VI. Other CEQA Considerations

1. Significant Unavoidable Impacts

Section 15126.2(a) of the State *CEQA Guidelines* requires that an EIR describe significant environmental impacts of a project on the environment. Direct and indirect significant effects shall be clearly identified and described, giving due consideration to short-term and long-term effects. As evaluated in Section IV.K, *Noise*, of this Draft EIR, and summarized below, implementation of the Project would result in significant impacts that cannot be mitigated with respect to Project-level and cumulative on-site and off-site noise/vibration sources during construction.

On-Site Construction Equipment Noise (Project-Level): Mitigation Measure NOI-MM-1 provides for sound barriers that would achieve a noise reduction of a minimum 15 dBA to residences to the west and north of the Project Site, a 12 dBA reduction to residences and a church to the east of the Project Site, and an 8 dBA reduction to the single-family residential use to the south of the Project Site. These noise barriers shall be in-place during early Project construction phases (remain up to the start of building framing) and during paving when heavy equipment is used. Temporary barriers shall provide acoustically sealed gate access as needed for construction activities, deliveries, and site access by construction personnel. Mitigation Measure NOI-MM-2 would require that construction equipment generating high levels of noise and vibration whose specific location on the Project Site may be flexible (e.g., compressors and generators) shall be located at least 100 feet away from the nearest off-site sensitive land uses, or natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such equipment towards these land uses. Mitigation Measure NOI-MM-3 requires the use of power construction equipment with properly operating and maintained noise shielding and muffling devices, consistent with manufacturers' standards. No impact pile driving shall be utilized; augered or drilled piles would be permitted. Flexible sound control curtains shall be placed around all stationary compressors and generators, drilling apparatuses, drill rigs, and jackhammers when in use. The flexible sound control curtains shall have a minimum Sound Transmission Class (STC) rating of 25.

Implementation of Mitigation Measures NOI-MM-1, NOI-MM-2, and NOI-MM-3 would reduce the Project's on-site construction noise impacts at the off-site noise sensitive receptors, to the extent technically feasible.[1] Specifically, the mitigation measures would reduce construction noise levels by a minimum of 15 dBA at receptor locations R1 through

[1] Technical infeasibility shall mean that said noise limitations cannot be complied with despite the use of mufflers, shields, sound barriers, and/or other noise reduction devices or techniques during the operation of the equipment. LAMC Chapter XI, Art. 1, Section 112.05.

R4, 12 dBA at receptor locations R5 and R6, and 8 dBA at receptor location R7, which would reduce the construction noise impacts at receptor locations R4 through R7 to less-than-significant levels. The construction noise levels at receptor locations R4 through R7 would be reduced below the 5-dBA significance threshold. However, the construction noise levels at receptor locations R1 through R3 would still exceed the 5-dBA significance threshold, as temporary construction noise barriers are limited to a 15-dBA noise reduction.[2] Consequently, with implementation of technically feasible mitigation measures, construction noise impacts at noise-sensitive receptors R1 through R3 would exceed the significance threshold temporarily during certain months of construction, when there would be multiple simultaneous construction activities and some equipment used near the periphery of the Project Site. Construction noise impacts would be lower than peak levels when equipment is used in the interior portions of the Project Site, with equipment noise reduced (attenuating) at a rate of at least 6 dBA per doubling of distance between the equipment and the sensitive receptor. The mitigated noise levels conservatively assume that the loudest equipment used during the various construction stages and construction activities would be located on the Project Site in the applicable construction work area for the construction activity at the nearest distance to the sensitive receptor location. There are no other feasible mitigation measures that could be implemented to reduce the temporary noise impacts from on-site construction. Therefore, construction noise impacts associated with on-site noise sources would remain significant and unavoidable.

