s infrastructure and planning improvements that would be necessary to accommodate future growth and development. Individual projects are required to improve facilities where appropriate and development cannot proceed without appropriate verification and approval. In addition, all Related Projects would be required to submit the proposed plot plans for the Project to the LAFD and LADWP for review of compliance with applicable City Fire Code, CFC, and City Building Code requirements. The City’s permit process therefore assures that projects are not constructed without available capacity and pressure in the water distribution lines. **As such, the Project’s incremental effect on water infrastructure would not be cumulatively considerable, and cumulative impacts on water infrastructure would be less than significant.**

(b) *Water Supply*

As discussed above, the LADWP, as a public water service provider, is required to prepare and periodically update its UWMP to plan and provide for water supplies to serve existing and projected demands. The LADWP 2015 UWMP accounts for existing development within the LADWP service area, as well as projected growth through the year 2040. Additionally, under the provisions of SB 610, the LADWP is required to prepare a comprehensive WSA for every new development project in its service area (as defined by Section 10912 of the Water Code). The WSAs for such projects, in conformance with the UWMP, would evaluate the reliability of existing and projected water supplies, as well as alternative sources of water supply and measures to secure alternative sources, if necessary, on a project-by-project basis.

The 137 Related Projects that are described in Chapter III, Environmental Setting, would contribute, in conjunction with the Project, to the overall demand for water from the LADWP. Table IV.N.3-7, Related Project Water Demand, shows the water demand of the Related Projects, based on their estimated wastewater generation.

Table IV.N.3-7
Related Project Water Demand

General Land Use	Size	Water Demand Factor	Estimated Water Demand
Residential			
Market-Rate and Affordable Apartments, Live/Work Apartments, Condominiums, and Assisted Living Units ^a	33,566 units	228 gpd/dwelling unit	7,653,048 gpd

General Land Use	Size	Water Demand Factor	Estimated Water Demand
Office			
Office, Live/Work Office, Creative Office, and Meeting Space	14,330,789 sf	204 gpd/1,000 gross sf	2,923,481 gpd
Medical Office ^b	18,876 sf	300 gpd/1,000 gross sf	5,663 gpd
Hotel			
Hotel	4,248 rooms	144 gpd/room	611,712 gpd
Museum/Cultural Center			
Museum and Cultural Center	94,140 sf	36 gpd/1,000 gross sf	3,389 gpd
Industrial			
Industrial Park and Light Industrial ^c	100,368 sf	60 gpd/1,000 gross sf	6,022 gpd
Sports/Event Facilities			
Sports Complex and Event Space ^d	137,070 sf	240 gpd/1,000 gross sf	32,897 gpd
Event Facility ^e	250 seats	4 gpd/seat	1,000 gpd
Commercial and Retail			
Commercial, Grocery, Supermarket, Private Club, ^f Retail, Specialty Retail, Shopping Center, Bank, Pharmacy/Drugstore, Community Space, Data Center, Flex, Other, Office/Retail/Restaurant/Market, Observation Deck, ^g Bus Facility ^h	3,679,398 sf	60 gpd/1,000 gross sf	220,764 gpd
Restaurant ⁱ	1,117,836 sf (44,713 seats)	36 gpd/seat	1,609,668 gpd
Fast Food	5,477 sf	360 gpd/1,000 gross sf	1,972 gpd
Bar	10,290 sf	864 gpd/1,000 gross sf	8,891 gpd
Gym	62,148 sf	240 gpd/1,000 gross sf	14,916 gpd
Health Club	30,793 sf	780 gpd/1,000 gross sf	24,019 gpd
Arts and Production			
Art and Production Space ^j	52,426 sf	60 gpd/1,000 gross sf	3,146 gpd
Schools and Child Care			
School ^k	1,538 students	14 gpd/student	21,532 gpd
Child Care ^l	2,500 sf (32 children)	11 gpd/child	352 gpd
Total			13,142,472
Source for Water Demand Factors: LASAN. 2012. Sewerage Facilities Charge, Sewage Generation Factor for Residential and Commercial Categories. April 6.			
Notes:			
Water demand factors listed here are calculated as 120% of the LASAN Sewage Generation Factors for Residential and Commercial Categories to provide a conservative estimate of water demand.			
The water demand factor is rounded up for school and child care (gpd/student).			

General Land Use	Size	Water Demand Factor	Estimated Water Demand
<p>LASAN provides a sewage generation factor for prisons (i.e., correctional facilities), of 175 gpd per inmate (i.e., bed). However, Related Project 126, correctional facility replacement, would reduce the number of beds from 5,108 to 3,885. As a result, wastewater generation, and water use, per bed would be reduced during operations as compared to existing conditions, and this use is therefore omitted from the table. (Source: Consolidated Correctional Treatment Facility Transportation Impact Analysis [Fehr and Peers, August 2017].)</p>			
<p>sf = square feet gpd = gallons per day</p>			
<p>^a To provide a conservative estimate, a three-bedroom condominium unit size is assumed for purposes of this analysis. Based on 33,511 residential units and 55 assisted living units.</p>			
<p>^b Medical office space for 66 employees is estimated at 18,876 sf, based on 3.4965 employees/1,000 sf of office space (Los Angeles Unified School District’s [LAUSD’s] Commercial/Industrial Development School Fee Justification Study, [March 2014 Development School Fee Justification Study]).</p>			
<p>^c Sewage generation rates provided by LASAN do not include industrial park or light industrial uses. The most comparable rate of 50 gpd/1,000 sf for machine shop or manufacturing/industrial facility (no industrial water permit required) is used.</p>			
<p>^d Sewage generation rates provided by LASAN do not include sports complex and event space land uses. The most comparable rate of 200 gpd/1,000 sf for gymnasium: basketball, volleyball is used.</p>			
<p>^e Sewage generation rates provided by LASAN do not include event facility land uses. The most comparable rate of 3 gpd/seat for lodge hall or school: stadium, pavilion is used.</p>			
<p>^f The Related Projects include two Private Clubs; one of 71,078 sf in size and one with 48 rooms. An area of 500 sf is assumed for each private club (and hotel) room included in this table; therefore, 48 rooms = 24,000 sf, per Chapter III, Environmental Setting.</p>			
<p>^g The Skyspace observation deck consists of the 69th and 70th floor areas of 13,000 sf (OUE Skyspace Los Angeles, Skyspace, Private Events, from: https://oue-skyspace.com/events/, accessed March 9, 2018.</p>			
<p>^h The bus facility is two acres in size, or 87,120 sf, per Chapter III, Environmental Setting.</p>			
<p>ⁱ Includes restaurant, restaurant/bar, and restaurant/retail. Assumes 25 sf per seat.</p>			
<p>^j Sewage generation rates provided by LASAN do not include art and production space land uses. The most comparable rate of 50 gpd/1,000 sf for studio: film/tv – industrial use film process/machine shop is used.</p>			
<p>^k Information provided for three Related Projects with school uses included one, 29,300-sf school; one, 532-student school; and one, 625-student charter school. For the 29,300-sf school, an average of 77 sf/pupil is assumed, totaling approximately 381 students. This is added to the 532 students from the other schools for a total of 1,538 students. (Space is based on the California Department of Education’s Guide to School Site Analysis and Development, Building Area per Pupil [available at: https://www.cde.ca.gov/ls/fa/sf/guideschoolsite.asp, and accessed April 22, 2021], the Department recommends the size of schools be calculated at 59 sf/pupil [minimum] for kindergarten through grade six; at 80 sf/pupil [the minimum] for grades seven and eight; and at an average of 92 sf/pupil [the minimum] for grades nine through twelve. Therefore, for the three types of schools: 59 + 80 + 92 = 231/3 an average of 77 sf/pupil is required.) To be conservative, the high school generation rate is used.</p>			
<p>^l Assumes 77 sf per child following Note j above.</p>			

As indicated in Table IV.N.3-7, the estimated cumulative water demand would be 13,142,472 gpd, or approximately 14,710 afy. The estimates of water demand are conservative estimates since they do not account for greater-than-required water conservation measures that projects may implement or for existing land uses that the Related Projects would replace. In addition, the estimated water demand for the Related Projects assumes that all of the Related Projects are not only built, but are built at the densities assumed in Chapter III, Environmental Setting, and not at reduced scales.

The LADWP is expected to have a reliable supply of 675,700 afy of water in 2040 during an average weather year to service an estimated demand of 675,700 afy based on anticipated growth, which would include projects that are accounted for within SCAG's RTP/SCS. As stated in LADWP's 2015 UWMP, with its current water supplies, planned future water conservation, and planned future water supplies, the LADWP will be able to reliably provide water to its customers through 2040. In addition, the LADWP will reduce water consumption through conservation, increase recycled water use (including both non-potable and indirect potable reuse), and reduce reliance on imported water from the MWD. The MWD's 2015 UWMP shows that with its investments in storage, water transfers and other improvements, water shortages are not expected to occur within the next 25 years. As previously indicated, both the 2015 UWMP and 2015 IRP anticipate a surplus of available water to meet projected demand.

Compliance by the Project and the Related Projects with regulatory requirements that promote water conservation, such as the CALGreen Code, the Los Angeles Green Building Code, LA's Green New Deal, and the LAMC also assures that adequate water supplies would be available. In addition, as with the Project, Related Projects would be required to comply with the requirements of SB 610 and prepare a WSA for projects that meet the criteria to do so, in order to verify that water will be available to meet each project's demand.

As determined in Section IV.J, Population and Housing of this Draft EIR, the Related Projects would generate population, housing, and employment growth within the 2045 SCAG projections identified in Connect SoCal (the 2020-2045 RTP/SCS) for the City. As LADWP's UWMP would be based on SCAG data, the Related Projects that are consistent with SCAG's growth projections are included in the projected water demand of the City. Additionally, as previously stated, LADWP expects to have a reliable supply of up to 675,700 afy of water in 2040 during an average weather year, which would service the water demand generated by the Project and Related Projects. **As such, the Project's contribution to water supply impacts would not be cumulatively considerable, and cumulative impacts would be less than significant.**

(2) Mitigation Measures

Cumulative water supply impacts would be less than significant. Thus, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative water supply impacts were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

IV. Environmental Impact Analysis

N.4 Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Infrastructure

1. Introduction

The following section analyzes the Project’s potential impacts upon electric power, natural gas and telecommunications infrastructure. This section focuses on the existing infrastructure serving the Project area and the potential for environmental impact to occur as a result of any physical improvements that may be necessary to accommodate the Project. The information presented in this section is based in part on the information provided by the City of Los Angeles Department of Water and Power (LADWP) and the Utilities Technical Report (Utilities Report) provided in Appendix N of this Draft EIR. Potential impacts associated with energy demand and energy conservation policies are evaluated in Section IV.C, Energy.

2. Environmental Setting

a) Regulatory Framework

There are several plans, policies, and programs regarding Electric Power, Natural Gas, and Telecommunications Infrastructure at the federal, State of California (State), and local levels. Described below, these include:

- United States Department of Energy (the Energy Policy Act of 2005),
- California Independent System Operator
- California Public Utilities Commission
- California Energy Commission
- California Senate Bill 1389
- California Senate Bill 649
- City of Los Angeles Information Technology Agency
- City of Los Angeles Municipal Code Section 10.5.4

(1) Federal

The United States (U.S.) Department of Energy (DOE) is the federal agency responsible for establishing policies regarding energy conservation, domestic energy production and infrastructure. The Federal Energy Regulatory Commission (FERC) is an independent federal agency, officially organized as part of the DOE which is responsible for regulating interstate transmission of natural gas, oil and electricity, reliability of the electric grid and approving of construction of interstate natural gas pipelines and storage facilities. The Energy Policy Act of 2005 has also granted FERC with additional responsibilities of overseeing the reliability of the nation's electricity transmission grid and supplementing state transmission siting efforts in national interest electric transmission corridors.

FERC has authority to oversee mandatory reliability standards governing the nation's electricity grid. FERC has established rules on certification of an Electric Reliability Organization (ERO) which establishes, approves and enforces mandatory electricity reliability standards. The North American Electric Reliability Corporation has been certified as the nation's ERO by FERC to enforce reliability standards in all interconnected jurisdictions in North America. Although FERC regulates the bulk energy transmission and reliability throughout the U.S., the areas outside of FERC's jurisdictional responsibility include state level regulations and retail electricity and natural gas sales to consumers which falls under the jurisdiction of state regulatory agencies.

The Federal Communications Commission (FCC) requires all new cellular tower construction to be approved by the state or local authority for the proposed site and comply with FCC rules involving environmental review. Additionally, the Telecommunications Act of 1996 requires construction of new cellular towers to comply with the local zoning authority.

(2) State

California energy infrastructure policy is governed by three institutions: the California Independent System Operator (California ISO), the California Public Utilities Commission (CPUC), and the California Energy Commission (CEC). These three agencies share similar goals, but have different roles and responsibilities in managing the State's energy needs. The majority of State regulations with respect to electricity and natural gas pertain to energy conservation. For a discussion of these regulations, refer to Section VI.C, Energy. There are, however, regulations pertaining to infrastructure. These are discussed further below.

(a) *California Independent System Operator*

The California ISO is an independent public benefit corporation responsible for operating California's long-distance electric transmission lines. The California ISO is led by a five-

member board appointment by the Governor and is also regulated by FERC. While transmission owners and private electric utilities own their lines, the California ISO operates the transmission system independently to ensure that electricity flows comply with federal operational standards. The California ISO analyzes current and future electrical demand and plans for any needed expansion or upgrade of the electric transmission system.

(b) California Public Utilities Commission

The CPUC establishes policies and rules for electricity and natural gas rates provided by private utilities in California such as Southern California Edison and Southern California Gas Company (SoCalGas). Public owned utilities such as the LADWP do not fall under the CPUCs jurisdiction. The Digital Infrastructure and Video Competition Act of 2006 (DIVCA) established the CPUC as the sole cable/video TV franchising authority in the State. DIVCA took effect January 1, 2007.

The CPUC is overseen by five commissioners appointed by the Governor and confirmed by the State Senate. The CPUC's responsibilities include regulating electric power procurement and generation, infrastructure oversight for electric transmission lines and natural gas pipelines and permitting of electrical transmission and substation facilities.

(c) California Energy Commission

The CEC is a planning agency which provides guidance on setting the State's energy policy. Responsibilities include forecasting electricity and natural gas demand, promoting and setting energy efficiency standards throughout the State, developing renewable energy resources and permitting thermal power plants 50 megawatts and larger. The CEC also has regulatory specific regulatory authority over publicly owned utilities to certify, monitor and verify eligible renewable energy resources procured.

(d) California Senate Bill 1389

Senate Bill (SB) 1389 (Public Resources Code Sections 25300–25323), adopted in 2002, requires the development of an integrated plan for electricity, natural gas, and transportation fuels. Under the bill, the CEC must adopt and transmit to the Governor and Legislature an Integrated Energy Policy Report every two years. In 2018, the CEC decided to write the Integrated Energy Policy Report in two volumes. The Volume I, which was published on August 1, 2018, highlights the implementation of California's innovative policies and the role they have played in moving toward a clean energy economy. Volume

II, which was adopted in February 2019, identifies several key energy issues and actions to address these issues and ensure the reliability of energy resources.¹

(e) *California Senate Bill 649*

SB 649 requires small cellular installations be on vertical infrastructure and on property outside of public rights-of-way. The installation is required to comply with all applicable federal, State, and local health and safety regulations. Additionally, cellular equipment that is no longer in use is required to be removed at no cost to the City.

(3) **Local**

(a) *City of Los Angeles Information Technology Agency*

The City of Los Angeles (City) Information Technology Agency (ITA) is responsible for a broad spectrum of services related to technology services to both internal and external customers. These range from classic IT services, such as computer support, enterprise applications, data networks, and a 24/7 data center to progressive digital services, such as a TV station (LACityview), 3-1-1 Call Center, public safety radio/microwave communications, helicopter avionics, enterprise social media, and more.

ITA's Video Services Regulatory Division advises the Mayor and City Council on certain issues relating to video/cable TV services and private telecommunications franchises. The Division regulates and monitors the compliance of video/cable TV services and franchises issued by the CPUC. More specifically, it ensures that video/cable TV service providers comply with local, State, and federal laws and oversees the video/cable TV service interests of City residents.

(b) *City of Los Angeles Municipal Code Section 10.5.4*

Section 10.5.4 of the City of Los Angeles Municipal Code (LAMC) states that telecommunications providers are required to comply with all City, State, and federal regulations during installation and operation of equipment. Additionally, each lease, sublease, or license facilitated by telecommunications providers are required to seek approval from the City.

b) Existing Conditions

(1) **Electricity**

LADWP provides electrical service throughout the City and many areas of the Owens Valley, serving approximately 4 million people within a service area of approximately 465

¹ CEC. 2019. 2018 Integrated Energy Policy Report Updated, Volume II. February.

square miles, excluding the Owens Valley.² Electrical service provided by the LADWP is divided into two planning districts: Valley and Metropolitan. The Valley Planning District includes the LADWP service area north of Mulholland Drive, and the Metropolitan Planning District includes the LADWP service area south of Mulholland Drive. The Project Site is located within LADWP's Metropolitan Planning District.

LADWP generates power from a variety of energy sources, including hydropower, coal, gas, nuclear sources, and renewable resources, such as wind, solar, and geothermal sources. According to LADWP's 2017 Power Strategic Long-Term Resources Plan, the LADWP has a net dependable generation capacity greater than 7,531 megawatt, and the LADWP power system experienced an instantaneous peak demand of 6,432 megawatt.³ Approximately 36.7 percent of LADWP's 2020 electricity purchases were from renewable sources, which is similar to the statewide percentage of 33.1 percent electricity purchases from renewable sources.⁴

According to the Utilities Report, the Project Site would receive power from existing lines in the area. Specifically, as discussed in the Utilities Report, there are existing overhead electrical lines around the site on Colyton Street, East 4th Street, and South Hewitt Street with service connections leading into the Project Site. Electrical power to the Project Site is conveyed by electrical service lines located in the Project vicinity along Colyton Street, East 4th Street, and South Hewitt Street.⁵

The LADWP supplies electricity to the existing uses on the Project Site, including the 7,800-square-foot building fronting Colyton Street that was formerly occupied by the Architecture and Design (A+D) Museum,⁶ which the Project would retain; an ancillary 1,000-square-foot storage space associated with the 7,800-square-foot building; a 3,515-square-foot office structure fronting South Hewitt Street; and associated 2,515-square-foot garage/storage space (7,030 square feet, combined) that would be removed. As the electricity demand associated with the office structure and garage/storage spaces to be removed is nominal relative to the proposed new uses, and as the 7,800-square-foot building would be retained, quantification of electricity demand from existing uses on the Project Site is not provided. Therefore, the net increase in electricity demand of the Project would be lower than the conservative values presented in this analysis.

² LADWP. Power Facts and Figures. Available at: https://www.ladwp.com/ladwp/faces/ladwp/aboutus/a-power/a-p-factandfigures?_adf.ctrl-state=hnc0fjmeu_4&_afLoop=984220520947121. Accessed on December 1, 2021.

³ LADWP. 2017. 2017 Power Strategic Long-Term Resources Plan. December.

⁴ LADWP. Power Content Label. Available at <https://www.ladwp.com/powercontent>. Accessed December 9, 2021.

⁵ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report. February. (Appendix N.)

⁶ At the time that the Notice of Preparation for the Project was issued (September 20, 2017), the CEQA baseline for the Project, the building was occupied by the A+D Museum. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. The Project's requested discretionary approvals would not physically alter the 7,800-square-foot building.

(2) Natural Gas

Natural gas is provided to the Project Site by SoCalGas. SoCalGas is the principal distributor of natural gas in Southern California, serving residential, commercial, and industrial markets. SoCalGas serves approximately 21.8 million customers in more than 500 communities encompassing 24,000 square miles throughout Central and Southern California, from the City of Visalia to the U.S.-Mexico border.⁷

SoCalGas receives gas supplies from several sedimentary basins in the western U.S. and Canada, including supply basins located in New Mexico (San Juan Basin), West Texas (Permian Basin), the Rocky Mountains, and Western Canada, as well as local California supplies.⁸ The traditional, southwestern U.S. sources of natural gas will continue to supply most of SoCalGas's natural gas demand. The Rocky Mountain supply is available but is used as an alternative supplementary supply source, and the use of Canadian sources provide only a small share of SoCalGas supplies due to the high cost of transport.⁹ Gas supply available from California sources averaged 97 million cubic feet per day in 2019 (the most recent year for which data is available).¹⁰

SoCalGas supplies natural gas to the Project Site from natural gas service lines located in the Project vicinity. Locally, there is a four-inch gas line in Colyton Street, a four-inch gas line in East 4th Street, and a two-inch gas line in South Hewitt Street that provide natural gas (SoCalGas) service in the Project area.¹¹ As natural gas demand associated with the existing uses to be removed is nominal relative to the proposed new uses, and as the existing 7,800-square-foot building would be retained, quantification of natural gas demand from existing uses on the Project Site is not provided. Therefore, the net increase in electricity demand of the Project would be lower than the conservative values presented in this analysis.

(3) Telecommunications

Telecommunication services are provided to the Project Site by existing facilities in all adjacent streets by Charter Communications, Crown Castle and Wilcon. There are aerial and underground Charter Communications facilities in the area, as well as underground Crown Castle and Wilcon fiber optic utilities along East 4th Street.¹²

⁷ SoCalGas. Company Profile. Available at: <https://www.socalgas.com/about-us/company-profile>. Accessed on April 26, 2021.

⁸ California Gas and Electric Utilities. 2020 California Gas Report. Decision D.95-01-039.

⁹ California Gas and Electric Utilities. 2020 California Gas Report. Decision D.95-01-039.

¹⁰ California Gas and Electric Utilities. 2020 California Gas Report. Decision D.95-01-039.

¹¹ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Project Utilities Technical Report. February 23. (Appendix N.)

¹² Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Project Utilities Technical Report. February 23. (Appendix N.)

3. Project Impacts

a) Thresholds of Significance

In accordance with Appendix G of the State CEQA Guidelines, the Project would have a significant impact related to energy infrastructure if it would:

***Threshold a): Require or result in the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*¹³**

For this analysis, the Appendix G Thresholds are relied upon. The analysis utilizes factors and considerations identified in the 2006 L.A. City CEQA Thresholds Guide (L.A. CEQA Thresholds Guide), as appropriate, to assist in answering the Appendix G Threshold questions. The L.A. CEQA Thresholds Guide identifies the following criteria to evaluate energy infrastructure:

- *Would the project result in the need for new (off-site) energy supply facilities, or major capacity enhancing alterations to existing facilities?*

b) Methodology

This environmental impact analysis considers the potential impacts of the Project on existing energy infrastructure by comparing the estimated Project energy demand with the available capacity. Will-serve letters from the LADWP and SoCalGas included in Appendix N of this Draft EIR demonstrate the availability of sufficient energy resources to supply the Project's demand.

Project energy usage, including electricity and natural gas, was calculated using the California Emissions Estimator Model, Version 2016.3.2. During Project construction, energy would be consumed in the form of electricity associated with the conveyance of water used for dust control (including supply and conveyance) and, on a limited basis, powering lights, electronic equipment, or other construction activities necessitating electrical power. Construction activities typically do not involve the consumption of natural gas. During Project operation, energy consumption would include electricity and natural gas from uses such as heating/ventilation/air conditioning; water heating, cooking, lighting, and use of electronics/appliances. Additional details regarding Project energy

¹³ Refer to Section IV.N.1, Utilities and Service Systems – Solid Waste, of this Draft EIR for a discussion of solid waste infrastructure; Section IV.N.2, Utilities and Service Systems – Wastewater, of this Draft EIR for a discussion of wastewater infrastructure; Section IV.N.3, Utilities and Service Systems – Water Supply and Infrastructure, of this Draft EIR for a discussion of water infrastructure; and Section IV.G, Hydrology and Water Quality, of this Draft EIR for a discussion of stormwater infrastructure.

usage are provided in Section IV.C, Energy, and Appendix D, Energy Calculations, of this Draft EIR.

The Project's estimated energy demands were also analyzed relative to LADWP's and SoCalGas' existing and planned energy supplies in 2025 (i.e., the Project buildout year) to determine if these two energy utility companies would be able to meet the Project's energy demands. Finally, the capacity of local infrastructure to accommodate the Project's estimated electricity and natural gas demand was assessed based on the Utilities Report, included as Appendix N of this Draft EIR.

c) Project Design Features

No specific energy infrastructure project design features are proposed with the Project. However, the Project includes project design features that are designed to reduce energy consumption, as described in Section IV.C, Energy, and Section IV.E, Greenhouse Gas Emissions.

d) Analysis of Project Impacts

Threshold a): Would the Project require or result in the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

(1) Impact Analysis

(a) Construction

(i) Electricity

As stated in Section IV.C, Energy, of this Draft EIR, electricity use related to lighting and electronic equipment during construction would vary throughout the construction period, depending on the particular construction activities performed at the time. Electricity to power construction activities would be provided by existing LADWP electricity infrastructure in the Project area. Construction activities would cease upon development of the Project, and the overall demand for electricity during construction would be negligible when compared to the Project operational phase which, as discussed in Operations below, would not require the expansion or development of new infrastructure. Therefore, existing off-site electrical infrastructure would not need to be developed or expanded to provide service to the Project during construction.

With regard to existing electrical distribution lines, the Applicant would be required to coordinate electrical infrastructure removals or relocations with LADWP and comply with

site-specific requirements set forth by LADWP, which would ensure that service disruptions and potential impacts associated with grading, construction, and development within LADWP easements are minimized. As such, construction of the Project is not anticipated to adversely affect the electrical infrastructure serving the surrounding uses or utility system capacity. **Therefore, construction of the Project would not result in an increase in demand for electricity that exceeds available supply or distribution infrastructure capabilities that could result in the relocation or construction of new or expanded electricity facilities, the construction or relocation of which could cause significant environmental effects.**

(ii) Natural Gas

The demolition, grading, and building development activities that would be associated with Project construction do not typically rely on natural gas as an energy source. Therefore, substantial quantities of natural gas would not be consumed in support of Project construction. However, the Project would involve installation of new natural gas connections to serve the Project Site. Since the Project Site is located in an area already served by existing natural gas infrastructure, it is anticipated that the Project would not require extensive off-site infrastructure improvements to serve the Project Site. Construction impacts associated with the installation of natural gas connections are expected to be confined to trenching in order to place the lines below surface. In addition, prior to ground disturbance, Project contractors would notify and coordinate with SoCalGas to identify the locations and depth of all existing gas lines and avoid disruption of gas service to other properties. **Therefore, construction of the Project would not result in an increase in demand for natural gas that exceeds available supply or distribution infrastructure capabilities that could result in the relocation or construction of new or expanded natural gas facilities, the construction or relocation of which could cause significant environmental effects.**

(iii) Telecommunications

The demolition, grading, and building development activities that would be associated with Project construction do not typically utilize telecommunications services such as landline telephones or satellite or cable for television. However, construction personnel would rely on wireless phones and two-way radios for on-site communications during construction, which do not require any physical development at the Project Site in order to operate. As previously described, Charter Communications and Crown Castle have aerial and/or underground facilities in the immediate vicinity of the Project site and that traverse the Project Site. As for all utility providers, prior to ground disturbance, Project contractors would notify and coordinate with the appropriate utility providers to identify the locations of all facilities in order to create temporary connections during construction to avoid disruptions to service to other properties, and to assure that service would be

maintained at the Project Site following construction. Any facilities that are moved during site clearance and excavation would be replaced, and aerial facilities along the Project Site frontages would be relocated underground. **Therefore, construction of the Project would not result in an increase in demand for telecommunications that exceeds available supply or distribution infrastructure capabilities that could result in the relocation or construction of new or expanded telecommunication facilities, the construction or relocation of which could cause significant environmental effects.**

(b) *Operation*

(iv) *Electricity*

As shown in Table IV.C-2 in Section IV.C, Energy, of this Draft EIR, the Project would result in an increase in electricity demand, namely for lighting and water conveyance. The Project's estimated operational electricity demand would be 4.82 million kilowatt hours per year. The LADWP forecasts that its total energy sales in the 2025-2026 fiscal year (the Project's buildout year) would be 22,380 gigawatt hours of electricity.¹⁴ As such, the Project's estimated annual usage of 4.82 million kilowatt hours per year would represent 0.02 percent of LADWP's projected sales for 2025.¹⁵ Furthermore, LADWP confirmed the Project's electricity demand can be served by the existing facilities in the Project Site area by specifically indicating "[t]he estimated power requirement for this proposed project is part of the total load growth forecast for the City and has been taken into account in the planned growth of the City's power system."¹⁶ **Therefore, Project operations would not result in an increase in demand for electricity that exceeds available supply or distribution infrastructure capabilities that could result in the relocation or construction of new electricity facilities, the construction or relocation of which could cause significant environmental effects.**

(v) *Natural Gas*

As shown in Table IV.C-2 in Section IV.C, Energy, of this Draft EIR, the Project would result in an increase in natural gas demand during operations, primarily for heating and cooking purposes. The Project's estimated net increase in operational natural gas demand would be 4.75 million kilo-British Thermal Units per year or approximately 5,186,274.5 cubic feet per year. The CEC estimates natural gas consumption within the SoCalGas' planning area will be approximately 2,342 million cubic feet per day in 2025¹⁷ (the Project's buildout year), or approximately 2,402.9 kilo-British Thermal Units per day.¹⁸

¹⁴ LADWP. 2018. 2018 Retail Electric Sales and Demand Forecast. November 5.

¹⁵ 1 gigawatt hour = 1,000,000 kilowatt hours.

¹⁶ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 401 Hewitt Request for Electric Service Information (March 1, 2017), February 23. (Appendix N.)

¹⁷ California Gas and Electric Utilities. 2020 California Gas Report. Decision D.95-01-039.

¹⁸ 1 million cubic feet natural gas = 1,026,000 kilo-British Thermal Units. Energy Star Portfolio Manager. Available at: <https://portfoliomanager.energystar.gov/pdf/reference/Thermal%20Conversions.pdf>. Accessed on March 11, 2022.

The Project's daily natural gas demand during operations would be approximately 14,506.7 kilo-British Thermal Units as shown in Appendix B, Air Quality Impact Analysis, which would represent 0.0006 percent of SoCalGas' forecasted natural gas consumption for 2025. In addition, correspondence with SoCalGas (Appendix N, Utilities Technical Report, of this Draft EIR) indicates that SoCalGas has facilities in the Project area to serve the Project.¹⁹ **Therefore, Project operations would not result in an increase in demand for natural gas that exceeds available supply or distribution infrastructure capabilities that could result in the relocation or construction of new natural gas facilities, the construction or relocation of which could cause significant environmental impacts.**

(vi) *Telecommunications*

The Project area is currently served by existing aerial and/or underground telecommunications facilities. Charter Communications and Crown Castle have existing aerial and/or underground facilities within the immediate vicinity to serve the Project Site during operations. Confirmation of the telecommunications providers and facilities that would provide service to the Project would be determined by the Applicant when service contracts are prepared and the Applicant submits Project electrical plans reflecting the estimated loads and recommended locations for the telecommunications facilities to the telecommunications providers. The telecommunications providers would work with the Applicant to design telecommunications systems. Since the Project Site is located in an area already served by existing telecommunications infrastructure, it is anticipated that the Project would not require extensive off-site infrastructure improvements or upgrades to serve the Project Site, as reported in the Utilities Technical Report (Appendix N). **Therefore, Project operations would not result in an increase in demand for telecommunications facilities that exceeds available supply or distribution infrastructure capabilities that could result in the relocation or construction of new telecommunications facilities or expansion of existing facilities, the construction or relocation of which could cause significant environmental impacts.**

(c) *Conclusion*

Construction and operation of the Project would result in a less-than-significant impact related to increased demands for electricity, natural gas, or telecommunications facilities that exceed available supply or distribution infrastructure capabilities that could result in the relocation or construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

¹⁹ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 405 S. Hewitt Request for Natural Gas Service Information (February 22, 2017). February 23. (Appendix N.)

(2) Mitigation Measures

Project impacts related to the relocation, expansion, or construction of energy facilities are less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project impacts related to the relocation, expansion, or construction of energy facilities were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

e) Cumulative Impacts

(1) Impact Analysis

(a) *Electricity*

Buildout of the Project, Related Projects, and additional forecasted growth in LADWP's service area, would cumulatively increase the demand for electricity supplies and infrastructure capacity. The LADWP forecasts that its total energy sales in the 2024-2025 fiscal year (the Project's buildout year) would be 22,380 gigawatt hours of electricity.²⁰ As such, the Project's estimated annual usage of 4.82 million kilowatt hours per year would represent 0.02 percent of LADWP's projected sales for 2025.²¹ Project development would result in the use of electricity resources generated by renewable and non-renewable sources during construction and operations. Furthermore, LADWP confirmed the Project's electricity demand can be served by the existing facilities in the Project area by specifically indicating "[t]he estimated power requirement for this proposed project is part of the total load growth forecast for the City and has been taken into account in the planned growth of the City's power system."²² LADWP's demand forecasts account for population growth, improvements in energy efficiency, and economic growth.²³ The LADWP's 2017 Power Strategic Long-Term Resources Plan, discussed above, serves as a comprehensive 20-year plan to supply reliable electricity to the City to meet the future demands of cumulative growth within its service area by implementing regulatory and reliability initiatives and strategic initiatives. The goal of the 2017 Power Strategic Long-Term Resources Plan is to identify a portfolio of generation resources and assets that meets the City's future energy needs at the lowest cost and risk consistent with LADWP's environmental priorities and reliability standards.

²⁰ LADWP. 2018. 2018 Retail Electric Sales and Demand Forecast. November 5.

²¹ 1 gigawatt hour = 1,000,000 kilowatt hours.

²² Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 401 Hewitt Request for Electric Service Information (March 1, 2017). February 23. (Appendix N.)

²³ LADWP. 2018. 2018 Retail Electric Sales and Demand Forecast. November 5.

According to the 2017 Power Strategic Long-Term Resources Plan, utilities are required to forecast the demand for energy and determine how that demand will be met. Meeting forecasted demand is accomplished by the planning and delivery of electric power generating resources through transmission and distribution systems.²⁴ Therefore, electricity supply and infrastructure are expanded by LADWP in response to increasing demand and improvements are ongoing. As for the Project, each of the Related Projects, although being located in LADWP's service area, would be required to obtain will-serve letters from LADWP to confirm service. As part of the will-serve letter process, LADWP takes into account all uses in the service area, including the Related Projects, to ensure local and regional infrastructure is adequate. Each of the Related Projects would be reviewed by LADWP to identify necessary power facilities and service connections to meet the Related Projects' electrical infrastructure needs. Development projects, including the Project and Related Projects, would be required to incorporate project- and site-specific infrastructure improvements, as necessary, thereby contributing to LADWP's infrastructure in the service area. The Project obtained a will-serve letter from the LADWP,²⁵ identifying that local electricity infrastructure would be sufficient to serve the Project. Therefore, construction and operation of the Project would not adversely affect LADWP electrical infrastructure. **As such, the Project's contribution to cumulative impacts related to the relocation, expansion, or construction of electricity facilities would not be cumulatively considerable and would be less than significant.**

(a) *Natural Gas*

Buildout of the Project, Related Projects, and additional forecasted growth in the SoCalGas service area would cumulatively increase the demand for natural gas supplies and infrastructure capacity. The Project would represent approximately 0.0006 percent of SoCalGas' forecasted natural gas consumption for 2025, the Project's buildout year. In addition, correspondence with SoCalGas (Appendix N, Utilities Technical Report, of this Draft EIR) indicates that SoCalGas has facilities in the Project area to serve the Project.²⁶ The 2020 California Gas Report provides demand forecasts to 2035, and states that North American gas supplies will be sufficient to meet the expected demand growth.²⁷ In addition, SoCalGas supplies (and more broadly, national and State supplies) and infrastructure/delivery capacity would be expanded to meet increasing demand.²⁸ Therefore, SoCalGas would continue to expand delivery capacity if necessary to meet demand increases within its service area (including the Project and Related Projects demand increases). As for the Project, each of the Related Projects, although being located in SoCalGas' service area, would be required to obtain will-serve letters from

²⁴ LADWP. 2017. 2017 Power Strategic Long-Term Resources Plan, Page 64. December.

²⁵ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report. February 23.

²⁶ Psomas. 2022. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix – 405 S. Hewitt Request for Natural Gas Service Information (February 22, 2017). February 23. (Appendix N.)

²⁷ California Gas and Electric Utilities. 2020 California Gas Report. Decision D.95-01-039.

²⁸ California Gas and Electric Utilities. 2020 California Gas Report. Decision D.95-01-039. See Gas Price Forecast – Market Condition, Pages 10 through 15; Gas Supply, Capacity, and Storage, Pages 111-117; and Peak Day Demand, Pages 139-141.

SoCalGas to confirm service. As part of the will-serve letter process, SoCalGas takes into account all uses in the service area, including the Related Projects, to ensure that sufficient local and regional infrastructure is adequate. Development projects, including the Project and Related Projects, within the SoCalGas service area would also be required to incorporate project- and site-specific infrastructure improvements, where necessary, thereby contributing to the SoCalGas infrastructure in the service area. SoCalGas issued a will-serve letter for the Project, identifying that adequate natural gas infrastructure is available to serve the Project. Therefore, construction and operation of the Project would not adversely affect the SoCalGas regional infrastructure. **As such, the Project's contribution to cumulative impacts related to the relocation, expansion, or construction of natural gas facilities would not be cumulatively considerable and would be less than significant.**

(b) *Telecommunications*

Similar to the Project, the Related Projects would create a demand for telecommunications infrastructure in the Project vicinity. On an ongoing basis and as development occurs, telecommunications service providers assess, design, and install additional infrastructure in response to projected demand. The Project plans to utilize existing telecommunications facilities provided by Charter Communications and Crown Castle within the immediate vicinity, as identified in Appendix N, Utilities Technical Report, of this Draft EIR. As the Related Projects are located within 1.5 miles of the Project Site and within the Downtown Los Angeles area, telecommunications infrastructure is already available in these urban infill locations. As for the Project, each Related Project applicant would be required to identify the telecommunications service providers that would serve those projects, confirm service, reposition existing telecommunication facilities that may need to be relocated to accommodate development, and construct the necessary project- and site-specific improvements that are required of each Related Project to meet its needs. If necessary, the telecommunications infrastructure improvements for Related Projects would be installed concurrently with project development and other utilities within the project development footprints and/or the existing adjacent roadway rights-of-way. **As such, the Project's contribution to cumulative impacts related to the relocation, expansion, or construction of telecommunications facilities would not be cumulatively considerable and would be less than significant.**

(2) Mitigation Measures

Cumulative impacts related to the relocation, expansion, or construction of energy facilities are less than significant without mitigation. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative impacts related to the relocation, expansion, or construction of energy facilities were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level remains less than significant.

V. Other CEQA Considerations

V. Other CEQA Considerations

1. Significant Unavoidable Impacts

Section 15126.2(c) of the California Environmental Quality Act (CEQA) Guidelines requires that an Environmental Impact Report (EIR) describe a project's significant environmental impacts that cannot be avoided, including those effects that can be mitigated but not reduced to a less than significant level. Based on the analysis included in Chapter IV, Impact Analysis, the Project would result in significant and unavoidable environmental impacts related to the following issues:

- Noise
 - Off-road construction equipment noise (Project-specific and cumulative impacts)
 - Composite construction activity noise (Project-specific and cumulative impacts)
 - Construction vibration (structural damage from off-road construction equipment) (Project-specific impact)
 - Construction vibration (human annoyance from on-road haul route trucks) (Project-specific and cumulative impacts)

All other impacts associated with the Project would be less than significant or reduced to a less-than-significant level following the implementation of mitigation measures.

a) Noise

(1) Off-road Construction Noise

(a) *Project-Specific Impact*

Off-road construction activities required to construct the Project would exceed the recommended noise threshold of 75 A-weighted decibels (dBA) at the closest sensitive use (the roof-mounted trailer at 428 South Hewitt Street). In addition, construction operations lasting more than 10 days would exceed the existing ambient exterior noise levels by 5 dBA or more at the property line for 428 South Hewitt Street, 442 Colyton

Street, and 449 South Hewitt Street. Mitigation Measure NOI-MM-1 (temporary sound barriers both on- and off-site) would not reduce the Project-specific noise levels at 442 Colyton Street and 449 South Hewitt Street to a less-than-significant level. At these two locations, it would be infeasible to construct a sound barrier that would block the line of site between construction of the higher floors of the Office Building and the receptors, and there is also insufficient space for a barrier along the southern property line due to the presence of existing buildings adjacent to the limits of demolition, excavation, and construction activity. For 428 South Hewitt Street, both an on-site ground floor barrier and a rooftop barrier located off-site would not reduce noise levels below the level of significance at 428 South Hewitt Street during building construction of the second through fifth floors and during paving of the second through fifth floors. In addition, the property owner may not agree to the off-site rooftop barrier at 428 South Hewitt Street. Therefore, the impact would remain significant and unavoidable at all three locations.

(b) *Cumulative Impact*

Off-road construction activities required to construct the Project would, in combination with the construction of Related Projects, exceed the recommended noise threshold of 75 dBA at the closest sensitive use (the roof-mounted trailer at 428 South Hewitt Street), and construction operations lasting more than 10 days may also exceed existing ambient exterior noise levels by 5 dBA or more at the property line for 428 South Hewitt Street, 442 Colyton Street, and 449 South Hewitt Street. As described above, there is no feasible mitigation to reduce the impact at 442 Colyton Street and 449 South Hewitt Street to a less-than-significant level, and as implementation of Mitigation Measure NOI-MM-1 (temporary sound barriers both on- and off-site) would not mitigate impacts at 428 South Hewitt Street to a less-than-significant level during all phases, and because it would require another property owner's approval, the cumulative impact would remain significant and unavoidable at all three locations.

(2) **Construction Composite Noise**

(a) *Project-Specific Impact*

The combined effect of the Project's off-road construction equipment and on-road hauling trucks would cause three sensitive receptors to experience noise levels in excess of the 5 dBA noise increase; 428 South Hewitt Street, 442 Colyton Street, and 449 South Hewitt Street. It is primarily construction noise and not haul truck noise that would influence the composite significant impact. As described above, there is no feasible mitigation to reduce the impact at 442 Colyton Street and 449 South Hewitt Street to a less-than-significant level, and as implementation of Mitigation Measure NOI-MM-1 (temporary sound barriers both on- and off-site) would not fully address impacts at 428 South Hewitt Street, and

would require another property owner's approval, the cumulative impact would remain significant and unavoidable at all three locations.

(b) Cumulative Impact

The combined effect of the Project's and Related Projects' off-road construction equipment and on-road hauling trucks would cause three sensitive receptors to experience noise levels in excess of the 5 dBA noise increase; 428 South Hewitt Street, 442 Colyton Street, and 449 South Hewitt Street. Mitigation Measure NOI-MM-1 (temporary sound barriers both on- and off-site) would not reduce the cumulative composite construction noise impact to a less-than-significant level. As described above, there is no feasible mitigation to reduce the impact at 442 Colyton Street and 449 South Hewitt Street to a less-than-significant level, and as implementation of Mitigation Measure NOI-MM-would not fully address impacts at 428 South Hewitt Street, and because it would require another property owner's approval, the cumulative impact would remain significant and unavoidable at all three locations. Therefore, the cumulative composite noise impact would remain significant and unavoidable at all three locations.

(3) Construction Vibration (Structural Damage from Off-road Construction Equipment)

(a) Project-Specific Impact

The closest vibration-sensitive receptors to the Project Site may experience significant vibration that exceeds the building damage threshold of 0.12 inches/second. Mitigation Measures NOI-MM-2, NOI-MM-3, and NOI-MM-4 would require pre-construction surveys to document the current physical conditions at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street; preparation of a demolition and shoring plan to ensure the proper protection and treatment of the properties at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street during construction; and implementation of a structural monitoring program for 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street, which would be required to reduce potential vibration damage at these fragile/possibly historic structures. However, because components of these measures require the consent of other property owners, who may not agree to implement all components of the recommended mitigation measures as stated, it is conservatively concluded that the Project-specific structural vibration impacts on the sensitive buildings located at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street is significant and unavoidable.

(4) Construction Vibration (Human Annoyance from On-road Haul Route Trucks)

(a) *Project-Specific Impact*

The Project-specific vibration (human annoyance) impact that would result from construction trucks traveling along the anticipated haul routes would be significant. Although this would be temporary, intermittent, and limited to when vehicles are traveling within 25 feet of an impacted structure, this human annoyance vibration impact would be significant and unavoidable, as there are no feasible mitigation measures to reduce the potential vibration human annoyance impact.

(b) *Cumulative Impact*

Related Projects in close proximity to the Project Site may have overlapping hauling routes during the construction period. Therefore, the cumulative vibration (human annoyance) impact that would result from construction trucks traveling along the anticipated haul routes for the Project in combination with Related Projects in the Project vicinity would be significant. Although this would be temporary, intermittent, and limited to when vehicles are traveling within 25 feet of an impacted structure, this human annoyance vibration impact would be significant and unavoidable, as there are no feasible mitigation measures to reduce the potential vibration human annoyance impact.

2. Reasons Why the Project is being Proposed, Notwithstanding Significant Unavoidable Impacts

Section 15126.2(c) of the State CEQA Guidelines also requires that an EIR describe the reasons why a project is being proposed, notwithstanding its significant unavoidable impacts. As detailed above, the Project would result in temporary, construction period significant and unavoidable noise and vibration impacts. The reason why the Project is proposed notwithstanding the identified significant and unavoidable impacts is rooted in the underlying purpose of the Project, which is to provide a high-density, mixed-use, transit- and pedestrian-oriented commercial development (with office and restaurant uses) on an urban infill site that creates job opportunities and supports the Arts District's other commercial businesses as well as residences. As listed in Chapter II, Project Description, the specific objectives for the Project are to:

1. Redevelop low-intensity parcels in the Arts District with a mix of high-density commercial land uses that provide an increased variety of job opportunities, thereby maximizing the creation of permanent jobs and economic investment in the City of Los Angeles (City) and the Arts District.

2. Introduce a range of high quality and high-density commercial space at the appropriate scale and intensity that would supply the increasing demand for office, incubator space, and innovative campus uses in the Arts District; contribute to the demand for office space; and provide neighborhood resources for the growing residential neighborhood within the Arts District.
3. Support the growing community of creative and commercial uses and burgeoning residential population in close proximity with additional office and restaurant options.
4. Represent the character of the Arts District by maintaining the bow truss structure and constructing a complementary multi-level building that incorporates unique exterior architectural treatments and publicly accessible open space that acts as a visual anchor.
5. Through the provision of the design, scale, and height of the Office Building, encourage pedestrian activity and commerce, and create open space opportunities, with ground floor, street-facing commercial spaces; a landscaped courtyard that would be open to public use and available for community and private events; a landscaped passageway that connects South Hewitt and Colyton Streets and promotes pedestrian access throughout the Project's street level; and balconies and a rooftop deck for the Project's office tenants.
6. Promote transit and mobility objectives and reduce vehicle miles traveled (VMT) by providing mixed-use commercial and office spaces proximate to existing and planned Downtown Los Angeles (DTLA) residential land uses and public transit facilities, including the Los Angeles County Metropolitan Transportation Authority (Metro) L (Gold) Line Little Tokyo/Arts District Station located at 1st and Alameda Streets, as well as the Metro and Downtown Area Short Hop bus stops located near East 4th and South Hewitt Streets.
7. Encourage the use of alternative forms of transportation through the provision of bicycle parking and showers; charging stations for electric vehicles; and preferential parking for fuel-efficient, low-emission, and carpool/vanpool vehicles.
8. Reduce the consumption of energy and water and minimize impacts on the environment through sustainable design features.

Although the Project would result in temporary, construction period significant and unavoidable noise and vibration impacts, it would also support several of the environmental, land use, and economic goals, objectives, and policies of the City for development in DTLA, as conveyed in the City of Los Angeles Framework Element (Framework Element), existing Central City North Community Plan (Community Plan),

and draft Downtown Community Plan,¹ as well as of the Southern California Association of Governments (SCAG) for the region per the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS) (refer to Section IV.H, Land Use and Planning). The Project would develop restaurant and office uses on an urban infill site, thereby increasing the density of land uses while increasing job opportunities and providing commercial amenities to residents and visitors of the area (through the provision of new restaurant spaces, office spaces, and the retention of the existing 7,800-square-foot building formerly occupied by the Architecture and Design [A+D] Museum). By attracting residents of the area and new employees to the Project Site to support businesses in the Arts District area, the Project would increase revenue for the City. The Project Site is also located in a Transit Priority Area (TPA), within one-half mile of the of the Metro Little Tokyo/Arts District Station and proximate to several bus stops. The Project would provide short- and long-term bicycle spaces and showers for the Office Building users, and it would also provide a passageway that links South Hewitt and Colyton Streets and sidewalks along portions of South Hewitt and Colyton Streets where none currently exist, in order to promote alternative means of mobility and to increase walkability and pedestrian connectivity in a safe manner.

In addition, the Project would comply with the California Green Building Standards Code (CALGreen), requirements of the California Building Code, would meet or exceed Title 24 standards, and would comply with the City of Los Angeles Building Code and City of Los Angeles Green Building Code (LAGBC), which are each designed to reduce the Project's water use and energy use, reduce waste, and reduce greenhouse gas (GHG) emissions. The Project is also designed to meet the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Silver - Green Building Rating System standards to reduce energy consumption as Project Design Feature GHG-PDF-1. The specific sustainability features that will be integrated into the Project design to enable the Project to meet this standard may include, but will not be limited to, the use of Energy Star rated products and appliances, high-efficiency wall and/or roof insulation, and light-emitting diode lighting or other energy-efficient lighting technologies, such as occupancy sensors or daylight harvesting and dimming controls, where appropriate, to reduce electricity use. The Project will also incorporate water efficiency features as WS-PDF-1, which will include the following water efficiency features: high efficiency toilets with a flush volume of 1.1 gallons per flush, or less; showerheads with a flow rate of 1.5 gallons per minute, or less; domestic water heating system located in close proximity to point(s) of use; drip/subsurface Irrigation (micro-irrigation)/bubblers for trees; proper hydro-zoning/zoned irrigation; and drought tolerant plants.

¹ The City of Los Angeles is currently preparing the Downtown Community Plan, which will replace the Central City and Central City North Community Plans, when adopted. The City Planning Commission recommended approval of the Downtown Community Plan on September 23, 2021, but it has not yet been adopted.

Based on the information provided above, the Project provides a mixed-use development on an urban infill site that fulfills the overall goals, objectives, and policies of the City and SCAG to create sustainable cities and improve the quality of life throughout the City. Therefore, the benefits of the Project outweigh the temporary, significant and unavoidable noise and vibration impacts that would occur during Project construction. In addition, as described in Chapter VI, Alternative, no feasible alternative was identified that would avoid all of the significant and unavoidable Project impacts.

3. Significant Irreversible Environmental Changes

Section 15126.2(d) of the State CEQA Guidelines states that “uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irrecoverable commitments of resources should be evaluated to assure that such current consumption is justified.”

The Project would consume a limited amount of nonrenewable resources and renewable resources that are only replenished very slowly over time. As such resources are not likely to be renewed during our lifetime, their consumption by the Project is considered irreversible. The use of such resources would occur initially during the construction phase of the Project, and it would continue over the operational lifetime of the Project. During construction, the Project would use building and construction supplies, such as lumber and other wood products; aggregate materials, including sand and gravel, that are used to create concrete and asphalt; metals such as steel and copper; and petrochemical construction materials like plastics; electricity; water; and nonrenewable fossil fuels, including gasoline and oil, to operate construction vehicles and equipment and to transport materials and construction workers to and from the Project Site. Throughout the operational phase of the Project, the Project would continue to consume water, electricity, and gasoline and oil involved in the transportation of goods and people.

Despite the irreversible commitment of nonrenewable and slowly renewable resources, the Project would also contribute to the SCAG and City visions to focus development on infill properties and create land use patterns that offer a variety of residential, commercial, and public service uses (e.g., parks, schools, and public transit) in proximity to one another, so as to reduce VMT and by extension to reduce the consumption of transportation fuels and GHG emissions. The Project would include office and restaurant uses that would be compatible with the adjacent variety of land uses in the Arts District that includes a mix of industrial, office, innovation campuses, retail, restaurant, multi-family residential buildings, live/work units, parks, and surface parking lots. The Project

Site is also located within a TPA, placing office and restaurant jobs within one-half mile of the Metro Little Tokyo/Arts District Station and proximate to several bus stops. The Project would also provide short- and long-term bicycle spaces and increase pedestrian mobility in its immediate vicinity by offering a passageway that connects South Hewitt and Colyton Streets and by providing sidewalks along its Colyton and South Hewitt Street frontages where none currently exist. The Project would therefore achieve several of the goals, objectives, and policies of the Framework Element, SCAG's 2020-2045 RTP/SCS, and the South Coast Air Quality Management District Air Quality Management Plan that promote reducing VMT through increasing walkability and the use of public transit.

The Project would also comply with the CALGreen, the California Building Code, Title 24 standards, the City of Los Angeles Building Code, LAGBC, Sustainable City Plan and Green New Deal, which are each designed to reduce the Project's water use, energy use, solid waste (through the diversion of 75 percent of demolition and construction debris from landfills and the provision of recycling containers in the Office Building per the LAGBC), and GHG emissions. As previously described, the Project is also designed to meet the USGBC LEED Silver - Green Building Rating System standards as GHG-PDF-1, to reduce energy consumption, and will also include water efficiency features as WS-PDF-1, to support and promote environmental sustainability through a reduction in water demand. The Project would not exceed the available water supplies projected by the City of Los Angeles Department of Water and Power (LADWP), as confirmed by the Water Supply Assessment that LADWP prepared for the Project (attached as Appendix O1 and O2 of this Draft EIR). Therefore, the LADWP would be able to meet the Project water demand, in addition to meeting the existing and planned water demands of its service area.

In addition to the commitment of nonrenewable resources, significant irreversible change can result from environmental accidents associated with a project. As discussed in Section IV.E, Hazards and Hazardous Materials, of this Draft EIR, during Project Site preparation and construction activities, the Project would involve the routine transport, use, and disposal of hazardous materials that are typically necessary for demolition and the construction of commercial development, such as paints, building materials, adhesives, cleaners, and fuel for construction equipment and vehicles. Excavation would produce an estimated 75,200 cubic yards of soil that would be exported from the Project Site. Although subsurface investigations completed to date have not detected hazardous soil conditions, access was limited due to current development at the Project Site. Due to the proposed excavation activities, historical occupancies of the Project Site for vehicle repair and truck washing, and limited access to investigate the subsurface conditions in some on-site locations, the Project has the potential to uncover hazardous soil conditions that may create a significant hazard to the public or the environment. During operations of the Project, common hazardous materials, such as cleaning solvents used for janitorial

purposes, oils used in cooking and grill and oven cleaners, materials used for maintenance (such as lubricants or thinners), and materials used for landscaping (including fertilizers, pesticides, or chemicals for weed control) would be stored and used on-site. Therefore, the Project has the potential to expose the public or environment to hazardous materials, in the event of an unplanned release. However, the Project's transport, use, and disposal of construction-related hazardous materials during construction and operations would occur in accordance with the manufacturers' specifications for each material, as well as in conformance with applicable local, State, and federal regulations governing such materials and activities. To address potentially hazardous soil conditions during construction, the Project would also be required to implement Mitigation Measures HAZ-MM-1 (a Supplemental Phase II Subsurface Site Investigation) and HAZ-MM-2 (a Soil Management Plan). Compliance with these standards, regulations, and mitigation measures would avoid an accidental release that would cause significant and irreversible environmental change.

Although the Project would involve the use of nonrenewable and slowly renewable resources, the consumption would occur in accordance with the existing State and local regulations that govern the use of such materials and resources. The Project will also implement GHG-PDF-1 and WS-PDF-1 to reduce energy and water consumption, respectively. As such, the Project's irretrievable commitment of these resources is justified, and the irreversible changes to the environment related to the consumption of these resources by the Project would not be significant.

4. Growth-Inducing Impacts of the Project

Section 15126.2(e) of the State CEQA Guidelines requires that an EIR "discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in the population may further tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment."

a) Direct Growth by Economic Means

The Project Site is currently developed with a 7,800-square-foot building formerly occupied by the A+D Museum, which would remain in place. A storage space for the 7,800-square-foot building (in a separate 1,000-square-foot structure), a one-story office

structure and related garage/storage space (6,030 square feet combined), and associated surface parking lots (approximately 39,751 square feet) are also located on the Project Site and would be demolished as part of the Project. The Project would total approximately 343,925 square feet of gross floor area, which would consist of the approximately 7,800-square-foot building and approximately 336,125 square feet of the Office Building. The Office Building would be comprised of approximately 8,149 square feet of ground floor restaurant uses, 311,682 square feet of office uses, and 16,294 square feet of office exterior common areas. The Project would also provide pedestrian connectivity between South Hewitt and Colyton Streets, in addition to short- and long-term bicycle parking spaces, a bicycle repair area, and shower facilities.

Development of the Project would therefore increase density at the Project Site and would create additional employment opportunities in the Community Plan area. Both construction period jobs and operational period jobs that would be generated by the Project are anticipated to be filled by residents in the greater Los Angeles area. The Project would include office and restaurant uses that would be compatible with the adjacent variety of land uses in the Arts District that includes a mix of industrial, office, innovation campuses, retail, restaurant, multi-family residential buildings, parks, and surface parking lots. The Project Site is also located within a TPA, placing office and restaurant jobs within one-half mile of the Metro Little Tokyo/Arts District Station and proximate to several bus stops. The Project's uses and employment opportunities, as discussed in detail in Section IV.J, Population and Housing, would not represent substantial unplanned growth in the City or SCAG region. As the Project would provide job opportunities, concentrate redevelopment near public transit opportunities, facilitate bicycle and pedestrian mobility, and provide commercial amenities for residents, it would also fulfill the City's goals related to reducing VMT, reducing emissions, placing employment opportunities proximate to residential uses, and concentrating development on infill properties, as conveyed in the Framework Element, existing Community Plan, and draft Downtown Community Plan. Accordingly, the Project would not induce unanticipated direct economic growth. The Project does not include residential land uses and would therefore not foster direct housing or population growth.

b) Indirect Growth by the Extension of Utilities and Infrastructure

The Project Site is located in the urbanized area of DTLA, within the Arts District, which is served by existing infrastructure and utilities, including roads and water, sewer, electricity, gas, and telecommunications facilities, as well as other community service facilities, such as public transit stops and police and fire protection facilities. Therefore, the Office Building would tie into the existing utilities and infrastructure in the Project area, and any service connections or upgrades to the water, sewer, electricity, gas, and

telecommunications facilities would be sized to serve only the demand of the Project. The Project would not require the expansion or addition of additional public service facilities, nor does it propose new roadways or other community service facilities. As the Project would not introduce new development, nor accompanying utilities or infrastructure, into an area that is not already serviced, it would not indirectly induce a substantial amount of growth that is not already anticipated and planned for by the City and SCAG.

5. Potential Secondary Effects of Mitigation Measures

Section 15126.4(a)(1)(D) of the State CEQA Guidelines states that “if a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed.” The mitigation measures that are required to avoid or reduce the significant environmental impacts of the Project are summarized in Table I-1, Summary of Impacts and Mitigation Measures, of Chapter I, Introduction and Executive Summary. These mitigation measures were reviewed for their potential to result in significant secondary environmental impacts, which is addressed below, organized by environmental topic.

a) Cultural Resources

As detailed in Section IV.B, Cultural Resources, of this Draft EIR, Mitigation Measure CUL-MM-1 states that a qualified archaeologist shall be present during construction activities on the Project Site such as demolition, clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. The activities to be monitored shall also include off-site improvements in the vicinity of the Project Site, such as utility, sidewalk, or road improvements. The frequency of monitoring shall be based on the rate of excavation and grading activities, the materials being excavated (younger sediments vs. older sediments), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. In the event that historic or prehistoric 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, as part of Mitigation Measure CUL-MM-1, which would also require that all archaeological 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 (PRC) Section 21083.2 (g), the Qualified Archaeologist shall coordinate with the Applicant and the Department of City Planning to develop a formal treatment plan that would serve to reduce impacts to the resources. 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. As part of Mitigation Measure CUL-MM-3, the Qualified Archaeologist shall prepare a final report and complete the appropriate California Department of Parks and Recreation Site Forms. The report shall include a description of archaeological resources unearthed, if any; treatment of the resources; results of the artifact processing, analysis, research; and an evaluation of the resources with respect to the California Register and CEQA. These mitigation measures represent procedural actions that would be beneficial to the protection and/or documentation of archaeological resources that may be encountered during Project development. Therefore, implementation of these mitigation measures would not result in significant and adverse secondary environmental impacts.

b) Hazards and Hazardous Materials

Mitigation Measures HAZ-MM-1 and HAZ-MM-2 are required to avoid potential impacts related to reasonably foreseeable upset and accident conditions involving the release of hazardous materials from soil conditions into the environment, as described in Section IV.E, Hazards and Hazardous Materials, of this Draft EIR. Mitigation Measure HAZ-MM-1 requires retaining a qualified environmental professional to perform a Supplemental Phase II Subsurface Site Investigation. In the event that soils contaminated by petroleum products or other hazardous chemicals are encountered during the investigation, the qualified environmental professional shall be retained to oversee the proper characterization and disposal of waste and remediation of impacted soil and/or materials, as necessary. In addition, Mitigation Measure HAZ-MM-2 requires preparation of a Soil Management Plan, to be implemented during soil-disturbing activities on the Project Site. The Soil Management Plan shall establish policies and requirements for the testing, management, transport, and disposal of soils. The Soil Management Plan shall describe specific soil-handling controls required to assure compliance with local, State, and federal overseeing agencies, as well as to prevent unacceptable exposure to contaminated soil and prevent the improper disposal of contaminated soils, if encountered. Therefore, implementation of these mitigation measures would not result in significant and adverse secondary environmental impacts.

c) Noise

As described in Section IV.I, Noise, implementation of Mitigation Measures NOI-MM-1 through NOI-MM-4 are subject to off-site property owner agreement. If implemented, Mitigation Measure NOI-MM-1 would reduce noise levels during the construction period by placing a temporary construction barrier on the rooftop of 428 South Hewitt Street, near the edge of the rooftop facing the Project Site, as well as a temporary barrier of approximately 300 feet in length and 24 feet in height, located at the eastern edge and southeastern corner of the Project Site, during the Project demolition and grading phases

and when equipment is used on the ground floor during building construction and paving. Upon completion of these construction phases, the barriers would be removed. Therefore, implementation of this mitigation measure would not result in significant and adverse secondary environmental impacts.

Additionally, Mitigation Measures NOI-MM-2, NOI-MM-3, and NOI-MM-4 would alleviate potential impacts of construction period vibration on fragile buildings, if implemented. Mitigation Measure NOI-MM-2 would involve retaining the services of a structural engineer or other qualified professional to conduct pre-construction surveys to document the current physical conditions at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street. Mitigation Measure NOI-MM-3 would require preparation of a demolition and shoring plan to ensure the proper protection and treatment of the properties at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street during construction, and Mitigation Measure NOI-MM-4 would involve retaining an acoustical engineer or other qualified professional to develop and implement a structural monitoring program, including performance standards, during construction, as well as repairing damage to the identified off-site properties, if necessary. As these mitigation measures would involve the documentation of existing physical conditions, monitoring of vibration levels during construction, and the repair of the identified off-site properties should damage occur as a result of vibration impacts that occur during temporary Project construction activities, they would not result in significant and adverse secondary environmental impacts.

6. Impacts Found Not to be Significant

Section 15128 of the State CEQA Guidelines requires that an EIR contain a statement that indicates the reasons that various possible significant effects of a project are determined not to be significant and are therefore not discussed in detail in the EIR. This statement may be provided in the form of an Initial Study (IS).

A Notice of Preparation (NOP) and IS concerning the EIR for the Project were circulated for a 30-day review period that began on September 20, 2017 and closed on October 20, 2017. Through preparation of the IS, the City of Los Angeles Department of City Planning (Department of City Planning) identified the environmental issues to be analyzed in the EIR. The analyses presented in the IS also describe how construction and operation of the Project would not result in potentially significant impacts to other environmental issues that would therefore not warrant further analysis in the EIR. As described in greater detail in Appendix A2, Initial Study, the Project would not result in potentially significant impacts to the environmental topics and issues listed below, which are represented by the associated Threshold. The Thresholds (i.e., the State CEQA Guidelines Appendix G Environmental Checklist questions, as modified by the Department of City Planning) shown below are as they appeared in the 2017 NOP and IS, based on the format and

language of the State CEQA Guidelines Appendix G Environmental Checklist questions in effect at the time.

- Aesthetics Thresholds a, b, c, and d
- Agriculture and Forestry Resources Thresholds a, b, c, d, and e
- Air Quality Threshold e
- Biological Resources Thresholds a, b, c, d, e, and f
- Geology and Soils Thresholds a.iv and e
- Hazards and Hazardous Materials Thresholds e, f, and h
- Hydrology and Water Quality Thresholds g and h
- Land Use and Planning Thresholds a and c
- Mineral Resources Thresholds a and b
- Noise Thresholds e and f
- Population, Housing, and Employment Thresholds b and c
- Public Services – Schools, Parks, and Other Public Facilities Thresholds c, d, and e
- Recreation Thresholds a and b
- Transportation and Traffic Threshold c
- Utilities and Service Systems (Solid Waste Regulations) Threshold g

In November 2018, the California Natural Resources Agency finalized updates to the State CEQA Guidelines, including to the Appendix G Environmental Checklist questions. The changes were approved by the Office of Administrative Law and filed with the Secretary of State. With the exception of revised guidance for the analysis of transportation impacts related to Senate Bill (SB) 743, the revised State CEQA Guidelines

became effective on December 28, 2018. Furthermore, and as described in greater detail in Chapter I, Introduction and Executive Summary, the City formally adopted the State CEQA Guidelines and Appendix G of the State CEQA Guidelines as the Department of City Planning CEQA thresholds on May 2, 2019, in order to ensure compliance with the new State law and associated future updates.

Pursuant to the State CEQA Guidelines updates and the Department of City Planning's related adoption of the updates, the thresholds (based on the State CEQA Guidelines Appendix G Environmental Checklist questions) that are utilized to determine the significance of the Project's potential environmental impacts in this Draft EIR were updated from the Appendix G Environmental Checklist questions/thresholds that were utilized in the 2017 IS that was prepared for the Project. The new thresholds are presented in Chapter IV, Impact Analysis, and the Project impacts are evaluated against these updated thresholds.

However, for those environmental topics and thresholds that were scoped out of the EIR analysis (listed above) as a result of a finding of "no impact" or "less than significant" when evaluated against the thresholds that were in effect for the Project's 2017 IS, it is important to affirm here that substantive changes did not occur between the prior and current Appendix G Environmental Checklist questions/thresholds to the point that new analysis is warranted or issues scoped out of the EIR by the Project's 2017 IS now need to be addressed in the EIR. It should be noted, though, that two environmental topics, Energy and Wildfire, were added to the current State CEQA Guidelines Appendix G Environmental Checklist. With regard to Energy, this environmental category and associated thresholds are evaluated in Section IV.C, Energy. With regard to Wildfire, the questions/thresholds under this environmental topic only pertain to projects that are located in or near State Responsibility Areas or Very High Fire Hazard Severity Zones. As described in response to Question h (related to wildland fires) in Section VIII, Hazards and Hazardous Materials, of the Project's 2017 IS, the Project Site is located in an urban area, and no wildlands are present on the Project Site or surrounding area. Furthermore, the Project Site is not located within a City-designated Very High Fire Hazard Severity Zone. Therefore, the Project would result in no impact related to Wildfire, and this environmental topic does not warrant further analysis in the EIR.

At the time the NOP and IS were published and circulated for public review in 2017, the methodology of the Department of City Planning was to include an analysis of potential Project effects related to aesthetics for **informational purposes only**, despite the fact that the urban infill Project Site is located in a TPA within 0.5 mile of the Metro L (Gold) Line Little Tokyo Station, the Project represents an employment center, and under SB 743 [Public Resources Code (PRC) Section 210099(d)] the Project is exempt from such analysis. (Refer to Chapter II, Project Description, for additional information regarding this exemption and its applicability to the Project.) However, since 2017, the Department of

City Planning has revised its methodology and now strictly applies the guidance of SB 743 and PRC Section 210099(d). As the Project meets the criteria for the exemption from a finding of significance for aesthetics impacts, an analysis of aesthetics is not warranted and is not included in this Draft EIR.

VI. Alternatives

VI. Alternatives

1. Introduction

The State California Environmental Quality Act (CEQA) Guidelines require that an Environmental Impact report (EIR) identify and evaluate a reasonable range of alternatives that are designed to avoid or substantially lessen one or more of the significant environmental impacts of the proposed project while meeting most of the basic project objectives. The CEQA Guidelines also set forth the intent and extent of the alternatives analysis to be provided in an EIR. Those key considerations are discussed below.

Section 15126.6(a) of the State CEQA Guidelines states:

“An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.”

a) Purpose of the Alternatives Analysis

Section 15126.6(b) of the State CEQA Guidelines states that,

“Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment, the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.”

b) Selection of a Reasonable Range of Alternatives

Section 15126.6(c) of the State CEQA Guidelines states:

“The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the Lead Agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency’s determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.”

c) Evaluation of Alternatives

Section 15126.6(d) of the State CEQA Guidelines states:

“The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed.”

d) The No Project Alternative

Section 15126.6(e) of the State CEQA Guidelines states:

“(1) The specific alternative of “no project” shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The no project alternative analysis is not the baseline for determining whether the proposed project’s environmental impacts may be significant, unless it is identical to the existing environmental setting analysis which does establish that baseline.

(2) The “no project” analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time

environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the “no project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

(3) A discussion of the “no project” alternative will usually proceed along one of two lines:

(A) When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy or operation into the future. Typically, this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan.

(B) If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the “no project” alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this “no project” consequence should be discussed. In certain instances, the no project alternative means “no build” wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis should identify the practical result of the project’s non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment.

(C) After defining the no project alternative using one of these approaches, the lead agency should proceed to analyze the impacts of the no project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.”

e) Rule of Reason

Section 15126.6(f) of the State CEQA Guidelines states:

“The range of alternatives required in an EIR is governed by a “rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the

basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making.

(1) Feasibility. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives.”

(2) Alternative locations.

(A) Key question. The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.

(B) None feasible. If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reasons in the EIR. For example, in some cases there may be no feasible alternative locations for a geothermal plant or mining project which must be in close proximity to natural resources at a given location.

(C) Limited new analysis required. Where a previous document has sufficiently analyzed a range of reasonable alternative locations and environmental impacts for projects with the same basic purpose, the lead agency should review the previous document. The EIR may rely on the previous document to help it assess the feasibility of potential project alternatives to the extent the circumstances remain substantially the same as they relate to the alternative.

(3) An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative.”

2. Overview of Selected Alternatives to the Project

As indicated above, the intent of the alternatives analysis is to avoid or substantially lessen the significant impacts of a project while feasibly attaining the basic project objectives. Based on the analyses provided in Chapter IV, Environmental Impact Analysis, implementation of the Project would result in a significant impact that cannot be feasibly mitigated to a less-than-significant level with respect to construction period noise and vibration.

Therefore, based on the significant environmental impacts of the Project, the basic objectives established for the Project, public input received during the scoping period, the existing zoning designation on the Project Site, and the feasibility of the alternatives considered, the alternatives to the Project listed below were selected for evaluation.

- Alternative 1: No Project Alternative
- Alternative 2: Current Zoning and Land Use Designation Alternative
- Alternative 3: Downtown Community Plan¹ Alternative

Table VI-1, Summary of Alternatives, provides a summary and comparison of each alternative analyzed. Each of these alternatives is also described in detail in the sections that follow.

Table VI-1
Summary of Alternatives

Land Uses and Features	Project	Alternative 1 No Project	Alternative 2 Current Zoning and Land Use Designation	Alternative 3 Downtown Community Plan
Proposed Office (including Exterior Areas) ^a	327,976 sf	0 sf	70,039 sf	0 sf (included in live/work sf below)
Proposed Retail or Restaurant	8,149 sf	0 sf	8,149 sf	8,149 sf
Proposed Residential, Number of Live/Work Units	0 sf, 0 units	0 sf, 0 units	0 sf, 0 units	70,039 sf, 44 units
Existing Uses to Remain	7,800 square feet (sf) (former Architecture and Design [A+D] Museum) ^b	7,800 sf (former A+D Museum); 1,000 sf storage space; 3,515 sf office space; 2,515 sf garage/storage space; Surface Parking (96 spaces)	7,800 sf (former A+D Museum)	7,800 sf (former A+D Museum)

¹ City of Los Angeles Department of City Planning. Downtown Community Plan Update/New Zoning for Downtown Community Plan. Available at: <https://planning.lacity.org/development-services/eir/downtown-community-plan-updatenew-zoning-code-downtown-community-plan>. Accessed on May 13, 2021.

Land Uses and Features	Project	Alternative 1 No Project	Alternative 2 Current Zoning and Land Use Designation	Alternative 3 Downtown Community Plan
Existing Uses to be Demolished	7,030 square feet (1,000 sf storage space; 3,515 sf office space; 2,515 sf garage/storage space); Surface Parking (96 spaces)	0	7,030 square feet (1,000 sf storage space; 3,515 sf office space; 2,515 sf garage/storage space); Surface Parking (96 spaces)	7,030 square feet (1,000 sf storage space; 3,515 sf office space; 2,515 sf garage/storage space); Surface Parking (96 spaces)
Proposed Number of Parking Levels, Number of Parking Spaces	7 levels, (3 below-grade, 4 above-grade) 660 spaces	0 levels, 0 spaces (existing spaces to remain)	2 levels, (above-grade) 178 spaces	1 level, (above-grade) 89 spaces
Proposed Parking Area (not included in Floor Area)	254,881 sf	0 sf	71,305 sf	35,559 sf
Proposed Open Space (Publicly Accessible)	Yes	No	No	No
Proposed Maximum Height	297 feet (ft)	23 ft	108.5 ft	96 ft
Proposed Floor Area Ratio (FAR)	6:1	0.26:1	1.5:1	1.5:1
Proposed Total Levels Above Grade	18 (includes 4 parking levels)	0 (1 existing to remain)	5 (includes 2 parking levels)	5 (includes 1 parking level)
Proposed Total Levels Below Grade	3 (parking levels)	0	0	0
Grading Quantity	75,200 cubic yards (cy)	0 cy	5,205 cy	5,205 cy
Total Floor Area^c	343,925 sf	14,830 sf	85,988 sf	85,988 sf
Net Increase in Floor Area^c	329,095 sf	0 sf	71,158 sf	71,158 sf

Land Uses and Features	Project	Alternative 1 No Project	Alternative 2 Current Zoning and Land Use Designation	Alternative 3 Downtown Community Plan
<p>^a Project land use “office exterior common area” contributes to the floor area, as it is a covered area.</p> <p>^b At the time that the Notice of Preparation for the Project was issued (September 20, 2017), the CEQA baseline for this Draft EIR, the building was occupied by the A+D Museum. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized.</p> <p>^c Excludes area associated with parking, as parking areas are not calculated in floor area.</p>				

3. Alternatives Considered but Rejected as Infeasible

As required by the State CEQA Guidelines, Section 15126.6(c), an EIR is required to identify the alternatives that were considered for analysis but that were rejected as infeasible, as well as briefly explain the reasons they were rejected. The factors that may be used to eliminate an alternative from further consideration include the inability of the alternative to meet the basic Project objectives, the infeasibility of the alternative, and/or the inability of the alternative to avoid the significant environmental impacts that were identified for the Project. The Project alternatives that were considered but rejected as infeasible are described below.

a) Alternative Site Location

LIG – 900, 910 and 926 E. 4th St., 405-411 S. Hewitt St., LLC (Applicant) is the owner of the Project Site. It is not expected that the Applicant could reasonably locate, acquire, and control another urban infill site in the City of Los Angeles (City) within the timeline of the Project. Regardless, in the event that the acquisition of an urban infill alternative site was feasible, it is anticipated that a project developed on such a site within the City would result in similar significant and unavoidable construction period noise and vibration impacts as the Project. As described in Section IV.I, Noise, the Project would result in significant and unavoidable noise impacts from off-road construction activities and from composite construction activities (concurrent off-road construction activities and on-road, or construction vehicle, or hauling, travel). The Project would also result in significant and unavoidable vibration (building damage) impacts from off-road construction activities and vibration (human annoyance) impacts from on-road, construction vehicle, or hauling, travel. Urban infill sites are generally surrounded by development and often receptors that are sensitive to noise and/or vibration. In addition, sensitive receptors are typically located at some point along the roadways leading to an urban infill project site that passenger, delivery, and/or construction vehicles would travel on in order to access such a site.

Therefore, since the Applicant does not control another comparable site in the City, and as a project developed on another urban infill site within the City would result in similar significant and unavoidable construction period noise and vibration impacts as the Project, an alternative site location was rejected from further consideration as infeasible and is not included in this analysis.

b) Alternatives that Avoid the Significant and Unavoidable Construction Period Noise and Vibration Impacts of the Project

As previously described above and detailed in Section IV.I, Noise, the Project would result in significant and unavoidable noise impacts from off-road construction activities and from composite construction activities (concurrent off-road construction activities and on-road, or construction vehicle, or hauling, travel). The Project would also result in significant and unavoidable vibration (building damage) impacts from off-road construction activities and vibration (human annoyance) impacts from on-road, construction vehicle, or hauling, travel. Therefore, the scenarios discussed below were considered in an effort to develop an alternative that would avoid the significant and unavoidable construction period noise and vibration impacts of the Project. As shown, none of these scenarios would achieve this goal, due to the constraints of the Project Site (its limited 1.31-acre size), the proximity of sensitive receptors to the Project Site, and the proximity of sensitive receptors to the haul route.

(1) Omit Subterranean Parking Levels and Excavation Activities

The Project includes the development of three subterranean parking levels, as well as four above-grade parking levels, in addition to the ground floor restaurant/office and upper floor office levels in the Office Building. As discussed in Section IV.I, Noise, of this Draft EIR, the Project's significant and unavoidable noise impacts include off-road construction equipment noise (Project-specific and cumulative impacts); construction composite noise (Project-specific and cumulative impacts); construction vibration (structural damage from off-road construction equipment) (Project-specific impact); and construction vibration (human annoyance from on-road haul route trucks) (Project-specific and cumulative impacts). Implementation of Mitigation Measures NOI-MM-1 through NOI-MM-4 would not reduce these impacts to a less-than-significant level; and implementation of some of the measures cannot be guaranteed as they require off-site property owner consent.

In order to eliminate the need for the excavation and export of 75,200 cubic yards of soils from the Project Site, this scenario would relocate the three subterranean parking levels

to above-grade, for a total of seven above-grade parking levels. This scenario was rejected from further consideration, based on the following factors:

- Although the elimination of excavation activities would reduce the use of construction equipment pieces during the grading phase (e.g. a bulldozer and haul trucks) that generate significant and unavoidable construction period noise and vibration (building damage and human annoyance) levels, the same equipment would still be utilized to demolish existing site uses; to prepare and level the site for new construction; and to collect, remove, and transport demolished materials and surface soils from the site. Therefore, the significant and unavoidable construction period noise and vibration (building damage and human annoyance) impacts of the Project would still occur in this scenario, though to a lesser extent.
- Although substantial excavation activities at the Project Site would be eliminated in this scenario by relocating four subterranean parking levels to above grade, noise produced during the building construction phase (including foundation work, building construction and finishing,) and paving phase would still occur. The noise level would be similar to that of the Project, as the same pieces of equipment would be utilized in this scenario, including, but not limited to, a forklift, loader, and crane. The significant and unavoidable construction period noise impact of the Project from the use of construction equipment to construct the building would not be avoided in this scenario.
- The City's policies support the provision of subterranean parking over above-grade parking, in order to encourage ground-level pedestrian activities.

(2) Extend the Duration of the Construction Period

In this scenario, the Project construction period would be extended to reduce the amount of daily construction activity that would occur. However, this scenario was rejected from further consideration, based on the following factors:

- This scenario assumes that the number of construction equipment pieces operating at a given time would be reduced. As shown in Table VI-2, Reduced Construction Equipment Noise Levels, noise levels would reach up to 80 A-weighted decibels (dBA) L_{eq} (L_{eq} being a steady-state energy level equal to the energy content of the time varying period) at the nearest sensitive receptor during the demolition phase, which would be the loudest. This noise level would combine with the existing ambient noise level of 65 dBA L_{eq} to produce a noise level of 80.1 dBA, which is a 15.1 dBA increase above existing ambient noise levels. This noise level increase would exceed the City's noise standard of a 5 dBA increase above existing ambient noise levels. Therefore, the significant and unavoidable

construction noise impact from off-road equipment use of the Project would remain. Due to the proximity of the closest noise-sensitive receptor (80 feet, located at 428 South Hewitt Street), it is not feasible to reduce the construction noise impact from off-road equipment use to below the level of significance, since even two pieces of operating equipment exceeds the threshold, as shown. In addition, prolonging the construction period would be inefficient and would increase the number of days that sensitive receptors would be impacted by construction activities.

- The construction period vibration (building damage) impact of the Project that would occur to adjacent structures as a result of the use of construction equipment at the property line would be significant and unavoidable. As the vibration impact analysis is based on a peak vibration level from individual equipment, this impact would not be avoided in this scenario, because the same equipment would still be used for demolition and excavation activities. Similarly, the construction period vibration (human annoyance) impact of the Project that would occur to sensitive receptors (residences) along the haul route structures due to heavy construction vehicle travel would not be avoided in this scenario, as soils would still be exported from the site.

Table VI-2
Reduced Construction Equipment Noise Levels

Phase	Equipment	Average Noise Level at 50 ft (dBA Leq)	Quantity	Total (dBA Leq)	Noise Level at 428 South Hewitt Street (dBA Leq)	Ambient Noise Level (dBA Leq)	Project Construction Plus Ambient (dBA Leq)	Increase (dBA Leq)	Exceeds (dBA Leq)
Demolition	Dozer	78	1	84	80	65	80.1	15.1	Yes
	Concrete Saw	83	1						
Grading	Grader	81	1	83	79	65	79.2	14.2	Yes
	Dozer	78	1						
Building Construction	Generator Set	78	1	80	76	65	76.3	11.3	Yes
	Loader/Backhoe	74	1						
	Crane	73	1						
Paving	Paver	74	1	79	75	65	75.4	10.4	Yes
	Loader/Backhoe	74	1						
	Roller	76	1						

Source: Envicom Corporation. 2022.

(3) Central Development Location

A scenario in which the footprint of the Project's Office Building is reduced in size and moved to the center of the site, in order to increase the distance between sensitive receptors and construction activities, was considered. However, this scenario was rejected from further consideration, based on the following factors:

- The Project Site is 1.31 acres in size and irregular in shape (L-shaped). The Project Site dimensions are approximately 295 feet in width from Colyton Street to South Hewitt Street, 250 feet in length from the northern boundary to the southern boundary towards the South Hewitt Street side, and approximately 150 feet in length from the northern boundary to the southern boundary towards the Colyton Street side. Therefore, limited space would be available to increase setbacks from the property boundaries enough to reduce off-road construction equipment noise levels to below the level of significance. In addition, the same demolition, excavation, and site preparation activities that would result in significant and unavoidable noise impacts with the Project would occur in this scenario, because these construction activities will still occur up to the property boundaries (where existing structures would be demolished and the subterranean parking levels would be constructed).
- The construction period vibration (building damage) impact of the Project that could potentially occur to adjacent structures as a result of the use of construction equipment at the property line would be significant and unavoidable, since implementation of Mitigation Measures NOI-MM-2 through NOI-MM-4 require the consent of off-site property owners for implementation. As the vibration impact analysis is based on a peak vibration level from individual equipment, this impact would not be avoided in this scenario, because such equipment would still be used for demolition and excavation activities. Similarly, the construction period vibration (human annoyance) impact of the Project that would occur to sensitive receptors (residences) along the haul route structures due to heavy construction vehicle travel would not be avoided in this scenario, as surface soils and demolished materials would still be exported from the site.

4. Format of the Alternatives Analysis

In accordance with CEQA Guidelines Section 15126.6(d), each alternative is evaluated in sufficient detail to determine whether the overall environmental impacts would be less, similar, or greater than the corresponding impacts of the Project. Furthermore, each alternative is evaluated to determine whether the Project's basic objectives, identified in Section II, Project Description, would be feasibly and substantially attained by the

alternative. The evaluation of each of the alternatives follows the process described below:

- a. The net environmental impacts of the alternative, after implementation of the same project design features as the Project and mitigation measures are determined for each environmental issue area analyzed in the Draft EIR.
- b. Post-mitigation significant and non-significant environmental impacts of the alternative and the Project are compared for each environmental issue area as follows:
 - Less: Where the net impact of the alternative would be clearly less adverse or more beneficial than the impact of the Project, the comparative impact is said to be “less.”
 - Greater: Where the net impact of the alternative would clearly be more adverse or less beneficial than the Project, the comparative impact is said to be “greater.”
 - Similar: Where the impact of the alternative and Project would be roughly equivalent, the comparative impact is said to be “similar.”
- c. The comparative analysis of the impacts is followed by a general discussion of whether the underlying purpose and basic Project objectives are feasibly and substantially attained by the alternative.

A summary matrix that compares the impacts associated with the Project with the impacts of each of the analyzed alternatives is provided in Table VI-3, Summary Comparison of Impacts Associated with the Alternatives and Impacts of the Project.

As evaluated in Appendix A2, Initial Study, and Chapter V, Other CEQA Considerations, The Project would not result in significant impacts related to Aesthetics, Agriculture and Forestry Resources, Biological Resources, Mineral Resources, Public Services – School Services, Public Services – Parks, Public Services – Other Public Facilities, Recreation, or Wildfire. Therefore, no further analysis of these topics is required or provided in this alternatives analysis.

Table VI-3
Summary Comparison of Impacts Associated with the Alternatives
and Impacts of the Project

Environmental Topic	Project	Alternative 1 No Project	Alternative 2 Current Zoning and Land Use	Alternative 3 Downtown Community Plan
Air Quality				
Air Quality Plan Consistency	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Regional Emissions – Construction	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Regional Emissions – Operation	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Localized Significance Thresholds – Construction	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Localized Significance Thresholds – Operation	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Toxic Air Contaminants – Construction	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Toxic Air Contaminants – Operation	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Micro-scale Impacts (Carbon Monoxide Hot Spots)	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Cultural Resources				
Historical Resources – Construction	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Historical Resources – Operation	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Archaeological Resources	Less than Significant with Mitigation	Less (No Impact)	Less	Less

Environmental Topic	Project	Alternative 1 No Project	Alternative 2 Current Zoning and Land Use	Alternative 3 Downtown Community Plan
			(Less than Significant with Mitigation)	(Less than Significant with Mitigation)
Human Remains	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Energy				
Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources – Construction	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources – Operation	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Plan for Renewable Energy or Energy Efficiency Consistency	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Geology and Soils				
Risk of Loss, Injury, or Death Involving Rupture of a Known Earthquake Fault, Seismic Ground Shaking, or Seismic-Related Ground Failure (including Liquefaction) – Construction	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Risk of Loss, Injury, or Death Involving Rupture of a Known	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)

Environmental Topic	Project	Alternative 1 No Project	Alternative 2 Current Zoning and Land Use	Alternative 3 Downtown Community Plan
Earthquake Fault, Seismic Ground Shaking, or Seismic-Related Ground Failure (including Liquefaction) – Operation				
Soil Erosion or Loss of Topsoil – Construction	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Soil Erosion or Loss of Topsoil – Operation	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Unstable Geologic Unit or Soils – Construction	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Unstable Geologic Unit or Soils – Operation	No Impact	Less (No Impact)	Similar (No Impact)	Similar (No Impact)
Expansive Soils – Construction	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Expansive Soils – Operation	No Impact	Less (No Impact)	Similar (No Impact)	Similar (No Impact)
Paleontological Resources	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Greenhouse Gas Emissions				
GHG Emissions	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Conflicts with GHG Emissions Reduction Plans	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Hazards and Hazardous Materials				
Transport, Use, or Disposal of Hazardous Materials – Construction	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)

Environmental Topic	Project	Alternative 1 No Project	Alternative 2 Current Zoning and Land Use	Alternative 3 Downtown Community Plan
Transport, Use, or Disposal of Hazardous Materials – Operation	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Upset and Accident Conditions - Methane	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Upset and Accident Conditions – Hazardous Soil Conditions	Less than Significant with Mitigation	Less (No Impact)	Less (Less than Significant with Mitigation)	Less (Less than Significant with Mitigation)
Upset and Accident Conditions – Hazardous Building Materials	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Emissions or Handling of Hazardous Materials within One-Quarter Mile of a School	No Impact	Similar (No Impact)	Similar (No Impact)	Similar (No Impact)
Section 65962.5 List of Hazardous Materials Sites	No Impact	Similar (No Impact)	Similar (No Impact)	Similar (No Impact)
Impairment of Emergency Response Plan or Emergency Evacuation Plan	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Hydrology and Water Quality				
Water Quality Standards, Waste Discharge Requirements, and Surface or Groundwater Quality Degradation – Construction	Less than Significant with Mitigation	Less (No Impact)	Less (Less than Significant with Mitigation)	Less (Less than Significant with Mitigation)
Water Quality Standards, Waste Discharge	Less than Significant	Greater (No Impact [No Change])	Similar (Less than Significant)	Similar (Less than Significant)

Environmental Topic	Project	Alternative 1 No Project	Alternative 2 Current Zoning and Land Use	Alternative 3 Downtown Community Plan
Requirements, and Surface or Groundwater Quality Degradation – Operation				
Groundwater Supply and Recharge – Construction	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Groundwater Supply and Recharge – Operation	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Drainage Pattern Alteration – Erosion and Siltation, Runoff Rate and On- and Off-Site Flooding, or Runoff and Stormwater Drainage System Capacity – Construction	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Drainage Pattern Alteration – Erosion and Siltation, Runoff Rate and On- and Off-Site Flooding, or Runoff and Stormwater Drainage System Capacity – Operation	Less than Significant	Greater (No Impact [No Change])	Similar (Less than Significant)	Similar (Less than Significant)
Release of Pollutants due to Inundation	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Conflicts with Water Quality Control Plans or Sustainable Groundwater Management Plan	Less than Significant with Mitigation	Less (No Impact)	Similar (Less than Significant with Mitigation)	Similar (Less than Significant with Mitigation)
Land Use and Planning				
Land Use Plan, Policy, or Regulation Conflicts	Less than Significant	Less (No Impact)	Less (Less than Significant, No Entitlement)	Less (Less than Significant, No Entitlement)

Environmental Topic	Project	Alternative 1 No Project	Alternative 2 Current Zoning and Land Use	Alternative 3 Downtown Community Plan
			Approvals Required for Zoning Consistency)	Approvals Required once the Downtown Community Plan is Adopted)
Noise				
Noise in Excess of Standards – Construction (Off-road Equipment)	Significant and Unavoidable (Project and Cumulative)	Less (No Impact)	Less (Significant and Unavoidable - Project and Cumulative)	Less (Significant and Unavoidable - Project and Cumulative)
Noise in Excess of Standards – Construction (On-road Traffic)	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Noise in Excess of Standards – Composite Construction	Significant and Unavoidable (Project and Cumulative)	Less (No Impact)	Less (Significant and Unavoidable - Project and Cumulative)	Less (Significant and Unavoidable - Project and Cumulative)
Noise in Excess of Standards – Operations (Roadway Traffic)	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Noise in Excess of Standards – Other Operations (Parking Structure, Mechanical Equipment, Loading Dock/Trash Collection, Garage Ventilation Equipment)	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Noise in Excess of Standards – Composite Operational Noise	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Groundborne Vibration – Construction (Off-	Significant and Unavoidable (Building Damage, Project)	Less (No Impact)	Less (Significant and Unavoidable -	Less (Significant and Unavoidable -

Environmental Topic	Project	Alternative 1 No Project	Alternative 2 Current Zoning and Land Use	Alternative 3 Downtown Community Plan
road Construction Activity)			Building Damage, Project)	Building Damage, Project)
Groundborne Vibration – Construction (On-road Construction Vehicles)	Significant and Unavoidable (Human Annoyance, Project and Cumulative)	Less (No Impact)	Less (Significant and Unavoidable - Human Annoyance, Project and Cumulative)	Less (Significant and Unavoidable - Human Annoyance, Project and Cumulative)
Groundborne Vibration – Operations	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Population and Housing				
Substantial Unplanned Population Growth – Construction	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Substantial Unplanned Population Growth – Operations	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Public Services – Fire Protection Services				
New or Physically Altered Facilities, Performance Objectives – Construction	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
New or Physically Altered Facilities, Performance Objectives – Operation	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Public Services – Police Protection Services				
New or Physically Altered Facilities, Performance Objectives – Construction	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)

Environmental Topic	Project	Alternative 1 No Project	Alternative 2 Current Zoning and Land Use	Alternative 3 Downtown Community Plan
New or Physically Altered Facilities, Performance Objectives – Operation	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Transportation				
Circulation Program, Plan, Ordinance, or Policy Conflicts	Less than Significant	Less (No Impact)	Greater (Less than Significant)	Greater (Less than Significant)
CEQA Guidelines Section 15064.3 (VMT) Conflicts or Inconsistency	Less than Significant	Less (No Impact)	Greater (Less than Significant)	Less (Less than Significant)
Hazards (Geometric Design Features) – Construction	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Hazards (Geometric Design Features) – Operations	Less than Significant	Less (No Impact)	Greater (Less than Significant)	Greater (Less than Significant)
Emergency Access – Construction	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Emergency Access – Operations	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Tribal Cultural Resources				
Tribal Cultural Resources – Listed or Eligible for Listing, or Determined by the Lead Agency to be Significant	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Utilities and Service Systems – Solid Waste				
Exceedance of Standards or of Infrastructure Capacity, or the Impairment of the	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)

Environmental Topic	Project	Alternative 1 No Project	Alternative 2 Current Zoning and Land Use	Alternative 3 Downtown Community Plan
Attainment of Solid Waste Reduction Goals – Construction				
Exceedance of Standards or of Infrastructure Capacity, or the Impairment of the Attainment of Solid Waste Reduction Goals – Operations	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Utilities and Service Systems – Wastewater				
New or Expanded Wastewater Facilities, and Wastewater System Capacity – Construction	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
New or Expanded Wastewater Facilities, and Wastewater System Capacity – Operation	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
Utilities and Services Systems – Water Supply and Infrastructure				
New or Expanded Water Facilities, and Sufficient Water Supplies – Construction	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)
New or Expanded Water Facilities, and Sufficient Water Supplies – Operation	Less than Significant	Less (No Impact)	Less (Less than Significant)	Less (Less than Significant)

Environmental Topic	Project	Alternative 1 No Project	Alternative 2 Current Zoning and Land Use	Alternative 3 Downtown Community Plan
Utilities and Services Systems – Electric Power, Natural Gas, and Telecommunications Infrastructure				
New or Expanded Electric Power, Natural Gas, and Telecommunications Facilities – Construction	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
New or Expanded Electric Power, Natural Gas, and Telecommunications Facilities – Operation	Less than Significant	Less (No Impact)	Similar (Less than Significant)	Similar (Less than Significant)
Total				
<i>Overall</i>	–	Less	Less	Less
Source: Envicom Corporation. 2022.				

5. Overview of the Project and Project Objectives

The Project includes the development of an 18-story office and commercial building (Office Building), adjacent to the existing one-story, 7,800-square-foot building formerly occupied by the Architecture and Design (A+D) Museum² on the Project Site, located at the southwest intersection of East 4th Street and South Hewitt Street. In order to construct the Office Building, the Project would demolish three of the four existing structures, including a detached storage building associated with the existing 7,800-square-foot building, a one-story office building, an associated garage/storage building, and surface parking lots. The Project would total approximately 343,925 square feet of gross floor area, comprised of the existing approximately 7,800-square-foot building, and the new approximately 336,125-square-foot Office Building, which includes approximately 8,149 square feet of ground floor restaurant space, 311,682 square feet of commercial office space, and 16,294 square feet of office exterior common areas. The Project would also

² At the time that the Notice of Preparation for the Project was issued (September 20, 2017), the CEQA baseline for this Draft EIR, the building was occupied by the A+D Museum. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. The Project's requested discretionary approvals would not physically alter the 7,800-square-foot building. The Project's proposed C2-2-RIO zoning would allow for a similar range of commercial land uses as compared to the existing M3-1-RIO zoning. The proposed change in zoning would not expand or increase the intensity of the allowable uses within the building. The zoning change of the Project would actually limit the use, as some of the currently allowed manufacturing and industrial uses would not be allowed with the proposed C2-2-RIO zoning.

include a publicly accessible landscaped outdoor courtyard on Colyton Street, and a passageway that connects Colyton and South Hewitt Streets and provides its primary access to the Office Building. The ground floor would include 112 bicycle parking spaces (40 short-term spaces and 72 long-term spaces), as well as amenities such as showers and a bicycle repair area for tenants. Vehicle parking spaces would be provided within three subterranean levels and on the 2nd through 5th floors of the Office Building. Office space would comprise the 6th through 17th floors, and office and mechanical equipment would comprise the 18th floor and rooftop level. In addition to the ground floor courtyard and passageway, outdoor amenity spaces within the Office Building would include balconies and decks provided on the 6th through 16th floors for commercial tenants. The Office Building would have a maximum height of 288 feet to the top of the 18th floor/mechanical roof, 292 feet to the top of the parapet, and a maximum height of 297 feet to the top of the elevator overrun. The Project's proposed floor area ratio (FAR) would be approximately 6:1.