On-Site Construction Equipment Noise (Cumulative): Cumulative construction noise impacts associated with on-site construction equipment could be significant in the event that construction activities as part of Related Project Nos. 1 through 5 occur within 500 feet of the Project Site (though the related projects are located at distances between 530 and 630 feet from the Project Site as described in Section IV.K, Noise). The Project would implement Mitigation Measures NOI-MM-1, NOI-MM-2, and NOI-MM-3 to reduce construction noise impacts. Implementation of these mitigation measures would reduce the Project's construction noise impacts at receptor locations R4, R5, R6, and R7 to less than significant at the Project-level; however, construction noise impacts at receptor locations R1, R2, and R3 would continue to be significant. Although it is expected that Related Project Nos. 1 through 5 would implement mitigation that would reduce construction noise impacts similar to the Project, overlapping construction activities could result in significant cumulative impacts. The Project and Related Project Nos. 1 and 5 could contribute to construction noise at receptor location R1 that may exceed the significance threshold. The Project and Related Project Nos. 2, 3, or 4 could contribute to construction noise at receptor location R7 that could potentially exceed the significance threshold. Thus, it is conservatively concluded that the Project's contribution to cumulative construction noise associated with on-site construction equipment would be cumulatively

[2] Receptor Location R1 is representative of single-family residential uses along Bellaire Avenue to the west of the Project Site. Receptor Locations R2 and R3 are representative of single-family residential uses along Valley Spring Lane, generally north of the Project Site and west of Beeman Avenue.

considerable and would represent a significant and unavoidable cumulative impact at receptor locations R1 and R7.

Off-Site Construction Noise – Mobile Sources (Cumulative): The Project would not result in any significant off-site construction noise impacts due to construction trips. However, cumulative construction noise impacts associated with off-site construction truck traffic from multiple related projects could potentially overlap with the Project on some days and generate noise in excess of the significance threshold if the related projects contribute more than 38 truck trips per hour at the same time as the Project's maximum truck trips of 50 per hour.[3] No additional feasible mitigation measures are available for the Project to implement to further reduce impacts. Residential land uses comprise the majority of existing sensitive uses within the Project Site area that could be impacted by the increase in traffic generated noise levels. Construction of sound barriers would be inappropriate for residential land uses that face the roadway as it would create aesthetic and access concerns. Thus, it is conservatively concluded that the Project's contribution to cumulative construction noise associated with off-site construction truck traffic along the haul route would be cumulatively considerable and would represent a significant and unavoidable cumulative impact.

Off-Site Improvements at Coldwater Canyon Avenue Riverwalk Path Ramp: Construction Equipment Noise (Project-Level): Implementation of Mitigation Measure NOI-MM-3 would reduce the construction noise impacts from the off-site improvements at the Coldwater Canyon Avenue Riverwalk Path Ramp at the off-site noise sensitive receptor (receptor location R8), to the extent technically feasible.[4] However, construction noise levels at the sensitive receptor location north of the Coldwater Canyon Avenue Riverwalk Path Ramp (receptor location R8) would still exceed the 5-dBA significance threshold, as noise barriers would not be effective given that the construction work would take place at a lower elevation than the sensitive receptors. The sensitive receptors would still have a direct line-of-sight to the pedestrian ramp construction site and any benefits of a noise barrier would not occur. It is not feasible to install a construction noise barrier of sufficient height that would block the line-of-sight for receptor location R8 due to technical limitations including barrier foundation needs and wind load capacities. The construction work area is within 100 feet away from the nearest off-site sensitive land uses. Thus, Mitigation Measures NOI-MM-1 and NOI-

3 While the Project would generate up to a maximum of 50 truck trips per hour (inbound plus outbound), the Coldwater Canyon Avenue segment between US-101 and Moorpark Avenue would have both inbound and outbound truck trips. The other analyzed roadway segments would only have either inbound or outbound truck trips, but not both. The segments that would have up to a maximum of 25 truck trips per hour include: Moorpark Street segment between Coldwater Canyon Avenue and Whitsett Avenue; Whitsett Avenue segment between Moorpark Street and Ventura Boulevard; Ventura Boulevard segment between Coldwater Canyon Avenue and Whitsett Avenue; and Coldwater Canyon Avenue segment between Moorpark Avenue and Ventura Boulevard.

4 Technical infeasibility shall mean that said noise limitations cannot be complied with despite the use of mufflers, shields, sound barriers, and/or other noise reduction devices or techniques during the operation of the equipment. LAMC Chapter XI, Art. 1, Section 112.05.

MM-2 are not technically feasible for construction of the off-site improvements at the Coldwater Canyon Avenue Riverwalk Path Ramp. Therefore, construction noise impacts associated with construction of the off-site improvements at the Coldwater Canyon Avenue Riverwalk Path Ramp would be temporarily significant and unavoidable.