Section 15124(b) of the State CEQA Guidelines requires that EIR project descriptions contain a statement of project objectives that include the underlying purpose of the project. The objectives for the Project are therefore listed below.

1. Redevelop low-intensity parcels in the Arts District with a mix of high-density commercial land uses that provide an increased variety of job opportunities, thereby maximizing the creation of permanent jobs and economic investment in the City of Los Angeles and the Arts District.
2. Introduce a range of high quality and high-density commercial space at the appropriate scale and intensity that would supply the increasing demand for office, incubator space, and innovative campus uses in the Arts District; contribute to the demand for office space; and provide neighborhood resources for the growing residential neighborhood within the Arts District.
3. Support the growing community of creative and commercial uses and burgeoning residential population in close proximity with additional office and restaurant uses.
4. Represent the character of the Arts District by maintaining the bow truss structure and constructing a complementary multi-level building that incorporates unique exterior architectural treatments and publicly accessible open space that acts as a visual anchor.
5. Through the provision of the design, scale, and height of the Office Building, encourage pedestrian activity and commerce, and create open space opportunities, with ground floor, street-facing commercial spaces; a landscaped courtyard that would be open to public use and available for community and private events; a landscaped passageway that connects South Hewitt and Colyton Streets

and promotes pedestrian access throughout the Project's street level; and balconies and a rooftop deck for the Project's office tenants.

6. Promote transit and mobility objectives and reduce vehicle miles traveled (VMT) by providing mixed-use commercial and office spaces proximate to existing and planned DTLA residential land uses and public transit facilities, including the Los Angeles County Metropolitan Transportation Authority (Metro) L (Gold) Line Little Tokyo/Arts District Station located at 1st and Alameda Streets, as well as the Metro and the Downtown Area Short Hop (DASH) bus stops located near East 4th and South Hewitt Streets.
7. Encourage the use of alternative forms of transportation through the provision of bicycle parking and showers; charging stations for electric vehicles; and preferential parking for fuel-efficient, low-emission, and carpool/vanpool vehicles.
8. Reduce the consumption of energy and water and minimize impacts on the environment through sustainable design features.

6. Analysis of Project Alternatives

a) Alternative 1: No Project Alternative

(1) Description of the Alternative

According to the State CEQA Guidelines, Section 15126.6(e)(3)(B), the 'no project' or 'no build' alternative for a development is a scenario in which any new project does not proceed, and the existing environmental setting is maintained. Therefore, the No Project Alternative assumes that no new development would occur on the 1.31-acre Project Site, and that the existing conditions would remain. Under Alternative 1, the existing 7,800-square-foot, bow truss building that fronts Colyton Street,³ with its 1,000-square-foot storage space; the existing 3,515-square-foot office space on South Hewitt Street, with its 2,515-square-foot garage/storage space; and 39,751 square feet of surface parking lots would continue to operate under the current M3-1-RIO (Heavy Industrial, Height District No. 1, River Improvement Overlay) zoning.

³ At the time that the Notice of Preparation for the Project was issued (September 20, 2017), the CEQA baseline for this Draft EIR, the building was occupied by the A+D Museum. In the summer of 2020, the A+D Museum moved out of the building and began operating virtually. The building is currently vacant. While there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized.

(2) Environmental Impacts

(a) Air Quality

(i) Air Quality Plan Consistency

Alternative 1 would not include any demolition, grading, excavation, or new construction activities, nor would it result in a change to the existing Project Site land uses. As Alternative 1 would not entail the use of construction equipment, generate construction trips, or develop new land uses that could create new sources emissions, Alternative 1 would not be conflict with federal, State of California (State), or local air quality plans, policies, or standards during construction or operations. Therefore, Alternative 1 would have no impact related to air quality plan conflicts, and the impact would be less than the Project's less-than-significant impact.

(ii) Regional Emissions – Construction

Alternative 1 would not include any demolition, grading, excavation, or new construction activities that could generate fugitive dust, diesel or gasoline emissions, and other regional emissions. Therefore, Alternative 1 would not result in construction-related regional emissions impacts, and impacts would be less than the Project's less-than-significant impact.

(iii) Regional Emissions – Operation

Alternative 1 would not include any new sources of regional emissions during operation from vehicular traffic, or electricity or natural gas consumption, beyond what is generated by the existing Project Site land uses that would be maintained. Alternative 1 would not result in operation-related regional emissions impacts, and impacts would be less than the Project's less-than-significant impact.

(iv) Localized Emissions – Construction

Alternative 1 would not include construction activities that could generate construction-related localized emissions. As such, Alternative 1 would not result in construction-related localized emissions impacts, and impacts would be less than the Project's less-than-significant impact.

(v) Localized Emissions – Operation

Alternative 1 would not include new development with new land uses that would increase vehicular traffic, or increase electricity or natural gas consumption. Thus, it would not result in increased localized emissions at the Project Site beyond what is generated by the existing Project Site land uses that would be maintained. Alternative 1 would not result

in operation-related localized emissions impacts, and impacts would be less than the Project's less-than-significant impact.

(vi) Toxic Air Contaminants – Construction

No construction-related toxic air contaminants (TACs) would be released by Alternative 1, as it would not entail any new development requiring construction activities. Alternative 1 would not result in construction-related TAC impacts, and impacts would be less than the Project's less-than-significant impact.

(vii) Toxic Air Contaminants – Operation

Alternative 1 would not include new development with new land uses or increase the intensity of existing operations on the Project Site that could generate additional TACs (such as increased diesel particulate matter from an increase in truck traffic). Therefore, Alternative 1 would not result in increased TACs at the Project Site beyond what is generated by the existing Project Site land uses that would be maintained. Alternative 1 would not result in operation-related TAC impacts, and impacts would be less than the Project's less-than-significant impact.

(viii) Micro-scale Impacts (Carbon Monoxide Hot Spots)

Alternative 1 would not increase vehicle trips during construction or operation because it does not include any new development or land uses. As the primary source of carbon monoxide (CO) is vehicular traffic, and Alternative 1 would not add vehicle trips to the Project area, it would not contribute to CO hotspots. Alternative 1 would not result in CO hotspot impacts, and impacts would be less than the Project's less-than-significant impact.

(b) Cultural Resources

(i) Historical Resources – Construction

As there are no historical resources on the Project Site and Alternative 1 would not entail construction activities that would potentially impact the potential Downtown Industrial Historic District, Alternative 1 would not result in impacts to historical resources (the potential Downtown Industrial Historic District), and impacts would be less than the Project's less-than-significant impact.

(ii) Historical Resources – Operation

As Alternative 1 would not change the character or density of the development on the Project Site, it would not impair the integrity of the potential Downtown Industrial Historic District as a whole to the degree that it would no longer be eligible for listing under the

National or California Registers or for local landmark designation programs. Alternative 1 would not result in impacts to historical resources during operation, and impacts would be less than the Project's less-than-significant impact.

(iii) Archaeological Resources

Alternative 1 would not entail construction activities, such as grading and excavation, that would potentially impact archaeological resources, if present. Therefore, Alternative 1 would not result in impacts to archaeological resources, and impacts would be less than the Project's less-than-significant impact (with mitigation incorporated).

(iv) Human Remains

Alternative 1 would not entail construction activities, such as grading and excavation, that would potentially impact human remains, if present. Therefore, Alternative 1 would not result in impacts to human remains, and impacts would be less than the Project's less-than-significant impact (with adherence to applicable regulations that address the inadvertent discovery of human remains).

(c) Energy

(i) Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources – Construction

Alternative 1 does not include construction activities that would require a short-term need for energy to construct new development in the form of vehicle fuels or electricity. Therefore, Alternative 1 would have no impact related to the wasteful, inefficient, or unnecessary consumption of these energy resources during construction, and impacts would be less than the Project's less-than-significant impact.

(ii) Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources – Operation

Alternative 1 does not include new development that requires additional energy resources beyond those consumed by the existing Project Site land uses that would be maintained. Therefore, Alternative 1 would have no impact related to the wasteful, inefficient, or unnecessary consumption of these energy resources during operation, and impacts would be less than the Project's less-than-significant impact.

(iii) Plan for Renewable Energy or Energy Efficiency Consistency

Alternative 1 would not increase the intensity of development at the Project Site that would increase the consumption of energy resources as compared to existing conditions. Therefore, Alternative 1 would have no impact related to conflicts with plans for renewable

energy or energy efficiency, and impacts would be less than the Project's less-than-significant impact.

(d) *Geology and Soils*

(i) *Risk of Loss, Injury, or Death Involving Rupture of a Known Earthquake Fault, Seismic Ground Shaking, or Seismic-Related Ground Failure (including Liquefaction) – Construction*

Alternative 1 would not include the construction of new or expanded development on the Project Site. Therefore, Alternative 1 would have no impact related to risks of loss, injury, or death involving rupture of known earthquake fault, seismic ground shaking, or seismic-related ground failure (including liquefaction) during construction, and impacts would be less than the Project's less-than-significant impact.

(ii) *Risk of Loss, Injury, or Death Involving Rupture of a Known Earthquake Fault, Seismic Ground Shaking, or Seismic-Related Ground Failure (including Liquefaction) – Operation*

Alternative 1 would not increase the intensity of development on the Project Site. Therefore, Alternative 1 would have no impact related to risks of loss, injury, or death involving rupture of known earthquake fault, seismic ground shaking, or seismic-related ground failure (including liquefaction) during operation beyond those of the existing condition, and impacts would be less than the Project's less-than-significant impact.

(iii) *Soil Erosion or Loss of Topsoil – Construction*

Alternative 1 would not include the construction of new or expanded development on the Project Site that would result in the exposure of soil to wind and rain during construction. Therefore, Alternative 1 would have no impact related to soil erosion or the loss of topsoil during construction, and impacts would be less than the Project's less-than-significant impact.

(iv) *Soil Erosion or Loss of Topsoil – Operation*

As Alternative 1 would not alter the existing conditions of the development on the Project Site, it would not result in the exposure of soils to wind and rain during operation. Therefore, Alternative 1 would have no impact related to soil erosion or the loss of topsoil during operation, and impacts would be less than the Project's less-than-significant impact.

(v) *Unstable Geologic Unit or Soils – Construction*

Alternative 1 would not include the construction of new development that could cause a geologic unit or soil to become unstable as a result of its construction activities. Therefore, Alternative 1 would have no impact related to unstable geologic units or soils during construction, and impacts would be less than the Project's less-than-significant impact.

(vi) *Unstable Geologic Unit or Soils – Operation*

As Alternative 1 would not increase or expand the development on the Project Site, it would have no impact related to unstable geologic units or soils during operation, and impacts would be less than the Project's less-than-significant impact.

(vii) *Expansive Soils – Construction*

Alternative 1 would not include the construction of new development that would disturb the soils underlying the Project Site. Therefore, Alternative 1 would have no impact related to expansive soils during construction, and impacts would be less than the Project's less-than-significant impact.

(viii) *Expansive Soils – Operation*

As Alternative 1 would not include any development on the Project Site, it would have no impact related to expansive soils during operation, and its impacts would be less than the Project's less-than-significant impact.

(ix) *Paleontological Resources*

Alternative 1 would not entail construction activities, such as grading and excavation, that would potentially impact paleontological resources, if present. Therefore, Alternative 1 would have no impacts to paleontological resources, and impacts would be less than the Project's less-than-significant impact (with adherence to the City's standard Conditions of Approval that address the inadvertent discovery of a paleontological resources).

(e) *Greenhouse Gas (GHG) Emissions*

(i) *GHG Emissions*

Alternative 1 would not involve the construction or operation of new development that would generate GHG emissions beyond the emissions currently generated by the existing land uses on the Project Site. Therefore, Alternative 1 would have no impacts related to increased GHG emissions during construction or operation, and impacts would be less than the Project's less-than-significant impact.

(ii) *Conflicts with GHG Reduction Plans*

Alternative 1 would not involve the construction or operation of new development that would generate GHG emissions beyond the emissions currently generated by the existing land uses on the Project Site. Therefore, Alternative 1 would have no impacts related to conflicts with plans to reduce GHG emissions, and impacts would be less than the Project's less-than-significant impact.

(f) *Hazards and Hazardous Materials*

(i) *Transport, Use, or Disposal of Hazardous Materials – Construction*

As Alternative 1 would not include the construction of new development that would utilize hazardous materials, it would have no impact related to the transport, use, or disposal of hazardous materials during construction, and impacts would be less than the Project's less-than-significant impact.

(ii) *Transport, Use, or Disposal of Hazardous Materials – Operation*

Alternative 1 would not develop new land uses or increase the intensity of existing land uses on the Project Site. Therefore, Alternative 1 would have no impact related to the transport, use, or disposal of hazardous materials during operation, and impacts would be less than the Project's less-than-significant impact.

(iii) *Upset and Accident Conditions – Methane*

As Alternative 1 would not include the construction or operation of new development, it would have no impact related to upset and accident conditions involving the release of methane during construction or operation. Such impacts would be less than the Project's less-than-significant impact.

(iv) *Upset and Accident Conditions – Hazardous Soil Conditions*

As Alternative 1 would not include the construction or operation of new development, it would have no impact related to upset and accident conditions involving hazardous soil conditions during construction or operation. Such impacts would be less than the Project's less-than-significant impact (with mitigation incorporated).

(v) *Upset and Accident Conditions – Hazardous Building Materials*

As Alternative 1 would not include the construction or operation of new development, it would have no impact related to upset and accident conditions involving hazardous building materials during construction or operation, and impacts would be less than the Project's less-than-significant impact.

(vi) *Emissions or Handling of Hazardous Materials within One-Quarter Mile of a School*

As Alternative 1 would not include the construction or operation of new development, it would have no impact related to emitting or handling hazardous materials within one-quarter of a school during construction or operation. Such impacts would be similar to the Project, which would also result in no impact.

(vii) *Section 65962.5 List of Hazardous Materials Sites*

Alternative 1 is not located on a site included the list of hazardous materials sites compiled pursuant to Section 65962.5 and would not include the construction or operation of new development. Therefore, like the Project, Alternative 1 would have no impact related to the Section 65962.5 list of hazardous materials sites during construction or operation and would not create a significant hazard to the public or the environment. Such impacts would be similar to the Project's impact.

(viii) *Impairment of Emergency Response Plan or Emergency Evacuation Plan*

As Alternative 1 would not include the construction or operation of new development, it would have no impact to emergency response plan or emergency evacuation plan implementation during construction or operation, and impacts would be less than the Project's less-than-significant impact.

(g) *Hydrology and Water Quality*

(i) *Water Quality Standards, Waste Discharge Requirements, and Surface or Groundwater Quality Degradation – Construction*

As Alternative 1 would not include the construction activities that could contribute to pollutant loading in runoff from the Project Site. Therefore, Alternative 1 would result in no impact related to water quality or discharge during construction, and impacts would be less than the Project's less-than-significant impact (with mitigation incorporated).

(ii) Water Quality Standards, Waste Discharge Requirements, and Surface or Groundwater Quality Degradation – Operation

As Alternative 1 would not include the operation of new development, it would not change water quality or discharge from the existing Project Site. Alternative 1 would result in no impact related to water quality or discharge during operation. Although Alternative 1 would result in no impact (no change) to water quality or discharge during operation, its impacts would be slightly greater than the Project's less-than-significant impact, as the Project would reduce runoff volume as compared to existing conditions, and it would also provide water quality BMPs.

(iii) Groundwater Supply and Recharge – Construction

Alternative 1 would not include the construction activities that would potentially encounter groundwater supplies or interfere with groundwater recharge. Therefore, Alternative 1 would have no impact on groundwater supply and recharge during construction, and impacts would be less than the Project's less-than-significant impact.

(iv) Groundwater Supply and Recharge – Operation

As Alternative 1 would not include the operation of new or expanded development that would potentially utilize groundwater, it would have no impact on groundwater supply and recharge during operation, and impacts would be less than the Project's less-than-significant impact.

(v) Drainage Pattern Alteration – Erosion and Siltation, Runoff Rate and On- and Off-Site Flooding, or Runoff and Stormwater Drainage System Capacity – Construction

As Alternative 1 would not include the construction of new development, it would have no impact on the existing drainage pattern on the Project Site during construction. Therefore, Alternative 1 would not result in substantial erosion; substantially increase the rate of surface runoff in a manner which would result in flooding or exceedance of existing or planned stormwater drainage systems; provide substantial additional sources of polluted runoff; or impede or redirect flood flows. Impacts would be less than the Project's less-than-significant impact.

(vi) Drainage Pattern Alteration – Erosion and Siltation, Runoff Rate and On- and Off-Site Flooding, or Runoff and Stormwater Drainage System Capacity – Operation

Alternative 1 would not include a new or expanded development that would change the Project Site's drainage pattern. As reported in the Water Resources Technical Study

prepared for the Project, due to the proposed increase in landscaping on the Project Site and proposed infiltration BMPs, the Project would reduce the Project Site's existing impervious coverage of 98.5 percent to 94 percent. From a hydrological perspective, this is a slight reduction, and the proposed impervious surface area would be considered to have the same properties as existing impervious surfaces during an intense rain event. In addition, the Project would reduce the amount of runoff and flow rate from the Project Site from the existing total of approximately 4.13 cubic feet per second to 3.97 cubic feet per second, during the 50-year (24-hour) rainfall event, which would be a reduction of 3.9 percent. With implementation of regulatory requirements, runoff volumes from the Project Site would decrease as compared to Alternative 1. Although Alternative 1 would result in no impact (no change) to drainage patterns on the Project Site during operation, its impacts would be slightly greater than the Project's less-than-significant impact, as the Project would reduce runoff volume.

(vii) Release of Pollutants due to Inundation

Alternative 1 would not include the construction or operation of new or expanded development on the Project Site that could release pollutants in the event of inundation. As such, Alternative 1 would have no impact related to the release of pollutants due to inundation during construction or operation, and impacts would be less than the Project's less-than-significant impact.

(viii) Conflicts with Water Quality Control Plans or Sustainable Groundwater Management Plan

As Alternative 1 would not include the construction or operation of new development, it would have no impact related to conflicts with water quality control plans or sustainable groundwater management plans during construction or operation. Impacts would be less than the Project's less-than-significant impact (with mitigation incorporated).

(h) Land Use and Planning

(i) Land Use Plan, Policy, or Regulation Conflicts

Alternative 1 would not develop new land uses or increase the intensity of existing land uses on the Project Site. Therefore, Alternative 1 would not conflict with the applicable land use plans, policies, or regulations that govern the Project Site land uses, including the General Plan Framework Element (Framework Element), Central City North Community Plan, and the City of Los Angeles Municipal Code (LAMC), among others, and its impacts would be less than the Project's less-than-significant impact.

(i) *Noise*

(i) *Noise in Excess of Standards – Construction (Off-road Equipment)*

Alternative 1 would not entail construction of a new or expanded land uses on the Project Site; therefore, construction activities and the use of noise-generating construction equipment would not occur. Alternative 1 would have no impact related to noise generated by off-road construction equipment, and impacts would be less than the Project's significant and unavoidable Project-level and cumulative off-road construction noise impacts.

(ii) *Noise in Excess of Standards – Construction (On-road Traffic)*

Alternative 1 would not entail construction of a new or expanded land uses on the Project Site; therefore, the use of construction vehicles (such as trucks for hauling exported soils) that generate noise would not occur. Alternative 1 would have no impact related to noise generated by on-road construction traffic, and impacts would be less than the Project's less-than-significant noise impact.

(iii) *Noise in Excess of Standards – Composite Construction*

As described above, Alternative 1 would not include any construction activities; therefore, the use of construction equipment and vehicles that combine to generate noise at off-site sensitive receptors would not occur. As a result, Alternative 1 would have no impact related to composite noise levels generated by construction equipment and vehicles. Impacts would be less than the Project's significant and unavoidable Project-level and cumulative composite construction-period noise impacts to off-site sensitive receptors.

(iv) *Noise in Excess of Standards – Operations (Roadway Traffic)*

Alternative 1 would not develop new land uses or increase the intensity of existing land uses on the Project Site; therefore, noise related to vehicular traffic generated by Alternative 1 would not increase and would be similar to existing conditions. Alternative 1 would have no impact related to roadway traffic noise during operations, and impacts would be less than the Project's less-than-significant impact.

*(v) Noise in Excess of Standards – Other Operations
(Parking Structure, Mechanical Equipment, Loading
Dock/Trash Collection, Garage Ventilation Equipment)*

Alternative 1 would not add new sources or expand existing noise sources on the Project Site, as it does not propose any new or expanded land uses. Therefore, Alternative 1 would have no impacts related to parking structure, mechanical equipment (heating, air conditioning, and ventilation [HVAC], for example), loading docks, or garage ventilation noise, and impacts would be less than the Project's less-than-significant impact.

*(vi) Noise in Excess of Standards – Composite Operational
Noise*

Alternative 1 would not add new land uses or increase the intensity of existing land uses on the Project Site that could increase noise levels. Therefore, Alternative 1 would have no impacts related to composite vehicular traffic, parking structure, mechanical equipment (HVAC, for example), loading docks, and garage ventilation noise, and impacts would be less than the Project's less-than-significant impact.

*(vii) Groundborne Vibration – Construction (Off-road
Construction Activity)*

Alternative 1 would not entail construction of a new or expanded land uses on the Project Site; therefore, the use of construction equipment that generates vibration that could potentially damage off-site buildings, or that would be perceptible to and annoy humans, would not occur. As a result, Alternative 1 would have no impact related to vibration from off-road construction activity, and impacts would be less than the Project's significant and unavoidable building damage vibration impacts to off-site buildings and less than the Project's less-than-significant human annoyance vibration impact from the use of off-road construction equipment during construction.

*(viii) Groundborne Vibration – Construction (On-road
Construction Vehicles)*

Alternative 1 would not entail construction of a new or expanded land uses on the Project Site; therefore, the use of construction vehicles (such as trucks for hauling exported soils) that generate vibration that could potentially damage off-site buildings, or that would be perceptible to annoy humans, would not occur. As a result, Alternative 1 would have no impact related to vibration from on-road construction vehicles, and impacts would be less than the Project's significant and unavoidable Project-level and cumulative human annoyance vibration impacts that would occur to sensitive receptors along the haul route and less than the Project's less-than-significant building damage vibration impact from off-site truck travel during construction.

(ix) Groundborne Vibration – Operations

Alternative 1 would not add new land uses or increase the intensity of existing land uses on the Project Site. Therefore, Alternative 1 would have no vibration impacts during operation, and impacts would be less than the Project's less-than-significant operation-related vibration impacts.

*(j) Population and Housing**(i) Substantial Unplanned Population Growth – Construction*

Alternative 1 entails no construction activities; therefore, it would have no impacts related to an increased demand for construction worker housing in the Project area, and the impact would be less than the Project's less-than-significant impact.

(ii) Substantial Unplanned Population Growth – Operations

Alternative 1 would not develop new land uses or increase the intensity of existing land uses on the Project Site. Therefore, the population at the Project Site would not increase. Alternative 1 would have no impact related to substantial unplanned population growth during operation, and the impact would be less than the Project's less-than-significant impact.

*(k) Public Services – Fire Protection Services**(i) New or Physically Altered Facilities, Performance Objectives – Construction*

Alternative 1 would not require construction activities; therefore, it would not result in a demand for City of Los Angeles Fire Department (LAFD) fire protection services during construction, nor would it slow the LAFD's response time or obstruct roadways used for emergency access. Alternative 1 would have no impact on fire protection services during construction, and the impact would be less than the Project's less-than-significant impact.

(ii) New or Physically Altered Facilities, Performance Objectives – Operation

Alternative 1 would not develop new land uses or increase the intensity of existing land uses on the Project Site. Therefore, Alternative 1 would not result in an increase in demand for fire protection services during operation, nor would it slow the LAFD's response time or obstruct roadways used for emergency access. Alternative 1 would have no impact on fire protection services during operation, and the impact would be less than the Project's less-than-significant impact.

(l) *Public Services – Police Protection Services*

(i) *New or Physically Altered Facilities, Performance Objectives – Construction*

Alternative 1 would not require construction activities; therefore, it would not result in a demand for City of Los Angeles Police Department (LAPD) police protection services during construction, nor would it slow the LAFD's response time or obstruct roadways used for emergency access. Alternative 1 would have no impact on police protection services during construction, and the impact would be less than the Project's less-than-significant impact.

(ii) *New or Physically Altered Facilities, Performance Objectives – Operation*

Alternative 1 would not develop new land uses or increase the intensity of existing land uses on the Project Site. Therefore, Alternative 1 would not result in an increase in demand for police protection services during operation, nor would it slow the LAPD's response time or obstruct roadways used for emergency access. Alternative 1 would have no impact on police protection services during operation, and the impact would be less than the Project's less-than-significant impact.

(m) *Transportation*

(i) *Circulation Program, Plan, Ordinance, or Policy Conflicts*

Alternative 1 would not develop new land uses or increase the intensity of the existing commercial or office land uses on the Project Site. Therefore, Alternative 1 would not generate construction- or operation-period vehicle trips or increase VMT, nor would it change access or vehicle, bicycle, or pedestrian circulation on or in the vicinity of the Project Site. Alternative 1 would have no impact related to conflicts with circulation programs, plans, ordinance, or policies, and impacts would be less than the Project's less-than-significant impact.

(ii) *CEQA Guidelines Section 15064.3 (VMT) Conflicts or Inconsistency*

As Alternative 1 would not generate construction- or operation-period vehicle trips or increase VMT, it would not conflict with CEQA Guidelines Section 15064.3. Alternative 1 would have no impact on VMT, and the impact would be less than the Project's less-than-significant impact.

(iii) *Hazards (Geometric Design Features) – Construction*

As Alternative 1 would not develop new land uses or expand existing land uses on the Project Site, it would not require construction activities that would alter circulation or access on or around the Project Site. Alternative 1 would have no impact related to hazards (geometric design features) during construction, and the impact would be less than the Project's less-than-significant impact.

(iv) *Hazards (Geometric Design Features) – Operations*

Alternative 1 would not develop new land uses or expand existing land uses on the Project Site that would alter circulation or access on or around the Project Site. Therefore, Alternative 1 would have no impact related to hazards (geometric design features) during operations, and the impact would be less than the Project's less-than-significant impact.

(v) *Emergency Access – Construction*

As Alternative 1 would not develop new land uses or expand existing land uses on the Project Site, it would not require construction activities that would alter circulation or access on or around the Project Site. Alternative 1 would have no impact related to emergency access during construction, and the impact would be less than the Project's less-than-significant impact.

(vi) *Emergency Access – Operations*

Alternative 1 would not develop new land uses or expand existing land uses on the Project Site that would alter circulation or access on or around the Project Site. Therefore, Alternative 1 would have no impact related to emergency access during operations, and the impact would be less than the Project's less-than-significant impact.

(n) *Tribal Cultural Resources*

(i) *Substantial Adverse Change in the Significance of a Tribal Cultural Resource Listed or Eligible for Listing, or Determined by the Lead Agency to be Significant*

As Alternative 1 would not entail construction activities, such as grading and excavation, that would potentially impact tribal cultural resources, if present. Therefore, Alternative 1 would have no impacts to tribal cultural resources, and impacts would be less than the Project's less-than-significant impact (with adherence to the City's standard Conditions of Approval that address the inadvertent discovery of tribal cultural resources).

(o) *Utilities and Service Systemse- Solid Waste*

(i) *Exceedance of Standards or Infrastructure Capacity, or Impair the Attainment of Solid Waste Reduction Goals – Construction*

Alternative 1 would not require construction activities; therefore, it would not generate solid waste during construction. Alternative 1 would have no impacts related to solid waste infrastructure capacity or conflicts with solid waste reduction goals during construction, and impacts would be less than the Project's less-than-significant impact during construction.

(ii) *Exceedance of Standards or Infrastructure Capacity, or Impair of the Attainment of Solid Waste Reduction Goals – Operations*

Alternative 1 would not include new or expanded land uses on the Project Site that would increase solid waste generation. Therefore, Alternative 1 would have no impacts related to solid waste infrastructure capacity or conflicts with solid waste reduction goals during operation, and impacts would be less than the Project's less-than-significant impact during operation.

(p) *Utilities and Service Systemse- Wastewater*

(i) *New or Expanded Wastewater Facilities, and Wastewater Treatment Capacity- Construction*

Alternative 1 would not require construction activities; therefore, it would not require the construction of new or expanded wastewater facilities, and it would not generate wastewater during construction that would require treatment. Alternative 1 would have no wastewater facility impacts and no impact on wastewater treatment capacity during construction; therefore, the impact of Alternative 1 would be less than the Project's less-than-significant impact.

(ii) *New or Expanded Wastewater Facilities, and Wastewater Treatment Capacity – Operation*

Alternative 1 would not develop new or expanded land uses on the Project Site that would increase wastewater generation or generate wastewater requiring treatment. Therefore, Alternative 1 would have no wastewater facility impacts and no impact on wastewater treatment capacity during operation; therefore, the impact of Alternative 1 would be less than the Project's less-than-significant impact.

(q) *Utilities and Service Systemse- Water Supply and Infrastructure*

(i) *New or Expanded Water Facilities, and Sufficient Water Supplies – Construction*

Alternative 1 would not require new or expanded water infrastructure or water supplies to support construction activities since no development is proposed. Therefore, Alternative 1 would have no impact on water facilities or water supplies during construction, and the impact would be less than the Project's less-than-significant impact.

(ii) *New or Expanded Water Facilities, and Sufficient Water Supplies – Operation*

Alternative 1 would not develop new or expanded land uses on the Project Site; therefore, it would not require new or expanded water infrastructure or water supplies to meet an additional water demand. Alternative 1 would have no impact on water facilities or water supplies during operation, and the impact would be less than the Project's less-than-significant impact.

(r) *Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Infrastructure*

(i) *New or Expanded Electric Power, Natural Gas, and Telecommunications Facilities – Construction*

Alternative 1 would not entail construction activities that would require the use of electric power, natural gas, or telecommunications. Therefore, Alternative 1 would have no impact on electric power, natural gas, or telecommunications facilities during construction, and the impact would be less than the Project's less-than-significant impact.

(ii) *New or Expanded Electric Power, Natural Gas, and Telecommunications Facilities – Operation*

Alternative 1 would not develop new or expanded land uses on the Project Site that would generate additional demand for electric power, natural gas, or telecommunications service. Therefore, Alternative 1 would have no impact on electric power, natural gas, or telecommunications facilities during operation, and impacts would be less than the Project's less-than-significant impact.

(3) Comparison to Project Objectives

With Alternative 1, the existing buildings, including the existing bow truss structure, and surface parking lots would be maintained on the Project Site, and no new development

would occur. Alternative 1 would not redevelop the urban infill Project Site and provide a high-density, mixed-use, commercial office project that increases job opportunities in proximity to public transit and other commercial and residential land uses. Alternative 1 would not provide open space, as compared to the Project, which would provide open space in the form of the courtyard along Colyton Street and the passageway connecting Colyton and South Hewitt Streets. Therefore, Alternative 1 would not meet any of the Project objectives listed above under Subsection VI.5.

(4) Summary of Comparison to Project Impacts

Based on the preceding evaluation, although Alternative 1 – No Project Alternative would avoid the temporary, construction period significant and unavoidable noise and vibration impacts of the Project related to Project-level and cumulative off-road construction noise, Project-level and cumulative composite construction noise, Project-level vibration (building damage) from off-road construction, and Project-level and cumulative vibration (human annoyance) from on-road construction vehicles; it would not achieve any of the basic Project objectives. Alternative 1 would result in less impacts than the Project for the majority of the environmental factors evaluated in the Draft EIR, as it would entail no construction activities and would not develop new land uses or expand the existing land uses on the Project Site. However, due to the proposed increase in landscaping on the Project Site and proposed infiltration BMPs proposed by the Project, the Project would reduce the Project Site's existing impervious coverage of 98.5 percent to 94 percent, which would improve water quality, as well as slightly reduce the amount of runoff and flow rate from the Project Site. Therefore, the runoff volumes from the Project Site would decrease as compared to Alternative 1.

b) Alternative 2: Current Zoning and Land Use Designation Alternative

(1) Description of the Alternative

Alternative 2, the Current Zoning and Land Use Designation Alternative, would develop a Project that is consistent with the current M3-1-RIO zoning and Heavy Industrial land use designation for the Project Site. The Heavy Industrial land use designation permits a wide range of industrial and commercial zones that allow for a variety of uses and intensities. The M3 zone permits a wide range of industrial and manufacturing uses, as well as some commercial uses permitted under the C2 Commercial zone of a lower intensity, such as, but not limited to, restaurant, bar, brewery, retail, museum, studio, production office, and other office uses, which can all be found within the immediate surrounding area of the Project Site. Pursuant to the Project Site's current M3 zone and Height District No. 1 designation, Alternative 2 would be limited to a FAR 1.5:1. In the M3

zone and Height District No. 1, there is no maximum height limit, rather height is limited by the FAR.

Development of Alternative 2 would include the demolition of three of the four existing structures, including the office space on South Hewitt Street and its associated garage/storage space (6,030 square feet combined), the 1,000-square-foot storage space associated with the 7,800-square-foot building formerly occupied by the A+D Museum on Colyton Street, and 39,751 square feet of surface parking lots. Grading activities would be comprised of minor surface preparation and would require 5,205 cubic yards of exported soils. In accordance with the allowable land uses and zoning specifications described above, Alternative 2 would develop 8,149 square feet of new restaurant space and 70,039 square feet of new office space, and would retain the existing 7,800-square-foot, bow truss building formerly occupied by the A+D Museum. Alternative 2 would also provide 178 parking spaces. Parking would be provided above grade in two levels. The proposed structure for Alternative 2 would reach a maximum height of 108.5 feet, including five occupied stories (two of which are the parking levels) above grade, with a FAR of 1.5:1. Alternative 2 includes no subterranean development. The design of Alternative 2 would be similar to that of the Project; incorporating both industrial elements (such as concrete surfaces; small, steel-framed glass windows; large bifold doors; and utilitarian detailing) that reflect the character of the Arts District, as well as modern elements. However, no open space would be provided with Alternative 2, nor would it provide a pedestrian passageway connecting Colyton and South Hewitt Streets. The total floor area of Alternative 2 would be 85,988 square feet, with a net increase in floor area of 71,158 square feet.

(2) Environmental Impacts

(a) *Air Quality*

(i) *Air Quality Plan Consistency*

Alternative 2 would require demolition and construction activities, including minor grading associated with site preparation. Except for the excavation required to construct subterranean parking levels proposed under the Project, the construction activities of Alternative 2 would be similar to those of the Project but at a reduced scale. Alternative 2 would be five stories in height (including one above-grade parking level) and have a total floor area of 85,988 square feet, as compared to 18 stories (including four above-grade parking levels) and a total floor area of 343,925 square feet with the Project. Of this area, Alternative 2 would include 71,158 square feet of new floor area as compared to 329,095 square feet of new floor area with the Project. As such, Alternative 2 represents approximately 78 percent less development than the Project, and the construction duration of Alternative 2 would be 22 months, as compared to 28 months for the Project.

The maximum emissions of Alternative 2 would be similar to the Project, because emissions levels are based on a single day over which the maximum construction activity would occur.

Alternative 2 would develop similar land uses but less floor area than the Project, which would result in fewer emissions generated over its operational life. For example, as shown in the City of Los Angeles Department of Transportation (LADOT) VMT Calculator Version 1.3 outputs provided in Appendix P, Alternatives Technical Documentation of this Draft EIR, Alternative 2 would generate 1,285 daily vehicle trips and 2,365 total work VMT. In comparison, the Project would generate 2,756 daily vehicle trips and 9,216 total work VMT. As Alternative 2 would generate fewer daily vehicle trips than the Project, and vehicle trips are the primary contributor to regional operational emissions, Alternative 2 would generate fewer emissions than the Project during operation. The determination of Air Quality Management Plan (AQMP) consistency is primarily concerned with the long-term influence of a project on air quality in the South Coast Air Basin (Air Basin). As described in Section IV.A, Air Quality, the Project would not increase the frequency or severity of an existing air quality violation or cause or contribute to new violations for criteria pollutants, and because it would not exceed any of the State and federal emissions standards, the Project would also not delay the timely attainment of air quality standards of the AQMP. Since Alternative 2 would develop the same land uses as the Project at a reduced scale and result in fewer daily vehicle trips and emissions, it would similarly not conflict with the AQMP. In addition, as a mixed-use development located on an urban infill site within 0.5 mile of a major transit station (the L Line [Gold] at the Metro Little Tokyo/Arts District Station) that would also provide bicycle parking, Alternative 2 would be consistent with the SCAG 2020-2045 RTP/SCS initiatives to promote walking, biking, and other forms of active transportation; to focus new growth around transit; and to improve air quality. Therefore, Alternative 2 impacts related to federal, State, or local air quality plan, policy, or standard conflicts would be less than significant and similar to the Project's less-than-significant impact.

(ii) Regional Emissions – Construction

Alternative 2 would require demolition and construction activities, including minor grading associated with site preparation. As Alternative 2 would not require substantial excavation, it would generate fewer fugitive dust emissions than the Project. In addition, Alternative 2 would be five stories in height and have a net increase in floor area of 71,158 square feet, as compared to 18 stories and a net increase in floor area of 329,095 square feet under the Project. Alternative 2 proposes 78 percent less development than the Project. Therefore, the duration of construction activities and associated use of equipment and vehicle trips would be less than those required to construct the Project (22 months for Alternative 2, as compared to 28 months for the Project). However, the maximum

emissions of Alternative 2 would be similar to the Project, because emissions levels are based on a single day over which the maximum construction activity would occur. As with the Project, the construction period regional emissions impacts of Alternative 2 would be less than significant. Regardless of the reduced construction schedule of Alternative 2, the impact under Alternative 2 would be similar to the Project's less-than-significant impact.

(iii) Regional Emissions – Operation

Alternative 2 would include 85,988 square feet of total floor area, as compared to 343,925 square feet of total floor area with the Project. Similar to the Project, Alternative 2 would generate an increase in regional emissions during operation from vehicular traffic and electricity and/or natural gas consumption, as compared to existing conditions. However, due to the reduced scale of development proposed, which would be 78 percent less than the Project, Alternative 2 would result in fewer regional emissions during operation than the Project (also refer to the Energy, Greenhouse Gas Emissions, and Transportation analyses for Alternative 2). As with the Project, the operation period regional emissions impacts of Alternative 2 would be less than significant; however, such impacts would be less than the Project's less-than-significant impact due to the decrease in total floor area.

(iv) Localized Emissions – Construction

The construction activities of Alternative 2 would be located at a similar distance to off-site sensitive receptors as those that would occur under the Project since the proposed building for Alternative 2 would be constructed with similar setbacks as the Project. However, Alternative 2 would not generate fugitive dust emissions from excavation because it would not construct the subterranean parking levels proposed by the Project. In addition, construction activities would be reduced under Alternative 2 due to the substantial reduction in floor area to be developed (78 percent less) compared to the Project. Therefore, Alternative 2 would generate fewer localized emissions than the Project. As with the Project, the construction period localized emissions impact of Alternative 2 would be less than significant; however, the impact under Alternative 2 would be less than the Project's less-than-significant impact since the amount of construction would be less.

(v) Localized Emissions – Operation

The main sources of localized emissions during operations are area sources (such as consumer cleaners, solvents, and paints used for building maintenance) and energy (natural gas [electricity for the heating of live/work units, which is generated off-site, is not factored into localized emissions calculations]). Alternative 2 would develop similar land uses as the Project but on a reduced scale (78 percent less). Alternative 2 would reduce

localized emissions related to area sources, as fewer products would be required to maintain the smaller building. Alternative 2 would also reduce energy consumption as compared to the Project, as the reduced office space would utilize less natural gas. Therefore, Alternative 2 would reduce area sources and energy consumption that result in localized emissions, as compared to the Project. As with the Project, the operation period localized emissions impact of Alternative 2 would be less than significant. Due to the reduced floor area and associated reduction in area sources and natural gas demand, the impact would be less than the Project's less-than-significant impact.

(vi) Toxic Air Contaminants – Construction

The major source of TACs during construction is diesel particulate matter from the operation of heavy construction equipment and trucks, mainly related to grading and excavation activities. As Alternative 2 does not require excavation and would only grade and export 5,205 cubic yards of soils (in addition to transporting demolished materials from the removal of three of the four existing structures on the Project Site), it would substantially reduce TAC emissions as compared to the Project, which would grade and export 75,200 cubic yards of soils. As with the Project, the construction period TAC emissions impact under Alternative 2 would be less than significant. Since excavation would not be required under Alternative 2, the TAC emissions impact would be less than the Project's less-than-significant impact.

(vii) Toxic Air Contaminants – Operation

TAC emissions during operation of Alternative 2 would mainly result from diesel particulate matter released by delivery trucks, similar to Project operations. However, as Alternative 2 would develop a reduced-density version of the Project (by 78 percent), it is reasonable to assume that fewer delivery trucks trips would be associated with Alternative 2 as compared to the Project, due to an overall reduction in vehicle trips and VMT. The operation period TAC emissions impact of Alternative 2 would be less than significant and less than the Project's less-than-significant impact.

(viii) Micro-scale Impacts (Carbon Monoxide Hot Spots)

The primary source of carbon monoxide (CO) is vehicular traffic. Alternative 2 would add fewer vehicle trips to the Project area than the Project, because the total amount of development proposed would be 78 percent less than the Project. Therefore, Alternative 2 would contribute less to CO hotspots than the Project. As such, the operation period TAC emissions impact of Alternative 2 would be less than significant and less than the Project's less-than-significant impact.

(b) *Cultural Resources*

(i) *Historical Resources – Construction*

The four buildings located on the Project Site are not individually eligible for listing in the National Register of Historic Places (National Register), California Register of Historical Resources (California Register), or for local designation as a City of Los Angeles Historic-Cultural Monument (HCM). Therefore, demolition of three of the four existing structures under Alternative 2 would not result in direct impacts to historical resources on the Project Site. As discussed in Section IV.B, Cultural Resources, of this Draft EIR, the Project Site is located within the boundaries of the potential Downtown Industrial Historic District (Historic District) as determined by SurveyLA;⁴ however, none of the existing buildings on the Project Site are considered contributing buildings to the potential Historic District (see also Appendix C2, Historical Resources Technical Report of this Draft EIR). Similar to the Project, Alternative 2 would require the operation of heavy construction equipment near the property boundary in order to remove existing structures and asphalt, grade the Project Site, and construct a new structure. The potential Historic District contains 196 individual buildings, of which 104 are determined to be district contributors, or approximately 53 percent. Two contributing properties (at 424 Colyton Street and 427 South Hewitt Street) to the potential Historic District are located off-site and may be subject to the vibration effects of Alternative 2's construction activities; these contributors are not individual historical resources, as determined by SurveyLA. Assuming a scenario wherein these two contributing properties were both damaged or destroyed by structural vibration impacts to the extent that they could no longer convey their significance as contributors to the potential Historic District, the total number of contributors would be reduced to 102 from 104, or approximately 52 percent from the current 53 percent. Therefore, even in the worst-case scenario of extreme damage or destruction of both contributing buildings, Alternative 2 would not have a significant impact on the overall integrity of the potential Historic District since Alternative 2 would not significantly reduce the total number of contributors and the eligibility of the potential Historic District as a historical resource would remain intact. As such, Alternative 2 would result in a less-than-significant impact to adjacent and off-site historical resources, and the impact would be similar to the Project's less-than-significant impact.

(ii) *Historical Resources – Operation*

Alternative 2 would construct a 108.5-foot tall, five-story, structure and would provide 71,158 square feet of net new retail/restaurant and office uses on the Project Site. By comparison, the Project would construct a 297-foot tall, 18-story, Office Building with 329,095 square feet of net new restaurant and office uses. Both structures would add

⁴ Los Angeles Historic Resources Survey. 2016. SurveyLA: Central City North Individual Resources. September 29.

substantial height and density to parcels currently occupied by one-story buildings and surface parking lots. Five contributing buildings to the potential Historic District are located in the immediate Project Site vicinity. As discussed in Chapter IV.B, Cultural Resources, four of these five contributing properties are separated from the Project Site by the width of the street or another intervening building. Due to this physical separation, the new construction of Alternative 2 would not interfere with existing visual and/or spatial relationships between these four contributing properties and their immediate surroundings. The remaining contributing property is located at 427 South Hewitt Street and directly abuts the Project Site on the south. Alternative 2 would construct a five-story building immediately adjacent to this property, which would change the property's immediate surroundings on its northern boundary, thereby altering the property's integrity of setting. However, the property's significance is expressed primarily through its street-facing (east) façade, rather than its setting, the change to which would occur along the building's secondary (north) façade. Thus, the new construction of Alternative 2 would not encroach upon the contributing property or obscure any important character-defining features, nor alter the way in which the property would be experienced. Like the Project, Alternative 2 would not remove or alter any of the physical features that contribute to the significance of the potential Historic District. Alternative 2, like the Project, would not result in the alteration or loss of any of the additional physical features that contribute to the potential Historic District's strong sense of time and place, such as its interior circulation pattern, sloped streets (reverse crown) with concrete centerline drainage, remnant tracks and rail stop, and remnant granite infrastructure. As visual continuity is not a factor of the historic significance of the potential Historic District, the introduction of a new visual element under Alternative 2 would not constitute a substantial adverse change. Alternative 2 would not impair the integrity of the potential Downtown Industrial Historic District as a whole to the degree that it would no longer be eligible for listing under the National or California registers or for local landmark designation programs. Alternative 2 would result in a less-than-significant impact on historic resources during operations, and due to its reduced height and density that would be more consistent with the scale of development in the potential Historic District as compared to the Project, its impact would be less than the Project's less-than-significant impact.

(iii) Archaeological Resources

Alternative 2 entails 5,205 cubic yards of grading and soils export for site preparation, whereas the Project requires excavation to a depth of 38 feet below grade and the export of 75,200 cubic yards of soils to construct subterranean parking. With minor grading, it is unlikely that Alternative 2 would encounter native soils that were not already disturbed by past development of the Project Site. However, as discussed in Chapter IV.B, Cultural Resources, modern attempts to map the location of the Zanja Madre water system, an archaeological resource, show altered alignments of Zanja No. 2 over time in the vicinity

of the Project Site. Among these are a location on the Project Site, as well as a location in the Colyton Street right-of-way. As for the Project, Alternative 2 would require minor ground disturbance in Colyton Street to install utility connections and for site preparation. Therefore, there is the potential to inadvertently uncover archaeological resources during the Alternative 2 construction period; in particular, a segment of Zanja No.2, as zanjas have been discovered close to the surface. Alternative 2 would incorporate Mitigation Measures CUL-MM-1 (Archaeological Resources Monitoring), CUL-MM-2 (Archaeological Resources Discovery) and CUL-MM-3 (Archaeological Resource Documentation), which would result in a less-than-significant impact to archaeological resources (with mitigation incorporated), and due to less grading as compared to the Project, its impact would be less than the Project's less-than-significant impact (with mitigation incorporated).

(iv) Human Remains

With minor grading of 5,205 cubic yards, it is unlikely that Alternative 2 would encounter native soils that were not already disturbed by past development of the Project Site. Nevertheless, the potential to inadvertently discover human remains during grading of the Project Site or within adjacent street rights-of-way (for utility connections) remains. Alternative 2 would result in a less-than-significant impact to human remains (with adherence to applicable regulations that address the inadvertent discovery of human remains), and due to less grading as compared to the Project, its impact would be less than the Project's less-than-significant impact (with adherence to the City's standard Conditions of Approval that address the inadvertent discovery of human remains).

(c) Energy

(i) Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources – Construction

Both the Project and Alternative 2 would consume energy during the construction period in the form of electricity to power construction equipment and lighting and to convey water for dust control, and in the form of diesel and gasoline to operate construction and worker vehicles. These construction activities would not consume natural gas. Except for the excavation required to construct subterranean parking levels proposed by the Project, the construction activities under Alternative 2 would be similar to those of the Project but at a reduced scale. Alternative 2 would be five stories in height and have a net increase in floor area of 71,158 square feet, as compared to 18 stories and a net increase in floor area of 329,095 square feet with the Project. As such, Alternative 2 represents approximately 78 percent less development than the Project, with a shorter construction schedule of 22 months, as compared to 28 months for the Project. The related energy demand required for the construction of Alternative 2 would be less than that of the Project

due to the reduced total floor area and shorter construction schedule. Similar to the Project, energy consumed under Alternative 2 would be in accordance with applicable State and City energy conservation requirements, including, but not limited to California's Building Energy Efficiency Standards (Title 24) and the California Air Resources Board's (CARB) anti-idling regulations. Therefore, as with the Project, energy consumption under Alternative 2 would not be wasteful, inefficient, or unnecessary during construction and impacts would be less than significant. Due to the 78 percent reduction of total development and shorter construction schedule, such impacts would be less than the Project's less-than-significant impact.

(ii) Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources – Operation

Both the Project and Alternative 2 would consume energy during the operation period, in the form of electricity, natural gas, and transportation fuels. The total floor area proposed under Alternative 2 would be 78 percent less than the Project, which would result in reduced operations and related energy demand. As with the Project, energy consumed during operation of Alternative 2 would be in accordance with applicable State and City energy conservation requirements, including, but not limited to Title 24, the California Green Building Standards Code (CALGreen), and the City of Los Angeles Green Building Ordinance (LAGBC). Therefore, similar to the Project, Alternative 2 would not result in wasteful, inefficient, or unnecessary consumption of energy resources during operation and impacts would be less than significant. Such impacts would be less than the Project's less-than-significant impact due to the reduced density of development on the Project Site.

(iii) Plan for Renewable Energy or Energy Efficiency Consistency

The LAGBC requires that the Project and Alternative 2 be constructed and operated in compliance with CALGreen and Title 24. Like the Project, Alternative 2 would also be developed to achieve energy savings equivalent to Leadership in Energy and Environmental Design (LEED) Silver certification levels (see Project Design Feature GHG-PDF-1 for the Project), which are greater than reductions required by State regulations alone. Alternative 2 would also comply with the goals of the 2020-2045 Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 SCAG RTP/SCS) because the Project Site is an infill site served by transit, which would encourage the use of alternative modes of transportation, thereby reducing VMT and associated transportation fuel consumption. Similar to the Project, Alternative 2 would also be required to comply with CARB's anti-idling regulations, and vehicles accessing the Project Site during operations would comply with Corporate Average Fuel Economy (CAFE) standards. Therefore,

Alternative 2 would result in a less-than-significant impact related to conflicts with plans for renewable energy or energy efficiency, and the impact would be similar to the Project's less-than-significant impact.

(d) *Geology and Soils*

(i) *Risk of Loss, Injury, or Death Involving Rupture of a Known Earthquake Fault, Seismic Ground Shaking, or Seismic-Related Ground Failure (including Liquefaction) – Construction*

As discussed in Section IV.D, Geology and Soils and in Appendices E1, E2, and E3 of the Draft EIR (Geotechnical Engineering Investigation, 2018 Update of the Geotechnical Engineering Investigation, and 2019 Update of the Geotechnical Engineering Investigation), the Project Site is not located on known active or potentially active underlying faults or within an Alquist-Priolo Earthquake Fault Zone. Therefore, the potential for surface ground rupture at the Project Site is considered low for Alternative 2. The closest fault to the Project Site is the Puente Hills Blind Thrust, located 1.1 miles to the east. Similar to the Project, Alternative 2 proposes development that is typical of urban environments. Although Alternative 2 would require minor grading, mining operations, deep excavation into the Earth, or boring of large areas that would create unstable seismic conditions would not occur. The Project Site is not located in a City-designated liquefaction zone, and soils underlying the Project Site are not anticipated to be capable of liquefaction during seismic ground motion. In addition, as with the Project, Alternative 2 would be required to comply with all applicable sections of the City's Building Code, which, along with local amendments, incorporate the most recent updates of the California Building Code (CBC). Compliance with the Building Code incorporates all seismic standards pertaining to the Project Site and its seismic design category. Alternative 2 is also subject to the conditions of approval of the City of Los Angeles Department of Building and Safety (LADBS) Grading Division similar to the Project. Therefore, impacts under Alternative 2 related to risks of loss, injury, or death involving rupture of known earthquake fault, seismic ground shaking, or seismic-related ground failure (including liquefaction) during construction would be less than significant and similar to the Project's less-than-significant impacts.

(ii) *Risk of Loss, Injury, or Death Involving Rupture of a Known Earthquake Fault, Seismic Ground Shaking, or Seismic-Related Ground Failure (including Liquefaction) – Operation*

As discussed above, like the Project, Alternative 2 would be required to comply with all applicable sections of the City's Building Code, which, along with local amendments,

incorporate the most recent updates of CBC, as well as with the conditions of approval of the LADBS. Compliance with the City's Building Code and LADBS conditions of approval would reduce seismic-related risks. Therefore, impacts under Alternative 2 related to risks of loss, injury, or death involving rupture of known earthquake fault, seismic ground shaking, or seismic-related ground failure (including liquefaction) during operation would be less than significant and similar to the Project's less-than-significant impacts.

(iii) Soil Erosion or Loss of Topsoil – Construction

As discussed in Section IV.D, Geology and Soils and in Appendices E1, E2, and E3 of the Draft EIR (Geotechnical Engineering Investigation, 2018 Update of the Geotechnical Engineering Investigation, and 2019 Update of the Geotechnical Engineering Investigation), the Project Site lacks topsoil that is subject to erosion due to its flat topography and developed (i.e., paved) nature. Therefore, the potential for soil erosion and the loss of topsoil is low. Nevertheless, the Project Site would be subject to ground-disturbing activities during construction of Alternative 2 (including grading, foundation construction, and the installation of utilities), which would temporarily expose soils, allowing for possible erosion. This potential occurrence would be reduced through adherence to stringent controls imposed by grading and building regulations. All grading activities would require permits from the LADBS, including requirements to limit the potential impacts associated with erosion. Further, all grading and site preparation must comply with all applicable provisions in Chapter IX, Division 70 of the LAMC, which addresses grading, excavation, and fills. In addition, similar to the Project, Alternative 2 would be required to submit an erosion control plan for LADBS approval, as well as a Storm Water Pollution Prevention Plan (SWPPP) per the National Pollutant Discharge Elimination System (NPDES) permit requirements, which would be implemented during construction to reduce sedimentation and erosion levels to the maximum extent possible. Required compliance with these regulations ensures that the soil erosion and loss of topsoil impacts of Alternative 2 would be less than significant. Since Alternative 2 would not include subterranean parking and would require substantially less earthwork than the Project, the impacts would be less than the Project's less-than-significant impacts.

(iv) Soil Erosion or Loss of Topsoil – Operation

As would occur with the Project, all Project Site surfaces would be covered by pavement, landscaping, or buildings under Alternative 2. In addition, similar to the Project, Alternative 2 would be required to prepare and implement a Standard Urban Stormwater Mitigation Plan (SUSMP) for its operational life and comply with the City's Low Impact Development Ordinance (LID), which include best management practices (BMPs) to reduce on-site erosion and to control the amount of impervious surface, increase infiltration, and improve water quality. Therefore, the impacts of Alternative 2 related to soil erosion or the loss of

topsoil during operation would be less than significant and similar to the Project's less-than-significant impacts.

(v) *Unstable Geologic Unit or Soils – Construction*

As discussed in Section IV.D, Geology and Soils and in Appendices E1, E2, and E3 of the Draft EIR (Geotechnical Engineering Investigation, 2018 Update of the Geotechnical Engineering Investigation, and 2019 Update of the Geotechnical Engineering Investigation), the Project Site is not susceptible to liquefaction, lateral spreading, subsidence, or impacts associated with landslides, nor are the soils underlying the Project Site considered capable of liquefaction. Given the nature of the underlying geologic materials and that the Project Site is not likely to be susceptible to liquefaction, excessive settlement is not expected to occur. As with the Project, grading of the Project Site and construction of Alternative 2 would occur in accordance with the CBC and the City's Building Code and would be required to implement the conditions of approval of the LADBS. Therefore, construction of Alternative 2 would have a less-than-significant impact related to unstable geologic units or soils, similar to the Project's less-than-significant impact.

(vi) *Unstable Geologic Unit or Soils – Operation*

Like the Project, all surfaces of the Project Site under Alternative 2 would be covered by pavement, landscaping, or buildings upon completion of construction. Therefore, operation of Alternative 2 would have no impact related to unstable soil conditions during operation, similar to the Project.

(vii) *Expansive Soils – Construction*

As discussed in Section IV.D, Geology and Soils and in Appendices E1, E2, and E3 of the Draft EIR (Geotechnical Engineering Investigation, 2018 Update of the Geotechnical Engineering Investigation, and 2019 Update of the Geotechnical Engineering Investigation), the Project Site geologic materials have very low expansion potential. In addition, similar to the Project, Alternative 2 would be required to comply with the CBC and City's Building Code, as well as implement the conditions of approval of the LADBS. Therefore, construction of Alternative 2 would have a less-than-significant impact related to expansive soils, similar to the Project's less-than-significant impact.

(viii) *Expansive Soils – Operation*

Upon completion of construction, all surfaces of the Project Site would be covered by pavement, landscaping, or buildings under Alternative 2. Similar to the Project, all shallow soils that may have been susceptible to expansion would have been removed during

construction. Therefore, operation of Alternative 2 would have no impact related to expansive soils, similar to the Project.

(ix) *Paleontological Resources*

Alternative 2 entails 5,205 cubic yards of grading and soils export for site preparation, whereas the Project requires excavation to a depth of 38 feet below grade and the export of 75,200 cubic yards of soils to construct subterranean parking. As discussed in Section IV.B, Cultural Resources and Appendix C1, Cultural Resource Assessment, of the Draft EIR, shallow excavations in the younger Quaternary Alluvium exposed throughout the Project Site are unlikely to uncover significant fossil vertebrate remains. Since Alternative 2 requires minor earthwork as compared to the Project, the likelihood of uncovering a paleontological resource during grading is less than that of the Project, although the potential for inadvertent discovery remains. Therefore, Alternative 2 would result in a less-than-significant impact to paleontological resources (with adherence to the City's standard Conditions of Approval that address the inadvertent discovery of paleontological resources), and due to the minor grading required as compared to the Project, the impact would be less than the Project's less-than-significant impact (with adherence to the City's standard Conditions of Approval that address the inadvertent discovery of paleontological resources).

(e) *Greenhouse Gas Emissions*

(i) *GHG Emissions*

As with the Project, Alternative 2 would generate GHG emissions during both construction and operation. During construction, GHG emission sources include construction equipment, construction trucks, and construction worker vehicles. During operation, GHG emission sources include vehicles, lighting, and HVAC systems, and, to a lesser extent, landscaping equipment and power to operate water and wastewater infrastructure. Similar to the Project, Alternative 2 would construct a mixed-use development that increases density on the Project Site. The proposed retail/restaurant and office uses under Alternative 2 would create job opportunities within a Transit Priority Area (TPA), which would reduce VMT and related GHG emissions. In addition, Alternative 2 would comply with Title 24, CALGreen, the Assembly Bill (AB) 32 Scoping Plan and Scoping Plan Update, the 2020-2045 SCAG RTP/SCS, the City of Los Angeles Green New Deal (L.A.'S Green New Deal), and the LAGBC, which would reduce VMT and increase energy and water conservation, thereby reducing GHG emissions. Like the Project, Alternative 2 would also be developed to achieve energy savings (and indirectly, reduce GHG emissions) equivalent to LEED Silver certification levels (see Project Design Feature GHG-PDF-1 for the Project), which are greater than reductions required by State regulations alone. Since Alternative 2 would be five stories in height and have an increase

in floor area of 71,158 square feet, compared to 18 stories and an increase in floor area of 329,095 square feet with the Project (78 percent less development), construction activities under Alternative 2 would be less than those required to construct the Project, which would shorten the construction duration of Alternative 2 to 22 months, compared to 28 months for the Project. Therefore, the related GHG emissions would be less under Alternative 2. In addition, due to the reduced scale of development (a floor area of 343,925 square feet with the Project and 85,988 square feet with Alternative 2, or 78 percent less), Alternative 2 would result in fewer GHG emissions during operation than the Project. As such, the construction and operation period GHG emissions impacts under Alternative 2 would be less than significant and less than the less-than-significant impacts of the Project.

(ii) Conflicts with GHG Reduction Plans

As discussed above, Alternative 2 would construct a mixed-use development that increases density on the Project Site and provides retail/restaurant and office uses that create job opportunities within a TPA similar to the Project. The proposed land uses under Alternative 2 would generate GHG emissions during both construction and operation. As with the Project, Alternative 2 would comply with Title 24, CALGreen, the AB 32 Scoping Plan and Scoping Plan Update, the 2020-2045 SCAG RTP/SCS, L.A.'S Green New Deal, and the LAGBC, which would reduce VMT and increase energy and water conservation, thereby reducing GHG emissions. In addition, like the Project, Alternative 2 would also be designed to achieve energy savings (and indirectly, reduce GHG emissions) equivalent to LEED Silver certification levels (see Project Design Feature GHG-PDF-1 for the Project), which are greater than reductions required by State regulations alone. Therefore, Alternative 2, like the Project, would not conflict with GHG reduction plans and policies. Impacts related to conflicts plans, policies, or regulations adopted for the purpose of reducing GHG emissions under Alternative 2 would be less than significant and similar to the Project's less-than-significant impact.

(f) Hazards and Hazardous Materials

(i) Transport, Use, or Disposal of Hazardous Materials – Construction

Alternative 2 has the potential to expose the public or environment to hazardous materials, in the event of an unplanned release, due to the routine transport, use, and disposal of hazardous materials that are typically necessary for demolition and the construction of commercial development, such as paints, building materials, adhesives, cleaners, and fuel for construction equipment and vehicles. However, like the Project, Alternative 2's transport, use, and disposal of construction-related hazardous materials would occur in accordance with the manufacturers' specifications for each material, as

well as in conformance with applicable local, State, and federal regulations governing such materials and activities, which include the Toxic Substances Control Act (TSCA), Resource Conservation and Recovery Act (RCRA), federal Occupational Safety and Health Act (OSHA), California Occupational Safety and Health Act (Cal/OSHA), California Code of Regulations, California Health and Safety Code, South Coast Air Quality Management District (SCAQMD) Rules 1403 and 1113, and the LAMC (including but not limited to Section 91.7104, addressing methane). Construction of Alternative 2 in compliance with these regulations would ensure that Alternative 2 would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Therefore, impacts under Alternative 2 would be less than significant and similar to the Project's less-than-significant impact.

(ii) Transport, Use, or Disposal of Hazardous Materials – Operation

Alternative 2 would consist of new retail/restaurant and office uses and associated parking. During operations, common hazardous materials, such as cleaning solvents used for janitorial purposes, materials used for maintenance (such as lubricants or thinners), and materials used for landscaping (including fertilizers, pesticides, or chemicals for weed control) would be stored and used on the Project Site. However, as with materials used during construction, such potentially hazardous materials that are transported, stored, or used on-site for daily upkeep and subsequently disposed would be handled in accordance with the manufacturers' specifications for each material and in compliance with applicable local, State, and federal regulations. Therefore, compliance with these regulations would ensure that operation of Alternative 2 would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and impacts would be less than significant, similar to the Project's less-than-significant impacts.

(iii) Upset and Accident Conditions – Methane

The Project Site is located within the City's Methane Zone recognized by the LADBS, and the LAMC provides methane seepage regulations for the construction of new projects located within a Methane Zone or Methane Buffer Zone. As concluded in the Phase II Subsurface Site Investigation by Citadel Environmental Services, Inc. (refer to Appendix G2, Phase II Subsurface Investigation, of the Draft EIR), the Project Site meets the minimum methane mitigation requirements for Site Design Level II, which requires a passive mitigation system, with sub-slab venting and an impervious membrane. Although, Alternative 2 would require the grading and export of only 5,205 cubic yards of soils from the Project Site, the methane system requirements would still apply in order to comply with LAMC Section 91.7104 since the Project Site is located in a Methane Zone. Construction and operation of Alternative 2 in compliance with the requirements of LAMC

would ensure that Alternative 2 would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of methane into the environment. Therefore, impacts would be less than significant and similar to the Project's less-than-significant impact.

(iv) Upset and Accident Conditions – Hazardous Soil Conditions

To identify and define the extent of potential subsurface contamination from the on-site wastewater clarifier, auto repair floor pit, several wastewater separator structures, and the former truck wash rack, soil samples were collected from across the Project Site, as part of the Phase II Subsurface Site Investigation. Of the samples collected, results were all below their respective regional screening levels (RSLs) and represented naturally occurring background levels. However, due to the occupied use of the existing garage, office building and parking lot on the Project Site, the Phase II Subsurface Site Investigation of the on-site wastewater clarifier, auto repair floor pit, and several wastewater separator structures could not be performed. As access was limited due to current development at the Project Site, and due to the historical occupancies of the Project Site for vehicle repair and truck washing, Alternative 2 would have the potential to uncover hazardous soil conditions similar to the Project. Therefore, as with the Project, Alternative 2 would require the implementation of Mitigation Measures HAZ-MM-1 (a Supplemental Phase II Subsurface Site Investigation) and HAZ-MM-2 (Soil Management Plan) to reduce the potentially significant impacts related to hazardous soil conditions to a less-than-significant level. However, as Alternative 2 requires minor earthwork in comparison, the amount of potentially hazardous soil that may be encountered would be far less than the Project. Alternative 2 would have a less-than-significant impact (with Mitigation Measures HAZ-MM-1 and HAZ-MM-2 incorporated) related to the potential to uncover hazardous soil conditions, which would be less than the Project's less-than-significant impact (with mitigation incorporated), due to the minor earthwork involved with Alternative 2 as compared to the Project.

(v) Upset and Accident Conditions – Hazardous Building Materials

The Project Site buildings vary in age but were constructed prior to the placement of governmental limitations and bans on the use of asbestos-containing materials (ACBMs), lead-based paint (LBP), and polychlorinated biphenyls (PCBs) in building and electrical equipment. No testing is known to have been performed to evaluate for the presence of ACBMs, LBP, or PCBs at the existing structures on the Project Site. Therefore, similar to the Project, Alternative 2 would have the potential to result in a significant impact from the potential exposure of construction workers to these materials. As with the Project, prior to demolition of building components, an investigation of the existing structures would be

conducted to identify existing ACBMs, LBP, or PCBs. All identified asbestos, LBP, and PCBs would be abated in accordance with the SCAQMD's Rule 1403 and applicable City, State, and federal regulations to ensure proper handling and disposal, and to allow for measures to protect worker safety during demolition. The potential impacts of Alternative 2 related to ACBMs, LBP, or PCBs would be less than significant and similar to the Project's less-than-significant impact.

(vi) Emissions or Handling of Hazardous Materials within One-Quarter Mile of a School

The Project Site is not located within one-quarter mile of an existing or proposed public or private school campus. The closest school to the Project Site is a private preschool, Lumbini Child Development Center, which is located approximately 0.27 mile northwest of the Project boundary. No schools are proposed to be developed within one-quarter mile of the Project Site. Since there are no existing or planned schools within one-quarter mile of the Project Site, Alternative 2 would have no impact associated with the emission or handling of hazardous materials within one-quarter mile of an existing or proposed school, similar to the Project.

(vii) Section 65962.5 List of Sites

The Project Site does not appear on the lists maintained pursuant to Government Code Section 65962.5, including:

- The Department of Toxic Substances Control's (DTSC's) EnviroStor database list of hazardous waste and substances sites;
- The Water Board GeoTracker database for leaking underground storage tanks (USTs);
- Solid waste disposal sites with waste constituents above hazardous waste levels outside the waste management unit, as identified by Water Board;
- The Water Board's list of Cease and Desist Orders and Cleanup and Abatement Orders; and
- DTSC's list of hazardous waste facilities that are subject to corrective action.

Therefore, Alternative 2 would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would have no impact associated with the exacerbation of existing environmental conditions related to Government Code Section 65962.5 listing, similar to the Project.

*(viii) Impairment of Emergency Response Plan or
Emergency Evacuation Plan*

The Safety Element of the City's General Plan identifies East 4th Street and Alameda Street in the vicinity of the Project Site as Selected Disaster Routes. The County of Los Angeles (County) also identifies the segment of East 4th Street, on which the Project Site is located, and Alameda Street, located just 515 feet west of the Project Site, as disaster routes. During construction, as with the Project, Alternative 2 may potentially impede traffic flow along East 4th Street temporarily, due to slower-moving trucks or equipment accessing the Project Site, queuing of haul trucks, or partial or full lane closures for construction adjacent to the Project Site boundaries. While the construction period would be shorter for Alternative 2 than for the Project due to the reduced scale of development, Alternative 2 would also implement a Construction Traffic Management Plan similar Project (see Project Design Feature TRANS-PDF-1 for the Project) to ensure that Alternative 2 would not impair an adopted emergency response plan or emergency evacuation plan. This project design feature would include, but not be limited to, development of a construction traffic control plan approved by LADOT, inclusion of designated detour routes and staging areas where necessary, traffic control procedures, emergency access provisions, and construction crew parking provisions. During operations, Alternative 2 would not cause permanent alterations to vehicular circulation routes and patterns, nor would it impede public access or travel on public rights-of-way. Therefore, impacts related to the impairment of emergency response plans or emergency evacuation plans under Alternative 2 would be less than significant and similar to the less-than-significant impacts of the Project.

(g) Hydrology and Water Quality

*(i) Water Quality Standards, Waste Discharge
Requirements, and Surface or Groundwater Quality
Degradation – Construction*

Alternative 2 construction activities that would potentially contribute to pollutant loading in stormwater runoff from the construction site include, but are not limited to, grading, paving operations, structure construction, demolition and debris disposal, and dewatering operations. According to the Geotechnical Engineering Investigation,⁵ groundwater was encountered during drilling on the Project Site at an approximate depth of 78 feet below the existing grade. However, the historically highest groundwater level reported was on the order of 84 feet below grade. The grading activity for Alternative 2 would be limited to 5,205 cubic yards of export; therefore, earthwork would occur well above the groundwater level and is not expected to encounter groundwater. As discussed in the evaluation of

⁵ Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation Proposed Mixed Use Structure 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street Los Angeles, California. December 29. (Appendix E1).

Hazards and Hazardous Materials, earthwork activities for Alternative 2 may include the removal of an underground wastewater clarifier (previously associated with a truck washing facility that operated on the Project Site), and although subsurface investigations completed to date have not detected hazardous soil conditions, access was limited due to current development at the Project Site. During construction, similar to the Project, Alternative 2 would be required to obtain coverage for stormwater discharges under the State Water Resources Control Board (SWRCB) Construction General Permit (CGP), which would require development of a SWPPP. The SWPPP would include BMPs and erosion control measures to prevent pollution in stormwater discharge. The SWPPP would be carried out in compliance with SWRCB requirements and would be subject to review by the City for compliance with the City of Los Angeles' Planning and Land Development Handbook for Low Impact Development, Part B: Planning Activities (5th edition, May 2016) (LID Handbook). Additionally, as with the Project, Alternative 2 construction activities would occur in accordance with City grading permit regulations (LAMC Chapter IX, Division 70), such as the preparation of an erosion control plan, to reduce the effects of sedimentation and erosion. Although Alternative 2 would comply with SWRCB and City regulations, potential impacts related to surface and groundwater quality would be potentially significant due to hazardous soil conditions caused by the truck washing facility that previously operated on the Project Site. Implementation of mitigation measures similar to the Project's Mitigation Measures HAZ-MM-1 (a Supplemental Phase II Subsurface Site Investigation) and HAZ-MM-2 Soil Management Plan) would be required to reduce any potentially hazardous soil conditions encountered during construction under Alternative 2 to less than significant. Due to the reduced scale of grading and construction activities under Alternative 2 in comparison to the Project, the surface and groundwater quality impact of Alternative 2 during construction would be less than the Project's less-than-significant impact (with mitigation incorporated).

(ii) Water Quality Standards, Waste Discharge Requirements, and Surface or Groundwater Quality Degradation – Operation

Common pollutants generated by land use developments during operations may include sediment/turbidity, nutrients, organic compounds, trash and debris, oxygen demanding substances, oil and grease, pesticides, and metals, which are also identified as impairments of the Los Angeles River Reach 2. During a storm, there is a potential for pollutants of concern to be carried by stormwater from proposed developments to the storm drain system. With the exception of landscaping, Alternative 2 would be comprised of mainly impervious surfaces once redeveloped, as with the Project (which would have 98.5 percent impervious surface coverage). There are no known stormwater treatment BMPs at the existing Project Site, meaning that stormwater, with potential pollutants,

currently sheet flows from the Project Site into the public right-of-way, where it is conveyed to the local storm drain system and ultimately to the Pacific Ocean.

Like the Project, Alternative 2 would be required to comply with the City's LID Ordinance to manage stormwater runoff during operations, which require on-site stormwater management techniques to be implemented and properly sized to manage and treat stormwater runoff by infiltration, evapotranspiration, capture and use, and/or treatment through high removal efficiency BMPs on-site. During operations, Alternative 2 would not include the use of on-site groundwater extraction wells or wastewater treatment (septic) systems that would introduce contaminants or waste materials to groundwater supplies. As Alternative 2 would be required to comply with the City's LID Ordinance and provide for the capture and infiltration of stormwater runoff with 100 percent treatment, it would include more landscaping and pervious surface than is currently on the Project Site. As such, through required compliance with the City's LID Ordinance, Alternative 2 operations would not violate groundwater quality standards and discharge requirements, nor would they substantially degrade groundwater quality. Therefore, Alternative 2 impacts during operations would be less than significant and similar to the Project's less-than-significant impacts.

(iii) Groundwater Supply and Recharge – Construction

As previously discussed, groundwater was determined to occur at an approximate depth of 78 feet below the existing grade at the Project Site. Therefore, it is unlikely that groundwater would be encountered during earthwork activities of Alternative 2, which would be limited to 5,205 cubic yards of exported soils. However, where test borings were not drilled, the possibility of encountering perched water zones exists. The dewatering of perched groundwater during construction, if necessary, would be temporary, of limited quantity due to the minor amount of grading needed to develop Alternative 2, and confined to the Project Site. Such dewatering would not permanently draw from groundwater supplies and would comply with the Los Angeles Regional Water Quality Control Board (LARWQCB) Order No. R4-2018-0125, General NPDES Permit No. CAG994004 (Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties). Therefore, construction activities for Alternative 2 would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that it may impede sustainable groundwater management of the basin during construction. Due to the reduced scale of grading and construction activities under Alternative 2 in comparison to the Project, Alternative 2 impacts to groundwater levels during construction would be less than significant and less than the Project's less-than-significant impacts.

(iv) *Groundwater Supply and Recharge – Operation*

The potable water supplies for Alternative 2 would be provided by connection to an existing City of Los Angeles Department of Water and Power (LADWP) water main that currently serves the existing uses on the Project Site. Alternative 2 would not install groundwater production wells on-site that would deplete groundwater supplies. Rather, Alternative 2 would slightly improve infiltration through implementation of infiltration BMPs that comply with the LID Ordinance, as required, similar to the Project. Therefore, Alternative 2 would not substantially decrease groundwater supplies or interfere with groundwater recharge such that it may impede sustainable groundwater management of the basin during operations. Impacts related to groundwater supply and recharge during operations under Alternative 2 would be less than significant and similar to the Project's less-than-significant impacts.

(v) *Drainage Pattern Alteration – Erosion and Siltation, Runoff Rate and On- and Off-Site Flooding, or Runoff and Stormwater Drainage System Capacity – Construction*

Similar to the Project, Alternative 2 would be required to obtain grading permits from LADBS and comply with all applicable City grading permit regulations, including implementing measures, plans, and inspections to address potential sedimentation and erosion into the public right-of-way. Alternative 2 would also be required to obtain coverage under the CGP for stormwater discharge and implement a SWPPP that describes BMPs to be used for erosion control or other source control measures to prevent pollutants from discharging from the Project Site. With implementation of regulatory requirements, impacts related to erosion and siltation, as well as polluted runoff, associated with the construction of Alternative 2 would be less than significant and similar to the Project's less-than-significant impact.

During construction, similar to the Project, Alternative 2 would not increase the imperviousness of the Project Site and would not potentially cause flooding during a storm event. Runoff from the Project Site would continue to be conveyed by the existing storm drain system to the Los Angeles River, which ultimately outlets at the Pacific Ocean, and as such, Alternative 2 would not substantially affect the amount of surface water in a water body or interfere with wildlife movement. Since runoff from the Project Site would continue to be conveyed by existing storm drain facilities during the construction of Alternative 2, temporary construction activities would not alter the existing drainage pattern. Therefore, impacts related to potential flooding as a result of altered drainage patterns during the construction of Alternative 2 would be less than significant and similar to the Project.

As construction activities would demolish on-site structures and surface parking lots, the Project Site would be temporarily more permeable during the construction period.

Therefore, Alternative 2 would not increase stormwater runoff during the construction period. Alternative 2 would have a less-than-significant impact related to exceeding the capacity of the stormwater drainage system during construction and would not require the construction of new or expanded off-site stormwater drainage facilities that would cause additional significant environmental effects. Therefore, the impacts of Alternative 2 related to stormwater capacity during the construction period would be less than significant and similar to the Project's less-than-significant impacts.

(vi) Drainage Pattern Alteration – Erosion and Siltation, Runoff Rate and On- and Off-Site Flooding, or Runoff and Stormwater Drainage System Capacity – Operation

Stormwater leaving the Project Site presently drains directly into the street gutter system via sheet flow and building scuppers, eventually entering the public storm drain system. There are no known stormwater treatment BMPs at the existing Project Site, meaning that runoff from the impervious surfaces of the Project Site is currently conveyed to the local storm drain system and is not retained or treated on-site. Flows entering the local storm drain system are conveyed to the southeast and discharged to the Los Angeles River. Similar to the Project, this drainage pattern would be maintained by Alternative 2; however, Alternative 2 would alter the imperviousness and drainage flow rates on the Project Site by increasing the amount of landscaping and implementing infiltration BMPs required by the City's LID Ordinance. As with the Project, with implementation of regulatory requirements, runoff volumes from the Project Site would decrease. Therefore, Alternative 2 would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would result in substantial erosion on- or off-site, substantially increase the rate or amount of surface runoff resulting in flooding on- or off-site, or create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, the impacts during operation of Alternative 2 would be less than significant and similar to the Project's less-than-significant impacts.

(vii) Release of Pollutants Due to Inundation

Like the Project, Alternative 2 would not place housing or structures within a 100-year floodplain since the Project Site is not located within a 100-year floodplain. Further, the Project Site is located approximately 16 miles inland of the Pacific Ocean and outside of the tsunami inundation zone. However, the Project Site is located within a potential dam failure inundation area identified by the General Plan Safety Element,⁶ due to its proximity to the Los Angeles River, where flows from the potential failure of a dam in upper portions

⁶ City of Los Angeles Department of City Planning. 1996. General Plan, Safety Element, Exhibit G, Inundation & Tsunami Hazard Areas in the City of Los Angeles. March.

of the watershed would be conveyed. The Division of Safety of Dams (DSOD) engineers and engineering geologists review and approve plans and specifications for the design of dams and oversee their construction to ensure compliance with the approved plans and specifications. In addition, DSOD engineers inspect over 1,200 dams on a yearly schedule to ensure they are performing and being maintained in a safe manner. In consideration of this program and required compliance by Alternative 2 with Los Angeles County Department of Public Works (LACDPW), SWRCB, and City LID requirements, the impacts of Alternative 2 related to the release of pollutants following an inundation event would be less than significant and similar to the Project's less-than-significant impacts.

(viii) Conflicts with Water Quality Control Plans or Sustainable Groundwater Management Plan

The applicable water quality control plan for the Project Site is the Los Angeles Basin Plan (Basin Plan). The LARWQCB implements the Los Angeles Basin Plan by issuing and enforcing waste discharge requirements to individuals, municipalities, or businesses whose waste discharges can affect water quality. The Sustainable Groundwater Management Act of 2014 (SGMA) also applies to the Project Site, as the City is included in the Water Replenishment District (WRD) of Southern California. Like the Project, Alternative 2 would protect surface water quality and groundwater quality through compliance with the necessary BMPs of a SWPPP during construction and with a site design that implements effective SUSMP and LID strategies during operations. In addition, Alternative 2 would implement Mitigation Measures HAZ-MM-1, which requires a Supplemental Phase II Subsurface Site Investigation following demolition, and HAZ-MM-2, which requires a Soil Management Plan prior to soil-disturbing activities, to address potentially hazardous soil conditions. These mitigation measures would also mitigate impacts related to surface and groundwater quality standards and discharge requirements during construction; thereby mitigating impacts related to conflicts with the Basin Plan and SGMA during construction. Therefore, Alternative 2 would not conflict with the goals of the Basin Plan and SGMA, and impacts would be less than significant (with mitigation incorporated) and similar to the Project's less-than-significant (with mitigation incorporated) impacts.

(h) Land Use and Planning

(i) Land Use Plan, Policy, or Regulation Conflicts

Alternative 2 would construct a mixed-use development that is consistent with the current M3-1-RIO zoning and Heavy Industrial land use designation for the Project Site. The M3 Zone permits a wide range of industrial and manufacturing uses, as well as some commercial uses, such as office uses, which can all be found within the immediate surrounding area of the Project Site. Pursuant to the Project Site's current M3 Zoning and

Height District No. 1 designation, the proposed building under Alternative 2 would be limited to a FAR of 1.5:1.

The proposed retail/restaurant and office land uses are permitted by and consistent with the Project Site's zoning and land use designation. As Alternative 2 would be constructed in compliance with the current zoning and land use designation of the Project Site, Alternative 2 would not require approval of the following requested entitlements that would be required to develop the Project:

- A General Plan Amendment for the Project Site to amend the adopted Community Plan's land use designation from Heavy Industrial to Regional Center Commercial;
- A Vesting Zone Change for the Project Site from the M3 Zone to C2 Zone;
- A Height District Change for the Project Site from Height District No. 1 to Height District No. 2; and
- Conditional Use approval to permit a Major Development Project resulting in 100,000 square feet or more of floor area in non-residential uses in the C2 Zone.

As such, Alternative 2 would not conflict with the LAMC or Community Plan. Since Alternative 2 would be consistent with the LAMC and Community Plan, it would be accounted for in the growth projections of the 2020-2045 SCAG RTP/SCS, as the General Plan (of which the Community Plan is a part) provides the basis of SCAG RTP/SCS growth projections. Alternative 2 would not conflict with the applicable land use plans, policies, or regulations adopted for the purpose of mitigating an environmental effect, because the proposed land uses and FAR would be consistent with the zoning for the Project Site. In addition, the Project would be sited on an urban infill site and would be consistent with more recent infill developments and planned developments in the Arts District that include increased height and density compared to the land uses they replaced; it would be located within 0.5 miles from the Metro L (Gold) Line Little Tokyo/Arts District Station to the north of the Site on Alameda Street) and several bus stops; and it would provide vehicle and short- and long-term bicycle parking. Alternative 2 would also create and execute a TDM program (TRANS-PDF-2) to promote non-auto travel and reduce the use of single-occupant vehicle trips and would provide funding for the Downtown/Arts District Transportation Management Organization (TMO) (TRANS-PDF-3) to oversee the development, implementation, and operation of TDM strategies within a particular study area, which are measures implemented to increase transit and mode choices. Therefore, Alternative 2 would result in less-than-significant land use and planning impacts, which would be less than the less-than-significant impacts of the

Project, as it would not require the approval of several requested entitlements required for the Project.

(i) *Noise*

(i) *Noise in Excess of Standards – Construction (Off-road Equipment)*

The City limits construction activities to the hours of 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. to 6:00 p.m. on any Saturday. Additional use of any powered equipment or powered hand tool that produces a maximum noise level exceeding 75 dBA at a distance of 50 feet from construction and industrial machinery is prohibited unless technically infeasible. As with the Project, the highest noise levels generated by Alternative 2 construction activities would typically range from about 81 to 85 dBA L_{eq} at a distance of 50 feet from the noise source, as construction equipment necessary to develop Alternative 2 would be similar to the Project.

The closest off-site sensitive receptor to the Project Site is a roof-mounted trailer located at 428 South Hewitt Street. Construction noise levels may reach 81 dBA for a one-hour L_{eq} , which would exceed the recommended noise threshold of 75 dBA. Construction noise is also significant if construction operations lasting more than 10 days would exceed existing ambient exterior noise levels by 5 dBA or more at the property line. Although construction of Alternative 2 would occur between the allowable hours of 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. to 6:00 p.m. on Saturdays and not during noise sensitive hours, a potentially significant impact would occur, because construction activities may exceed the recommended noise threshold of 75 dBA at the closest sensitive use (the roof-mounted trailer at 428 South Hewitt Street), and construction operations lasting more than 10 days may also exceed existing ambient exterior noise levels by 5 dBA or more at the rooftop trailer at 428 South Hewitt Street, the live/work land use at 442 Colyton Street, and the potential live/work use at 449 South Hewitt Street. Off-road construction equipment used for Alternative 2 would be the same as for the Project. As discussed previously, due to the proximity of the closest noise-sensitive receptor (80 feet, located at 428 South Hewitt Street), it is not feasible to reduce the construction noise impact from off-road equipment use to below the level of significance, as only two pieces of operating equipment would exceed the threshold. Alternative 2 would also implement the same PDFs as the Project, as discussed previously.

Similar to the Project, the most effective method of noise mitigation for Alternative 2 is the construction of a temporary noise barrier that blocks the line-of-sight between the source of the noise and the receiver. A 24-foot ground level on-site barrier was evaluated under the Project as part of Mitigation Measure NOI-MM-1 to reduce construction equipment noise levels at the roof-mounted trailer. In addition, a temporary barrier around the trailer

on the roof at 428 South Hewitt Street was also evaluated as part of Mitigation Measure NOI-MM-1 for the Project to address noise during the demolition and grading periods, as well as during portions of the building construction phase. A similar mitigation measure would be implemented under Alternative 2 to address significant noise level impacts to 428 South Hewitt Street, 442 Colyton Street, and 449 South Hewitt Street.

Both the 24-foot on-site ground floor barrier and the rooftop barrier located off-site would not reduce noise levels below the level of significance at 428 South Hewitt Street during all phases of construction of the five-story building, because some of the building construction phase activity would occur at a higher elevation than the top of the barriers. However, paving activity would not occur above ground level under Alternative 2. Due to the building height, and also because the property owner may not agree to the off-site rooftop barrier, the Alternative 2 impact would remain significant and unavoidable. In addition, at 442 Colyton Street and 449 South Hewitt Street, it would be infeasible to construct a noise barrier that would block the line of sight between construction of the higher floors of the five-story Alternative 2 structure and the receptors, and there is also insufficient space for a barrier along the southern property line due to the presence of existing buildings adjacent to the limits of demolition, excavation, and construction activity.

Like the Project, the construction period noise impacts from the operation of off-road construction equipment for Alternative 2 would be significant and unavoidable but less than the Project's significant and unavoidable impacts, due to the reduced scale of development and shorter construction schedule compared to the Project, and because there would be no paving activity occurring above the height of the noise barriers.

(ii) Noise in Excess of Standards – Construction (On-road Traffic)

As discussed in Section IV.I, Noise, of this Draft EIR, delivery truck and haul trucks would travel to and from the Project Site throughout the construction period for the Project. The worst-case scenario would be hauling trucks during the grading phase, using typical dump trucks with a capacity of approximately 14 - 20 cubic yards. Haul trucks would also be utilized to transport demolition waste. Loaded trucks would exit the site onto East 4th Street and/or South Hewitt Street, East 4th Place, Alameda Street, and Commercial Street. From Commercial Street, trucks would travel on United States Route 101 (U.S.-101) South, Interstate 10 (I-10) East, Interstate 605 (I-605) North, and Interstate 210 (I-210) East, major highways on which the Project trucks would not increase noise levels. Trucks would exit I-210 East onto major roadways on which they would not increase noise levels (Irwindale Avenue and West Gladstone Street; already used for landfill ingress and egress). In addition, the landfill is located in an industrial area. Based on information provided in Appendix L1, TIS, of this Draft EIR, for the Project, the estimated

maximum number of haul trips per peak day would be 120. Haul hours are 9:00 a.m. to 3:30 p.m. on weekdays (6.5-hour window) and 8:00 a.m. to 6:00 p.m. (10-hour window) on Saturdays. The Project's truck trips would generate maximum noise levels of approximately 63 dBA L_{eq} along each roadway and would not exceed the significance thresholds along the truck routes. No construction or truck haul activities would occur at night. Alternative 2 would construct 78 percent less development than the Project and would require fewer haul trucks and trips than the Project during construction, as it would export only 5,205 cubic yards of soil as compared to 75,200 cubic yards for the Project, which would generate fewer construction-related trips overall. Project construction traffic noise impacts would be less than significant; therefore, the construction traffic noise impact of Alternative 2 would be less-than-significant and less than the Project's less-than-significant impact.

(iii) Noise in Excess of Standards – Composite Construction

For the Project, the combined effect of on- and off-road construction noise sources at each sensitive receptor would result in noise levels in excess of the 5-dBA noise increase threshold as a result of the Project's composite on- and off-road construction activities at: 428 South Hewitt Street, 442 Colyton Street, and 449 South Hewitt Street. This represents a significant and unavoidable impact. Noise increases at 825 East 4th Street and 801 East 4th Place would remain below this threshold. It is primarily construction noise and not haul truck noise that would influence the composite significant impact. The composite construction period noise impact of Alternative 2 would also be significant and unavoidable, as off-road construction equipment use and haul truck trips may occur simultaneously during Alternative 2 construction. However, as the degree of the impact would be reduced in comparison to the Project due to the reduction in necessary construction activity overall, the significant and unavoidable impact of Alternative 2 would be less than the Project's significant and unavoidable impact.

(iv) Noise in Excess of Standards – Operations (Roadway Traffic)

Long-term noise concerns from the Project's office and restaurant uses at the Project Site center primarily on vehicular noise emissions on Project area roadways. The Project itself would not cause any of the analyzed roadway segments to incur more than a +0.9 decibel (dB) impact, which would occur on East 4th Place, east of Alameda Street ("existing"). As traffic volumes are generally already high in this urban setting, and because the Project would not result in many trips relative to existing traffic volumes, there is little noise impact from the Project trips along the analyzed roadway segments. Out of the 57 roadway segments analyzed in Section IV.I, Noise, over half would experience no discernable impact (<0.1 dB) as a result of Project trips. No Project-related impact exceeds the

significance threshold of either a) a +3.0 dB increase to or within the "normally unacceptable" (70 dB Community Noise Equivalent Level [CNEL]) or "clearly unacceptable" (75 dB CNEL) category; or b) a +5 dB or greater traffic noise increase. Therefore, roadway traffic noise impacts from the Project during operations would be less than significant. Alternative 2 would construct substantially less development than the Project and would therefore generate fewer trips. As shown in the LADOT VMT Calculator Version 1.3 outputs provided in Appendix P, Alternatives Technical Documentation of this Draft EIR, Alternative 2 would generate 1,285 daily trips, as compared to the Project's 2,756 daily vehicle trips. As the Project would result in a less-than-significant roadway traffic noise impact during operation, Alternative 2 would also result in a less-than-significant impact related to roadway noise during operation due to the reduction in daily trips, and the impact of Alternative 2 would be less than the Project's less-than-significant impact.

*(v) Noise in Excess of Standards – Other Operations
(Parking Structure, Mechanical Equipment, Loading
Dock/Trash Collection, Garage Ventilation Equipment)*

As evaluated in Section IV.I, Noise, the use of the Project's parking structure, HVAC systems, loading dock/trash collection area, and garage ventilation equipment would all result in less-than-significant noise impacts at off-site sensitive receptors. Alternative 2 would require similar systems to operate its retail/restaurant uses. Alternative 2 would develop substantially less space than the Project and would entail only two aboveground parking levels as compared to four with the Project; therefore, the new five-story retail/restaurant and office structure would require fewer pieces of mechanical equipment and other noise-generating sources as compared to the Project's 18-story Office Building. Alternative 2 would result in a less-than-significant impact related to operations noise, which would be less than the Project's less-than-significant impact.

*(vi) Noise in Excess of Standards – Composite Operational
Noise*

The composite operational noise levels for the Project would not exceed the threshold (ambient +5 dBA) and composite operational noise impacts would be less than significant. The various operational noise sources from Alternative 2 may also operate at the same time. Alternative 2 would develop substantially less new retail/restaurant and office uses than the Project and would entail only two aboveground parking levels as compared to four levels with the Project; therefore, the new five-story structure would require fewer pieces of mechanical equipment and other noise-generating sources that would operate simultaneously as compared to the Project's 18-story Office Building. Alternative 2 would result in a less-than-significant impact related to composite operations noise, which would be less than the Project's less-than-significant impact.

(vii) Groundborne Vibration – Construction (Off-road Construction Activity)

Adjacent structures to the Project Site are not sensitive uses (i.e., commercial and industrial land uses); however, they are older and possibly fragile. To be conservative, it was assumed that all structures adjacent to and across the street from the Project would fall into Building Category IV - buildings extremely susceptible to vibrations (listed and described further below). The impact threshold would be 0.12 inches per second peak particle velocity (inches/second PPV). Below this damage threshold there is virtually no risk of building damage.

The L.A. CEQA Thresholds Guide identifies residential areas as sensitive land uses. The closest adjacent residential use is the rooftop trailer at 428 South Hewitt Street, which is 80 feet from the closest Project Site boundary. The trailer is not a permanent structure, is not a part of the two-story building itself, and is not of historic value. Therefore, Project-adjacent sensitive residential uses have a minimal 80-foot distance separation. All other sensitive receptors have a greater setback.

With regard to fragile building damage that is associated with vibration effects, the following properties have the indicated setbacks within 5-10 feet of the Project Site:

- 418 Colyton Street;
- 424 Colyton Street; and
- 427 South Hewitt Street.

In addition, the following properties are located across the street of the Project Site:

- 940 East 4th Street - 60 feet from the Project Site;
- 417 Colyton Street - 65 feet from the Project Site;
- 915 East 4th Street - 70 feet from the Project Site;
- 828 East 4th Street, 407 Colyton Street, and 411 Colyton Street - 65 feet from the Project Site;
- 421 Colyton Street - 85 feet from the Project Site; and
- 428 South Hewitt Street - 80 feet from the Project Site.

The structures immediately adjacent to the Project Site may experience vibration that exceeds the adopted building damage threshold of 0.12 inches/second PPV if equipment is operated at the shared property line. All of the structures across the street would experience vibration below the stated building damage thresholds of 0.12 inches/second PPV for fragile buildings. The adjacent buildings are of such an age that they may be considered sensitive to the structural effects of vibration. Vibration annoyance was not considered, based on the commercial and industrial nature of the land uses. As the

closest vibration-sensitive receptors to the Project Site may experience significant vibration that exceeds the building damage threshold of 0.12 inches/second PPV, like the Project, the Alternative 2 impact would be significant. The Project's Mitigation Measures NOI-MM-2, NOI-MM-3, and NOI-MM-4 would implement a pre-construction survey, shoring plan, and comprehensive structural monitoring program, respectively, for adjacent sensitive buildings at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street, to reduce the potential for vibration damage at these fragile structures. However, because these measures require the consent of other property owners, who may not agree to implement all components of the recommended mitigation measures as stated, it is conservatively concluded that structural vibration impacts on the fragile structures located at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street would be significant and unavoidable for the Project. Alternative 2 would involve the use of similar construction equipment adjacent to these fragile buildings. Therefore, the structural vibration impact of Alternative 2 on the fragile structures located at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street would also be significant and unavoidable following implementation of Mitigation Measures NOI-MM-2, NOI-MM-3, and NOI-MM-4, and less than the Project's significant and unavoidable impact following implementation of Mitigation Measures NOI-MM-2, NOI-MM-3, and NOI-MM-4, due to an overall reduction in construction activities.

With respect to potential human annoyance impacts, residential and institutional buildings are vibration sensitive receptors. Vibration levels exceeding 72 VdB (the vibration velocity level in decibel scale), would be considered a human annoyance impact. The two closest sensitive residential receptors to the Project Site are the rooftop trailer at 428 South Hewitt and the multi-family structure at 825 East 4th Street. At 80 feet from the Project Site, the construction vibration level at 428 South Hewitt Street would be 72 VdB or less and at 825 East 4th Street the vibration levels would be 60 VdB or less. Therefore, vibration would not exceed the 72 VdB human annoyance criterion for frequent events with Alternative 2. Construction related vibration nuisance impacts to off-site sensitive uses would be less than significant for Alternative 2 and less than the Project's less-than-significant impact due to the overall reduction in construction activities.

(viii) Groundborne Vibration – Construction (On-road Construction Vehicles)

Delivery truck and haul trucks would travel to and from the Project Site throughout the construction period, and in addition to noise, these vehicles may generate vibration for receptors along their haul routes. A typical truck operating on paved roads may generate vibration of approximately 63 VdB and 0.00565 inches/second PPV at a location that is 50 feet from the truck. Haul route roadway right-of-way widths (including sidewalks) are as follows: South Hewitt Street – 60 feet, East 4th Place – 80 feet, and Alameda Street –

90 feet. The sensitive use at 428 South Hewitt Street is not on the haul route as it is just south of the Project Site and trucks would be heading north on South Hewitt Street and east on East 4th Street. In addition, the sensitive use is on the roof of the two-story structure, and it is unlikely that vibration would resonate to that location. This is the only sensitive use near the South Hewitt Street portion of the haul route.