Off-Site Construction Noise from Coldwater Canyon Avenue Riverwalk Path Ramp: Construction (Cumulative): Related Project Nos. 1 and 5 are located at 12833 Ventura Boulevard, approximately 120 feet south of the nearest residential use to the proposed Coldwater Canyon Avenue Riverwalk Path Ramp location. While construction related to Related Projects 1 and 5 is at or near completion, this analysis has conservatively evaluated these related projects. Therefore, it is conservatively assumed that construction of these related projects could occur at the same time as construction of the off-site improvements at the Coldwater Canyon Avenue Riverwalk Path Ramp. The residential uses in the vicinity of the Coldwater Canyon Avenue Riverwalk Path Ramp location could be exposed to construction noise from both the Coldwater Canyon Avenue Riverwalk Path Ramp and the Related Projects 1 and 5. As analyzed above, the estimated Project construction noise level at receptor location R8 would exceed the 5-dBA significance threshold and the construction related noise from Related Project Nos. 1 and 5 would contribute to the cumulative noise impacts. There are no feasible mitigation measures to reduce the impact. This would represent a significant and unavoidable cumulative impact at receptor location R8.

Off-Site Improvements at Coldwater Canyon Avenue Riverwalk Path Ramp: Construction Equipment Vibration – Human Annoyance (Project-Level): With respect to human annoyance, the Federal Transit Administration's *Transit Noise and Vibration Impact Assessment* identifies Category 2 uses, or buildings where people normally sleep as sensitive receptors. As discussed above, per FTA guidance, the significance criteria for human annoyance is 72 VdB for Category 2 uses for frequent events, assuming a minimum of 70 vibration events occurring during a typical construction day. As analyzed in Section IV.K, *Noise*, of this Draft EIR, the estimated vibration levels due to construction equipment for the Coldwater Canyon Avenue Riverwalk Path Ramp would exceed the significance threshold for human annoyance at the sensitive receptors north of the Coldwater Canyon Avenue Riverwalk Path Ramp (receptor location R8). Potential mitigation measures to reduce vibration impacts from construction activities with respect to human annoyance could include the installation of a wave barrier, which is typically a trench or a thin wall made of sheet piles installed in the ground (essentially a subterranean sound barrier to reduce noise). However, wave barriers must be very deep and long to be effective and are not considered feasible for temporary applications, such as Project construction.[5] Per the Caltrans Transportation and Construction Vibration Guidance Manual, the wave barrier would need to be at least two-thirds of the seismic wavelength and the length of the barrier must be at least one wavelength (typical wavelength can be up to 500 feet). In addition, constructing a wave barrier to reduce the

[5] Caltrans, *Transportation and Construction Vibration Guidance Manual*, p. 41. September 2020.

Project's construction-related vibration impacts would, in and of itself, generate groundborne vibration from the excavation equipment. Thus, it is concluded that there are no feasible mitigation measures that could be implemented to reduce the temporary vibration impacts from construction vibration impacts associated with human annoyance at the vibration-sensitive receptor location R8. Therefore, the Project would result in the generation of excessive groundborne vibration, and vibration impacts associated with human annoyance from construction activities associated with the Coldwater Canyon Avenue Riverwalk Path Ramp would be significant and unavoidable at receptor location R8.

Off-Site Improvements at Coldwater Canyon Avenue Riverwalk Path Ramp: Construction Vibration – Human Annoyance (Cumulative): Due to rapid attenuation characteristics of groundborne vibration, only related projects located adjacent to the same sensitive receptors would result in cumulatively considerable vibration impacts. Related Project Nos. 1 and 5 are approximately 120 feet south of the nearest residential use to the proposed Coldwater Canyon Avenue Riverwalk Path Ramp location. Groundborne vibration exceeding the human annoyance threshold at receptor location R8 would occur as a result of construction of the proposed Coldwater Canyon Avenue Riverwalk Path Ramp, and Related Projects could contribute to the human annoyance vibration impact. There are no feasible mitigation measures to reduce the temporary vibration impacts from construction vibration impacts associated with human annoyance at the vibration-sensitive receptor location R8. Therefore, construction of the Project would result in a cumulatively considerable contribution and would have a significant and unavoidable cumulative impact with regard to groundborne vibration (human annoyance) at receptor location R8.