The haul route for Alternative 2 would be the same as for the Project. All sensitive uses along the construction haul route, other than South Hewitt Street, are typically at least 25 feet from the center of the nearest travel lane, taking into consideration sidewalks, setbacks, and/or on-street parking. Along East 4th Place for example, the only sensitive use is Art Share LA, which minimally has a 25-foot setback from the center of the nearest through traffic lane. Structures along the haul route may experience groundborne vibration levels of approximately 0.022 inches/second PPV, below the fragile building damage threshold criterion of 0.12 inches/second PPV, and a nuisance vibration level of 72 VdB, which would not exceed the human annoyance threshold of 72 VdB. Therefore, as with the Project, Alternative 2 would not result in the exposure of persons to or generation of excessive groundborne vibration that could result in building damage or exceed human annoyance levels. The Alternative 2 vibration impacts to nearby vibration-sensitive receptors with respect to building damage and human annoyance from trucks traveling along the anticipated haul routes would be less than significant and less than the Project's less-than-significant impact due to an overall reduction in haul trucks and trips, as Alternative 2 would not require substantial grading and soil export (5,205 cubic yards of grading as compared to the Project's 75,200 cubic yards).

As discussed above, the estimated groundborne nuisance vibration from on-road trucks would not exceed the 72 VdB significance criteria for the nearest vibration-sensitive uses. However, along the full extent of the haul route for Alternative 2 there may be vibration-sensitive receptors within 25 feet of the center of the of the nearest travel lane at which vibration would exceed the 72 VdB significance criteria for residential uses and would potentially exceed the 75 VdB significance criteria for institutional land uses. In addition, roadways along the haul route may not be smooth. Therefore, it is conservatively concluded that, like the Project, Alternative 2's on-road haul traffic could result in the exposure of persons to excessive groundborne vibration that exceed human annoyance levels. Vibration impacts with respect to human annoyance resulting from construction trucks traveling along the anticipated haul routes would be significant and unavoidable for Alternative 2, and less than the Project's less-than-significant impact due to an overall reduction in haul trucks and trips, as Alternative 2 would not require substantial grading and soil export (5,205 cubic yards of grading as compared to the Project's 75,200 cubic yards).

(ix) *Groundborne Vibration – Operations*

The primary sources of transient operational vibration from Alternative 2 would be vehicle circulation within the proposed parking areas. Typical road traffic-induced vibration levels are unlikely to be perceptible by people, and it is also unusual for vibration, even from sources such as buses and trucks, to be perceptible, even in locations close to major roads. Only ground vibration associated with heavy trucks traveling on road surfaces with speed bumps or potholes could typically reach perceptibility thresholds; however, Alternative 2, like the Project, would not generate a substantial amount of heavy truck trips during operations. Therefore, Alternative 2 vehicular vibration is unlikely to be perceptible. Alternative 2 would also include roof-mounted HVAC equipment. However, such mechanical equipment would be mounted on the roof of a five-story building and the closest sensitive receptor is a rooftop trailer atop a two-story structure located 80 feet to the east of the Project Site. Therefore, vibration would not amplify through all levels of the Alternative 2 structure to the rooftop of the second story structure across South Hewitt Street. As such, operation of Alternative 2 would not increase vibration levels in the vicinity, and vibration impacts during operations would be less than significant and less than the Project's less-than-significant impact as a result of a reduction in the parking areas and HVAC systems associated with the reduced development area of Alternative 2.

(j) *Population and Housing*

(i) *Substantial Unplanned Population Growth – Construction*

Development of the Alternative 2 would require a construction workforce similar to that required to construct the Project. These workers operate on a temporary job-to-job basis and may work on several projects within a specific timeframe, depending on the demand for their particular skill (i.e., excavator operator, electrician, or plumber). Given the short-term and mobile nature of construction work and the fact that the labor pool in Los Angeles and surrounding communities is extensive, it is unlikely that construction workers would relocate from outside the region in order to construct Alternative 2. As Alternative 2 would draw from the existing available construction labor pool, it would result in less-than-significant housing or population impacts during construction, similar to the less-than-significant impacts of the Project.

(ii) *Substantial Unplanned Population Growth – Operations*

As previously described, Alternative 2 would be five stories in height and have a net increase in floor area of 71,158 square feet, as compared to 18 stories and an increase in floor area of 329,095 square feet with the Project. The restaurant and office land uses of the Project would employ 1,282 persons. As Alternative 2 would develop approximately

22 percent of the Project development, it is therefore reasonable to assume that Alternative 2 would generate approximately 22 percent of the number of employees, or 282 employees. As with the Project, Alternative 2 includes no residential units; therefore, it would not provide housing units or contribute to the Arts District residential population. As evaluated in this Draft EIR, the Project would require a General Plan Amendment and Zone Change. Since SCAG data, which is utilized to project employee growth, is based on General Plan projections, a General Plan Amendment (as well as Zone Change and Height District Change) indicate unplanned employment growth. However, the Project's employment growth would not represent substantial unplanned growth in the SCAG region, as the Project would only account for 0.3 percent of regional SCAG employment growth to 2025 (the Project buildout year) and only 0.08 percent of regional SCAG employment growth to 2045 (the RTP/SCS horizon year). As Alternative 2 would be developed in compliance with the Project Site zoning and generate fewer employees, it would be consistent with SCAG's growth projections. Further, like the Project, Alternative 2 would provide retail/restaurant and office uses in a TPA that includes a mix of low intensity industrial warehouses, an array of commercial uses of varied intensities, and live/work and residential uses; therefore, it would also be consistent with the applicable Framework Element and Community Plan policies. As the Project impact related to inducing substantial unplanned population growth directly or indirectly would be less than significant, and as Alternative 2 would generate fewer employees than the Project and be consistent with Project Site zoning and land use designations, the impact of Alternative 2 related to population (employee) growth would also be less than significant and less than the Project's less-than-significant impact.

(k) *Public Services – Fire Protection Services*

(i) *New or Physically Altered Facilities, Performance Objectives – Construction*

The potential for accidental fires would be elevated during demolition activities, grading, and construction of Alternative 2, as with the Project, due to the storage, handling, and use of flammable construction materials; machinery and equipment that generate heat; exposed electrical lines; and chemical reactions from combustible, hazardous materials. Pursuant to Cal/OSHA, Building Code, and Fire Code requirements, construction managers and workers would be trained in fire prevention and emergency response practices, and fire protection and prevention equipment would be available and maintained on-site during construction. All applicable codes and ordinances would be adhered to relative to the maintenance of construction vehicles and equipment; the handling, use and storage of hazardous and flammable materials; and the cleanup of accidental hazardous material spills.

With regard to construction of Alternative 2, East 4th Street and Alameda Street in the vicinity of the Project Site are Selected Disaster Routes that function as primary thoroughfares for the movement of emergency response traffic and access. During construction of Alternative 2 (including potential work in surrounding roadways for utility connections or upgrades) slower-moving trucks or equipment accessing the Project Site, queuing of haul trucks for soil and demolition and construction debris export, or partial or full lane closures for construction adjacent to the Project Site boundaries may impede traffic flow, including emergency responders, along evacuation/emergency routes. However, these impacts would be temporary in nature. In addition, Alternative 2 would implement project design features similar to those proposed for the Project, including POL-PDF-1 to ensure that security personnel would be present on-site during construction and that they monitor on-site fire/life/safety systems, as well as TRANS-PDF-1, which requires a Construction Traffic Management Plan to address traffic and access control during construction.

Furthermore, the Project Site is located approximately one mile south from the first-in LAFD Fire Station, No. 4, and additional resources are available from Station Nos. 1, 2, 3, and 9 in the Project area. In addition, as fire trucks and other emergency responder vehicles are empowered to clear traffic using sirens as well as circumvent traffic and traffic signals, temporary lane closures or construction vehicles would not adversely impact fire protection services to the extent that a new or expanded fire facility would be required to maintain acceptable service during the construction period.

Based on these preceding factors, construction of Alternative 2 would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services. Therefore, impacts on fire protection services during construction of Alternative 2 would be less than significant and less than the Project's less-than-significant impacts, due to the reduction in the density of development that would be constructed (e.g., reduced construction schedule, fewer construction workers and equipment on-site, and fewer haul trips).

(ii) New or Physically Altered Facilities, Performance Objectives – Operation

Similar to the Project, Alternative 2 would be subject to City-established fire flow requirements, which vary from 2,000 gallons per minute in low-density residential areas, to 12,000 gallons per minute in high-density commercial or industrial areas. In any instance, a minimum residual water pressure of 20 pounds per square inch is to remain in the water system while the required gallons per minute is flowing. All water mains and lines that are designed and sized according to LADWP standards consider fire flow and

pressure requirements. The existing water infrastructure in the vicinity of the Project Site includes a six-inch water main in East 4th Street, an eight-inch water main in Colyton Street, and another eight-inch water main in South Hewitt Street. There are also two existing fire hydrants on East 4th Street at the corners of Colyton Street and South Hewitt Street, in addition to an existing fire hydrant located mid-block of Colyton Street between East 4th Street and East 5th Street. All three existing hydrants are located within 300 feet of the Project Site.

Water for fire-fighting purposes for Alternative 2 would be provided by connection to the existing water mains and hydrants located in East 4th Street, Colyton Street, and/or South Hewitt Street. Should the LAFD and LADWP determine that additional hydrants and/or water connections or lines are necessary to provide the required fire water flow to the Project Site, the Applicant will follow the regulatory compliance process. Hydrants, water lines, and water tanks, if necessary, would be installed per Division 7, Section 57.09.06 of the Fire Code. In addition, the Applicant would be required to submit the proposed plot plans for the Project to the LAFD and LADWP for review for compliance with applicable Fire Code, CFC, and Building Code requirements. Such review is a legal prerequisite, with which Alternative 2 would be required to comply. The installation of additional fire hydrants and upgraded water lines would not result in significant adverse effects to the environment, because the improvements would occur within previously developed public rights-of-way and would be short-term in nature, occurring over a few days to a few weeks.

The Project Site is located within the LAFD's Central Bureau and is served primarily by Fire Station No. 4, which is situated approximately one mile north of the Project Site. Fire Station No. 9 is also located one mile west from the Project Site, and three additional stations are located within three miles of the Project Site, with Station No. 1 located northeast, Station No. 2 located east, and Station No. 3 located northwest from the Project Site. The maximum response distance from an industrial or commercial development (such as Alternative 2) to a fire station per the Fire Code is one mile for an engine company and 1.5 miles from a truck company. Based on this criterion, the LAFD considers fire protection to be adequate to the Project Site.

Emergency access to the Project Site would be available to the LAFD and other emergency responders from East 4th Street to the north, Colyton Street to the west, and South Hewitt Street to the east, which all immediately border the Project Site. Within the proposed structure for Alternative 2, pathways and lobbies, elevators, and stairways would be designed to comply with the requirements of the CBC, Building Code, and Fire Code and would therefore provide the features necessary to facilitate the movement of emergency personnel and equipment throughout the building.

Based on these preceding factors, Alternative 2 would not necessitate the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain LAFD's capability to serve the Project Site. Therefore, the impacts of Alternative 2 to fire protection services would be less than significant and less than the less-than-significant impacts of the Project, due to the reduced density of development.

(I) Public Services – Police Protection Services

(i) New or Physically Altered Facilities, Performance Objectives – Construction

Construction of Alternative 2 would be temporary in nature and would not generate a permanent population. However, construction sites can still attract nuisances, create hazards, and encourage theft and vandalism. As with the Project, temporary security fencing would be installed around the perimeter of construction activities, as required by POL-PDF-1, for Alternative 2. Another effective method for preventing on-site crime during the construction phase is the deployment of security guards, which is another requirement of POL-PDF-1. In addition, like the Project, Alternative 2 would implement TRANS-PDF-1, which includes implementation of a Construction Traffic Management Plan in order to ensure that emergency service personnel would be able to access the Project Site and neighboring properties during the construction period. Furthermore, construction-related traffic generated by Alternative 2 would not significantly impact LAPD response within the vicinity as emergency vehicles normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic, pursuant to California Vehicle Code (CVC) Section 21806.

Based on the above analysis and compliance with State law, Alternative 2 construction would not necessitate the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain the LAPD's capability to serve the Project Site. Construction-related impacts of Alternative 2 to police protection services would be less than significant and less than the less-than-significant impacts of the Project, due to the reduction in the density of development that would be constructed (e.g., reduced construction schedule, fewer construction workers and equipment on-site, and fewer haul trips).

(ii) New or Physically Altered Facilities, Performance Objectives – Operation

The increase of both on-site activity and traffic on adjacent streets and arterials related to Alternative 2 development could increase the number of calls for police response to commercial and vehicle burglaries, vehicle damage, traffic-related incidents, and crimes

against persons. Alternative 2 would include crime prevention features, such as an on-site security service, security lighting, and minimized areas of concealment. The responsibilities of the security personnel would include assisting employees and visitors when necessary, monitoring points of ingress and egress, managing and monitoring fire/life/safety systems, and patrolling the property, including the parking levels. An emergency procedures plan would also be visibly posted for employees and visitors of the offices and commercial businesses. Further, the LAPD would review and provide guidance on the security features, which would be incorporated into the final design. These measures would be integrated into Alternative 2 as project design feature POL-PDF-2, similar to the Project.

The adequacy of police protection is evaluated using the following information: existing number of police officers in the police service area, the number of people currently served in the area, the adequacy of existing officer-to-population ratio in the area, and the number of additional people that Alternative 2 would introduce to the area. For the Project, which would generate 1,279 new employees at the Project Site from the new retail/restaurant and office uses (which were conservatively evaluated in this Draft EIR as a residential population), the additional employees (“residents”) would change the existing LAPD Central Community Police Station officer to resident ratio from 1:128 residents to 1:132 residents; however, this service ratio would remain well below the Citywide ratio of 1:422 residents, even if additional officers were not hired by the LAPD. As Alternative 2 represents 78 percent less development than the Project (but similar land uses), it would employ fewer employees (“residents”) at the Project Site, resulting in less of an increase in the officer to resident service population ratio than that of the Project.

The LAPD does not maintain an officer-to-population standard. However, with a current staff of 313 sworn patrol and probation personnel, the LAPD’s Central Community Station has an officer to resident ratio of one officer for every 128 residents. Conservatively assuming that the Project’s new employee population of 1,279 are residents, rather than employees, the Project would increase the existing Central Community Police Station’s service population from 40,000 to 41,279 persons, and the resulting officer-to-population ratio would increase by four persons per officer, from one officer for every 128 residents to one officer for every 132 residents, which would be below the Citywide ratio of one officer for every 422 residents and would not require the provision for new or physically altered police facilities that would result in environmental effects, since such a small number of officers could be accommodated in the existing facilities. As Alternative 2 would add even fewer employees (“residents”) to the Project Site than the Project, it would similarly not require the provision for new or physically altered police facilities to accommodate a substantial increase in personnel that would result in environmental effects.

Vehicular emergency access to the Project Site under Alternative 2 would be achieved via the existing street system, as well as ingress and egress driveways on East 4th Street and a loading dock on South Hewitt Street, similar to that of the Project. The design and construction of Alternative 2 would be implemented in accordance with LAMC regulations to ensure adequate emergency access. The Applicant would also provide an emergency preparedness plan, including access routes, that would facilitate police response to the Project Site (refer to POL-PDF-2). Therefore, traffic associated with Alternative 2 would not substantially affect the ability of police officers and vehicles to access the Project Site in an emergency.

Based on the above analysis, operation of Alternative 2 would not necessitate the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain LAPD's capability to serve the Project Site. Thus, impacts of Alternative 2 to police protection services during operation would be less than significant and less than the Project's less-than-significant impact, due to the reduced density of development and fewer employees.

(m) Transportation

(i) Circulation Program, Plan, Ordinance, or Policy Conflicts

As described in Section IV.L, Transportation, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including the Mobility Plan 2035; the Plan for a Healthy Los Angeles: A Health and Wellness Element of the General Plan; the Community Plan; the LAMC requirements related to parking, Transportation Demand Management (TDM) programs, and street dedication and improvements (with a waiver); the LADOT December 2008 Manual of Policies and Procedures (design standards for driveway design); Vision Zero; and the Citywide Design Guidelines. During construction, Alternative 2 would similarly not conflict with a program, plan, ordinance, or policy addressing the circulation system, including the Mobility Plan 2035, as it would implement a Construction Traffic Management Plan (TRANS-PDF-1) to ensure motorist, pedestrian, and bicyclist safety during development of the Project Site. The Construction Traffic Management Plan would also serve to minimize conflicts between the construction activities and street and sidewalk traffic, and to maintain traffic movement around temporary and partial street or sidewalk closures. During operations, Alternative 2 would provide jobs on-site and develop a commercial building within walking distance of existing bus stops and a transit station (0.5 miles from the Metro Gold Line Little Tokyo/Arts District Station to the north of the Project Site) and in proximity to other commercial development, as well as multi-family and live/work residential land uses. It would also provide vehicle parking in compliance with the LAMC (163 spaces would be required, and 178 spaces would be provided). Like the Project, it is anticipated that

Alternative 2 would improve walkability in the Project vicinity by improving sidewalks, maintaining the existing 7,800-square-foot building, and developing new ground floor retail/restaurant space. However, due to the reduced FAR of Alternative 2, its design would not be able to provide a courtyard on Colyton Street or a pedestrian passageway that would connect South Hewitt and Colyton Streets. Like the Project, Alternative 2 would also create and execute a TDM program (TRANS-PDF-2) to promote non-auto travel and reduce the use of single-occupant vehicle trips and would provide funding for the Downtown/Arts District TMO (TRANS-PDF-3) to oversee the development, implementation, and operation of TDM strategies within a particular study area, which are measures implemented to increase transit and mode choices. Therefore, Alternative 2 includes features that would encourage the use of alternative modes of transportation, protect public safety, and reduce VMT, in support of the City's plans and policies. The Alternative 2 impact related to conflicts with programs, plans, ordinances, or policies addressing the circulation system would be less than significant but greater than the less-than-significant impact of the Project, which would satisfy more of the pedestrian and walkability goals of the applicable circulation system programs, plans, ordinances, or policies than Alternative 2 by offering a pedestrian passageway that connects Colyton and South Hewitt Streets, as well as a courtyard along Colyton Street.

(ii) CEQA Guidelines Section 15064.3 (VMT) Conflicts or Inconsistency

As discussed in Section IV.L, Transportation, of this Draft EIR, the Project would generate 9,216 total work VMT and an average work VMT per employee of 7.2, which falls below the significance thresholds for the Central APC (7.6 work VMT per employee).⁷ The Project would result in a less-than-significant VMT impact.

Alternative 2 would develop similar but fewer restaurant and office uses than the Project. As shown in the LADOT VMT Calculator Version 1.3 outputs provided in Appendix P, Alternatives Technical Documentation of this Draft EIR, Alternative 2 would generate 2,365 total work VMT and result in an average work VMT per employee of 7.6, which does not exceed the significance threshold for the Central APC (7.6 work VMT per employee). In addition, Alternative 2 would comply with the Bicycle Ordinance and would include a project design feature of a parking "cash-out" program as part of its TDM. With Alternative 2, the total work VMT would be reduced in comparison to the Project; however, the average work VMT per employee with the Alternative 2 would be greater than that of the Project. In accordance with the TAG and SB 743, the CEQA VMT impact of an office or commercial project is based on the average work VMT per employee (rather than total vehicle trips or VMT) as compared to the adopted threshold. As the Project's average

⁷ The Project TIS VMT analysis is based on the LADOT VMT Calculator Version 1.2, which was current at the time the TIS was prepared. The Project VMT was also prepared using the updated Version 1.3 of the LADOT VMT Calculator, which also shows that the Project would result in a less-than-significant VMT impact (refer to Appendix P, Alternatives Technical Documentation).

work VMT per employee would be 7.2 as compared to the Alternative 2 average work VMT per employee of 7.6, the VMT impact of Alternative 2 would be less than significant but greater than the Project's less-than-significant impact.

(iii) Hazards (Geometric Design Features) – Construction

The construction period for Alternative 2 would include sub-phases of site demolition, grading, foundations, and building construction. Peak haul truck activity occurs during grading, and peak worker activity occurs during building construction. Construction activities are expected to be contained primarily within the Project Site boundaries. However, it is expected that construction fences may encroach into the public right-of-way (e.g., sidewalk and roadways) adjacent to the Project Site. Adjacent to the Project Site, the curb lane on East 4th Street would be used intermittently throughout the construction period for equipment staging, concrete pumping, and deliveries. In addition, roadwork in East 4th, Colyton, and/or South Hewitt Streets to install utility connection and/or upgrades may also be required. The use of the public right-of-way along East 4th Street, Colyton Street, and South Hewitt Street would require temporary rerouting of pedestrian traffic, as the sidewalks fronting the Project Site would be closed to maintain public safety. There are no bus stops immediately adjacent to the Project Site and, therefore, no temporary impacts to public transit routes are expected. Parking is allowed adjacent to the Project Site on Colyton and South Hewitt Streets, so the construction fences could result in the temporary loss of up to eight unmetered parking spaces on Colyton Street and 13 unmetered parking spaces on South Hewitt Street. However, partial and temporary street closures and the temporary loss of parking spaces are not expected to result in substantial adverse effects, as 4th Street offers four lanes of travel immediately north of the Project Site, alternative vehicle and pedestrian routes are available around the Project Site, and additional parking options are available along Colyton and South Hewitt Streets, East 4th Place, East 5th Street, and Seaton Street.

To ensure the avoidance of potential roadway hazards during the construction period related to construction vehicle trips, construction vehicle and equipment staging, construction worker parking, and roadway and/or sidewalk closures, Alternative 2 would include a Construction Traffic Management Plan similar to the Project, which is described in TRANS-PDF-1. The Construction Traffic Management Plan would include provisions for off-peak haul route and construction worker trips; adequate parking for construction workers secured in the vicinity of the Project Site; temporary traffic controls around any closures prepared in accordance with LADOT requirements to address any such temporary vehicle lane, bicycle lane, or sidewalk closures; and features to ensure pedestrian safety along the affected sidewalks and temporary walkways.

Construction of Alternative 2 is not expected to adversely affect access or transit, or create hazards for roadway travelers, bus riders, or parkers, so long as commonly

practiced safety procedures for construction are followed. Such procedures and other measures (e.g., to address temporary traffic control, lane closures, sidewalk closures, etc.) have been incorporated into the Construction Traffic Management Plan. Due to the temporary nature of construction activities, the implementation of a Construction Traffic Management Plan, and required LADOT and LADBS review and approval of temporary roadway modifications (i.e., closures), the construction-related traffic hazard impacts of Alternative 2 would be less than significant and less than the Project's less-than-significant impact, due to the reduced scale of development and associated reduction in construction activity.

(iv) Hazards (Geometric Design Features) – Operations

General employee and visitor vehicular access to the Alternative 2 parking levels would be provided via the south side of East 4th Street, similar to the Project. Pedestrian access into the Project Site would be provided from Colyton Street into the 7,800-square-foot building formerly occupied by the A+D Museum, and it is anticipated that pedestrians would access the new structure from East 4th, Colyton, and South Hewitt Streets. Alternative 2 would not provide a pedestrian passageway with a cut-through between Colyton Street and South Hewitt Street or an outdoor courtyard. However, no unusual or new obstacles would be included in the design of Alternative 2 that would be considered hazardous to motorized vehicles, non-motorized vehicles, or pedestrians. The vehicular and pedestrian access locations of Alternative 2 would be designed to City standards and would provide adequate sight distance, sidewalks, crosswalks, and pedestrian movement controls that meet the City's requirements for the protection of driver, bicyclist, and pedestrian safety. Alternative 2 does not present geometric design hazards as they relate to traffic movement, mobility, or pedestrian accessibility during operations. Therefore, impacts of Alternative 2 associated with design hazards and incompatible uses would be less than significant but greater than the Project's less-than-significant impact, as the Project would achieve increased pedestrian safety by providing a pedestrian passageway with a cut-through between Colyton Street and South Hewitt Street.

(v) Emergency Access – Construction

As for the Project, Alternative 2 would include a Construction Traffic Management Plan as TRANS-PDF-1 to address temporary traffic control, lane closures, and sidewalk closures. The Construction Traffic Management Plan would also include a detour plan to address temporary vehicle lane, bicycle lane, or sidewalk closures that may be necessary during the construction period; as well as features to ensure pedestrian safety along the affected sidewalks and temporary walkways. Such temporary controls would be coordinated with LADOT and LADBS. Through compliance with applicable Fire Code requirements and TRANS-PDF-1, Alternative 2 would provide adequate emergency access for LAFD and LAPD vehicles and other first responders. Therefore, Alternative 2

would not impede emergency access. The impacts of Alternative 2 related to emergency access during the construction period would be less than significant and less than the Project's less-than-significant impact, due to the reduced scale of development and associated reduction in construction activity.

(vi) *Emergency Access – Operations*

The Safety Element of the City's General Plan identifies East 4th Street and Alameda Street in the vicinity of the Project Site as Selected Disaster Routes. The County also identifies the segment of East 4th Street to the north of the Project Site and Alameda Street to the west of the Project Site as disaster routes. The Project Site is currently served by existing roadway infrastructure and emergency services, and emergency access to the Project Site and surrounding area would continue to be provided on adjacent roadways similar to existing conditions. Alternative 2 would not include design features that would impede emergency access and would not permanently close any existing streets. Alternative 2 access would be designed to LADOT standards and reviewed by City staff. As required, Alternative 2 would also be designed to meet LAMC standards for adequate emergency access, as well as to comply with the Fire Code's access, driveway, parking, and building (i.e., related to elevator shafts, stairways, sprinklers, etc.) standards. In addition, several options are available to emergency responders for facilitating movement around traffic, such as using sirens to clear the path of travel and circumventing traffic and traffic signals. In conjunction with regulatory requirements for review and approval of Project Site access and circulation plans by LADOT and the LAFD, the impacts of Alternative 2 related to emergency access would be less than significant and similar to the Project's less-than-significant impact.

(n) *Tribal Cultural Resources*

(i) *Substantial Adverse Change in the Significance of a Tribal Cultural Resource Listed or Eligible for Listing, or Determined by the Lead Agency to be Significant*

As described in Section IV.M, Tribal Cultural Resources, no tribal cultural resources have been previously documented on the Project Site, and the documents provided for review during the AB 52 consultation process are not directly applicable to the Project Site (due to either the nature of the document or the geographic distance from the resources described in the documents and the Project Site) and do not provide substantial evidence that tribal cultural resources are located on the Project Site. Alternative 2 entails 5,205 cubic yards of grading and soils export for site preparation, whereas the Project requires excavation to a depth of 38 feet below grade and the export of 75,200 cubic yards of soils to construct subterranean parking. With minor grading, it is unlikely that Alternative 2 would encounter native soils that were not already disturbed by past development of the

Project Site. Nevertheless, the potential to inadvertently discover a tribal cultural resource during grading remains. Implementation of the City's standard Conditions of Approval that would address the inadvertent discovery of tribal cultural resources would ensure that impacts to tribal cultural resources under Alternative 2 would be less than significant. Such impacts would be less than the Project's less-than-significant impact (with adherence to the City's standard Conditions of Approval that address the inadvertent discovery of tribal cultural resources), due to the minor grading required to develop Alternative 2 in comparison to the Project.

(o) *Utilities and Service Systemse- Solid Waste*

(i) *Exceedance of Standards or Infrastructure Capacity, or Impair the Attainment of Solid Waste Reduction Goals – Construction*

During construction, the Project would generate 15.7 cubic yards of solid waste per day (including required diversion), which would represent approximately 0.24 percent of the Azusa Land Reclamation Landfill's daily intake capacity (and conservatively not accounting for other landfills that may accept Project construction waste). As such, Azusa Land Reclamation Landfill would have sufficient remaining capacity to accommodate the Project's construction and demolition waste, and the Project impact related to generating solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impairing the attainment of solid waste reduction goals, would be less than significant. As previously described, Alternative 2 would include a total floor area of 85,988 square feet, as compared to 343,925 square feet with the Project. Although Alternative 2 would generate the same amount of demolition waste as the Project, it would generate less construction waste due to the substantial reduction in total floor area that would be developed. In addition, Alternative 2 would export 5,205 cubic yards of soil as compared to 75,200 cubic yards with the Project. Therefore, construction waste generated during Alternative 2 would be substantially less than that generated for the Project and would consume less landfill capacity. The Alternative 2 impact related to generating solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impairing the attainment of solid waste reduction goals, would be less than significant and less than the Project's less-than-significant impact, due to the reduced scale of development.

(ii) *Exceedance of Standards or Infrastructure Capacity, or Impair the Attainment of Solid Waste Reduction Goals – Operations*

The total annual solid waste generation from operational activities of the Project, including required diversion, is estimated to be 90.7 annual tons (or approximately 0.25 tons/day),

which would represent 0.004 percent of the remaining permitted daily intake of the Sunshine Canyon City/County. Therefore, the Sunshine Canyon City/County landfill has sufficient remaining capacity to serve the Project, and operation of the Project would have a less-than-significant impact related to generating solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impairing the attainment of solid waste reduction goals. As Alternative 2 entails the operation of 78 percent less development than the Project, waste generated during Alternative 2 operations would be substantially less and would consume less landfill capacity. As calculated in Section IV.N.1, Utilities and Service Systems – Solid Waste, the Project would generate 90.7 tons of solid waste per year after diversion. Applying the same generation factors used in Table IV.N.1-5, Project Operational Solid Waste Generation, in Section IV.N.1, Utilities and Service Systems – Solid Waste, which are applicable to Alternative 2 since it would develop similar types of land uses, Alternative 2 would generate 20.1 tons of solid waste per year after diversion, as shown in Table VI-4, Alternative 2 Operational Solid Waste Generation, below.

Table VI-4
Alternative 2 Operational Solid Waste Generation

Land Use	Size (square feet [sf])	Generation Factor	Disposal (Annual Pounds [Lbs])	Disposal (Annual Tons)
Existing				
Museum ^a	7,800	1.72 lbs per/visitor/day	13,467.6	6.7
Office	3,515	0.006 lbs/sf/day	7,697.9	3.8
Total Existing Solid Waste Disposal				10.5
Proposed				
Commercial – Restaurant	8,149	0.005 lbs/sf/day	14,871.9	7.4
Commercial – Office	70,039	0.006 lbs/sf/day	153,385.4	76.7
Museum	7,800	1.72 lbs per/visitor/day	13,467.6 ^b	6.7
Total Proposed Solid Waste Disposal				90.8
Net Project Solid Waste Disposal				80.3
Operational Waste to be Diverted per 75% Reduction^c				60.2
Total Waste for Landfill Disposal				20.1

Source for office disposal factor: CalRecycle. Estimated Solid Waste Generation Rates. Available at: <http://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>. Accessed on April 7, 2021.

Source for museum disposal factor, based on the event venue disposal factor (not available from CalRecycle): CalEPA Integrated Waste Management Board. 2006. Targeted Statewide Waste Characterization Study: Waste Disposal and Diversion Findings for Selected Industry Groups (Table 21). June.

Note:

^a At the time the Project Application was filed and when the Notice of Preparation and Initial Study were circulated for public comment, the existing building on Colyton Street was occupied by the A+D Museum. Although the building is currently vacant, and there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. Therefore, solid waste generation for this use is reflected here.

^b Based on Applicant provided data, these calculations assume 30 A+D Museum visitors per day x 261 open days per year for an annual total of 7,830 visitors. Based on 12 visitors for June 2017 and accounting for one special event per month with 500 attendees (12 x 29 days per month = 348 + 500 for the 30th day = 848, and 848/30 days per month = 28.27, which is rounded to 30). (Jones, Dora Epstein. 2017. Personal communication with Johanna Falzarano, Envicom Corporation, regarding A+D Museum visitors. July 12.)

^c AB 341 requires 75 percent of all solid waste diverted by 2020.

As the total solid waste generation from operational activities of the Project is estimated to be 90.7 annual tons, and Alternative 2 would generate 20.1 annual tons of solid waste, the impact of Alternative 2 related to generating solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impairing the attainment of solid waste reduction goals, would be less than significant and less than the Project's less-than-significant impact.

(p) *Utilities and Service Systemse- Wastewater*

(i) *New or Expanded Wastewater Facilities, and
Wastewater Treatment Capacitye- Construction*

As with the Project, wastewater discharge during the construction period of Alternative 2 would be collected in portable restrooms that are provided and maintained by private, licensed contractors, who are also responsible for collecting wastewater throughout the construction period and for disposing of it off-site at a licensed facility. The City of Los Angeles Bureau of Sanitation, or LASAN, maintains a program that involves the regulation of these septage haulers through a permitting process and also operates a disposal facility that accepts wastewater from portable toilets, septic tanks, cesspools, and other sanitation holding devices from within the County. LASAN requires that haulers obtain a Septage Disposal Permit prior to disposal. Construction workers would generate a minimal amount of wastewater during the temporary construction period. Sewage from the portable restrooms would not be released to the City's sewer lines adjacent to the Project Site, and no new connections to the City's sewer system or expansion of the City's sewer system would be required to accommodate wastewater generated by construction employees. Based on the temporary nature of construction of the new on-site infrastructure and minor off-site work associated with connections to available infrastructure, Alternative 2 would not constrain existing and future scheduled wastewater treatment and infrastructure capacity. In comparison to the amount of wastewater generated during the operational lifespan of Alternative 2 (during which the Hyperion WRP has sufficient capacity to accommodate Alternative 2, as described below), the temporary construction phase would generate a minor amount of wastewater. Like the Project, Alternative 2 would also be required to comply with the LAMC and its Sewer Capacity Availability Review (SCAR) and permitting process that assures local sewer line capacity would be available to serve Alternative 2, and the Hyperion WRP has adequate capacity according to LASAN. Therefore, Alternative 2 construction would not cause an increase in flows that would require new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects, and it would result in a determination by the wastewater treatment provider which serves Alternative 2 that it has adequate capacity to serve the projected construction demand in addition to the provider's existing commitments. Therefore, construction impacts would

be less than significant and less than the Project's less-than-significant impacts, due to the reduced scale of development and shorter construction duration requiring fewer workers on-site overall.

*(ii) New or Expanded Wastewater Facilities, and
Wastewater Treatment Capacity- Operation*

Similar to the Project, Alternative 2 wastewater discharge during operations would be conveyed to the City's sewer lines that lie in streets adjacent to the Project Site, including eight-inch public mains along Colyton Street, South Hewitt Street, and East 4th Street. The Colyton Street and South Hewitt Street sewers combine at Palmetto Street into a 10-inch main and flow west to a 20-inch main in Alameda Street. The Alameda Street sewer increase to a 22-inch main as it flows south, before discharging into a 40-inch line in 8th Street. Ultimately, wastewater would be conveyed to the Hyperion Water Reclamation Plant (WRP), which is able to accommodate a flow of up to 450 million gallons per day, on average. Approximately 275 million gallons per day enters the Hyperion WRP on a dry weather day. Therefore, current flows to the Hyperion WRP (275 million gallons per day) are below its design capacity of approximately 450 million gallons per day.

Collection and conveyance of Alternative 2 wastewater would be provided by the existing sewer lines that are located adjacent to the Project Site, as well as by the local connections that would be made as part of the Project. However, prior to issuing a sewer permit, the City would confirm, via the SCAR process (LAMC Section 64.15[i]), that there is sufficient capacity in the local sewer conveyance lines to accommodate the wastewater flows. As with the Project, detailed gauging and evaluation would be needed as part of the permit process to identify the specific sewer connection point for Alternative 2, as well as to determine capacity of the local sewer conveyance lines. Alternative 2 would require sewer connections from the Project Site to the City's existing sewer lines, which typically require B-permit approval through the Bureau of Engineering for the sewer connection to the City's main. In the event that the public sewer is found to have insufficient capacity by LASAN, the Applicant would be required to build new sewer lines to a point in the sewer system with sufficient capacity, or to expand existing lines. Connections, additions, or expansions to the local sewer conveyance lines would occur in concert with construction of Alternative 2 and would require trench work to execute underground work. As with the Project, these activities would be limited to the streets, gutters, curbs, and/or sidewalks adjacent to the Project Site and Alternative 2 would implement a Construction Traffic Management Plan, included as TRANS-PDF-1, to ensure that vehicular and pedestrian traffic flow is maintained during trench work for the sewer connections. Based on the above, the potential construction or expansion of local sewer lines would not result in adverse impacts to the environment, as this activity would occur within previously

disturbed areas of an urban environment (i.e., within roadways) and would occur over a brief construction period at the same time as Alternative 2 construction.

The Project's new restaurant and office uses would generate 56,246 gallons per day of wastewater that would ultimately be conveyed to, and treated by, the Hyperion WRP. Currently, the Hyperion WRP has a remaining daily capacity of 175 million gallons per day. The Project wastewater would represent only 0.03 percent of the Hyperion WRP's available capacity. Therefore, the Hyperion WRP has sufficient capacity to accommodate the Project and would not necessitate expansion of the Hyperion WRP or construction of a new WRP. Applying the same generation factors used in Table IV.N.2-3, Projected Average Wastewater Discharges for the Proposed Project, in Section IV.N.2, Utilities and Service Systems – Wastewater, which are applicable to Alternative 2 since it would develop similar types of land uses, Alternative 2 would generate 14,352 gallons per day of wastewater, as shown in Table VI-5, Alternative 2 Operational Wastewater Generation, below.

**Table VI-5
Alternative 2 Operational Wastewater Generation**

Land Use	Average Daily Flow per Land Use	Land Use Area	Average Daily Flow (gallons per day [gpd])
Existing			
Museum ^a	30 gpd /1,000 square feet (sf)	7,800 sf	(234)
Proposed			
Museum ^b	30 gpd /1,000 sf	7,800 sf	234
Restaurant (take out)	300 gpd /1,000 sf	8,149 sf	2,445
Office Building ^c	170 gpd /1,000 sf	70,039 sf	11,907
Total			14,352
Source: Psomas. 2022. 4 th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 401 Hewitt Street Project Request for Wastewater Service Information (November 15, 2019). February 23. (Appendix N.)			
Notes:			
^{a,b} At the time the Project Application was filed and when the Notice of Preparation and Initial Study were circulated for public comment, the existing building on Colyton Street was occupied by the A+D Museum. Although the building is currently vacant, and there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. Therefore, wastewater generation for that use is reflected here.			
^c The Average Daily Flow per Land Use for the proposed Office Building provided by LASAN is considered a conservative estimate, as it assumed the inclusion of a cooling tower, which Alternative 2 does not propose.			

As the total wastewater generation from operational activities of Alternative 2 would generate 14,352 gallons per day, Alternative 2 would not require the construction of new or expanded wastewater treatment facilities, the construction or relocation of which could cause significant environmental effects, and impacts would be less than significant. Such

impacts would be less than the Project's less-than significant impact due to the reduced scale of development and reduced wastewater generation of Alternative 2 as compared to the Project.

(q) Utilities and Service Systemse- Water Supply and Infrastructure

(i) New or Expanded Water Facilities, and Sufficient Water Supplies – Construction

Like the Project, Alternative 2 construction would create a demand for water during demolition, grading, and construction activities on the Project Site, including for use in dust control, equipment cleaning, export, re-compaction, painting, and related tasks. A six-inch water main is located in East 4th Street, an eight-inch water main is located in Colyton Street, and another eight-inch water main is located in South Hewitt Street. There are also two existing fire hydrants on East 4th Street at the southwest corner of Colyton Street and northwest corner of South Hewitt Street, in addition to an existing fire hydrant located mid-block and on the west side of Colyton Street between East 4th Street and East 5th Street. Therefore, adequate water infrastructure exists in the Project Site vicinity to serve the Project Site during the construction period, and Alternative 2 would not require the construction of new or expanded water facilities for the purpose of providing water during the construction phase.

Overall, construction activities for Alternative 2 would require minimal water consumption, the quantity of which would be substantially less than the estimated Project water demand during operations (as Alternative 2 would be substantially reduced in size by comparison and require less construction activity and water demand), which was calculated by the LADWP to be 43,743 gallons per day or 49.01 acre-feet per year in the Project Water Supply Assessment (WSA). As stated in the WSA, adequate water supplies would be available to meet the total additional water demand of 49.01 acre-feet per year for the Project, and the LADWP anticipates that the projected water demand of the Project can be met during normal, dry, and multiple dry years, in addition to the existing and planned future demands on the LADWP. Due to the reduction in overall development area and in the construction schedule, Alternative 2 construction activities would consume less water than Project construction. Therefore, Alternative 2 would not require the construction of new or expanded water facilities to serve the Project Site, and LADWP would have adequate water supplies to serve the Project Site during construction. As such, impacts would be less than significant and less than the Project's less-than-significant impacts.

(ii) *New or Expanded Water Facilities, and Sufficient Water Supplies – Operation*

As previously described, water service to the Project Site would continue to be supplied by LADWP for domestic and fire protection services. According to the WSA prepared for the Project by the LADWP, the Project's net increase in water demand as compared to existing conditions would be 43,743 gallons per day. Of this quantity, 39,357 gallons per day are attributed to the new office land use, which represents the majority of the overall development with the Project. The LADWP determined that it has sufficient water supply to serve the Project. Alternative 2 would develop similar types of land uses as the Project, at a reduced scale. As compared to the Project's office space, Alternative 2 would develop only 70,039 square feet of office space, which would demand 8,405 gallons of water per day, as shown in Table VI-6, Alternative 2 Operational Water Demand, below.

Table VI-6
Alternative 2 Operational Water Demand

Existing Use to be Removed	Quantity	Unit	Water Usage Factor (gpd/unit)	Existing Water Use to be Removed (gpd)
Existing Office	3,515	sf	0.12	422
Existing to be Removed Total				422
Proposed New Uses	Quantity	Unit	Water Usage Factor (gpd/unit)	Proposed Water Demand (gpd)
Office	70,039	sf	0.12	8,405
Restaurant	272	seat	30	8,160
Commercial Office/Restaurant Subtotal				16,565
Landscaping ^a	8,955	sf		382
Parking	71,305	sf	0.02	1,426
Proposed Subtotal				18,373
Existing to be Removed Total				-422
Net Additional Water Demand^b				17,951
Source for usage factors: LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4 th and Hewitt Project. January 20. (Appendix O1.)				
Notes: gpd = gallons per day; afy = acre-feet per year, and sf = square feet.				
^a The landscaping square footage for Alternative 2 is a conservative estimate as Alternative 2 would not include a landscaped courtyard, which is included as a part of the Project.				
^b Alternative 2 estimates are conservative and likely overestimate water demand, as water conservation commitments and Ordinance-required savings are not factored into the calculations.				

As shown above, the net increase in water demand for the operational activities of Alternative 2 would be 17,951 gallons per day, which is less than the Project's net increase in water demand of 43,743 gallons per day. As the LADWP would have sufficient water supply to serve the Project's demand, the LADWP would also have sufficient water supply to serve Alternative 2. Like the Project, Alternative 2 would connect to the existing six-inch water main on East 4th Street, the eight-inch water main on Colyton Street, and/or the eight-inch water main on South Hewitt Street in order supply water to the Project's land uses.

As described in Section IV.K.1, Public Services – Fire Protection Services, based on a preliminary evaluation by LADWP of local water delivery infrastructure near the Project Site, a water line upgrade to existing facilities, and additional fire hydrants, may be required specifically to provide pressures to supply the required flow to the Project Site. If such upgrades are necessary, the Applicant will be required to follow the regulatory compliance process. Such water lines would be installed per Division 7, Section 57.09.06 and Section 57.507.3 of the Fire Code. Similar to the Project, the Applicant would be required to submit the proposed plot plans for Alternative 2 to the LAFD and LADWP for review for compliance with applicable Fire Code, CFC, and City Building Code requirements. Such review is a legal prerequisite, with which Alternative 2 would be required to comply. The installation of additional fire hydrants and upgraded water lines would not result in significant adverse effects to the environment, because the improvements would occur within previously developed public rights-of-way and would be short-term in nature, occurring over a few days to a few weeks. Furthermore, in accordance with TRANS-PDF-1, Alternative 2 would implement a Construction Traffic Management Plan to reduce temporary pedestrian and traffic impacts during construction. Although Alternative 2 would require new connections to existing infrastructure, it would not result in the relocation or construction of new or expanded water facilities, the construction of which would cause environmental effects, nor would it result in an insufficient water supply to the Project Site. Therefore, Alternative 2 impacts on water facilities and water supply would be less than significant, and as Alternative 2 would develop similar land uses as the Project at a reduced scale, its impact would be less than the Project's less-than-significant impact.

(r) Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Infrastructure

(i) New or Expanded Electric Power, Natural Gas, and Telecommunications Facilities – Construction

As discussed in Section IV.C, Energy, electricity use related to lighting and electronic equipment during construction would vary throughout the construction period, depending on the particular construction activities performed at the time. These activities would

cease upon completion of Alternative 2, and the overall demand for electricity during construction would be negligible when compared to the operational phase. With regard to existing electrical distribution lines, the Applicant would be required to coordinate electrical infrastructure removals or relocations with LADWP and comply with site-specific requirements set forth by LADWP, which would ensure that service disruptions and potential impacts associated with grading, construction, and development within LADWP easements are minimized. As such, construction of Alternative 2 is not anticipated to adversely affect the electrical infrastructure serving the surrounding uses or utility system capacity.

The demolition, grading, and building development activities that would be associated with construction of Alternative 2 do not typically rely on natural gas as an energy source. However, Alternative 2 would involve installation of new natural gas connections to serve the Project Site. Since the Project Site is located in an area already served by existing natural gas infrastructure, it is anticipated that Alternative 2 would not require extensive off-site infrastructure improvements to serve the Project Site. Construction impacts associated with the installation of natural gas connections are expected to be confined to trenching in order to place the lines below surface. In addition, prior to ground disturbance, contractors would notify and coordinate with Southern California Gas Company (SoCalGas) to identify the locations and depth of all existing gas lines and avoid disruption of gas service to other properties.

Like for the Project, the demolition, grading, and building development activities that would be associated with Alternative 2 construction would not utilize telecommunications services.

Therefore, construction of Alternative 2 would result in a less-than-significant impact related to an increase in demand for energy necessitating the relocation or construction of new or expanded facilities, the construction or relocation of which could cause significant environmental effects, and the impact would be similar to the Project's less-than-significant impact.

(ii) New or Expanded Electric Power, Natural Gas, and Telecommunications Facilities – Operation

As described in Section IV.C, Energy, the LADWP confirmed the Project's electricity demand can be served by the existing facilities in the Project Site area by specifically indicating "[t]he estimated power requirement for this proposed project is part of the total load growth forecast for the City of Los Angeles and has been taken into account in the planned growth of the City's power system."⁸ Therefore, as Alternative 2 would develop

⁸ Psomas. 2020. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 401 Hewitt Request for Electric Service Information (March 1, 2017). January 7. (Appendix N.)

similar land uses as the Project at a reduced scale, it would demand less electricity, and the LADWP would therefore also be able to meet the Alternative 2 electricity demand with its available infrastructure.

The Project's increased demand for natural gas would represent 0.0006 percent of SoCalGas' forecasted natural gas consumption for 2025. In addition, correspondence with SoCalGas indicates that SoCalGas has facilities in the Project area.⁹ Therefore, as Alternative 2 would develop similar land uses as the Project at a reduced scale, it would demand less natural gas, and SoCalGas would also be able to meet the Alternative 2 natural gas demand with its available infrastructure.

The Project Site is currently served by existing aerial and underground telecommunications facilities. Charter Communications and Crown Castle have aerial and underground facilities within the immediate vicinity to serve the Project Site during operations for both the Project and Alternative 2. No upgrades are required or anticipated.

Therefore, Alternative 2 operations would result in a less-than-significant impact related to an increase in demand for electric power, natural gas, or telecommunications facilities that exceeds available supply or distribution infrastructure capabilities and could result in the construction of new or expanded facilities, the construction of which could cause significant environmental impacts, and the impact would be similar to the Project's less-than-significant impact.

(3) Comparison to Project Objectives

As previously described, Alternative 2 would demolish the existing office use and surface parking lots, maintain the existing 7,800-square-foot, bow truss building, and result in a total floor area of 85,988 square feet, as compared to the total floor area of 343,925 square feet with the Project. As with the Project, Alternative 2 does not include residential units. However, Alternative 2 would not redevelop the urban infill Project Site and provide a high-density, mixed-use, commercial office project that increases job opportunities in proximity to public transit and other commercial and residential land uses to the same extent as the Project, because reducing the density by 78 percent would provide substantially fewer jobs. Alternative 2 would not provide open space, as compared to the Project, which would provide open space in the form of the courtyard along Colyton Street and the passageway connecting Colyton and South Hewitt Streets. Specifically, Alternative 2 would not meet the following Project objectives to the same degree as the Project:

⁹ Psomas. 2020. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 405 S. Hewitt Request for Natural Gas Service Information (February 22, 2017). January 7. (Appendix N.)