2. Reasons Why the Project is Being Proposed, Notwithstanding Significant Unavoidable Impacts

In addition to identification of the Project's significant unavoidable construction noise [on-site construction noise (Project-level); on-site construction equipment noise (Cumulative); and off-site construction noise (Cumulative)] impacts, Section 15126.2(c) of the State *CEQA Guidelines* also requires a description of the reasons why a project is being proposed, notwithstanding significant unavoidable impacts associated with the project. As described further below, this Project is being proposed, notwithstanding its significant unavoidable impact, because: (1) the Project would convert a former private golf and tennis club to provide access to landscaped open space, trails, and recreational opportunities to the public and the School in an area with a shortage of neighborhood parks; (2) the Project's significant unavoidable impacts caused by construction noise would be temporary; (3) the Project would improve public access to the Zev Greenway through the Project Site; (4) the Project would support the RIO District Ordinance and help restore the Project Site with native trees and shrubs; (5) the Project would install a 1-million-gallon stormwater capture and reuse system that would help conserve the City's potable water supply and improve water quality received by the Los Angeles River from

the Project Site and a 39-acre, off-site drainage area consisting of single- and multi-family residential uses to the north of the Project Site; and (6) to help meet the School's needs in providing recreational and academic opportunities to its students.

As identified in Chapter II, *Project Description*, of this Draft EIR, nine (9) Project Objectives have been identified for the Project with the underlying purpose of the Project to supplement the School's athletic and recreational facilities, and provide Harvard-Westlake School a campus that can fulfill its educational mission and athletic principles now and in the future. In addition to the six (6) factors listed above, the Project Objectives provide further reasons for proceeding with the Project notwithstanding the Project's significant and unavoidable impacts. Furthermore, the Project Objectives include a number of features that are consistent with, and that contribute to, implementation of Community objectives established in the City's General Plan, the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan (Community Plan), the RIO District Ordinance, the Los Angeles Green New Deal (Sustainable City pLAn), the 2020 Urban Water Management Plan, and SCAG's 2020–2045 RTP/SCS. Pursuant to these objectives, the Project would implement a shuttle bus program that would reduce the Project Site's existing VMT; provide native plant species with low to medium water demand; reduce water demand and the use of pesticides by eliminating ornamental turfgrass in favor of artificial grass; install solar voltaic panels; implement energy efficient building design; provide electric vehicle charging stations; provide bicycle facilities; increase access to the Zev Greenway and Los Angeles River; and reduce water demand through the stormwater capture and reuse system. The Project would rehabilitate and maintain the existing clubhouse with café, putting green, low brick retaining wall, and golf ball-shaped light standards to convey their historic value as character-defining features of the original Weddington Golf & Tennis facility.

The Project would promote compatibility with the surrounding neighborhood through a design that includes mature trees and extensive landscaping along the northern edge of the Project Site; reduces off-site noise effects through placement of recreational facilities internal to the Project Site; installs landscaped walls and berms, and use of canopy structures adjacent to pool and playfield areas to reduce noise; limits light spillover and glare through use of field lights with light-emitting diode (LED) technology, timer controls, and shields that comply with LAMC and RIO requirements; provides ample on-site parking and prohibits off-site parking; and, maximizes public safety through 24-hour, seven-day-a-week on-site security, monitored points of entry, and enforcement of a prohibition on off-site parking.

Four alternatives to the Project are considered in Chapter V, *Alternatives*, of this Draft EIR. The alternatives analysis reviews the reasonably likely use of the Project Site in the event that the Project is not implemented (Alternative 1, the No Project/No Build Alternative). Alternative 2, the At Grade Parking Alternative, Alternative 3, the Reduced Density and Programming Alternative, and Alternative 4, the No Public Use/No Public Events Alternative, would all reduce the duration and extent of construction activities

compared to the Project. However, even with reduced construction activity, Alternatives 2, 3, and 4 would still result in a significant and unavoidable Project-level and cumulative construction noise and vibration impacts. Nonetheless, because the scale of excavation and the duration of construction would be less under Alternatives 2, 3, and 4, Project-level and cumulative construction noise impacts would be less than under the Project. Because the Project, Alternatives 2, 3, and 4 would involve the same Coldwater Canyon Avenue Riverwalk Path Ramp, similar significant and unavoidable temporary, construction-related human annoyance vibration impacts (Project-level and cumulative) would occur under the Project and Alternatives 2, 3, and 4.

The No Project/No Build Alternative would avoid the Project's significant and unavoidable construction noise impact, but would result in a dormant site and not achieve any of the Project Objectives, including public access.