1. Redevelop low-intensity parcels in the Arts District with a mix of high-density commercial land uses that provide an increased variety of job opportunities, thereby maximizing the creation of permanent jobs and economic investment in the City of Los Angeles and the Arts District.
2. Introduce a range of high quality and high-density commercial space at the appropriate scale and intensity that would supply the increasing demand for office, incubator space, and innovative campus uses in the Arts District; contribute to the demand for office space; and provide neighborhood resources for the growing residential neighborhood within the Arts District.
3. Support the growing community of creative and commercial uses and burgeoning residential population in close proximity with additional office and restaurant uses.
4. Represent the character of the Arts District by maintaining the bow truss structure and constructing a complementary multi-level building that incorporates unique exterior architectural treatments and publicly accessible open space that acts as a visual anchor.
5. Through the provision of the design, scale, and height of the Office Building, encourage pedestrian activity and commerce, and create open space opportunities, with ground floor, street-facing commercial spaces; a landscaped courtyard that would be open to public use and available for community and private events; a landscaped passageway that connects South Hewitt and Colyton Streets and promotes pedestrian access throughout the Project's street level; and balconies and a rooftop deck for the Project's office tenants.
6. Promote transit and mobility objectives and reduce VMT by providing mixed-use commercial and office spaces proximate to existing and planned DTLA residential land uses and public transit facilities, including the Metro L (Gold) Line Little Tokyo/Arts District Station located at 1st and Alameda Streets, as well as the Metro and DASH bus stops located near East 4th and South Hewitt Streets.

(4) Summary of Comparison to Project Impacts

Based on the preceding evaluation, Alternative 2 – Current Zoning and Land Use Designation Alternative, would not achieve the basic Project objectives to the same extent as the Project, as it would not increase density to the same degree and create as many jobs in the Arts District. Alternative 2 would result in a total floor area of 85,988 square feet, as compared to a total floor area of 343,925 square feet with the Project. The reduced density of Alternative 2 by 78 percent would provide 282 jobs as compared to 1,282 jobs with the Project. Alternative 2 would result in similar impacts as the Project, and, due to the reduced scale of development to be constructed and operated, the relative impacts of Alternative 2 would generally be less in comparison than the less-than-

significant impacts of the Project (such as to air quality, energy, GHG, and utilities and service systems, for example). As Alternative 2 would be developed in accordance with the existing LAMC Zoning and Community Plan land use designation for the Project Site, it would not require the General Plan Amendment, Vesting Zone Change, Height District Change, or Conditional Use approval to permit a Major Development Project resulting in 100,000 square feet or more of floor area in non-residential uses in the C2 Zone that the Project would require. However, due to the reduced density of development and reduced job creation, Alternative 2 would not fulfill the goals of the 2020-2045 SCAG RTP/SCS or State and City goals for TPAs to the same extent as the Project would, since it would not place as much job-creating office space on an urban infill site served by transit, which would encourage the use of alternative modes of transportation and reduce VMT. Although the duration of construction of Alternative 2 would be reduced in comparison to the Project (22 months rather than 28 months), Alternative 2 would also not avoid the temporary, construction period significant and unavoidable noise and vibration impacts of the Project related to Project-level and cumulative off-road construction noise, Project-level and cumulative composite construction noise, Project-level vibration (building damage) from off-road construction, and Project-level and cumulative vibration (human annoyance) from on-road construction vehicles. In addition, the average work VMT per employee under Alternative 2 would be greater than that of the Project, and, unlike the Project, Alternative 2 would not include a pedestrian passageway connecting Colyton and South Hewitt Streets, nor would it include a courtyard along Colyton Street, which would provide improved pedestrian accessibility and safety, as well as public open space.

c) Alternative 3: Downtown Community Plan Alternative

(1) Description of the Alternative

The Downtown Community Plan Alternative would develop a Project that is consistent with the proposed zoning and land use designation for the Project Site under the updates to the Central City and Central City North Community Plans, or draft Downtown Community Plan, that, following adoption, will guide development through the year 2040. The updated draft Downtown Community Plan includes new goals, objectives, and policies for the Downtown Community Plan area that accommodate growth in jobs and residents in the Downtown Community Plan area. The draft Downtown Community Plan land use designation for the Project Site is proposed to be Hybrid Industrial, with base zoning of mid-rise broad form 3 (MB3), daylight factory frontage and development standard 5 (CDF1-5), and use district IX4, within the floor area density district that requires a minimum FAR of 1.5:1, if live/work uses were to be included in conjunction with other permitted (office or light industrial) uses. This zoning allows office, commercial, research

and development, wholesale, light industrial, and live/work uses. Live/work units in this zone must be 1,000 square feet in size or greater. The density and height are dictated by the FAR in this proposed zone.

Development of Alternative 3 would include the demolition of the existing office building on South Hewitt Street and its associated garage/storage space (6,030 square feet combined), the 1,000-square-foot storage space associated with the 7,800-square-foot building formerly occupied by the A+D Museum on Colyton Street, and 39,751 square feet of surface parking lots. The existing 7,800-square-foot, bow truss building fronting Colyton Street would be retained under Alternative 3. Grading activities would be comprised of minor surface preparation and would require 5,205 cubic yards of exported soils. In accordance with the allowable land uses and zoning specifications described above from the draft Downtown Community Plan, Alternative 3 would develop 8,149 square feet of new retail/restaurant space, and 70,039 square feet of new residential space comprised of 44 live/work units. Alternative 3 would provide 89 parking spaces within two above grade levels. Alternative 3 includes no subterranean development. The proposed structure for Alternative 3 would reach a maximum height of 96 feet, including five occupied stories (one of which would be the parking level) above grade, with a FAR of 1.5:1. The design of Alternative 3 would be similar to that of the Project; incorporating both industrial elements (such as concrete surfaces; small, steel-framed glass windows; large bifold doors; and utilitarian detailing) that reflect the character of the Arts District, as well as modern elements. However, no publicly accessible open space would be provided with Alternative 3, nor would it provide a pedestrian passageway that connects Colyton and South Hewitt Streets. The total floor area of Alternative 3 would be 85,988 square feet, with a net increase in floor area of 71,158 square feet.

(2) Environmental Impacts

(a) *Air Quality*

(i) *Air Quality Plan Consistency*

Alternative 3 would require demolition and construction activities, including minor grading associated with site preparation. With the exception of the excavation required to construct subterranean parking levels for the Project, the construction activities of Alternative 3 would be similar to those of the Project but at a reduced scale. Alternative 3 would be five stories in height (including one above-grade parking level) and have a total floor area of 85,988 square feet, as compared to 18 stories (with four above-grade parking levels) and a total floor area of 343,925 square feet with the Project. Of this area, Alternative 3 would include 71,158 square feet of new development as compared to 329,095 square feet with the Project. As such, Alternative 3 represents approximately 78 percent less development than the Project, which would reduce the construction duration

for Alternative 3 to 22 months, as compared to 28 months for Project. The maximum emissions of Alternative 3 would be similar to the Project, because emissions levels are based on a single day over which the maximum construction activity would occur.

As compared to the Project, Alternative 3 would result in fewer emissions associated with vehicle trips (and VMT), which is the primary contributor to regional operational emissions, since Alternative 3 would result in 942 daily vehicle trips (refer to Appendix P, Alternatives Technical Documentation, of this Draft EIR), whereas the Project would result in 2,756 daily vehicle trips. In addition, Alternative 3 would result in 6,037 daily VMT, as compared to the Project's 19,848 daily VMT. Since Alternative 3 would generate fewer daily vehicle trips and VMT than the Project, and vehicle trips are the primary contributor to regional operational emissions, Alternative 3 would generate fewer emissions than the Project during operation. The determination of AQMP consistency is primarily concerned with the long-term influence of a project on air quality in the Air Basin. As described in Section IV.A, Air Quality, the Project would not increase the frequency or severity of an existing air quality violation or cause or contribute to new violations for criteria pollutants, and because it would not exceed any of the State and federal emissions standards, the Project would also not delay the timely attainment of air quality standards of the AQMP. Since Alternative 3 would result in fewer daily vehicle trips and VMT, it would similarly not conflict with the AQMP. In addition, as a mixed-use development located on an urban infill site within 0.5 mile of a major transit station (the L Line [Gold] at the Metro Little Tokyo/Arts District Station) that would also provide bicycle parking, Alternative 3 would not be in conflict with the SCAG 2020-2045 RTP/SCS initiatives to promote walking, biking, and other forms of active transportation; to focus new growth around transit; and to improve air quality. As with the Project, the Alternative 3 potential impacts, related to federal, State, or local air quality plan, policy, or standard conflicts, would be less than significant and similar to the Project's less-than-significant impact.

(ii) Regional Emissions – Construction

Alternative 3 would require demolition and construction activities, including minor grading associated with site preparation. As Alternative 3 would not require substantial excavation, it would generate fewer fugitive dust emissions than the Project. In addition, Alternative 3 would be five stories in height and have a net increase in floor area of 71,158 square feet, as compared to 18 stories and a net increase in floor area of 329,095 square feet with the Project, and would represent 78 percent less development than the Project. Therefore, the duration of the use of construction activities and associated use of construction equipment and vehicle trips would be less than those required to construct the Project (22 months for Alternative 3, as compared to 28 months for the Project). However, the maximum emissions of Alternative 3 would be similar to the Project, because emissions levels are based on a single day over which the maximum

construction activity would occur. As with the Project, the construction period regional emissions impacts of Alternative 3 would be less than significant. Regardless of the reduced construction schedule of Alternative 3, the impact under Alternative 2 would be similar to the Project's less-than-significant impact.

(iii) Regional Emissions – Operation

Alternative 3 would include a total floor area of 85,988 square feet, as compared to 343,925 square feet with the Project. Similar to the Project, Alternative 3 would generate an increase in regional emissions during operation from vehicular traffic and electricity and/or natural gas consumption, as compared to existing conditions. However, due to the reduced scale of development proposed, which would be 78 percent less than the Project, Alternative 3 would result in fewer regional emissions during operation than the Project. As previously described, with regard to vehicle emissions, which is the primary contributor to regional operational emissions, Alternative 3 would result in 942 daily vehicle trips as compared to the Project's 2,756 daily vehicle trips, as well as 6,037 daily VMT, as compared to the Project's 19,848 daily VMT (refer to Appendix P, Alternatives Technical Documentation, of this Draft EIR). As with the Project, the operation period regional emissions impacts of Alternative 3 would be less than significant; however, such impacts would be less than the Project's less-than-significant impact due to the decrease in total floor area.

(iv) Localized Emissions – Construction

The construction activities of Alternative 3 would be located at a similar distance to off-site sensitive receptors as those that would occur with the Project since the proposed building for Alternative 3 would be constructed with similar setbacks as the Project. However, As Alternative 3 would not generate fugitive dust emissions from excavation, because it would not construct the subterranean parking levels proposed by the Project. In addition, construction activities would be reduced under Alternative 3 due to the substantial reduction in floor area to be developed (78 percent less). Therefore, Alternative 3 would generate fewer localized emissions than the Project. As with the Project, the construction period localized emissions impact of Alternative 3 would be less than significant; however, the impact under Alternative 3 would be less than the Project's less-than-significant impact, since the amount of construction would be less.

(v) Localized Emissions – Operation

The main sources of localized emissions during operations are area sources (such as consumer cleaners, solvents, and paints used for building maintenance) and energy (natural gas). Alternative 3 would reduce energy consumption as compared to the Project, as it would utilize natural gas for only the proposed restaurant space, which is equal in

area to the Project's restaurant space (and rely on electricity for the heating of live/work units, which is generated off-site and not factored into localized emissions calculations). Alternative 3 would also reduce localized emissions related to area sources, as fewer products would be required to maintain the smaller building (78 percent less development than the Project). Therefore, Alternative 3 would reduce area sources and energy consumption that results in localized emissions, as compared to the Project. As with the Project, the operation period localized emissions impact of Alternative 3 would be less than significant. Due to the reduced floor area, and associated reduction in area sources and natural gas demand, the impact of Alternative 3 would be less than the Project's less-than-significant impact.

(vi) Toxic Air Contaminants – Construction

The major source of TACs during construction is diesel particulate matter from the operation of heavy construction equipment and trucks, mainly related to grading and excavation activities. As Alternative 3 does not require excavation and would only grade and export 5,205 cubic yards of soils (in addition to transporting demolished materials from the removal of existing structures on the Project Site), it would substantially reduce TAC emissions as compared to the Project, which would grade and export 75,200 cubic yards of soils. As with the Project, the construction period TAC emissions impact under Alternative 3 would be less than significant. Since excavation would not be required under Alternative 3, the TAC emissions impact would be less than the Project's less-than-significant impact.

(vii) Toxic Air Contaminants – Operation

TAC emissions during operation of Alternative 3 would mainly result from diesel particulate matter released by delivery trucks, similar to Project operations. However, as Alternative 3 would develop the same amount of new commercial space as the Project (retail/restaurant space with Alternative 3, and restaurant space with the Project), but 44 residential units as compared to the Project's 327,976 square feet of office space, it is reasonable to assume that fewer delivery trucks trips would be associated with Alternative 3 as compared to the Project, due to an overall reduction in the density of development and related vehicle trips, as previously described. The operation period TAC emissions impact of Alternative 3 would be less than significant and less than the Project's less-than-significant impact.

(viii) Micro-scale Impacts (Carbon Monoxide Hot Spots)

The primary source of CO is vehicular traffic. Alternative 3 would add fewer vehicle trips to the Project area than the Project, because Alternative 3 would significantly reduce the amount of new development (942 daily vehicle trips as compared to the Project's 2,756

daily vehicle trips). Thus, Alternative 3 would contribute less to CO hotspots than the Project. As such, the operation period TAC emissions impact of Alternative 3 would be less than significant and less than the Project's less-than-significant impact.

(b) *Cultural Resources*

(i) *Historical Resources – Construction*

The four buildings located on the Project Site are non-contributing buildings to the potential Downtown Industrial Historic District (potential Historic District), and they are not individually eligible for listing in the National Register, California Register, or for local designation as a HCM. Therefore, demolition of three of the four existing structures under Alternative 3 would not result in direct impacts to historical resources on the Project Site. As discussed in Section IV.B, Cultural Resources, of this Draft EIR, the Project Site is located within the boundaries of the potential Historic District as determined by SurveyLA;¹⁰ however, none of the existing buildings on the Project Site are considered contributing buildings to the potential Historic District (see also Appendix C2, Historical Resources Technical Report of this Draft EIR). Similar to the Project, Alternative 3 would require the operation of heavy construction equipment near the property boundary in order to remove existing structures and asphalt, grade the Project Site, and construct a new structure. The potential Historic District contains 196 individual buildings, of which 104 are determined to be district contributors, or approximately 53 percent. Two contributing properties (at 424 Colyton Street and 427 South Hewitt Street) to the potential Historic District are located off-site and may be subject to the vibration effects of Alternative 3's construction activities; however, these contributors are not individual historical resources, as determined by SurveyLA. Assuming a scenario wherein these two contributing properties were both damaged or destroyed by structural vibration impacts to the extent that they could no longer convey their significance as contributors to the potential Historic District, the total number of contributors would be reduced to 102 from 104, or approximately 52 percent from the current 53 percent. Therefore, even in the worst case scenario of extreme damage or destruction of both contributing buildings, Alternative 3 would not have a significant impact on the overall integrity of the potential Historic District, since Alternative 3 would not significantly reduce the total number of contributors and the eligibility of the potential Historic District as a historical resource would remain intact. As such, Alternative 3 would result in a less-than-significant impact to adjacent and off-site historical resources, and the impact would be similar to the Project's less-than-significant impact.

¹⁰ Los Angeles Historic Resources Survey. 2016. SurveyLA: Central City North Individual Resources. September 29.

(ii) *Historical Resources – Operation*

Alternative 3 would construct a 96-foot tall, five-story, structure and would provide 71,158 square feet of net new restaurant/retail and live/work uses on the Project Site. By comparison, the Project would construct a 297-foot tall, 18-story, Office Building with 329,095 square feet of net new restaurant and office uses. Both structures would add substantial height and density to parcels currently occupied by one-story industrial buildings and surface parking lots. Five contributing buildings to the potential Historic District are located in the immediate Project Site vicinity. As discussed in Chapter IV.B, Cultural Resources, four of these five contributing properties are separated from the Project Site by the width of the street or another intervening building. Due to this physical separation, the new construction of Alternative 3 would not interfere with existing visual and/or spatial relationships between these four contributing properties and their immediate surroundings. The remaining contributing property is located at 427 South Hewitt Street and directly abuts the Project Site on the south. Alternative 3 would construct a five-story building immediately adjacent to this property, which would change the property's immediate surroundings on its northern boundary, thereby altering the property's integrity of setting. However, the property's significance is expressed primarily through its street-facing (east) façade, rather than its setting, the change to which would occur along the building's secondary (north) façade. Thus, the new construction of Alternative 3 would not encroach upon the contributing property or obscure any important character-defining features, nor alter the way in which the property would be experienced. Like the Project, Alternative 3 would not remove or alter any of the physical features that contribute to the significance of the potential Historic District. Alternative 3, like the Project, would not demolish or physically alter any contributing buildings, nor would it result in the alteration or loss of any of the additional physical features that contribute to the potential Historic District's strong sense of time and place, such as its interior circulation pattern, sloped streets (reverse crown) with concrete centerline drainage, remnant tracks and rail stop, and remnant granite infrastructure. As visual continuity is not a factor of the historic significance of the potential Historic District, the introduction of a new visual element under Alternative 3 would not constitute a substantial adverse change. Alternative 3 would not impair the integrity of the potential Historic District as a whole to the degree that it would no longer be eligible for listing under the National or California registers or for local landmark designation programs. Alternative 3 would result in a less-than-significant impact on historic resources during operations, and due to its reduced height and density that would be more consistent with the scale of development in the potential Historic District as compared to the Project, its impact would be less than the Project's less-than-significant impact.

(iii) *Archaeological Resources*

Alternative 3 entails 5,205 cubic yards of grading and soils export for site preparation, whereas the Project requires excavation to a depth of 38 feet below grade and the export of 75,200 cubic yards of soils to construct subterranean parking. With minor grading, it is unlikely that Alternative 3 would encounter native soils that were not already disturbed by past development of the Project Site. However, as discussed in Chapter IV.B, Cultural Resources, modern attempts to map the location of the Zanja Madre water system, an archaeological resource, show altered alignments of Zanja No. 2 over time in the vicinity of the Project Site. Among these are a location on the Project Site, as well as a location in the Colyton Street right-of-way. As for the Project, Alternative 3 would require minor ground disturbance in Colyton Street to install utility connections and for site preparation. Therefore, there is the potential to inadvertently uncover archaeological resources during the Alternative 3 construction period; in particular, a segment of Zanja No.2, as zanjas have been discovered close to the surface. Alternative 3 would incorporate Mitigation Measures CUL-MM-1 through CUL-MM-3, which would result in a less-than-significant impact to archaeological resources (with mitigation incorporated), and due to less grading as compared to the Project, its impact would be less than the Project's less-than-significant impact (with mitigation incorporated).

(iv) *Human Remains*

With minor grading of 5,205 cubic yards, it is unlikely that Alternative 3 would encounter native soils that were not already disturbed by past development of the Project Site. Nevertheless, the potential to inadvertently discover human remains during grading of the Project Site or within adjacent street rights-of-way (for utility connections) remains. Alternative 3 would result in a less-than-significant impact to human remains (with adherence to applicable regulations that address the inadvertent discovery of human remains), and due to less grading as compared to the Project, its impact would be less than the Project's less-than-significant impact (with adherence to the City's standard Conditions of Approval that address the inadvertent discovery of human remains).

(c) *Energy*

(i) *Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources – Construction*

Both the Project and Alternative 3 would consume energy during the construction period, in the form of electricity to power construction equipment and lighting and to convey water for dust control, and in the form of diesel and gasoline to operate construction and worker vehicles. These construction activities would not consume natural gas. Except for the excavation required to construct subterranean parking levels proposed by the Project, the

construction activities under Alternative 3 would be similar to those of the Project but at a reduced scale. Alternative 3 would be five stories in height and have a net increase in floor area of 71,158 square feet, as compared to 18 stories and a net increase in floor area of 329,095 square feet with the Project. As such, Alternative 3 represents approximately 78 percent less development than the Project with a shorter construction schedule of 22 months, as compared to 28 months for the Project. The related energy demand required for the construction of Alternative 3 would be less than that of the Project due to the reduced total floor area and shorter construction schedule. As with the Project, energy consumed under Alternative 2 would be in accordance with applicable State and City energy conservation requirements, including, but not limited to California's Building Energy Efficiency Standards (Title 24) and the California Air Resources Board's (CARB) anti-idling regulations. Therefore, similar to the Project, energy consumption under Alternative 3 would not be wasteful, inefficient, or unnecessary during construction and impacts would be less than significant. Due to the 78 percent reduction of total development and shorter construction schedule, such impacts would be less than the Project's less-than-significant impact.

(ii) Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources – Operation

Both the Project and Alternative 3 would consume energy during the operation period, in the form of electricity, natural gas, and transportation fuels. For transportation fuels, Alternative 3 would result in 942 daily vehicle trips as compared to the Project's 2,756 daily vehicle trips; therefore, transportation fuel consumption would be reduced by comparison. As Alternative 3 would provide 44 residential live/work units and the multi-family use per meter factor is 29,200 kilo-British Thermal Units (kBTU) per year,¹¹ Alternative 3 would consume 1.28 million kBTU of natural gas per year.¹² As such, the natural gas consumption of Alternative 3 would also be less than the Project, as the new live/work units of Alternative 3 would consume 1.28 kBTU per year as compared to the new office use of the Project, which would consume 3.4 million kBTU per year (the new restaurant area would be similar with Alternative 3 and the Project; therefore, natural gas consumption from this use would be similar). (While Alternative 3 proposes to utilize natural gas for only the proposed restaurant space and not for the live/work units, estimated consumption of natural gas for live/work units is provided here to provide a comparison to the Project's natural gas use.)

The electricity consumption of Alternative 3 would also be less than the Project. The office use of the Project would consume 3.44 million kilo-watt hours (kWh) per year. As Alternative 3 would provide 44 residential live/work units and the residential power use is

¹¹ California Gas and Electric Utilities. 2020 California Gas Report, Page 99. Multi-family use per meter was 292 therms in 2019 (annual). 292 therms is 29,200 kBTU.

¹² 44 units x 29,200 kBTU/year = 1.28 million kBTU/year.

500 kWh per unit per month,¹³ Alternative 3 would consume 264,000 kWh per year.¹⁴ The new restaurant area would be similar between Alternative 3 and the Project; therefore, electricity consumption from this use would be similar. The electricity demand for parking levels would also be less for Alternative 3 than for the Project, as Alternative 3 would include one parking level, and the Project would include seven parking levels. As with the Project, energy consumed during operation of Alternative 3 would be in accordance with applicable State and City energy conservation requirements, including, but not limited to Title 24, the California Green Building Standards Code (CALGreen), and the City of Los Angeles Green Building Ordinance (LAGBC). Therefore, similar to the Project, Alternative 3 would not result in wasteful, inefficient, or unnecessary consumption of energy resources during operation and impacts would be less than significant. Such impacts would be less than the Project's less-than-significant impact due to the reduced density of development on the Project Site.

(iii) Plan for Renewable Energy or Energy Efficiency Consistency

The LAGBC requires that the Project and Alternative 3 be constructed and operated in compliance with CALGreen and Title 24. Like the Project, Alternative 3 would also be developed to achieve energy savings equivalent to LEED Silver certification levels, which are greater than reductions required by State regulations alone. Alternative 3 would also comply with the goals of the 2020-2045 RTP/SCS, because the Project Site is an infill site served by transit, which would encourage the use of alternative modes of transportation, thereby reducing VMT and associated transportation fuel consumption. Similar to the Project, Alternative 3 would be required to comply with CARB's anti-idling regulations, and vehicles accessing the Project Site during operations would comply with CAFE standards. Therefore, like the Project, Alternative 3 would result in a less-than-significant impact related to conflicts with plans for renewable energy or energy efficiency, and the impact would be similar to the Project's less-than-significant impact.

(d) Geology and Soils

(i) Risk of Loss, Injury, or Death Involving Rupture of a Known Earthquake Fault, Seismic Ground Shaking, or Seismic-Related Ground Failure (including Liquefaction) – Construction

As discussed in Section IV.D, Geology and Soils and in Appendices E1, E2, and E3 of the Draft EIR (Geotechnical Engineering Investigation, 2018 Update of the Geotechnical

¹³ LADWP. 2017. 2017 Power Strategic Long-Term Resource Plan, Page 15. December. Typical residential power use is 500 kWh per unit per month.

¹⁴ 44 units x (500 kwh/unit/month) x (12 month/year) = 264,000 kWh/year.

Engineering Investigation, and 2019 Update of the Geotechnical Engineering Investigation), the Project Site is not located on known active or potentially active underlying faults or within an Alquist-Priolo Earthquake Fault Zone. Therefore, similar to the Project, the potential for surface ground rupture at the Project Site is considered low for Alternative 3. The closest fault to the Project Site is the Puente Hills Blind Thrust, located 1.1 miles to the east. Like the Project, Alternative 3 proposes development that is typical of urban environments. Alternative 3 would require minor grading, but would not involve mining operations, deep excavation into the Earth, or boring of large areas that would create unstable seismic conditions. The Project Site is not located in a City-designated liquefaction zone, and soils underlying the Project Site are not anticipated to be capable of liquefaction during seismic ground motion. In addition, as with the Project, Alternative 3 would be required to comply with all applicable sections of the City's Building Code, which, along with local amendments, incorporate the most recent updates of the CBC. Compliance with the Building Code incorporates all seismic standards pertaining to the Project Site and its seismic design category. Alternative 3 is also subject to the conditions of approval of the LADBS Grading Division similar to the Project. Therefore, the impacts of Alternative 3 related to risks of loss, injury, or death involving rupture of known earthquake fault, seismic ground shaking, or seismic-related ground failure (including liquefaction) during construction would be less than significant and similar to the Project's less-than-significant impacts.

(ii) Risk of Loss, Injury, or Death Involving Rupture of a Known Earthquake Fault, Seismic Ground Shaking, or Seismic-Related Ground Failure (including Liquefaction) – Operation

As discussed above, similar to the Project, Alternative 3 would be required to comply with all applicable sections of the City's Building Code, which, along with local amendments, incorporate the most recent updates of CBC, as well as with the conditions of approval of the LADBS. Compliance with the City's Building Code and LADBS conditions of approval would reduce seismic-related risks. Therefore, the impacts of Alternative 3 related to risks of loss, injury, or death involving rupture of known earthquake fault, seismic ground shaking, or seismic-related ground failure (including liquefaction) during operation would be less than significant and similar to the Project's less-than-significant impact.

(iii) Soil Erosion or Loss of Topsoil – Construction

As discussed in Section IV.D, Geology and Soils and in Appendices E1, E2, and E3 of the Draft EIR (Geotechnical Engineering Investigation, 2018 Update of the Geotechnical Engineering Investigation, and 2019 Update of the Geotechnical Engineering Investigation), the Project Site lacks topsoil that is subject to erosion due to its flat topography and developed (i.e., paved) nature. Therefore, the potential for soil erosion

and the loss of topsoil is low. Nevertheless, the Project Site would be subject to ground-disturbing activities during construction of Alternative 3 (including grading, foundation construction, and the installation of utilities), which would temporarily expose soils, allowing for possible erosion. This potential occurrence would be reduced through adherence to stringent controls imposed by grading and building regulations. All grading activities would require permits from the LADBS, including requirements to limit the potential impacts associated with erosion. Further, all grading and site preparation must comply with all applicable provisions in Chapter IX, Division 70 of the LAMC, which addresses grading, excavation, and fills. In addition, like the Project, Alternative 3 would be required to submit an erosion control plan for LADBS approval (as well as a SWPPP per the NPDES permit requirements, which would be implemented during construction to reduce sedimentation and erosion levels to the maximum extent possible. Required compliance with these regulations ensures that the soil erosion and loss of topsoil impacts of Alternative 3 would be less than significant. Since Alternative 3 would not include subterranean parking and would require substantially less earthwork than the Project, impacts would be less than the Project's less-than-significant impacts.

(iv) Soil Erosion or Loss of Topsoil – Operation

As would occur with the Project, all Project Site surfaces would be covered by pavement, landscaping, or buildings with Alternative 3. In addition, similar to the Project, Alternative 3 would be required to prepare and implement a SUSMP for its operational life and comply with the City's LID, which include BMPs to reduce on-site erosion and to control the amount of impervious surface, increase infiltration, and improve water quality. Therefore, the impacts of Alternative 3 related to soil erosion or the loss of topsoil during operation would be less than significant and similar to the Project's less-than-significant impacts.

(v) Unstable Geologic Unit or Soils – Construction

As discussed in Section IV.D, Geology and Soils and in Appendices E1, E2, and E3 of the Draft EIR (Geotechnical Engineering Investigation, 2018 Update of the Geotechnical Engineering Investigation, and 2019 Update of the Geotechnical Engineering Investigation), the Project Site is not susceptible to liquefaction, lateral spreading, subsidence, or impacts associated with landslides, nor are the soils underlying the Project Site considered capable of liquefaction. Given the nature of the underlying geologic materials and that the Project Site is not likely to be susceptible to liquefaction, excessive settlement is not expected to occur. Similar to the Project, grading of the Project Site and construction of Alternative 3 would occur in accordance with the CBC and the City's Building Code and would be required to implement the conditions of approval of the LADBS. Therefore, construction of Alternative 3 would have a less-than-significant impact related to unstable geologic units or soils, which would be similar to the Project's less-than-significant impact.

(vi) *Unstable Geologic Unit or Soils – Operation*

As with the Project, all surfaces of the Project Site would be covered by pavement, landscaping, or buildings once construction of Alternative 3 is complete. Therefore, operation of Alternative 3 would have no impact related to unstable soil conditions during operation, similar to the Project.

(vii) *Expansive Soils – Construction*

As discussed in Section IV.D, Geology and Soils and in Appendices E1, E2, and E3 of the Draft EIR (Geotechnical Engineering Investigation, 2018 Update of the Geotechnical Engineering Investigation, and 2019 Update of the Geotechnical Engineering Investigation), the Project Site geologic materials have very low expansion potential. In addition, similar to the Project, Alternative 3 would be required to comply with the CBC and City's Building Code, as well as implement the conditions of approval of the LADBS. Therefore, construction of Alternative 3 would have a less-than-significant impact related to expansive soils, similar to the Project, which would result in a less-than-significant impact.

(viii) *Expansive Soils – Operation*

Upon completion of construction activities for Alternative 3, all surfaces of the Project Site would be covered by pavement, landscaping, or buildings. Similar to the Project, all shallow soils that may have been susceptible to expansion would have been removed during construction. Therefore, operation of Alternative 3 would have no impact related to expansive soils during operation, similar to the Project.

(ix) *Paleontological Resources*

Alternative 3 entails 5,205 cubic yards of grading and soils export for site preparation, whereas the Project requires excavation to a depth of 38 feet below grade and the export of 75,200 cubic yards of soils to construct subterranean parking. As discussed in Section IV.B, Cultural Resources and Appendix C1, Cultural Resource Assessment, of the Draft EIR, shallow excavations in the younger Quaternary Alluvium exposed throughout the Project Site are unlikely to uncover significant fossil vertebrate remains. Since Alternative 3 requires minor earthwork as compared to the Project, the likelihood of uncovering a paleontological resource is less than that of the Project, although the potential for inadvertent discovery during grading remains. Therefore, Alternative 3 would result in a less-than-significant impact to paleontological resources (with adherence to the City's standard Conditions of Approval that address the inadvertent discovery of paleontological resources), and due to the minor grading required as compared to the Project, the impact would be less than the Project's less-than-significant impact (with adherence to the City's

standard Conditions of Approval that address the inadvertent discovery of paleontological resources).

(e) *Greenhouse Gas Emissions*

(i) *GHG Emissions*

As with Project, Alternative 3 would generate GHG emissions during both construction and operation. During construction, GHG emission sources include construction equipment, construction trucks, and construction worker vehicles. During operation, GHG emission sources include vehicles, lighting, and HVAC systems, and, to a lesser extent, landscaping equipment and power to operate water and wastewater infrastructure. As with the Project, Alternative 3 would construct a mixed-use development that increases density on the Project Site located within a TPA; however, whereas the Project would provide restaurant and office uses, Alternative 3 would provide restaurant/retail and residential uses. The proposed restaurant/retail and residential land uses under Alternative 3 would create job and housing opportunities within a TPA, which would reduce VMT and related GHG emissions. In addition, Alternative 3 would also comply with Title 24, CALGreen, the AB 32 Scoping Plan and Scoping Plan Update, the 2020-2045 SCAG RTP/SCS, L.A.'S Green New Deal, and the LAGBC, which would reduce VMT and increase energy and water conservation, thereby reducing GHG emissions. Like the Project, Alternative 3 would also be developed to achieve energy savings (and indirectly, reduce GHG emissions) equivalent to LEED Silver certification levels (see Project Design Feature GHG-PDF-1 for the Project), which are greater than reductions required by State regulations alone. As Alternative 3 would be five stories in height and have a net increase in floor area of 71,158 square feet, as compared to 18 stories and a net increase in floor area of 329,095 square feet with the Project (and 78 percent less total development), construction activities for Alternative 3 would be less than those required to construct the Project, which would shorten the construction duration of Alternative 3 to 22 months, compared to 28 months for the Project. Therefore, the related GHG emissions would be less under Alternative 3. In addition, during operations, Alternative 3 would result in fewer daily vehicle trips and VMT, and less energy consumption in the form of transportation fuel, electricity, and natural gas (refer to preceding Energy analysis for Alternative 3), than the Project, as well as less water and wastewater demand and solid waste generation than the Project (refer to the Utilities and Service Systems analyses for Alternative 3, below), all of which contribute to GHG emissions. Therefore, Alternative 3 would result in fewer GHG emissions during operation than the Project. As such, the construction and operation period GHG emissions impacts of Alternative 3 would be less than significant and less than the less-than-significant impacts of the Project.

(ii) *Conflicts with GHG Reduction Plans*

As discussed above, Alternative 3 would construct a mixed-use development within a TPA that increases density on the Project Site and provides retail/restaurant and residential uses. The proposed land uses under Alternative 3 would generate GHG emissions during both construction and operation; however, these land uses would create job and housing opportunities within a TPA, which would reduce VMT and associated GHG emissions. As with the Project, Alternative 3 would be designed to comply with Title 24, CALGreen, the AB 32 Scoping Plan and Scoping Plan Update, the 2020-2045 RTP/SCS, L.A.'S Green New Deal, and the LAGBC, which would reduce VMT and increase energy and water conservation, thereby reducing GHG emissions. In addition, like the Project, Alternative 3 would also be designed to achieve energy savings (and indirectly, reduce GHG emissions) equivalent to LEED Silver certification levels (see Project Design Feature GHG-PDF-1 for the Project), which are greater than reductions required by State regulations alone. Therefore, Alternative 3, like the Project, would not conflict with GHG reduction plans and policies. Impacts related to conflicts plans, policies, or regulations adopted for the purpose of reducing GHG emissions under Alternative 3 would be less than significant and similar to the Project's less-than-significant impact.

(f) *Hazards and Hazardous Materials*

(i) *Transport, Use, or Disposal of Hazardous Materials – Construction*

Alternative 3 has the potential to expose the public or environment to hazardous materials, in the event of an unplanned release, due to the routine transport, use, and disposal of hazardous materials that are typically necessary for demolition and the construction of commercial development, such as paints, building materials, adhesives, cleaners, and fuel for construction equipment and vehicles. However, like the Project, transport, use, and disposal of construction-related hazardous materials under Alternative 3 would occur in accordance with the manufacturers' specifications for each material, as well as in conformance with applicable local, State, and federal regulations governing such materials and activities, which include the TSCA, RCRA, federal OSHA, Cal/OSHA, California Code of Regulations, California Health and Safety Code, SCAQMD Rules 1403 and 1113, and the LAMC (including but not limited to Section 91.7104, addressing methane). Therefore, construction of the Alternative 3 in compliance with these regulations ensure that Alternative 3 would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. As such, impacts would be less than significant and similar to the Project's less-than-significant impacts.

(ii) Transport, Use, or Disposal of Hazardous Materials – Operation

Alternative 3 would consist of retail/restaurant and residential uses and associated parking. During operations, common hazardous materials, such as cleaning solvents used for janitorial purposes, materials used for maintenance (such as lubricants or thinners), and materials used for landscaping (including fertilizers, pesticides, or chemicals for weed control) would be stored and used on the Project Site. However, as with materials used during construction, such potentially hazardous materials that are transported, stored, or used on-site for daily upkeep and subsequently disposed would be handled in accordance with the manufacturers' specifications for each material and in compliance with applicable local, State, and federal regulations. Therefore, compliance with these regulations would ensure that Alternative 3 would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and impacts would be less than significant, similar to the Project's less-than-significant impacts.

(iii) Upset and Accident Conditions – Methane

The Project Site is located within the City's Methane Zone recognized by the LADBS, and the LAMC provides methane seepage regulations for the construction of new projects located within a Methane Zone or Methane Buffer Zone. As concluded in the Phase II Subsurface Site Investigation prepared for the Project by Citadel Environmental Services, Inc., the Project Site meets the minimum methane mitigation requirements for Site Design Level II, which requires a passive mitigation system, with sub-slab venting and an impervious membrane. Although Alternative 3 would require the grading and export of only 5,205 cubic yards of soils from the Project Site, the methane system requirements would still apply in order to comply with LAMC Section 91.7104 since the Project Site is located in a Methane Zone. However, construction and operation of Alternative 3 in compliance with the requirements of LAMC would ensure that Alternative 3 would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of methane into the environment. Therefore, impacts would be less than significant and similar to the Project's less-than-significant impacts.

(iv) Upset and Accident Conditions – Hazardous Soil Conditions

To identify and define the extent of potential subsurface contamination from the on-site wastewater clarifier, auto repair floor pit, several wastewater separator structures, and the former truck wash rack, soil samples were collected from across the Project Site, as part of the Phase II Subsurface Site Investigation. Of the samples collected, results were

all below their respective RSLs and represented naturally occurring background levels. However, due to the occupied use of the existing garage, office building and parking lot on the Project Site, the Phase II Subsurface Site Investigation of the on-site wastewater clarifier, auto repair floor pit, and several wastewater separator structures could not be performed. As access was limited due to current development at the Project Site, and due to the historical occupancies of the Project Site for vehicle repair and truck washing, Alternative 3 would have the potential to uncover hazardous soil conditions similar to the Project. Therefore, as with the Project, Alternative 2 would require the implementation of Mitigation Measures HAZ-MM-1 (a Supplemental Phase II Subsurface Site Investigation) and HAZ-MM-2 (Soil Management Plan) to reduce the potentially significant impacts related to hazardous soil conditions to a less-than-significant level. However, as Alternative 3 requires minor earthwork compared to the Project, the amount of potentially hazardous soil that may be encountered would be far less than the Project. Nevertheless, Alternative 3 would have a less-than-significant impact (with Mitigation Measures HAZ-MM-1 and HAZ-MM-2 incorporated) related to the potential to uncover hazardous soil conditions, which would be less than the Project's less-than-significant impact (with mitigation incorporated), due to the minor earthwork involved with Alternative 3 as compared to the Project.

(v) Upset and Accident Conditions – Hazardous Building Materials

The Project Site buildings vary in age but were constructed prior to the placement of governmental limitations and bans on the use of ACBMs, LBP, and PCBs in building and electrical equipment. No testing is known to have been performed to evaluate for the presence of ACBMs, LBP, or PCBs at the existing structures on the Project Site. Therefore, Alternative 3 would have the potential to result in a significant impact from the potential exposure of construction workers to these materials. As with the Project, prior to demolition of building components, an investigation of the existing structures would be conducted to identify existing ACBMs, LBP, or PCBs. All identified ACBMs, LBP, or PCBs would be abated in accordance with the SCAQMD's Rule 1403 and with applicable City, State, and federal regulations to ensure proper handling and disposal and to allow for measures to protect worker safety during demolition. Therefore, the potential impacts of Alternative 3 related to ACBMs, LBP, or PCBs would be less than significant, and similar to the Project's less-than-significant impact.

(vi) Emissions or Handling of Hazardous Materials within One-Quarter Mile of a School

The Project Site is not located within one-quarter mile of an existing or proposed public or private school campus. The closest school to the Project Site is a private preschool, Lumbini Child Development Center, which is located approximately 0.27 mile northwest

of the Project boundary. No schools are proposed to be developed within one-quarter mile of the Project Site. Since there are no existing or planned schools within one-quarter mile of the Project Site, Alternative 3 would have no impact associated with the emission of hazardous materials within one-quarter mile of an existing or proposed school, similar to the Project.

(vii) Section 65962.5 List of Sites

The Project Site does not appear on the lists maintained pursuant to Government Code Section 65962.5, including:

- The DTSC's EnviroStor database list of hazardous waste and substances sites;
- The Water Board GeoTracker database for leaking USTs;
- Solid waste disposal sites with waste constituents above hazardous waste levels outside the waste management unit, as identified by Water Board;
- The Water Board's list of Cease and Desist Orders and Cleanup and Abatement Orders; and
- DTSC's list of hazardous waste facilities that are subject to corrective action.

Therefore, Alternative 3 would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would have no impact associated with the exacerbation of existing environmental conditions related to Government Code Section 65962.5 listing, similar to the Project.

*(viii) Impairment of Emergency Response Plan or
Emergency Evacuation Plan*

The Safety Element of the City's General Plan identifies East 4th Street and Alameda Street in the vicinity of the Project Site as Selected Disaster Routes. The County also identifies the segment of East 4th Street, on which the Project Site is located, and Alameda Street, located just 515 feet west of the Project Site, as disaster routes. During construction, as with the Project, Alternative 3 may potentially impede traffic flow along East 4th Street temporarily, due to slower-moving trucks or equipment accessing the Project Site, queuing of haul trucks, or partial or full lane closures for construction adjacent to the Project Site boundaries. While the construction period would be shorter for Alternative 3 than for the Project due to the reduced scale of development, Alternative 3 would also implement a Construction Traffic Management Plan (see Project Design Feature TRANS-PDF-1 for the Project) to ensure that Alternative 2 would not impair an adopted emergency response plan or emergency evacuation plan. This project design feature would include, but not be limited to, development of a Project construction traffic control plan approved by the LADOT, inclusion of designated detour routes and staging areas where necessary, traffic control procedures, emergency access provisions, and

construction crew parking provisions. During operations, Alternative 3 would not cause permanent alterations to vehicular circulation routes and patterns, nor would it impede public access or travel on public rights-of-way. Therefore, impacts related to the impairment of emergency response plans or emergency evacuation plans under Alternative 3 would be less than significant and similar to the less-than-significant impact of the Project.

(g) Hydrology and Water Quality

(i) Water Quality Standards, Waste Discharge Requirements, and Surface or Groundwater Quality Degradation – Construction

Alternative 3 construction activities that would potentially contribute to pollutant loading in stormwater runoff from the construction site include, but are not limited to, grading, paving operations, structure construction, demolition and debris disposal, and dewatering operations. According to the Geotechnical Engineering Investigation prepared for the Project,¹⁵ groundwater was encountered during drilling on the Project Site at an approximate depth of 78 feet below the existing grade. However, the historically highest groundwater level reported was on the order of 84 feet below grade. The grading activity for Alternative 3 would be limited to 5,205 cubic yards of export; therefore, earthwork would occur well above the groundwater level and is not expected to encounter groundwater. As discussed in the evaluation of Hazards and Hazardous Materials, excavation activities for Alternative 3 may include the removal of an underground wastewater clarifier (previously associated with a truck washing facility that operated on the Project Site), and although subsurface investigations completed to date have not detected hazardous soil conditions, access was limited due to current development at the Project Site. Similar to the Project, Alternative 3 would be required to obtain coverage for stormwater discharges under the SWRCB CGP, which would require development of a SWPPP during construction. The SWPPP would include BMPs and erosion control measures to prevent pollution in stormwater discharge. The SWPPP would be carried out in compliance with SWRCB requirements and would be subject to review by the City for compliance with the LID Handbook. Additionally, as with the Project, Alternative 3 construction activities would occur in accordance with City grading permit regulations (LAMC Chapter IX, Division 70), such as the preparation of an erosion control plan, to reduce the effects of sedimentation and erosion. Although Alternative 3 would comply with SWRCB and City regulations, potential impacts related to surface and groundwater quality standards and discharge would be potentially significant due to hazardous soil conditions caused by the truck washing facility that previously operated on the Project Site. Implementation of mitigation measures similar to the Project's Mitigation Measures HAZ-MM-1 (a Supplemental Phase II Subsurface Site Investigation) and HAZ-MM-2 (Soil

¹⁵ Geotechnologies, Inc. 2016. Geotechnical Engineering Investigation Proposed Mixed Use Structure 405-411 South Hewitt Street, and 900-926 East 4th Street, and 412 Colyton Street Los Angeles, California. December 29. (Appendix E1).

Management Plan) would be required to reduce any potentially hazardous soil conditions encountered during construction under Alternative 3 to less than significant. Due to the reduced scale of grading and construction activities of Alternative 3 in comparison to the Project, the surface and groundwater quality impact of Alternative 3 during construction would be less than the Project's less-than-significant impact (with mitigation incorporated).

(ii) Water Quality Standards, Waste Discharge Requirements, and Surface or Groundwater Quality Degradation – Operation

Common pollutants generated by land use developments during operations may include sediment/turbidity, nutrients, organic compounds, trash and debris, oxygen demanding substances, oil and grease, pesticides, and metals, which are also identified as impairments of the Los Angeles River Reach 2. During a storm, there is a potential for pollutants of concern to be carried by stormwater from proposed developments to the storm drain system. With the exception of landscaping, Alternative 3 would be comprised of mainly impervious surfaces once redeveloped, as with the Project (which would have 98.5 percent impervious surface coverage). There are no known stormwater treatment BMPs at the existing Project Site, meaning that stormwater, with potential pollutants, currently sheet flows from the Project Site into the public right-of-way, where it is conveyed to the local storm drain system and ultimately to the Pacific Ocean.

Like the Project, Alternative 3 would be required to comply with the City's LID Ordinance to manage stormwater runoff during operations, which require on-site stormwater management techniques to be implemented and properly sized to manage and treat stormwater runoff by infiltration, evapotranspiration, capture and use, and/or treatment through high removal efficiency BMPs on-site. During operations, Alternative 3 would not include the use of on-site groundwater extraction wells or wastewater treatment (septic) systems that would introduce contaminants or waste materials to groundwater supplies. As Alternative 3 would be required to comply with the City's LID Ordinance and provide for the capture and infiltration of stormwater runoff with 100 percent treatment, it would include more landscaping and pervious surface than is currently on the Project Site. As such, through required compliance with the City's LID Ordinance, Alternative 3 operations would not violate groundwater quality standards and discharge requirements, nor would they substantially degrade groundwater quality. Therefore, the Alternative 3 impacts during operations would be less than significant and similar to the Project's less-than-significant impacts.

(iii) Groundwater Supply and Recharge – Construction

As previously discussed, groundwater was determined to occur at an approximate depth of 78 feet below the existing grade at the Project Site. Therefore, it is unlikely that groundwater would be encountered during earthwork activities of Alternative 3, which would be limited to 5,205 cubic yards of exported soils. However, where test borings were not drilled, the possibility of encountering perched water zones exists. The dewatering of perched groundwater during construction, if necessary, would be temporary, of limited quantity due to the minor amount of grading needed to develop Alternative 3, and confined to the Project Site. Such dewatering would not permanently draw from groundwater supplies and would comply with the LARWQCB Order No. R4-2018-0125, General NPDES Permit No. CAG994004 (Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties). Therefore, construction activities for Alternative 3 would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that it may impede sustainable groundwater management of the basin during construction. Due to the reduced scale of grading and construction activities under Alternative 3 in comparison to the Project, impacts to groundwater levels during construction would be less than significant and less than the Project's less-than-significant impacts.

(iv) Groundwater Supply and Recharge – Operation

The potable water supplies for Alternative 3 would be provided by connection to an existing LADWP water main that currently serves the existing uses on the Project Site. Alternative 3 would not install groundwater production wells on-site that would deplete groundwater supplies. Rather, similar to the Project, Alternative 3 would slightly improve infiltration through implementation of infiltration BMPs that comply with the LID Ordinance. Therefore, Alternative 3 would not substantially decrease groundwater supplies or interfere with groundwater recharge such that it may impede sustainable groundwater management of the basin during operations. As such, impacts related to groundwater supply and recharge levels during operation of Alternative 3 would be less than significant and similar to the Project's less-than-significant impacts.

(v) Drainage Pattern Alteration – Erosion and Siltation, Runoff Rate and On- and Off-Site Flooding, or Runoff and Stormwater Drainage System Capacity – Construction

Similar to the Project, Alternative 3 would be required to obtain grading permits from the LADBS and comply with all applicable City grading permit regulations, including implementing measures, plans, and inspections to address potential sedimentation and erosion into the public right-of-way. Alternative 3 would also be required to obtain

coverage under the CGP for stormwater discharge and implement a SWPPP that describes BMPs to be used for erosion control or other source control measures to prevent pollutants from discharging from the Project Site. With implementation of regulatory requirements, impacts related to erosion and siltation, as well as polluted runoff, associated with the construction of Alternative 3, would be less than significant and similar to the Project's less-than-significant impact.

During construction, Alternative 3 would not increase the imperviousness of the Project Site and would not potentially cause flooding during a storm event. Runoff from the Project Site would continue to be conveyed by the existing storm drain system to the Los Angeles River, which ultimately outlets at the Pacific Ocean, and as such, Alternative 3 would not substantially affect the amount of surface water in a water body or interfere with wildlife movement. Since runoff from the Project Site would continue to be conveyed by existing storm drain facilities during the construction of Alternative 2, temporary construction activities would not alter the existing drainage pattern. Therefore, impacts related to potential flooding as a result of altered drainage patterns during the construction of Alternative 3 would be less than significant and similar to the Project's less-than-significant impact.

As construction activities would demolish on-site structures and surface parking lots, the Project Site would be temporarily more permeable during the construction period. Therefore, Alternative 3 would not increase stormwater runoff during the construction period. Alternative 3 would have a less-than-significant impact related to exceeding the capacity of the stormwater drainage system during construction and would not require the construction of new or expanded off-site stormwater drainage facilities that would cause additional significant environmental effects. Therefore, the impacts of Alternative 3 related to stormwater capacity during the construction period would be less than significant and similar to the Project's less-than-significant impacts.

(vi) Drainage Pattern Alteration – Erosion and Siltation, Runoff Rate and On- and Off-Site Flooding, or Runoff and Stormwater Drainage System Capacity – Operation

Stormwater leaving the Project Site presently drains directly into the street gutter system via sheet flow and building scuppers, eventually entering the public storm drain system. There are no known stormwater treatment BMPs at the existing Project Site, meaning that runoff from the impervious surfaces on the Project Site is currently conveyed to the local storm drain system and is not retained or treated on-site. Flows entering the local storm drain system are conveyed to the southeast and discharged to the Los Angeles River. Similar to the Project, this drainage pattern would be maintained by Alternative 3; however, Alternative 3 would alter the imperviousness and drainage flow rates on the Project Site by increasing the amount of landscaping on the Project Site and

implementing infiltration BMPs required by the City's LID Ordinance. As with the Project, with implementation of regulatory requirements, runoff volumes from the Project Site would decrease; therefore, Alternative 3 would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would result in substantial erosion on- or off-site, substantially increase the rate or amount of surface runoff resulting in flooding on- or off-site, or create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, impacts during operation of Alternative 3 would be less than significant and similar to the Project's less-than-significant impacts.

(vii) Release of Pollutants due to Inundation

Alternative 3 would not place housing or structures within a 100-year floodplain since the Project site is not located in a 100-year floodplain. Further, the Project Site is located approximately 16 miles inland of the Pacific Ocean and outside of the tsunami inundation zone. However, the Project Site is located within a potential dam failure inundation area identified by the General Plan Safety Element,¹⁶ due to its proximity to the Los Angeles River, where flows from the potential failure of a dam in upper portions of the watershed would be conveyed. The DSOD engineers and engineering geologists review and approve plans and specifications for the design of dams and oversee their construction to ensure compliance with the approved plans and specifications. In addition, DSOD engineers inspect over 1,200 dams on a yearly schedule to ensure they are performing and being maintained in a safe manner. In consideration of this program and required compliance by Alternative 3 with LACDPW, SWRCB, and City LID requirements, the impacts of Alternative 3 related to the release of pollutants following an inundation event would be less than significant and similar to the Project's less-than-significant impacts.

(viii) Conflicts with Water Quality Control Plans or Sustainable Groundwater Management Plan

The applicable water quality control plan for the Project Site is the Los Angeles Basin Plan. The LARWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, municipalities, or businesses whose waste discharges can affect water quality. The SGMA also applies to the Project Site, as the City is included in the WRD of Southern California. Alternative 3 would protect surface water quality and groundwater quality through compliance with the necessary BMPs of a SWPPP during construction and with a site design that implements effective SUSMP and LID strategies during operations. In addition, Alternative 3 would implement Mitigation Measures HAZ-MM-1, which requires a Supplemental Phase II Subsurface Site

¹⁶ City of Los Angeles, Department of City Planning. 1996. Safety Element of the Los Angeles City General Plan, Exhibit G, Inundation & Tsunami Hazard Areas in the City of Los Angeles. Adopted November 26.

Investigation following demolition, and HAZ-MM-2, which requires a Soil Management Plan prior to soil-disturbing activities, to address potentially hazardous soil conditions. These mitigation measures would also mitigate impacts related to surface and groundwater quality standards and discharge requirements during construction; thereby mitigating impacts related to conflicts with the Basin Plan and SGMA during construction. Therefore, Alternative 3 would not conflict with the goals of the Basin Plan and SGMA, and impacts would be less than significant (with mitigation incorporated) and similar to the Project's less-than-significant (with mitigation incorporated) impacts.

(h) *Land Use and Planning*

(i) *Land Use Plan, Policy, or Regulation Conflicts*

The Downtown Community Plan Alternative would develop a Project that is consistent with the proposed zoning and land use designation for the Project Site under the draft Downtown Community Plan. The draft Downtown Community Plan land use designation for the Project Site is proposed to be Hybrid Industrial, with base zoning of mid-rise broad form 3 (MB3), daylight factory frontage and development standard 5 (CDF1-5), and use district IX4, within the floor area density district that allows a FAR of 1.5:1. This zoning allows office, commercial, research and development, wholesale, light industrial, and live/work uses. Live/work units in this zone must be 1,000 square feet in size or greater.

Alternative 3 assumes adoption and implementation of the Downtown Community Plan substantially as currently drafted. The proposed retail/restaurant and residential land uses are permitted by and consistent with the Project Site's zoning and land use designation. As Alternative 3 would be constructed in compliance with the zoning and land use designation of the Project Site under the draft Downtown Community Plan, Alternative 3 would not require approval of the following requested entitlements that would be required to develop the Project:

- A General Plan Amendment for the Project Site to amend the adopted Community Plan's land use designation from Heavy Industrial to Regional Center Commercial;
- A Vesting Zone Change for the Project Site from the M3 Zone to C2 Zone; and
- A Height District Change for the Project Site from Height District No. 1 to Height District No. 2.

As such, Alternative 3 would not conflict with the LAMC or the draft Downtown Community Plan, once adopted. Although Alternative 3 is not accounted for in the growth projections of the SCAG 2020-2045 RTP/SCS (because the General Plan [of which the community plans are a part] provides the basis of SCAG RTP/SCS growth projections), it would not conflict with the applicable RTP/SCS policies or regulations adopted for the purpose of mitigating an environmental effect. Alternative 3 would be sited on an urban infill site and would be consistent with more recent infill developments and planned

developments in the Arts District that include increased height and density compared to the land uses they replaced, as well as mixed residential and commercial uses; it would be located within 0.5 miles from the Metro L (Gold) Line Little Tokyo/Arts District Station to the north of the Site on Alameda Street) and several bus stops; and it would provide vehicle and short- and long-term bicycle parking. Alternative 3 would also create and execute a TDM program (TRANS-PDF-2) to promote non-auto travel and reduce the use of single-occupant vehicle trips and would provide funding for the Downtown/Arts District TMO (TRANS-PDF-3) to oversee the development, implementation, and operation of TDM strategies within a particular study area, which are measures implemented to increase transit and mode choices. Therefore, Alternative 3 would result in less-than-significant land use and planning impacts, which would be less than the less-than-significant impacts of the Project, as it would not require the approval of several requested entitlements required for the Project, assuming the adoption and implementation of the Downtown Community Plan substantially as currently drafted.

(i) *Noise*

(i) *Noise in Excess of Standards – Construction (Off-Road Equipment)*

As with the Project, the highest noise levels generated by Alternative 3's construction activities would typically range from about 81 to 85 dBA L_{eq} at a distance of 50 feet from the noise source, as construction equipment necessary to develop Alternative 3 would be similar to the Project. The closest off-site sensitive receptor to the Project Site is a roof-mounted trailer located at 428 South Hewitt Street. Construction noise levels may reach 81 dBA for a one-hour L_{eq} , which would exceed the recommended noise threshold of 75 dBA. Construction noise is also significant if construction operations lasting more than 10 days would exceed existing ambient exterior noise levels by 5 dBA or more at the property line. Although construction of Alternative 3 would occur between the allowable hours of 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. to 6:00 p.m. on Saturdays and not during noise sensitive hours, a potentially significant impact would occur, because construction activities may exceed the recommended noise threshold of 75 dBA at the closest sensitive use (the roof-mounted trailer at 428 South Hewitt Street), and construction operations lasting more than 10 days may also exceed existing ambient exterior noise levels by 5 dBA or more at the rooftop trailer at 428 South Hewitt Street, the live/work land use at 442 Colyton Street, and the potential live/work use at 449 South Hewitt Street. Off-road construction equipment used would be the same as the Project. As discussed previously, due to the proximity of the closest noise-sensitive receptor (80 feet, located at 428 South Hewitt Street), it is not feasible to reduce the construction noise impact from off-road equipment use to below the level of significance, as only two pieces

of operating equipment would exceed the threshold. Alternative 3 would also implement the same PDFs as the Project, as discussed previously.

Similar to the Project, the most effective method of noise mitigation for Alternative 3 is the construction of a temporary noise barrier that blocks the line-of-sight between the source of the noise and the receiver. A 24-foot ground level on-site barrier was evaluated under the Project as part of Mitigation Measure NOI-MM-1 to reduce construction equipment noise levels at the roof-mounted trailer. In addition, a temporary barrier around the trailer on the roof at 428 South Hewitt Street was also evaluated as part of Mitigation Measure NOI-MM-1 for the Project to address noise during the demolition and grading periods, as well as during the portions of the building construction and paving phases. A similar mitigation measure would be implemented under Alternative 3 to address significant noise level impacts to 428 South Hewitt Street, 442 Colyton Street, and 449 South Hewitt Street.

Both the 24-foot on-site ground floor barrier and the rooftop barrier located off-site would not reduce noise levels below the level of significance at 428 South Hewitt Street during all phases of construction of the five-story building, because some of the building construction would occur above the top of the noise barriers. Because of the building height, and also because the property owner may not agree to the off-site rooftop barrier, the impact would remain significant and unavoidable. In addition, at 442 Colyton Street and 449 South Hewitt Street, it would be infeasible to construct a noise barrier that would block the line of site between construction of the higher floors of the five-story Alternative 3 structure and the receptors, and there is also insufficient space for a barrier along the southern property line due to the presence of existing buildings adjacent to the limits of demolition, excavation, and construction activity.

Like the Project, the construction period noise impacts from the operation of off-road construction equipment for Alternative 3 would be significant and unavoidable but less than the Project's significant and unavoidable impacts, due to the reduced scale of development and shorter construction schedule compared to the Project.

(ii) Noise in Excess of Standards – Construction (On-road Traffic)

As discussed in Section IV.I, Noise, of this Draft EIR, delivery truck and haul trucks would travel to and from the Project Site throughout the construction period for the Project using typical dump trucks with a capacity of approximately 14 - 20 cubic yards. The worst-case scenario would be hauling trucks during the grading phase. Haul trucks would also be utilized to transport demolition waste. Loaded trucks would exit the Project Site onto East 4th Street and/or South Hewitt Street, East 4th Place, Alameda Street, and Commercial Street. From Commercial Street, trucks would travel on U.S.-101 South, I-10 East, I-605 North, and I-210 East, major highways on which the Project trucks would not increase

noise levels. Trucks would exit 1-210 East onto major roadways on which they would not increase noise levels (Irwindale Avenue and West Gladstone Street; already used for landfill ingress and egress). In addition, the landfill is located in an industrial area. For the Project, the estimated maximum number of haul trips per peak day would be 120. Haul hours are 9:00 a.m. to 3:30 p.m. on weekdays (6.5-hour window) and 8:00 a.m. to 6:00 p.m. (10-hour window) on Saturdays. The Project's truck trips would generate maximum noise levels of approximately 63 dBA L_{eq} along each roadway and would not exceed the significance thresholds along the truck routes. No construction or truck haul activities would occur at night. Alternative 3 would construct 78 percent less development than the Project and would require fewer haul trucks and trips than the Project during construction, as it would export only 5,205 cubic yards of soil as compared to 75,200 cubic yards for the Project, which would generate fewer construction-related trips overall. Project construction traffic noise impacts would be less than significant; therefore, the construction traffic noise impact of Alternative 3 would be less-than-significant and less than the Project's less-than-significant impact.

(iii) Noise in Excess of Standards – Composite Construction

For the Project, the combined effect of on- and off-road construction noise sources at each sensitive receptor would result in noise levels in excess of the 5-dBA noise increase threshold as a result of the Project's composite on- and off-road construction activities at: 428 South Hewitt Street, 442 Colyton Street, and 449 South Hewitt Street. This represents a significant and unavoidable impact. Noise increases at 825 East 4th Street and 801 East 4th Place would remain below this threshold. It is primarily construction noise and not haul truck noise that would influence the composite significant impact. The composite construction period noise impact of Alternative 3 would also be significant and unavoidable, as off-road construction equipment use and haul truck trips may occur simultaneously during Alternative 3 construction. However, as the degree of the impact would be reduced in comparison to the Project due to the reduction in necessary construction activity overall, the significant and unavoidable impact of Alternative 3 would be less than the Project's significant and unavoidable impact.

(iv) Noise in Excess of Standards – Operations (Roadway Traffic)

Long-term noise concerns from the proposed office and restaurant uses at the Project Site center primarily on vehicular noise emissions on Project area roadways. The Project itself would not cause any of the analyzed roadway segments to incur more than a +0.9 dB impact, which would occur on East 4th Place, east of Alameda Street ("existing"). As traffic volumes are generally already high in this urban setting, and because the Project would not result in many trips relative to existing traffic volumes, there is little noise impact

from the Project trips along the analyzed roadway segments. Out of the 57 roadway segments analyzed in Section IV.I, Noise, half would experience no discernable impact (<0.1 dB) as a result of Project trips. No Project-related impact exceeds the +3.0 dB significance threshold; therefore, roadway traffic noise impacts from the Project during operations would be less than significant. Alternative 3 would construct substantially less development than the Project and would therefore generate fewer trips. Alternative 3 would result in 942 daily vehicle trips as compared to the Project's 2,756 daily vehicle trips (refer to Appendix P, Alternatives Technical Documentation, of this Draft EIR, for the Alternative 3 VMT Calculations). As the Project would result in a less-than-significant roadway traffic noise impact during operation, Alternative 3 would also result in a less-than-significant impact related to roadway noise during operation due to the reduction in daily trips, and the impact of Alternative 3 would be less than the Project's less-than-significant impact.

*(v) Noise in Excess of Standards – Other Operations
(Parking Structure, Mechanical Equipment, Loading
Dock/Trash Collection, Garage Ventilation Equipment)*

As evaluated in Section IV.I, Noise, the use of the Project's parking structure, HVAC systems, loading dock/trash collection area, and garage ventilation equipment would all result in less-than-significant noise impacts at off-site sensitive receptors. Alternative 3 would require similar systems to operate its retail/restaurant and residential uses. Alternative 3 would develop substantially less floor area than the Project and would entail only one aboveground parking level as compared to four with the Project; therefore, the new five-story structure would require fewer pieces of mechanical equipment and other noise-generating sources as compared to the Project's 18-story Office Building. Alternative 3 would result in a less-than-significant impact related to operations noise, which would be less than the Project's less-than-significant impact.

*(vi) Noise in Excess of Standards – Composite Operational
Noise*

The composite operational noise levels for the Project would not exceed the threshold (ambient +5 dBA) and composite operational noise impacts would be less than significant. The various operational noise sources from Alternative 3 may also operate at the same time. Alternative 3 would develop substantially less floor area than the Project and would entail only one aboveground parking level as compared to four with the Project; therefore, the new five-story structure would require fewer pieces of mechanical equipment and other noise-generating sources that would operate simultaneously as compared to the Project's 18-story Office Building. Alternative 3 would also result in a less-than-significant impact related to composite operational noise levels, which would be less than the Project's less-than-significant impact.

(vii) Groundborne Vibration – Construction (Off-road Construction Activity)

Adjacent structures to the Project Site are not sensitive uses (i.e., commercial and industrial land uses); however, they are older and possibly fragile. To be conservative, it was assumed that all structures adjacent to and across the street from the Project would fall into Building Category IV - buildings extremely susceptible to vibrations (listed and described further below). The impact threshold would be 0.12 inches per second peak particle velocity (inches/second PPV). Below this damage threshold there is virtually no risk of building damage.

The L.A. CEQA Thresholds Guide identifies residential areas as sensitive land uses. The closest adjacent residential use is the rooftop trailer at 428 South Hewitt Street, which is 80 feet from the closest Project Site boundary. The trailer is not a permanent structure, is not a part of the two-story building itself, and is not of historic value. Therefore, Project-adjacent sensitive residential uses have a minimal 80-foot distance separation. All other sensitive receptors have a greater setback.

The structures immediately adjacent to the Project Site may experience vibration that exceeds the adopted building damage threshold of 0.12 inches/second PPV if equipment is operated at the shared property line. All of the structures across the street would experience vibration below the stated building damage thresholds of 0.12 inches/second PPV for fragile buildings. The adjacent buildings are of such an age that they may be considered sensitive to the structural effects of vibration. Vibration annoyance was not considered, based on the commercial and industrial nature of the land uses. As the closest vibration-sensitive receptors to the Project Site may experience significant vibration that exceeds the building damage threshold of 0.12 inches/second PPV, the Project impact would be significant. and the Project's proposed Mitigation Measures NOI-MM-2, NOI-MM-3, and NOI-MM-4 would implement a pre-construction survey, shoring plan, and comprehensive structural monitoring program, respectively, for adjacent sensitive buildings at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street, to reduce the potential for vibration damage at these fragile structures. However, because these measures require the consent of other property owners, who may not agree to implement all components of the recommended mitigation measures as stated, it is conservatively concluded that structural vibration impacts on the fragile structures located at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street would be significant and unavoidable for the Project. Alternative 3 would involve the use of similar construction equipment adjacent to these fragile buildings. Therefore, the structural vibration impact of Alternative 3 on the fragile structures located at 418 Colyton Street, 424 Colyton Street, and 427 South Hewitt Street would also be significant and unavoidable following implementation of Mitigation Measures NOI-MM-2, NOI-MM-3, and NOI-MM-4 and less than the Project's significant and unavoidable following

implementation of Mitigation Measures NOI-MM-2, NOI-MM-3, and NOI-MM-4, due to the overall reduction in construction activities.

With respect to potential human annoyance impacts, residential and institutional buildings are vibration sensitive receptors. Vibration levels exceeding 72 VdB (the vibration velocity level in decibel scale), would be considered a human annoyance impact. The two closest sensitive residential receptors to the Project Site are the rooftop trailer at 428 South Hewitt and the multi-family structure at 825 East 4th Street. At 80 feet from the Project Site, the construction vibration level at 428 South Hewitt Street would be 72 VdB or less and at 825 East 4th Street the vibration levels would be 60 VdB or less. Therefore, vibration would not exceed the 72 VdB human annoyance criterion for frequent events with Alternative 3. Construction related vibration nuisance impacts to off-site sensitive uses would be less than significant for Alternative 3 and less than the Project's less-than-significant impact due to the overall reduction in construction activities.

(viii) Groundborne Vibration – Construction (On-road Construction Vehicles)

Delivery truck and haul trucks would travel to and from the Project Site throughout the construction period, and in addition to noise, these vehicles may generate vibration for receptors along their haul routes. The haul route for Alternative 3 would be the same as for the Project. All sensitive uses along the construction haul route, other than South Hewitt Street, are typically at least 25 feet from the center of the nearest travel lane, taking into consideration sidewalks, setbacks, and/or on-street parking. Along East 4th Place for example, the only sensitive use is Art Share LA, which minimally has a 25-foot setback from the center of the nearest through traffic lane. Structures along the haul route may experience groundborne vibration levels of approximately 0.022 inches/second PPV, below the fragile building damage threshold criterion of 0.12 inches/second PPV and a nuisance vibration level of 72 VdB, which would not exceed the human annoyance threshold of 72 VdB. Therefore, as with the Project, Alternative 3 would not result in the exposure of persons to or generation of excessive groundborne vibration that could result in building damage or exceed human annoyance levels. Vibration impacts to nearby vibration-sensitive receptors with respect to building damage and human annoyance from trucks traveling along the anticipated haul routes would be less than significant from Alternative 3 and less than the Project's less-than-significant impacts due to an overall reduction in haul trucks and trips, as Alternative 3 would not require substantial grading and soil export (5,205 cubic yards of grading as compared to the Project's 75,200 cubic yards).

As discussed above, the estimated groundborne nuisance vibration from on-road trucks would not exceed the 72 VdB significance criteria for the nearest vibration-sensitive uses. However, along the full extent of the haul route for Alternative 3 there may be vibration-sensitive receptors within 25 feet of the center of the of the nearest travel lane at which

vibration would exceed the 72 VdB significance criteria for residential uses and would potentially exceed the 75 VdB significance criteria for institutional land uses. In addition, roadways along the haul route may not be smooth. Therefore, it is conservatively concluded that, similar to the Project, on-road haul traffic for Alternative 3 could result in the exposure of persons to excessive groundborne vibration that exceed human annoyance levels. Vibration impacts with respect to human annoyance resulting from construction trucks traveling along the anticipated haul routes would be significant and unavoidable for Alternative 3 and less than the Project's significant and unavoidable impacts due to an overall reduction in haul trucks and trips, as Alternative 3 would not require substantial grading and soil export (5,205 cubic yards of grading as compared to the Project's 75,200 cubic yards).

(ix) Groundborne Vibration – Operations

The primary sources of transient operational vibration from Alternative 3 would be vehicle circulation within the proposed parking areas. Typical road traffic-induced vibration levels are unlikely to be perceptible by people, and it is also unusual for vibration, even from sources such as buses and trucks, to be perceptible, even in locations close to major roads. Only ground vibration associated with heavy trucks traveling on road surfaces with speed bumps or potholes could typically reach perceptibility thresholds; however, the Project would not generate a substantial amount of heavy truck trips during operations. Therefore, Project vehicular vibration is unlikely to be perceptible. Alternative 3 would also include roof-mounted HVAC equipment. However, such mechanical equipment would be mounted on the rooftop of the five-story building, and the closest sensitive receptor is a rooftop trailer atop a two-story structure located 80 feet to the east of the Project Site; therefore, vibration would not amplify through all levels of the Alternative 3 structure to the rooftop of the second story structure across South Hewitt Street. As such, operation of Alternative 3 would not increase vibration levels in the vicinity, and vibration impacts during operations would be less than significant and less than the less-than-significant impacts of the Project as a result of a reduction in the parking areas and HVAC systems associated with the reduced development area of Alternative 3.

(j) Population and Housing

(i) Substantial Unplanned Population Growth – Construction

Development of the Alternative 3 would require a construction workforce similar to that required to construct the Project. These workers operate on a temporary job to job basis and may work on several projects within a specific timeframe, depending on the demand for their particular skill (i.e., excavator operator, electrician, or plumber). Given the short-term and mobile nature of construction work and the fact that the labor pool in Los Angeles and surrounding communities is extensive, it is unlikely that construction workers would

relocate from outside the region in order to construct Alternative 3. As Alternative 3 would draw from the existing available construction labor pool, it would result in less-than-significant housing or population impacts during construction, similar to the less-than-significant impacts of the Project.

(ii) Substantial Unplanned Population Growth – Operations

As previously described, Alternative 3 would be five stories in height and have a net increase in floor area of 71,158 square feet, as compared to 18 stories and a net increase in floor area of 329,095 square feet with the Project. The Project's restaurant and office land uses would generate 1,282 employees. Alternative 3's 8,149 square feet of new restaurant/retail space and 44 residential live/work units (70,036 square feet) would generate 64 employees and approximately 137 residents based on a reported number of 3.1 residents per unit in 2016 for the SCAG region provided in the 2020-2045 SCAG RTP/SCS Demographics and Growth Forecast.¹⁷

Alternative 3 would be developed in compliance with the Project Site zoning under the draft Downtown Community Plan, once adopted. However, as adoption of the Downtown Community Plan and related zoning follows the 2020-2045 RTP/SCS, its growth projections would not be consistent with the SCAG 2020-2045 RTP/SCS employee, residential, and housing growth projections. However, with regard to employment projections, Alternative 3 would not represent substantial unplanned growth in the SCAG region, as Alternative 3 (with 64 employees) would account for only .001 percent of the regional SCAG employment projection (10,049,000 employees) in 2045 (the RTP/SCS horizon year).¹⁸ With regard to population projections, Alternative 3 would similarly not represent substantial unplanned growth in the SCAG region, as Alternative 3 (with 137 residents) would account for only .001 percent of the regional SCAG population projection (22,504,000 people) in 2045. The 44 residential live/work units proposed with Alternative 3 would also represent only .001 percent of the regional SCAG household projection (7,633,000 households) in 2045.

In addition to the RTP/SCS, Alternative 3 would be consistent with SCAG's Regional Housing Needs Assessment (RHNA), which is mandated by State law so that local jurisdictions can use this information during their periodic update of the Housing Element. The RHNA identifies the existing and future housing needs for very low income, low income, moderate income, and above moderate-income groups. The existing need for housing is determined using data from the most recent U.S. Census, and the future need for housing is determined using data on forecasted household growth, historical growth

¹⁷ SCAG. 2020. The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy. Demographics and Growth Forecast Technical Report, Tables 13 and 14. Adopted September 3.

¹⁸ SCAG. 2020. The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy. Demographics and Growth Forecast Technical Report, Tables 13 and 14. Adopted September 3.

patterns, job creation, household formation rates, and other factors. The most recent RHNA allocation, the 6th Cycle RHNA Allocation Plan, was approved by the State Department of Housing and Community Development on March 22, 2021 and updated on July 1, 2021.¹⁹ The City of Los Angeles was assigned a RHNA of 456,643 units for the 2021 to 2029 planning period. Although the Downtown Community Plan and related growth would not be consistent with the SCAG 2020-2045 population and housing growth projections, as discussed above, the 44 live/work units of Alternative 3 would represent .01 percent of this allocation, which would not represent substantial unplanned housing growth, and the live/work units would help the City to meet its housing obligation under the RHNA.

Based on the above, the Alternative 3 impact related to inducing substantial unplanned population and housing growth directly or indirectly would be less than significant. Since Alternative 3 would generate a smaller population than the Project (considering both residents and employees) and would be consistent with Project Site zoning and land use designations (once adopted), the impact would be less than the less-than-significant impact of the Project.

(k) Public Services – Fire Protection Services

(i) New or Physically Altered Facilities, Performance Objectives – Construction

As with the Project, the potential for accidental fires would be elevated during demolition activities, grading, and construction of Alternative 3 due to the storage, handling, and use of flammable construction materials; machinery and equipment that generate heat; exposed electrical lines; and chemical reactions from combustible, hazardous materials. However, applicable codes and ordinances would be adhered to relative to the maintenance of construction vehicles and equipment; the handling, use and storage of hazardous and flammable materials; and the cleanup of accidental hazardous material spills.

With regard to construction of Alternative 3, East 4th Street and Alameda Street in the vicinity of the Project Site are Selected Disaster Routes. During construction of Alternative 3, including potential work in surrounding roadways for utility connections or upgrades, slower-moving trucks or equipment accessing the Project Site, queuing of haul trucks for soil and demolition and construction debris export, or partial or full lane closures for construction adjacent to the Project Site boundaries, may impede traffic flow, including emergency responders, along evacuation/emergency routes. However, these impacts would be temporary in nature. In addition, Alternative 3 would implement project design features similar to those proposed for the Project, including POL-PDF-1 to ensure that security personnel would be present on-site during construction and that they monitor on-

¹⁹ SCAG. 2021. Regional Housing Needs Assessment, 6th Cycle RHNA Allocation Plan. July 1.

site fire/life/safety systems, as well as TRANS-PDF-1, which requires a Construction Traffic Management Plan, to address traffic and access control during construction.

Furthermore, the Project Site is located approximately one mile south from the first-in LAFD Fire Station, No. 4, and additional resources are available from Station Nos. 1, 2, 3, and 9 in the Project area. In addition, as fire trucks and other emergency responder vehicles are empowered to clear traffic using sirens as well as circumvent traffic and traffic signals, temporary lane closures or construction vehicles would not adversely impact fire protection services to the extent that a new or expanded fire facility would be required to maintain acceptable service during the construction period.

Based on these preceding factors, construction of Alternative 3 would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services. Therefore, impacts on fire protection services during construction of Alternative 3 would be less than significant and less than the less-than-significant impacts of the Project, due to the reduction in the density of development that would be constructed (e.g., reduced construction schedule, fewer construction workers and equipment on-site, and fewer haul trips).

(ii) New or Physically Altered Facilities, Performance Objectives – Operation

Similar to the Project, Alternative 3 would be subject to City-established fire flow requirements, which vary from 2,000 gallons per minute in low-density residential areas, to 12,000 gallons per minute in high-density commercial or industrial areas. In any instance, a minimum residual water pressure of 20 pounds per square inch is to remain in the water system while the required gallons per minute is flowing. All water mains and lines that are designed and sized according to LADWP standards consider fire flow and pressure requirements. The existing water infrastructure in the vicinity of the Project Site includes a six-inch water main in East 4th Street, an eight-inch water main in Colyton Street, and another eight-inch water main in South Hewitt Street. There are also two existing fire hydrants on East 4th Street at the corners of Colyton Street and South Hewitt Street, in addition to an existing fire hydrant located mid-block of Colyton Street between East 4th Street and East 5th Street. All three existing hydrants are located within 300 feet of the Project Site.

Water for fire-fighting purposes for Alternative 3 would be provided by connection to the existing water mains and hydrants located in East 4th Street, Colyton Street, and/or South Hewitt Street. Should the LAFD and LADWP determine that additional hydrants and/or water connections or lines are necessary to provide the required fire water flow to the Project Site, the Applicant will follow the regulatory compliance process. Hydrants, water

lines, and water tanks, if necessary, would be installed per Division 7, Section 57.09.06 of the Fire Code. In addition, the Applicant would be required to submit the proposed plot plans for the Project to the LAFD and LADWP for review for compliance with applicable Fire Code, CFC, and Building Code requirements. Such review is a legal prerequisite, with which Alternative 3 would be required to comply. The installation of additional fire hydrants and upgraded water lines would not result in significant adverse effects to the environment, because the improvements would occur within previously developed public rights-of-way and would be short-term in nature, occurring over a few days to a few weeks.

The Project Site is located within the LAFD's Central Bureau and is served primarily by Fire Station No. 4, which is situated approximately one mile north of the Project Site. Fire Station Nos. 1, 2, 3, and 9 are also located within three miles of the Project Site. The maximum response distance from a low- or high-density residential development (such as Alternative 3) to a fire station per the Fire Code is 1.5 miles for an engine company and 2.0 miles from a truck company. Based on this criterion, fire protection to the Project Site and the land use of Alternative 3 would be adequate.

Emergency access to the Project Site would be available to the LAFD and other emergency responders from East 4th Street to the north, Colyton Street to the west, and South Hewitt Street to the east, which all immediately border the Project Site. Within the proposed structure for Alternative 3, pathways and lobbies, elevators, and stairways would be designed to comply with the requirements of the CBC, Building Code, and Fire Code and would therefore provide the features necessary to facilitate the movement of emergency personnel and equipment throughout the building.

Alternative 3 would add a permanent residential population of approximately 137 residents to the Project area, in addition to 64 jobs associated with retail/restaurant space, whereas the Project would employ 1,282 persons and generate no residential population. Nevertheless, impacts to fire protection services are based on fire flow requirements, response distances, and emergency access, rather than a service ratio. Therefore, based on these preceding factors, the impacts of Alternative 3 to fire protection services during operation would be less than significant and less than the less-than-significant impacts of the Project, due to the reduced density of development.

(I) *Public Services – Police Protection Services*

(i) *New or Physically Altered Facilities, Performance Objectives – Construction*

Construction of Alternative 3 would be temporary in nature and would not generate a permanent population. However, construction sites can still attract nuisances, create hazards, and encourage theft and vandalism. As with the Project, temporary security

fencing would be installed around the perimeter of construction activities, as required by POL-PDF-1, for Alternative 3. Another effective method for preventing on-site crime during the construction phase is the deployment of security guards, which is another requirement of POL-PDF-1. In addition, like the Project, Alternative 3 would implement TRANS-PDF-1, which includes implementation of a Construction Traffic Management Plan in order to ensure that emergency service personnel would be able to access the Project Site and neighboring properties during the construction period. Furthermore, construction-related traffic generated by Alternative 3 would not significantly impact LAPD response within the vicinity as emergency vehicles normally have a variety of options for avoiding traffic, such as using sirens to clear a path of travel or driving in the lanes of opposing traffic, pursuant to CVC Section 21806.

Based on the above analysis and compliance with State law, Alternative 3 construction would not necessitate the provision of new or physically altered governmental facilities in order to maintain the LAPD's capability to serve the Project Site. Construction-related impacts of Alternative 3 to police protection services would be less than significant and less than the less-than-significant impacts of the Project, due to the reduction in the density of development that would be constructed (e.g., reduced construction schedule, fewer construction workers and equipment on-site, and fewer haul trips).

(ii) New or Physically Altered Facilities, Performance Objectives – Operation

The increase of both on-site activity and traffic on adjacent streets and arterials related to Alternative 3 development could increase the number of calls for police response to commercial and vehicle burglaries, vehicle damage, traffic-related incidents, and crimes against persons. Alternative 3 would include crime prevention features, such as an on-site security service, security lighting, and minimized areas of concealment. The responsibilities of the security personnel would include assisting residents, employees, and visitors when necessary, monitoring points of ingress and egress, managing and monitoring fire/life/safety systems, and patrolling the property, including the parking level. An emergency procedures plan would also be visibly posted for employees and visitors of the commercial businesses and residences. Further, the LAPD would review and provide guidance on the security features, which would be incorporated into the final design. These measures would be integrated into Alternative 3 as project design feature POL-PDF-2, similar to the Project.

The adequacy of police protection is evaluated using the following information: existing number of police officers in the police service area, the number of people currently served in the area, the adequacy of existing officer-to-population ratio in the area, and the number of additional people that Alternative 3 would introduce to the area. For the Project, which would generate a net increase of 1,279 new employees at the Project Site from the new

restaurant and office uses (which were conservatively evaluated as a residential population), the additional employees (“residents”) would change the existing LAPD officer to resident ratio from 1:128 residents to 1:132 residents; however, this service ratio would remain well below the Citywide ratio of 1:422 residents, even if additional officers were not hired by the LAPD. As described in the Population and Housing discussion for Alternative 3, Alternative 3 would create 64 jobs and 137 residents. Assuming this entire population would be residential, Alternative 3 would add 201 “residents” to the Project Site, which would be a substantially smaller increase in the officer to resident service population ratio than that of the Project. As Alternative 3 would add fewer total population to the Project Site than the Project’s employees that were evaluated as residents, it would result in less of an increase in the officer to resident service population.

The LAPD does not maintain an officer-to-population standard. However, with a current staff of 313 sworn patrol and probation personnel, the LAPD’s Central Community Station has an officer to resident ratio of one officer for every 128 residents. Conservatively assuming that the Project’s employee population of 1,279 are residents, rather than employees, the Project would increase the existing Central Community Police Station’s service population from 40,000 to 41,279 persons, and the resulting officer-to-population ratio would increase by four persons per officer, from one officer for every 128 residents to one officer for every 132 residents, which would be below the Citywide ratio of one officer for every 422 residents and would not require the provision for new or physically altered police facilities that would result in environmental effects since such a small number of officers could be accommodated in the existing facilities. As Alternative 3 would add fewer employees and residents to the Project Site than the Project’s employees that were evaluated as residents, it similarly would not require the provision for new or physically altered police facilities to accommodate a substantial increase in personnel that would result in environmental effects.

Vehicular emergency access to the Project Site under Alternative 3 would be achieved via the existing street system, as well as ingress and egress driveways on East 4th Street and the loading dock on South Hewitt Street, similar to the Project. The design and construction of Alternative 3 would be implemented in accordance with LAMC regulations to assure adequate emergency access. The Applicant will also provide an emergency preparedness plan, including access routes, that would facilitate police response to the Project Site (refer to POL-PDF-2). Therefore, traffic associated with Alternative 3 would not substantially affect the ability of police officers and vehicles to access the Project Site in an emergency.

Based on the above analysis, operation of Alternative 3 would not necessitate the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain LAPD’s capability to serve the Project Site. Thus, impacts of Alternative 3 to police protection services during

operation would be less than significant and less than the less-than-significant impacts of the Project, due to the reduced density of development and on-site population.

(m) Transportation

(i) Circulation Program, Plan, Ordinance, or Policy Conflicts

As described in Section IV.L, Transportation, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including the Mobility Plan 2035; the Plan for a Healthy Los Angeles: A Health and Wellness Element of the General Plan; the Community Plan; the LAMC requirements related to parking, TDM programs, and street dedication and improvements (with a waiver); the LADOT December 2008 Manual of Policies and Procedures (design standards for driveway design); Vision Zero; and the Citywide Design Guidelines. During construction, Alternative 3 would similarly not conflict with a program, plan (including the Mobility Plan 2035), ordinance, or policy addressing the circulation system, as it would implement a Construction Traffic Management Plan (TRANS-PDF-1) during construction to ensure motorist, pedestrian, and bicyclist safety during development of the Project Site. The Construction Traffic Management Plan would also serve to minimize conflicts between the construction activities and street and sidewalk traffic, and to maintain traffic movement around temporary and partial street or sidewalk closures. During operations, Alternative 3 would provide jobs on-site (though to a lesser degree than the Project) and would develop a commercial and residential building within walking distance of existing bus stops and a transit station (0.5 miles from the Metro Gold Line Little Tokyo/Arts District Station to the north of the Project Site) and in proximity to other commercial development, as well as multi-family and live/work residential land uses. It would also provide vehicle parking in compliance with the LAMC (0 spaces would be required by the draft Downtown Community Plan and zoning, and 89 spaces would be provided). Like the Project, it is anticipated that Alternative 3 would improve walkability in the Project vicinity by improving sidewalks, maintaining the existing 7,800-square-foot building, and developing new ground floor retail/restaurant space. However, due to the reduced FAR of Alternative 3, its design would not be able to provide a courtyard on Colyton Street or a pedestrian passageway that would connect South Hewitt and Colyton Streets. Like the Project, Alternative 3 would also create and execute a TDM program (TRANS-PDF-2) to promote non-auto travel and reduce the use of single-occupant vehicle trips and would provide funding for the Downtown/Arts District TMO (TRANS-PDF-3) to oversee the development, implementation, and operation of TDM strategies within a particular study area, which are measures implemented to increase transit and mode choices. Therefore, Alternative 3 includes features that would encourage the use of alternatives modes of transportation, protect public safety, and reduce VMT, in support of the City's plans and policies. The Alternative 3 impact related to conflicts with programs, plans, ordinances, or policies

addressing the circulation system would be less than significant but greater than the less-than-significant impact of the Project, which would satisfy more of the pedestrian and walkability goals of the applicable circulation system programs, plans, ordinances, or policies than Alternative 3 by offering a pedestrian passageway that connects Colyton and South Hewitt Streets, as well as a courtyard along Colyton Street.

(ii) CEQA Guidelines Section 15064.3 (VMT) Conflicts or Inconsistency

As discussed in Section IV.L, Transportation, of this Draft EIR, the Project would generate 19,848 daily VMT, 9,216 total work VMT, and an average work VMT per employee of 7.2, which falls below the significance thresholds for the Central APC (7.6 work VMT per employee).²⁰ Therefore, the Project would result in a less-than-significant VMT impact.

A residential project like Alternative 3 would result in a significant VMT impact if it would generate household VMT exceeding 15 percent below the existing average household VMT per capita for the APC area in which the project is located. The household VMT threshold for the Project Site, located in the Central APC, is 6.0 household VMT per capita. A preliminary VMT analysis was conducted for Alternative 3, in accordance with the TAG and using the LADOT VMT Calculator Version 1.3, which satisfies State requirements under SB 743, including CEQA Guidelines Section 15064.3(b) (refer to the LADOT VMT Calculator Version 1.3 outputs provided in Appendix P, Alternatives Technical Documentation of this Draft EIR). Alternative 3 would generate 6,037 daily VMT (411 home-based production VMT and 242 home-based work attraction VMT) and 4.1 household VMT per capita. Therefore, the Alternative 3 VMT impact would be less than significant. (The average work VMT per employee for the retail/restaurant component of Alternative 3 is not considered in the determination of VMT impact significance, because projects with 50,000 square feet of commercial use or less are determined to be local-serving and have no regional VMT impact, per the TAG and VMT Calculator.) Furthermore, Alternative 3 would also implement a TMO program and a TDM program to encourage the use of alternative transportation modes and to increase transit and mode choices (see Project Design Features TRANS-PDF-2 and TRANS-PDF-3 for the Project), which were not included in the VMT calculator. Therefore, the VMT analysis for Alternative 3 is conservative and VMT would likely be less than reported.

The comparison of the Project's average work VMT per employee of 7.2 (where the threshold of significance is 7.6) to Alternative 3's average household VMT per capita of 4.1 (where the threshold of significance is 6.0) is not a linear comparison, due to the different land uses involved. However, for purposes of this alternatives analysis, as the

²⁰ The Project TIS VMT analysis is based on the LADOT VMT Calculator Version 1.2, which was current at the time the TIS was prepared. The Project VMT was also prepared using the updated Version 1.3 of the LADOT VMT Calculator, which also shows that the Project would result in a less-than-significant VMT impact (refer to Appendix P, Alternatives Technical Documentation).

household VMT per capita of Alternative 3 would fall farther below the applicable average household VMT per capita threshold of significance (a difference of 1.9) than the Project would fall in comparison to the applicable average work VMT per employee threshold of significance (a difference of 0.4), the Alternative 3 VMT impact would be less than significant and less than the Project's less-than-significant impact.

(iii) *Hazards (Geometric Design Features) – Construction*

The construction period for Alternative 3 would include sub-phases of site demolition, grading, foundations, and building construction. Peak haul truck activity occurs during grading, and peak worker activity occurs during building construction. Construction activities are expected to be contained primarily within the Project Site boundaries. However, it is expected that construction fences may encroach into the public right-of-way (e.g., sidewalk and roadways) adjacent to the Project Site. Adjacent to the Project Site, the curb lane on East 4th Street would be used intermittently throughout the construction period for equipment staging, concrete pumping, and deliveries. In addition, roadwork in East 4th, Colyton, and/or South Hewitt Streets to install utility connection and/or upgrades may also be required. The use of the public right-of-way along East 4th Street, Colyton Street, and South Hewitt Street would require temporary rerouting of pedestrian traffic, as the sidewalks fronting the Project Site would be closed to maintain public safety. There are no bus stops immediately adjacent to the Project Site and, therefore, no temporary impacts to public transit routes are expected. Parking is allowed adjacent to the Project Site on Colyton and South Hewitt Streets, so the construction fences could result in the temporary loss of up to eight unmetered parking spaces on Colyton Street and 13 unmetered parking spaces on South Hewitt Street. However, partial and temporary street closures and the temporary loss of parking spaces are not expected to result in substantial adverse effects, as East 4th Street offers four lanes of travel immediately north of the Project site, alternative vehicle and pedestrian routes are available around the Project Site, and additional parking options are available along Colyton and South Hewitt Streets, East 4th Place, East 5th Street, and Seaton Street.

To ensure the avoidance of potential roadway hazards during the construction period related to construction vehicle trips, construction vehicle and equipment staging, construction worker parking, and roadway and/or sidewalk closures, Alternative 3 would include a Construction Traffic Management Plan similar to the Project, which is described in TRANS-PDF-1 for the Project. The Construction Traffic Management Plan would include provisions for off-peak haul route and construction worker trips; adequate parking for construction workers secured in the vicinity of the Project Site; temporary traffic controls around any closures prepared in accordance with LADOT requirements to address any such temporary vehicle lane, bicycle lane, or sidewalk closures; and features to ensure pedestrian safety along the affected sidewalks and temporary walkways.

Construction of Alternative 3 is not expected to adversely affect access or transit, or create hazards for roadway travelers, bus riders, or parkers, so long as commonly practiced safety procedures for construction are followed. Such procedures and other measures (e.g., to address temporary traffic control, lane closures, sidewalk closures, etc.) have been incorporated into the Construction Traffic Management Plan. Due to the temporary nature of construction activities, the implementation of a Construction Traffic Management Plan, and required LADOT and LADBS review and approval of temporary roadway modifications (i.e., closures), the construction-related traffic hazard impacts of Alternative 3 would be less than significant and less than the Project's less-than-significant impact, due to the reduced scale of development and associated reduction in construction activity.

(iv) Hazards (Geometric Design Features) – Operations

General employee and visitor vehicular access to the Alternative 3 parking level would be provided via the south side of East 4th Street, similar to the Project. Pedestrian access into the Project Site would be provided from Colyton Street into the 7,800-square-foot building formerly occupied by the A+D Museum, and it is anticipated that pedestrians would access the new structure from East 4th, Colyton, and South Hewitt Streets. However, Alternative 3 would not provide a pedestrian passageway with a cut-through between Colyton Street and South Hewitt Street or an outdoor courtyard. No unusual or new obstacles would be included in the design that would be considered hazardous to motorized vehicles, non-motorized vehicles, or pedestrians. The vehicular and pedestrian access locations of Alternative 3 would be designed to City standards and would provide adequate sight distance, sidewalks, crosswalks, and pedestrian movement controls that meet the City's requirements for the protection of driver, bicyclist, and pedestrian safety. Alternative 3 does not present geometric design hazards as they relate to traffic movement, mobility, or pedestrian accessibility during operations. Therefore, impacts of Alternative 3 associated with design hazards and incompatible uses would be less than significant but greater than the Project's less-than-significant impact, as the Project would achieve increased pedestrian safety by providing a pedestrian passageway with a cut-through between Colyton Street and South Hewitt Street.

(v) Emergency Access – Construction

As with the Project, Alternative 3 would include a Construction Traffic Management Plan as TRANS-PDF-1 to address temporary traffic control, lane closures, and sidewalk closures. The Construction Traffic Management Plan would also include a detour plan to address temporary vehicle lane, bicycle lane, or sidewalk closures that may be necessary during the construction period; as well as features to ensure pedestrian safety along the affected sidewalks and temporary walkways. Such temporary controls would be coordinated with LADOT and LADBS. Through compliance with applicable Fire Code

requirements and implementation of TRANS-PDF-1, Alternative 3 would provide adequate emergency access for LAFD and LAPD vehicles and other first responders. Therefore, Alternative 3 would not impede emergency access. The impacts of Alternative 3 related to emergency access during the construction period would be less than significant and less than the Project's less-than-significant impact, due to the reduced scale of development and associated reduction in construction activity.

(vi) *Emergency Access – Operations*

The Safety Element of the City's General Plan identifies East 4th Street and Alameda Street in the vicinity of the Project Site as Selected Disaster Routes. The County also identifies the segment of East 4th Street to the north of the Project Site and Alameda Street to the west of the Project Site as disaster routes. The Project Site is currently served by existing roadway infrastructure and emergency services, and emergency access to the Project Site and surrounding area would continue to be provided on adjacent roadways similar to existing conditions. Alternative 3 would not include design features that would impede emergency access and would not permanently close any existing streets. Alternative 3 access would be designed to LADOT standards and reviewed by City staff. As required, Alternative 3 would also be designed to meet LAMC standards for adequate emergency access, as well as to comply with the Fire Code's access, driveway, parking, and building (i.e., related to elevator shafts, stairways, sprinklers, etc.) standards. In addition, several options are available to emergency responders for facilitating movement around traffic, such as using sirens to clear the path of travel and circumventing traffic and traffic signals. In conjunction with regulatory requirements for review and approval of Project Site access and circulation plans by LADOT and the LAFD, the impacts of Alternative 3 related to emergency access would be less than significant and similar to the Project's less-than-significant impact.

(n) *Tribal Cultural Resources*

(i) *Substantial Adverse Change in the Significance of a Tribal Cultural Resource Listed or Eligible for Listing, or Determined by the Lead Agency to be Significant*

As described in Section IV.M, Tribal Cultural Resources, no tribal cultural resources have been previously documented on the Project Site, and the documents provided for review during the AB 52 consultation process are not directly applicable to the Project Site (due to either the nature of the document or the geographic distance from the resources described in the documents and the Project Site) and do not provide substantial evidence that tribal cultural resources are located on the Project Site. Alternative 3 entails 5,205 cubic yards of grading and soils export for site preparation, whereas the Project requires excavation to a depth of 38 feet below grade and the export of 75,200 cubic yards of soils

to construct subterranean parking. With minor grading, it is unlikely that Alternative 3 would encounter native soils that were not already disturbed by past development of the Project Site. Nevertheless, the potential to inadvertently discover a tribal cultural resource during grading remains. Implementation of the City's standard Conditions of Approval that would address the inadvertent discovery of tribal cultural resources would ensure that impacts to tribal cultural resources would be less than significant. Such impacts would be less than the Project's less-than-significant impact, due to the minor grading required to develop Alternative 2 in comparison to the Project.

(o) *Utilities and Service Systemse- Solid Waste*

(i) *Exceed Standards or Infrastructure Capacity, or Impair of the Attainment of Solid Waste Reduction Goals – Construction*

During construction, the Project would generate 15.7 cubic yards of solid waste per day (including required diversion), which would represent approximately 0.24 percent of the Azusa Land Reclamation Landfill's daily intake capacity (and conservatively not accounting for other landfills that may accept Project construction waste). As such, Azusa Land Reclamation Landfill would have sufficient remaining capacity to accommodate the Project's construction and demolition waste, and the Project impact related to generating solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impairing the attainment of solid waste reduction goals, would be less than significant. As previously described, Alternative 3 would include a net increase in floor area of 71,158 square feet, as compared to 329,095 square feet with the Project (and 78 percent less development). Although Alternative 3 would generate the same amount of demolition waste as the Project, it would generate less construction waste due to the substantial reduction in total floor area that would be developed. In addition, Alternative 3 would export 5,205 cubic yards of soil as compared to 75,200 cubic yards with the Project. Therefore, construction and demolition waste generated during Alternative 3 would be substantially less than that generated for the Project and would consume less landfill capacity. The Alternative 3 impact related to generating solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impairing the attainment of solid waste reduction goals, would be less than significant and less than the Project's less-than-significant impact, due to the reduced scale of development.

(ii) *Exceed of Standards or Infrastructure Capacity, or Impair the Attainment of Solid Waste Reduction Goals – Operations*

The total annual solid waste generation from operational activities of the Project, including required diversion, is estimated to be 90.7 annual tons (or approximately 0.25 tons/day), which would represent 0.004 percent of the remaining permitted daily intake of the Sunshine Canyon City/County. Therefore, the Sunshine Canyon City/County landfill has sufficient remaining capacity to serve the Project, and operation of the Project would have a less-than-significant impact related to generating solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impairing the attainment of solid waste reduction goals. Alternative 3 entails operation of 44 multi-family residential units, the existing 7,800-square-foot building, and a new 8,149-square-foot retail/restaurant space. Alternative 3 would generate 25.5 annual tons of solid waste, as shown in Table VI-7, Alternative 3 Operational Solid Waste Generation, below.

Table VI-7
Alternative 3 Operational Solid Waste Generation

Land Use	Size (square feet [sf])	Generation Factor	Disposal (Annual Pounds [Lbs])	Disposal (Annual Tons)
Existing				
Museum ^a	7,800	1.72 lbs per/visitor/day	13,467.6	6.7
Office	3,515	0.006 lbs/sf/day	7,697.9	3.8
Total Existing Solid Waste Disposal				10.5
Proposed				
Commercial – Restaurant	8,149	0.005 lbs/sf/day	14,871.9	7.4
Residential	44 DU	12.23 lbs/DU/day	196,413.8	98.2
Museum	7,800	1.72 lbs per/visitor/day	13,467.6 ^b	6.7
Total Proposed Solid Waste Disposal				112.3
Net Project Solid Waste Disposal				101.8
Operational Waste to be Diverted per 75% Reduction^c				76.4
Total Waste for Landfill Disposal				25.5
Source for office disposal factor: CalRecycle. Estimated Solid Waste Generation Rates. Available at: http://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates . Accessed on April 7, 2021.				
Source for museum disposal factor, based on the event venue disposal factor (not available from CalRecycle): CalEPA Integrated Waste Management Board. 2006. Targeted Statewide Waste Characterization Study: Waste Disposal and Diversion Findings for Selected Industry Groups (Table 21). June.				
Note:				
^a At the time the Project Application was filed and when the Notice of Preparation and Initial Study were circulated for public comment, the existing building on Colyton Street was occupied by the A+D Museum. Although the building is currently vacant, and there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. Therefore, solid waste generation for this use is reflected here.				
^b Based on Applicant provided data, these calculations assume 30 A+D Museum visitors per day x 261 open days per year for an annual total of 7,830 visitors. Based on 12 visitors for June 2017 and accounting for one special event per month with 500 attendees (12 x 29 days per month = 348 + 500 for the 30 th day = 848, and 848/30 days per month =28.27, which is rounded to 30). (Jones, Dora Epstein. 2017. Personal communication with Johanna Falzarano, Envicom Corporation, regarding A+D Museum visitors. July 12.)				
^c AB 341 requires 75 percent of all solid waste diverted by 2020.				

As shown above, the new land uses of Alternative 3 would generate 112.3 annual tons, or 0.31 tons of solid waste per day, before diversion. Following the required 75 percent diversion of AB 341, 76.4 annual tons or 0.21 tons of waste per day would be diverted, and this figure would be reduced to 25.5 annual tons or 0.07 tons of waste per day that would be transported to a landfill. As the Project would result in a less-than-significant impact with 0.25 tons of solid waste per day, the Alternative 3 impact (0.07 tons of solid waste per day) related to generating solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, would be less than significant and less than the Project's less-than-significant impact.

(p) *Utilities and Service Systemse- Wastewater*

(i) *New or Expanded Wastewater Facilities, and Wastewater Treatment Capacity- Construction*

As with the Project, wastewater discharge during the construction period of Alternative 3 would be collected in portable restrooms that are provided and maintained by private, licensed contractors, who are also responsible for collecting wastewater throughout the construction period and for disposing of it off-site at a licensed facility. LASAN maintains a program that involves the regulation of these septage haulers through a permitting process and also operates a disposal facility that accepts wastewater from portable toilets, septic tanks, cesspools, and other sanitation holding devices from within the County. LASAN requires that haulers obtain a Septage Disposal Permit prior to disposal. Construction workers would generate a minimal amount of wastewater during the temporary construction period. Sewage from the portable restrooms would not be released to the City's sewer lines adjacent to the Project Site, and no new connections to the City's sewer system or expansion of the City's sewer system would be required to accommodate wastewater generated by construction employees.

Based on the temporary nature of construction of the new on-site infrastructure and minor off-site work associated with connections to available infrastructure, Alternative 3 would not constrain existing and future scheduled wastewater treatment and infrastructure capacity. In comparison to the amount of wastewater generated during the operational lifespan of Alternative 3 (during which the Hyperion WRP has sufficient capacity to accommodate Alternative 2, as described below), the temporary construction phase would generate a minor amount of wastewater. Like the Project, Alternative 3 would also be required to comply with the LAMC and its SCAR and permitting process that assures local sewer line capacity would be available to serve Alternative 3, and the Hyperion WRP has adequate capacity according to LASAN. Therefore, Alternative 3 construction would not cause an increase in flows that would require new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects, and

it would result in a determination by the wastewater treatment provider which serves Alternative 3 that it has adequate capacity to serve the projected construction demand in addition to the provider's existing commitments. Therefore, construction impacts would be less than significant and less than the Project's less-than-significant impacts, due to the reduced scale of development and shorter construction duration requiring fewer workers on-site overall.

(ii) New or Expanded Wastewater Facilities, and Wastewater Treatment Capacity- Operation

Similar to the Project, Alternative 3 wastewater discharge during operations would be conveyed to the City's sewer lines that lie in streets adjacent to the Project Site, including eight-inch public mains along Colyton Street, South Hewitt Street, and East 4th Street. The Colyton Street and South Hewitt Street sewers combine at Palmetto Street into a 10-inch main and flow west to a 20-inch main in Alameda Street. The Alameda Street sewer increase to a 22-inch main as it flows south, before discharging into a 40-inch line in 8th Street. The wastewater would ultimately be conveyed to the Hyperion WRP, which is able to accommodate a flow of up to 450 million gallons per day, on average. Approximately 275 million gallons per day enters the Hyperion WRP on a dry weather day. Therefore, current flows to the Hyperion WRP (275 million gallons per day) are below its design capacity of approximately 450 million gallons per day.

Collection and conveyance of Alternative 3 wastewater would be provided by the existing sewer lines that are located adjacent to the Project Site, as well as by the local connections that would be made as part of the Project. However, prior to issuing a sewer permit, the City would confirm, via the SCAR process (LAMC Section 64.15[i]), that there is sufficient capacity in the local sewer conveyance lines to accommodate the wastewater flows. As with the Project, detailed gauging and evaluation would be needed as part of the permit process to identify the specific sewer connection point for Alternative 3, as well as to determine capacity of the local sewer conveyance lines. Alternative 3 would require sewer connections from the Project Site to the City's existing sewer lines, which typically require B-permit approval through the Bureau of Engineering for the sewer connection to the City's main. In the event that the public sewer is found to have insufficient capacity by LASAN, the Applicant would be required to build new sewer lines to a point in the sewer system with sufficient capacity, or to expand existing lines. Connections, additions, or expansions to the local sewer conveyance lines would occur in concert with construction of Alternative 3 and would require trench work to execute underground work. As with the Project, these activities would be limited to the streets, gutters, curbs, and/or sidewalks adjacent to the Project Site and Alternative 3 would implement a Construction Traffic Management Plan, included as TRANS-PDF-1, to ensure that vehicular and pedestrian traffic flow is maintained during trench work for the sewer connections. Based on the

above, the potential construction or expansion of local sewer lines would not result in adverse impacts to the environment, as this activity would occur within previously disturbed areas of an urban environment (i.e., within roadways) and would occur over a brief construction period at the same time as Project construction.

The Project's new restaurant and office uses would generate 56,246 gallons per day of wastewater that would ultimately be conveyed to, and treated by, the Hyperion WRP. Currently, the Hyperion WRP has a remaining daily capacity of 175 million gallons per day. The Project wastewater would represent only 0.03 percent of the Hyperion WRP's available capacity. Therefore, the Hyperion WRP has sufficient capacity to accommodate the Project and would not necessitate expansion of the Hyperion WRP or construction of a new WRP. Alternative 3 entails the operation of 44 multi-family residential units, the existing 7,800-square-foot building, and 8,149 square feet of retail/restaurant use. Therefore, the proposed land uses under Alternative 3 would generate 9,045 gallons of wastewater per day, as shown in Table VI-8, Alternative 3 Operational Wastewater Generation, which is a substantial reduction compared to the 56,246 gallons per day of wastewater that would be generated by the Project.

Table VI-8
Alternative 3 Operational Wastewater Generation

Land Use	Average Daily Flow per Land Use	Land Use Area	Average Daily Flow (gallons per day [gpd])
Existing			
Museum ^a	30 gpd /1,000 square feet (sf)	7,800 sf	(234)
Proposed			
Museum ^b	30 gpd /1,000 sf	7,800 sf	234
Restaurant (take out)	300 gpd /1,000 sf	8,149 sf	2,445
Residential	150 gpd/dwelling unit (DU) ^c	44 DU	6,600
Total			9,045
Source: Psomas. 2022. 4 th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 401 Hewitt Street Project Request for Wastewater Service Information (November 15, 2019). February 23. (Appendix N.)			
LASAN. 2012. Sewerage Facilities Charge, Sewage Generation Factor for Residential and Commercial Categories. April 12.			
Notes:			
^{a,b} At the time the Project Application was filed and when the Notice of Preparation and Initial Study were circulated for public comment, the existing building on Colyton Street was occupied by the A+D Museum. Although the building is currently vacant, and there are no plans for reoccupation as of the date of this Draft EIR, it is anticipated that the building would be re-occupied with a use that is consistent with recent uses, such as the A+D Museum, for which the building interior is customized. Therefore, wastewater generation for that use is reflected here.			
^c Based on the generation factor for (107) Residential: Apt-2 Bedroom. This is considered a conservative estimate for the Alternative 3 dwelling units, which would be comprised of 44 live/work units.			

As Alternative 3 would generate less wastewater than the Project, and the Project would not require the construction of new or expanded wastewater treatment facilities or the expansion of existing facilities, the construction or relocation of which would cause significant environmental effects, impacts of Alternative 3 would be less than significant as well. Such impacts would be less than the Project's less-than-significant impact due to the reduced scale of development, reduction in wastewater generation, and sufficient capacity of the Hyperion WRP.

(q) Utilities and Service Systems- Water Supply and Infrastructure

(i) New or Expanded Water Facilities, and Sufficient Water Supplies – Construction

Alternative 3 construction would create a demand for water during demolition, grading, and construction activities on the Project Site for use in dust control, equipment cleaning, export, re-compaction, painting, and related tasks. A six-inch water main is located in East 4th Street, an eight-inch water main is located in Colyton Street, and another eight-inch water main is located in South Hewitt Street. There are also two existing fire hydrants on East 4th Street at the southwest corner of Colyton Street and northwest corner of South Hewitt Street, in addition to an existing fire hydrant located mid-block and on the west side of Colyton Street between East 4th Street and East 5th Street. Therefore, adequate water infrastructure exists in the Project Site vicinity to serve the Project Site during the construction period, and Alternative 3 would not require the construction of new or expanded water facilities for the purpose of providing water during the construction phase.

Overall, construction activities for Alternative 3 would require minimal water consumption, the quantity of which would be substantially less than the estimated Project water demand during operations (as Alternative 3 would be substantially reduced in size by comparison and require less construction activity and water demand), which was calculated by the LADWP to be 43,743 gallons per day or 49.01 acre-feet per year in the Project WSA. As stated in the WSA, adequate water supplies would be available to meet the total additional water demand of 49.01 acre-feet per year for the Project and the LADWP anticipates that the projected water demand from the Project can be met during normal, dry, and multiple dry years, in addition to the existing and planned future demands on the LADWP. Due to the reduction in overall development area and in the construction schedule, Alternative 3 construction activities would consume less water than Project construction. Therefore, Alternative 3 would not require the construction of new or expanded water facilities to serve the Project Site and LADWP would have adequate water supplies to serve the Project Site during construction. As such, impacts would be less than significant and less than the Project's less-than-significant impact.

(ii) *New or Expanded Water Facilities, and Sufficient Water Supplies – Operation*

As previously described, water service to the Project Site would continue to be supplied by LADWP for domestic and fire protection services. According to the WSA prepared for the Project, the Project's net increase in water demand would be 43,743 gallons per day, or 49.01 acre-feet per year, and the LADWP determined that it has sufficient water supplies to serve the Project.

Alternative 3 entails operation of 44 live/work units, the existing 7,800-square-foot building, and a new 8,149-square-foot retail/restaurant space, and the new uses of Alternative 3 would demand 18,192 gallons of water per day, as shown in Table VI-9, Alternative 3 Operational Water Demand, below.

Table VI-9
Alternative 3 Operational Water Demand

Existing Use to be Removed	Quantity	Unit	Water Usage Factor (gpd/unit)	Existing Water Use to be Removed (gpd)
Existing Office	3,515	sf	0.12	422
Existing to be Removed Total				422
Proposed New Uses	Quantity	Unit	Water Usage Factor (gpd/unit)	Proposed Water Demand (gpd)
Residential	44	DU	228 ^c	10,032
Restaurant	272	seat	30	8,160
Commercial Office/Restaurant Subtotal				18,192
Landscaping ^a	8,955	sf		382
Parking	35,559	sf	0.02	712
Proposed Subtotal				19,286
Existing to be Removed Total				-422
Net Additional Water Demand^b				18,864
Sources for usage factors: LADWP, Water Resources Division. 2021. Water Supply Assessment for the 4 th and Hewitt Project. January 20. (Appendix O1.)				
LASAN. 2012. Sewerage Facilities Charge, Sewage Generation Factor for Residential and Commercial Categories. April 6.				
Notes: gpd = gallons per day; afy = acre-feet per year; sf = square feet; and DU= dwelling unit.				
^a The landscaping square footage for Alternative 3 is a conservative estimate as Alternative 3 would not include a landscaped courtyard, which is included as a part of the Project.				
^b Alternative 3 estimates are conservative and likely overestimate water demand, as the water conservation commitments and Ordinance-required savings are not factored into the calculations, as they are with the Project.				
^c Water demand factors listed are calculated as 120 percent of the LASAN Sewage Generation Factors for the residential category to provide a conservative estimate of water demand.				

Overall, Alternative 3 would generate a net increase in water demand of 18,864 gallons per day, which is less than the Project's net increase in water demand of 43,743 gallons per day. Since the WSA for the Project concluded that LADWP would have sufficient water supplies to serve the Project's net water demand of 43,743 gallons per day, it is reasonable to conclude that LADWP would also be able to meet the lower demand from Alternative 3. Like the Project, Alternative 3 would connect to the existing six-inch water main on East 4th Street, the eight-inch water main on Colyton Street, and/or the eight-inch water main on South Hewitt Street in order supply water to the Project's land uses.

As described in Section IV.K.1, Public Services – Fire Protection Services, based on a preliminary evaluation by LADWP of local water delivery infrastructure near the Project Site, a water line upgrade to existing facilities, and additional fire hydrants, may be required specifically to provide pressures to supply the required flow to the Project Site. If such upgrades are necessary, the Applicant would be required to follow the regulatory compliance process. Such water lines would be installed per Division 7, Section 57.09.06 and Section 57.507.3 of the Fire Code. Similar to the Project, the Applicant would be required to submit the proposed plot plans for Alternative 3 to the LAFD and LADWP for review for compliance with applicable Fire Code, CFC, and City Building Code requirements. Such review is a legal prerequisite, with which Alternative 3 would be required to comply. The installation of additional fire hydrants and upgraded water lines would not result in significant adverse effects to the environment, because the improvements would occur within previously developed public rights-of-way and would be short-term in nature, occurring over a few days to a few weeks. Furthermore, in accordance with TRANS-PDF-1, Alternative 3 would implement a Construction Traffic Management Plan to reduce temporary pedestrian and traffic impacts during construction. Although Alternative 3 would require new connections to existing infrastructure, it would not result in the relocation or construction of new or expanded water facilities, the construction of which would cause environmental effects, nor would it result in an insufficient water supply to the Project Site. Therefore, Alternative 3 impacts on water facilities and water supply would be less than significant. Since Alternative 3 would develop less floor area overall and demand less water, impacts would be less than the Project's less-than-significant impacts.

(r) Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Infrastructure

(i) New or Expanded Electric Power, Natural Gas, and Telecommunications Facilities – Construction

As discussed in Section IV.C, Energy, electricity use related to lighting and electronic equipment during construction would vary throughout the construction period, depending on the particular construction activities performed at the time. These activities would

cease upon completion of Alternative 3, and the overall demand for electricity during construction would be negligible when compared to the operational phase. With regard to existing electrical distribution lines, the Applicant would be required to coordinate electrical infrastructure removals or relocations with LADWP and comply with site-specific requirements set forth by LADWP, which would ensure that service disruptions and potential impacts associated with grading, construction, and development within LADWP easements are minimized. As such, construction of Alternative 3 is not anticipated to adversely affect the electrical infrastructure serving the surrounding uses or utility system capacity.

The demolition, grading, and building development activities that would be associated with construction of Alternative 3 do not typically rely on natural gas as an energy source. However, Alternative 3 would involve installation of new natural gas connections to serve the Project Site. Since the Project Site is located in an area already served by existing natural gas infrastructure, it is anticipated that Alternative 3 would not require extensive off-site infrastructure improvements to serve the Project Site. Construction impacts associated with the installation of natural gas connections are expected to be confined to trenching in order to place the lines below surface. In addition, prior to ground disturbance, contractors would notify and coordinate with SoCalGas to identify the locations and depth of all existing gas lines and avoid disruption of gas service to other properties.

As with the Project, the demolition, grading, and building development activities that would be associated with Alternative 3 construction would not utilize telecommunications services.

Therefore, construction of Alternative 3 would result in a less-than-significant impact related to an increase in demand for energy necessitating the relocation or construction of new or expanded facilities, the construction or relocation of which could cause significant environmental effects, and the impact would be similar to the Project's less-than-significant impact.

(ii) New or Expanded Electric Power, Natural Gas, and Telecommunications Facilities – Operation

As described in Section IV.C, Energy, the LADWP confirmed the Project's electricity demand can be served by the existing facilities in the Project Site area by specifically indicating "[t]he estimated power requirement for this proposed project is part of the total load growth forecast for the City of Los Angeles and has been taken into account in the planned growth of the City's power system."²¹ As previously described, the electricity consumption of Alternative 3 would be less than the Project. As Alternative 3 would

²¹ Psomas. 2020. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 401 Hewitt Request for Electric Service Information (March 1, 2017). January 7.(Appendix N.)

provide 44 residential live/work units and the residential power use is 500 kWh per unit per month,²² Alternative 3 would consume 264,000 kWh per year.²³ Overall, Alternative 3 would consume less than the Project, as the office use of the Project would consume 3.44 million kWh per year and the new live/work units of Alternative 3 would consume 264,000 kWh per year. The new retail/restaurant space area would be similar between Alternative 3 and the Project; therefore, electricity consumption from this use would be similar. The electricity demand for parking levels would also be less for Alternative 3 than for the Project, as Alternative 3 would include one parking level, and the Project would include seven parking levels. Therefore, as Alternative 3 would entail substantially less development than the Project and demand less electricity, the LADWP would also be able to meet the Alternative 3 electricity demand with its available infrastructure.

The Project's increased demand for natural gas would represent 0.0006 percent of SoCalGas' forecasted natural gas consumption for 2025. In addition, correspondence with SoCalGas indicates that SoCalGas has facilities in the Project area.²⁴ As Alternative 3 would provide 44 residential live/work units and the multi-family use per meter factor is 29,200 kBTU per year,²⁵ Alternative 3 would consume 1.28 million kBTU of natural gas per year.²⁶ As such, the natural gas consumption of Alternative 3 would be less than the Project, as the new live/work units of Alternative 3 would consume 1.28 million kBTU per year as compared to the new office use of the Project that would consume 3.4 million kBTU per year (the retail/restaurant area would be similar for Alternative 3 and the Project; therefore, natural gas consumption from this use would be similar). Therefore, as Alternative 3 would entail substantially less development than the Project and demand less natural gas, SoCalGas would also be able to meet the Alternative 3 natural gas demand with its available infrastructure.

The Project Site is currently served by existing aerial and underground telecommunications facilities. Charter Communications and Crown Castle have aerial and underground facilities within the immediate vicinity to serve the Project Site during operations for both the Project and Alternative 3. No upgrades are required or anticipated.

Therefore, Alternative 3 operations would result in a less-than-significant impact related to an increase in demand for electric power, natural gas, or telecommunications that exceeds available supply or distribution infrastructure capabilities and could result in the construction or relocation of new or expanded facilities, the construction of which could

²² LADWP. 2017. 2017 Power Strategic Long-Term Resource Plan, Page 15. December. Typical residential power use is 500 kWh per unit per month.

²³ 44 units x (500 kwh/unit/month) x (12 month/year) = 264,000 kWh/year.

²⁴ Psomas. 2020. 4th and Hewitt, 401 South Hewitt Street Utilities Technical Report, 12.0 Appendix - 405 S. Hewitt Request for Natural Gas Service Information (February 22, 2017). January 7.

²⁵ California Gas and Electric Utilities. 2020 California Gas Report, Page 99. Multi-family use per meter was 292 therms in 2019 (annual). 292 therms is 29,200 kBTU.

²⁶ 44 units x 29,200 kBTU/year = 1.28 million kBTU/year.

cause significant environmental impacts, and the impact would be similar to the Project's less-than-significant impact.

(3) Comparison to Project Objectives

Alternative 3 would demolish the existing office use and surface parking lots and would include a net increase in floor area of 71,158 square feet, as compared to a net increase in floor area of 329,095 square feet with the Project. Alternative 3 and the Project would both maintain the existing 7,800-square-foot, bow truss building on the Project Site fronting Colyton Street, and Alternative 3 would develop 8,149 square feet of new restaurant/retail space, similar to the Project's 8,149 square feet of new restaurant space. However, rather than providing office uses similar to the Project or Alternative 2, Alternative 3 would provide 44 residential units (70,036 square feet) and generate a residential population of 137 persons. Alternative 3 would provide 64 jobs as compared to the Project's 1,282 jobs. Since Alternative 3 would develop primarily residential uses and not office uses, it would not redevelop the urban infill Project Site and provide a high-density, mixed-use, commercial office project that increases job opportunities in proximity to public transit and other commercial and residential land uses to the same extent as the Project. Rather than creating job opportunities in the Arts District, Alternative 3 would create a new residential population. Alternative 3 would not provide open space that would be publicly accessible, as compared to the Project, which would provide open space in the form of the courtyard along Colyton Street and the passageway connecting Colyton and South Hewitt Streets. Specifically, Alternative 3 would not meet the following objectives of the Project:

1. Redevelop low-intensity parcels in the Arts District with a mix of high-density commercial land uses that provide an increased variety of job opportunities, thereby maximizing the creation of permanent jobs and economic investment in the City of Los Angeles and the Arts District.
2. Introduce a range of high quality and high-density commercial space at the appropriate scale and intensity that would supply the increasing demand for office, incubator space, and innovative campus uses in the Arts District; contribute to the demand for office space; and provide neighborhood resources for the growing residential neighborhood within the Arts District.
3. Support the growing community of creative and commercial uses and burgeoning residential population in close proximity with additional office and restaurant uses.
4. Represent the character of the Arts District by maintaining the bow truss structure and constructing a complementary multi-level building that incorporates unique exterior architectural treatments and publicly accessible open space that acts as a visual anchor.

5. Through the provision of the design, scale, and height of the Office Building, encourage pedestrian activity and commerce, and create open space opportunities, with ground floor, street-facing commercial spaces; a landscaped courtyard that would be open to public use and available for community and private events; a landscaped passageway that connects South Hewitt and Colyton Streets and promotes pedestrian access throughout the Project's street level; and balconies and a rooftop deck for the Project's office tenants.
6. Promote transit and mobility objectives and reduce VMT by providing mixed-use commercial and office spaces proximate to existing and planned DTLA residential land uses and public transit facilities, including the Metro L (Gold) Line Little Tokyo/Arts District Station located at 1st and Alameda Streets, as well as the Metro and DASH bus stops located near East 4th and South Hewitt Streets.

(4) Summary of Comparison to Project Impacts

Based on the preceding evaluation, Alternative 3 – Downtown Community Plan Alternative would not achieve the basic Project objectives, because it would construct a mixed-use development with residential uses rather than office uses that would create jobs. Alternative 3 would provide 64 jobs as compared to 1,282 jobs with the Project. Alternative 3 would result in similar impacts as the Project, and, due to the overall reduced scale of development to be constructed and operated, the relative impacts of Alternative 3 would be less in comparison to the Project (such as to air quality, energy, GHG, VMT, and utilities and service systems, for example). As Alternative 3 would be developed in accordance with the draft Downtown Community Plan zoning and land use designation for the Project Site once the draft Downtown Community Plan is adopted, it would not require the General Plan Amendment, Vesting Zone Change, or Height District Change that the Project would require. Alternative 3 would also fulfill the goals of the 2020-2045 SCAG RTP/SCS and RHNA to provide housing. Due to the reduced density of development and substantially reduced job creation, Alternative 3 would not fulfill the other goals of the 2020-2045 SCAG RTP/SCS or State and its goals for TPAs to the same extent as the Project would, since it would not place job-creating office space on an urban infill site served by transit, which would encourage the use of alternative modes of transportation and reduce VMT. In addition, Alternative 3 would not include a pedestrian passageway connecting Colyton and South Hewitt Streets, nor would it include a courtyard along Colyton Street, which would provide improved pedestrian accessibility and safety, as well as public open space. Furthermore, although the duration of construction of Alternative 3 would be reduced in comparison to the Project (22 months rather than 28 months), Alternative 3 would also not avoid the temporary, construction period significant and unavoidable noise and vibration impacts of the Project related to Project-level and cumulative off-road construction noise, Project-level and cumulative

composite construction noise, Project-level vibration (building damage) from off-road construction, and Project-level and cumulative vibration (human annoyance) from on-road construction vehicles.

d) Identification of the Environmentally Superior Alternative

Pursuant to Section 15126.6(e)(2) of the State CEQA Guidelines, the following discussion identifies the Environmentally Superior Alternative among the alternatives evaluated. As the Environmentally Superior Alternative is Alternative 1 – No Build Alternative, another Environmentally Superior Alternative is identified from the remaining alternatives.

As shown in Table VI-3, Summary Comparison of Impacts Associated with the Alternatives and Impacts of the Project, Alternative 1 – No Project Alternative would be the Environmentally Superior Alternative, because it would avoid the Project's significant and unavoidable construction period noise and vibration impacts, as well as eliminate the Project's remaining less than significant and less than significant with mitigation impacts, since no changes to the existing conditions would occur. However, Alternative 1 would not meet any of the Project objectives that have the collective purpose of redeveloping an urban infill site within the Arts District area of DTLA with a new, commercial mixed-use development that would provide new employment opportunities in the area, as well as provide community serving restaurant space, which are also goals of the State, SCAG, and City for developments located in TPAs. In addition, Alternative 1 would not decrease the imperviousness of the Project Site as compared to the Project (in compliance with the LID Ordinance). Alternative 1 also would not improve pedestrian connectivity and walkability, since it would not construct a passageway connection between Colyton and South Hewitt Streets and a courtyard facing Colyton Street.

As stated above, the CEQA Guidelines require the identification of an Environmentally Superior Alternative other than the No Project Alternative. Based on the comparative evaluation of the remaining alternatives that is summarized in Table VI-3, Summary Comparison of Impacts Associated with the Alternatives and Impacts of the Project, Alternative 2 would be the Environmentally Superior Alternative. Alternative 2 represents a reduced density development that is in accordance with the existing zoning designation and FAR allowed within the Project Site. While Alternative 2 (and Alternative 3) would not avoid the temporary, construction period significant and unavoidable noise and vibration impacts of the Project related to Project-level and cumulative off-road construction noise, Project-level and cumulative composite construction noise, Project-level vibration (building damage) from off-road construction, and Project-level and cumulative vibration (human annoyance) from on-road construction vehicles, it would result in similar or fewer impacts to the majority of the remaining environmental resources evaluated overall.

Unlike Alternative 3, Alternative 2 would result in a greater VMT impact than the Project (but would be less-than-significant). However, Alternative 2 is selected as the Environmentally Superior Alternative, because unlike Alternative 3, which would develop a primarily residential use rather than office uses, Alternative 2 would still develop office and retail/restaurant uses, and as such, would achieve the intent of the Project objectives, though to a substantially lesser extent than the Project due to its reduced density. Specifically, Alternative 2 would include a net increase in floor area of 71,158 square feet of restaurant/retail and office land uses and 282 jobs, whereas the Project would include a net increase in floor area of 329,095 square feet of restaurant and office land uses and 1,282 jobs. Therefore, Alternative 2 would not meet the goals of the State, SCAG, and City for developments located in TPAs to the same extent as the Project. Furthermore, Alternative 3 is not selected as the Environmentally Superior Alternative, because the Downtown Community Plan, as currently drafted, has not yet been approved or adopted by the City, and development of Alternative 3 would require implementation of the Downtown Community Plan.²⁷

²⁷ The City Planning Commission recommended approval of the Downtown Community Plan on September 23, 2021, but it has not yet been adopted.

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IX. Acronyms and Abbreviations

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µg/g	microgram per gram
µg/m ³	microgram per cubic meter
2016-2040 RTP/SCS	2016-2040 Regional Transportation Plan/Sustainable Communities Strategy
2018 Geotechnical Update	Update of Geotechnical Report, Geotechnologies, Inc., (December 5, 2018)
2019 Geotechnical Update	Update of Geotechnical Report, Geotechnologies, Inc., (October 29, 2019)
2020-2045 RTP/SCS	2020-2045 Regional Transportation Plan/Sustainable Communities Strategy
AB	Assembly Bill
A+D Museum	Architecture and Design Museum
ACC	Advanced Clean Cars
ACC II	Advanced Clean Cars II Program
ACM	Asbestos-containing materials
ACS	American Community Survey
ADLA	Arts District Los Angeles
AEGL	Acute Exposure Guideline Level
AF	acre-feet
Air Basin	South Coast Air Basin
Air Quality Element	General Plan Air Quality Element
APC	Area Planning Commission
APN	Assessor's Parcel Number
Applicant	LIG – 900, 910 and 926 E. 4th St., 405-411 S. Hewitt St., LLC
AQMP	Air Quality Management Plan
AR4	Fourth Assessment Report
AR5	Fifth Assessment Report
ARPA	Archaeological Resources Protection Act
Arts District BID	Arts District Los Angeles Business Improvement District
ASHRAE	American Society of Heating, Refrigeration, and Air-Conditioning Engineers
AST	aboveground storage tank
ASTM	American Society for Testing and Materials

ATCM	Airborne Toxic Control Measures
ATP	Active Transportation Program
AVL	automatic vehicle location
BAU	business-as-usual
Bay-Delta	San Francisco Bay/Sacramento–San Joaquin River Delta
BDCP	Bay-Delta Conservation Plan
BEN	Bicycle Enhanced Network
bgs	Below ground surface
BMP	Best Management Practice
Building Code	City of Los Angeles Building Code
Bureau of Engineering	City of Los Angeles Department of Public Works Bureau of Engineering
Business Plans	Hazardous Materials Release Response Plan and Inventory
C ₂ H ₆	ethane
C&D	Construction and Demolition
CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
CAFE	Corporate Average Fuel Economy (Standards)
CA FID UST	California Facility Index Database List for Underground Storage Tanks
CalARP	California Accidental Release Prevention
CalEEMod	California Emissions Estimator Model
Cal-EMA	California Emergency Management Agency
CalEPA	California Environmental Protection Agency
CalGEM	California Division of Oil, Gas, and Geothermal Resources
CALGreen	California Green Building Standards Code
California ISO	California Independent System Operator
California Register	California Register of Historical Resources
Cal OES	State Office of Emergency Services, or California Governor’s Office of Emergency Services
Cal/OSHA	California OSHA program
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CALVENO	California specific vehicle noise curves (model)
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CAS	Climate Adaptation Strategy

CAT	Climate Action Team
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDFW	California Department of Fish and Game
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
cf	cubic foot, cubic feet
CF ₄	Tetrafluoromethane
C ₂ F ₆	Hexafluoroethane
CFC	California Fire Code
CFC	Chlorofluorocarbon
CFR	Code of Federal Regulations
cfs	cubic feet per second
CGP	Construction General Permit
CH ₄	Methane
CHC	Cultural Heritage Commission
CHF ₃	Fluoroform
C ₂ H ₄ F ₂	1,1-Difluoroethane
CH ₂ FCF ₃	1,1,1,2-Tetrafluoroethane
CHRIS	California Historic Resources Information System
Circulation Element	General Plan Circulation Element
CiSWMPP	City of Los Angeles Solid Waste Management Policy Plan
Citadel	Citadel Environmental Services, Inc.
City	City of Los Angeles
City Council	City of Los Angeles City Council
CLARTS	Central Los Angeles and Transfer Station
Climate Registry	California Climate Action Registry
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO ₂	carbon dioxide
CO ₂ e	Carbon Dioxide Equivalents
CoIWMP	County Integrated Waste Management Plan
Community Plan	Central City North Community Plan
COMPSTAT	crime control model computer statistics
Conservation Element	General Plan Conservation Element
Cortese List	Hazardous Waste and Substances Sites
County	County of Los Angeles

County Flood Control	Los Angeles County Flood Control District
COVID-19	Coronavirus Disease 2019
CPUC	California Public Utilities Commission
CRA	Colorado River Aqueduct
CSE	Countywide Siting Element
CTC	California Transportation Commission
CTF	Cleaner Technology and Fuels
CUPA	Certified Unified Program Agency
CVC	California Vehicle Code
CWA	Clean Water Act
CWC	California Water Code, Porter-Cologne Water Quality Act
cy	cubic yard, cubic yards
DASH	Downtown Area Short Hop
dB	Decibel
dBA	A-weighted decibel
d/D	standard ratio of flow depth in the pipe to the diameter of the pipe
Department of City Planning	City of Los Angeles Department of City Planning
DIVCA	Digital Infrastructure and Video Competition Act of 2006
DOGGR	Division of Oil, Gas, and Geothermal Resources
DOSH	Division of Occupational Safety and Health
DPM	diesel particulate matter
DRO	Diesel Range Organics
DTLA	Downtown Los Angeles
DTLA 2040	Downtown Community Plan
DTSC	Department of Toxic Substances Control
DWR	California Department of Water Resources
ED 5	Executive Directive No.5
EDR	Environmental Data Research Inc.
EIR	Environmental Impact Report
EISA	Energy Independence and Security Act
EMD	Emergency Management Department
EMFAC	emission factor model
EMMA	Emergency Managed Mutual Aid
EMS	emergency medical services
EO	Executive Order
EOC	Emergency Operation Center
EOO	Emergency Operations Organization
EPA	Environmental Protection Agency

EPCA	Energy Policy and Conservation Act
ERC	Emission Reduction Credit
ERO	Electric Reliability Organization
ERP	Emergency Response Plan
ESA	Environmental Site Assessment
EV	electric vehicle
EWMP	Enhanced Watershed Management Program
EWMP Group	Enhanced Watershed Management Program Group
EZ	Enterprise Zone
F	Fahrenheit
FAR	floor area ratio
FCC	Federal Communications Commission
FED	Functional Equivalent Document
FEMA	Federal Emergency Management Agency
FERC	Federal Energy Regulatory Commission
FHWA	Federal Highway Administration
Fire Code	City of Los Angeles Fire Code
FIRM	flood insurance rate map
First Update	First Update to the Climate Change Scoping Plan
FIS	flood insurance studies
FPS	Fire Preemption System
Framework Element	General Plan Framework Element
ft	feet, foot
FTA	Federal Transit Administration
FY	fiscal year
General Plan	City of Los Angeles General Plan
GHG	greenhouse gas
GIS	geographical information system
gpd	gallons per day
gpm	gallons per minute
Green New Deal	Sustainable City Plan 2019
GRO	Gasoline Range Organics
GSA	Groundwater Sustainability Agency
GVWR	gross vehicle weight rating
GWP	global warming potential
GWR	Groundwater Recharge
H ₂ S	hydrogen sulfide
HASP	Health and Safety Plan
HazMat	hazardous materials
HAZNET	Hazardous Waste Information System

HCM	Historic-Cultural Monument
HCS	Historic Context Statement
HFC	Hydrofluorocarbon
HI	Hazard Index
HIN	High Injury Network
Historic District	potential Downtown Los Angeles Historic Industrial District
HMTA	Hazardous Materials Transportation Act
HP	Horsepower
HPOZ	Historic Preservation Overlay Zone
HQTA	High Quality Transit Area
HSC	Health and Safety Code
HVAC	heating, ventilation, and air conditioning
HWCL	Hazardous Waste Control Law
Hz	Hertz
I	Interstate
IBC	International Building Code
IFC	International Fire Code
IIPP	Injury and Illness Prevention Program
ILUP	Industrial Land Use Policy
IMC	International Mechanical Code
in/sec	inches per second
IPCC	Intergovernmental Panel on Climate Change
IRP	Integrated Resources Plan, Integrated Water Resources Plan
IS	Initial Study
ITA	Information Technology Agency
ITP	Incidental Take Permit
kBTU	kilo-British Thermal Units
kWh	kilowatt hours
LAA	Los Angeles Aqueduct
LACDPW	Los Angeles County Department of Public Works
L.A. CEQA Thresholds Guide	2006 L.A. CEQA Thresholds Guide: Your Resource for Preparing CEQA Analyses in Los Angeles
LAC+USC	Los Angeles County + University of Southern California Medical Center
LADBS	Los Angeles Department of Building and Safety
LADOT	Los Angeles Department of Transportation
LADWP	City of Los Angeles Department of Water and Power
LAFD	Los Angeles Fire Department
LAGBC	Los Angeles Green Building Code

LA Green Plan/ClimateLA	Green LA: An Action Plan to Lead the Nation in Fighting Global Warming
LAMC	Los Angeles Municipal Code
Land Use Element	General Plan Land Use Element
LAPD	Los Angeles Police Department
LARRMP	Los Angeles River Revitalization Master Plan
LARWQCB	Los Angeles Regional Water Quality Control Board
LASAN	City of Los Angeles Bureau of Sanitation
LAUSD	Los Angeles Unified School District
LBP	lead-based paint
lbs.	pounds
LCFS	Low Carbon Fuel Standard
L _{dn}	Day/Night Average Sound Level
Lead Agency	City of Los Angeles
LED	Light Emitting Diode
LEED	Leadership in Energy and Environmental Design
L _{eq}	Equivalent sound level over a specified period of time
L _{eq} (h)	Hourly L _{eq}
LEV	Low-Emission Vehicle
LID	Low Impact Development
LID Handbook	City of Los Angeles' Planning and Land Development Handbook for Low Impact Development, Part B: Planning Activities (5th edition, May 2016)
L _{max}	The maximum, instantaneous noise level experienced during a given period of time.
L _{min}	The minimum, instantaneous noise level experienced during a given period of time.
LNG	liquefied natural gas
LOS	level of service
LST	Localized Significance Threshold
LUST	leaking underground storage tank
Lx	The noise level exceeded a percentage of a specified time period.
MCL	Maximum Contaminant Level
Metro	Los Angeles County Metropolitan Transportation Authority
mg/cm ²	milligram per square centimeter
mgd	million gallons per day
mg/kg	milligram per kilogram
mg/L	milligrams per liter
MICR	maximum individual cancer risk
Micro-Irrigation	Drip/Subsurface Irrigation

MLD	Most Likely Descendant
MM	mitigation measure
MMR	Mandatory Reporting Rule
MMT	million metric tons
MMTCO _{2e}	MMT of CO ₂ equivalent
Mobility Plan	Mobility Plan 2035, An Element of the General Plan
MORO	Motor Oil Range Organics
mpg	miles per gallon
mph	miles per hour
MPO	metropolitan planning organization
MPP	Manual of Policies and Procedures (LADOT)
MRFs	material recovery facilities
MS4	Municipal Separate Storm Sewer System
MT	metric tons
MTCO _{2e}	metric tons of carbon dioxide equivalents
Mutual Aid Plan	California Fire Service and Rescue Emergency Mutual Aid Plan
MW	megawatts
MWD	Metropolitan Water District
MXD	Mixed Use Development (model)
NA	number of automobiles per hour
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NAT	No Action Taken
National Register	National Register of Historical Resources
NEHRP	National Earthquake Hazards Reduction Program
NEIS	Northeast Interceptor Sewer
NEN	Neighborhood Enhanced Network
NF ₃	nitrogen trifluoride
NFPA	National Fire Protection Association
NHM	Natural History Museum
NHTSA	National Highway Traffic Safety Administration
NMA	Neighborhood Mobility Area
N ₂ O	nitrous oxide
NO ₂	nitrogen dioxide
NO _x	nitrogen oxides
NOI	Notice of Intent
Noise Element	General Plan Noise Element
Non-EMS	non-emergency medical services
NOP	Notice of Preparation

NPDES	National Pollutant Discharge Elimination System
NSR	New Source Review
O ₃	ozone
OEHHA	Office of Environmental Health Hazard Assessment
OEM	Office of Emergency Management
Office Building	The Project's commercial office building
OFFROAD	Off-road vehicle emissions model
OHP	California Office of Historic Preservation
OHR	City of Los Angeles Office of Historic Resources
One Water LA Plan	One Water LA 2040 Plan
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Administration
Pb	Lead
PCBs	polychlorinated biphenyls
pCi/L	picoCuries per liter
PDF	Project Design Feature
PED	Pedestrian Enhanced Districts
PFC	Perfluorocarbons
PGA	Priority Growth Area
PHEV	Plug-In Hybrid Electric Vehicle
Plan for a Healthy Los Angeles	General Plan Health and Wellness Element
PM _{2.5}	fine particulate matter
PM ₁₀	respirable particulate matter
ppm	parts per million
PPV	peak particle velocity
PRC	Public Resources Code
Project	4 th and Hewitt Project
Project Site	Six contiguous parcels comprised of APNs 5163-022-001, 5163-022-002, 5163-022-003, 5163-022-005, 5163-022-022, and 5163-022-023
Property	401 South Hewitt Street, Los Angeles, California 90013
PRPA	Paleontological Resources Preservation Act
psi	pounds per square inch
PSLTRP	Power Strategic Long-Term Resource Plan
Q ₅₀	50-year storm
RCRA	Resource Conservation and Recovery Act
Related Project	Projects identified as related to the Project and that are considered in the evaluation of cumulative impacts
RFS	Renewable Fuel Standard
RHNA	Regional Housing Needs Assessment

RIO	River Improvement Overlay District
RMS	root mean square
ROG	Reactive organic gases
RPS	Renewables Portfolio Standard
RSL	Regional Screening Levels
RSPA	Research and Special Programs Administration
RTP	Regional Transportation Plan
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RWQCB	Regional Water Quality Control Board
SAFE	safer affordable fuel-efficient
Safety Element	General Plan Safety Element
SAR	Second Assessment Report
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCAR	Sewer Capacity Availability Review
SCCIC	South Central Coastal Information Center
SCH	State Clearinghouse
Scoping Plan	Climate Change Scoping Plan
SCS	Sustainable Communities Strategy
SDWA	Safe Drinking Water Act
Secretary's Standards	The Secretary of the Interior's Standards for the Treatment of Historic Properties
SEL	sound exposure level
SEL _{ref}	Reference noise level for stationary noise source represented in sound exposure level
SEMS	Standard Emergency Management System
SEZ	State Enterprise Zone
sf	square feet/square foot
SF ₆	sulfur hexafluoride
SFB	San Fernando Basin
SFHA	special flood hazard areas
SGMA	Sustainable Groundwater Management Act
SIP	State Implementation Plan
SO ₂	sulfur dioxide
SO ₄	sulfates
SO _x	sulfur oxides
SoCalGas	Southern California Gas Company
SPCC	Spill Prevention Control and Countermeasures

SR	State Route
SRRE	Source Reduction and Recycling Element
State	State of California
STC	sound transmission class
Summary Plan	Integrated Waste Management Plan Summary Plan
Supreme Court	U.S. Supreme Court
SurveyLA	Los Angeles Historic Resources Survey
SUSMP	Standard Urban Stormwater Mitigation Plan
SVP	Society of Vertebrate Paleontology
SWEEPS UST	Statewide Environmental Evaluation and Planning System List for Underground Storage Tanks
SWIRP	Solid Waste Integrated Resources Plan
SWP	State Water Project
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
TAG	Transportation Assessment Guidelines
TAZ	Traffic Analysis Zones
TBZ	Travel Behavior Zone
TDF	Travel Demand Forecasting
TDM	Travel Demand Management
TDM	Transportation Demand Management
TEN	Transit Enhanced Network
TIS	Transportation Impact Study
TMDL	Total Maximum Daily Load
TMO	Transportation Management Organization
TOD	transit oriented development
TPA	Transit Priority Area
TPH	total petroleum hydrocarbon
Transportation Assessment	Transportation Assessment for the 4 th and Hewitt Project
TSCA	Toxic Substances Control Act
UFC	Uniform Fire Code
ULAR	Upper Los Angeles River
ULARA	Upper Los Angeles River Area
U.S.	United States
U.S.-101	United States Route 101 or United States Highway 101
U.S. ACOE	U.S. Army Corps of Engineers
USC	United States Code

USC	University of Southern California
USDOE	U.S. Department of Energy
USDOT	U.S. Department of Transportation
USEIA	United States Energy Information Agency
USEPA	United States Environmental Protection Agency
USGBC	United States Green Building Council
UST	underground storage tank
Utilities Report	Utilities Technical Report
UWMP	Urban Water Management Plan
VdB	Decibel notation, commonly used to express root mean square (RMS) vibration velocity amplitude
VEN	Vehicle Enhanced Network
Vision Zero	Vision Zero: Eliminating Traffic Deaths in Los Angeles by 2025
VMT	vehicle miles traveled
VMT Calculator	City of Los Angeles VMT Calculator
VOC	volatile organic compound
VTTM	Vesting Tentative Tract Map
Water Quality Compliance Master Plan	Water Quality Compliance Master Plan for Urban Runoff
WDR	Waste Discharge Requirement
WRD	Water Replenishment District
WSA	Water Supply Assessment
WSAP	Water Supply Allocation Plan
WSDM	Water Surplus and Drought Management Plan
WSV	Water Supply Verification
WWSI	Wastewater Service Information
Zero Waste Plan	City of Los Angeles Solid Waste Integrated Resources Plan
ZEV	Zero-Emission Vehicle
ZI	Zoning Information
ZIMAS	Zoning Information and Mapping Access System
ZNE	zero net energy