Therefore, as described above, the Project is being proposed, notwithstanding significant unavoidable construction noise, because it would support the RIO District Ordinance for revitalization of the Los Angeles River environment, enhance public enjoyment of the open space environment, and meet the needs of the School in providing recreational and academic opportunities to its students.

3. Significant Irreversible Environmental Changes

According to Sections 15126.2(d) of the State *CEQA Guidelines*, an EIR is required to address any significant irreversible environmental changes that would occur should the Project be implemented. As stated in CEQA Guidelines Section 15126.2(d):

> *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 likely. 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. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.*

The Project would necessarily consume limited, slowly renewable and non-renewable resources. This consumption would occur during the construction phase of the Project and would continue throughout its operational lifetime. Project development would require a commitment of resources that would include: (1) building materials, (2) fuel and operational materials/resources, and (3) the transportation of goods and people to and from the Project Site. Project construction would require the consumption of resources that are non-replenishable or may renew so slowly as to be considered non-renewable. These resources would include the following construction supplies: certain types of lumber and other forest products; aggregate materials used in concrete and asphalt such as sand,

gravel and stone; metals such as steel, copper, and lead; petrochemical construction materials such as plastics; and water. Furthermore, nonrenewable fossil fuels such as gasoline and oil would also be consumed in the use of construction vehicles and equipment, as well as the transportation of goods and people to and from the Project Site.

Project operation would continue to expend nonrenewable resources that are currently consumed within the City. These include energy resources such as electricity and natural gas, petroleum-based fuels required for vehicle-trips, fossil fuels, and water. Fossil fuels would represent the primary energy source associated with both construction and ongoing operation of the Project, and the existing, finite supplies of these natural resources would be incrementally reduced.

At the same time, as a result of the School's mandatory student and employee shuttle bus program, and use of shuttle buses for large gatherings that would potentially exceed on-site parking, the Project would reduce reliance on private automobiles, vehicle miles traveled, and the consumption of non-renewable resources when considered in a larger context. Most notably, the Project would reduce the vehicle miles generated by the existing golf and tennis club and, thus, reduce the related consumption of renewable resources, among other goals. Given its location within an established urban area and the shortage of neighborhood parks in the area, the Project would support pedestrian access from the immediate area to its open space and recreational uses. As such, the Project would contribute to a program that would reduce the consumption of non-renewable resources.

Furthermore, the Project would be subject to building regulations that would reduce the demands for energy resources needed to support Project operation. The Project would comply with the Los Angeles Sustainable City pLAn 2019, the Los Angeles Green Building Code, the CALGreen Code, the State's Assembly Bill (AB) 32 GHG reduction target, and other sustainability plans. Emissions generated by the Project's construction and operation activities would be consistent with standards set forth in the 2020-2045 RTP/SCS to meet GHG emission-reduction targets set by the California Air Resources Board. The Project would also be consistent with regional population and employee growth provided in the 2020–2045 RTP/SCS. The Project would reduce GHGs by installing solar voltaic panels for the gymnasium building and using energy efficient design. The Project, even with an extensive landscaping program that would result in the net increase of 153 trees beyond existing conditions, would save water by planting drought tolerant landscaping and reusing captured stormwater from on-site and off-site watersheds. As indicated in Section IV.G, *Greenhouse Gas Emissions*, the Project would result in a less than significant GHG impact with these features and other Project components. In addition, as described in Sections IV.B, *Air Quality*, IV.E, *Energy*, IV.J, *Land Use and Planning*, and IV.M, *Transportation*, the Project would be consistent with applicable plans, policies, or regulations to reduce GHG emissions and energy demand.

Continued use of non-renewable resources would be on a relatively small scale and consistent with regional and local growth forecasts in the area, as well as State and local

goals for reductions in the consumption of such resources. Furthermore, the Project would not affect access to existing resources, nor interfere with the production or delivery of such resources. The Project Site contains no energy resources that would be precluded from future use through Project implementation. The Project's irreversible changes to the environment related to the consumption of nonrenewable resources would not be significant.

4. Growth-Inducing Impacts

Section 15126.2(e) of the CEQA Guidelines requires an EIR to discuss the ways a proposed project could foster economic or population growth or the construction of additional housing, directly or indirectly, in the surrounding environment. Growth-inducing impacts include the removal of obstacles to population growth (e.g., the expansion of a wastewater treatment plant allowing more development in a service area) and the development and construction of new service facilities that could significantly affect the environment individually or cumulatively. In addition, pursuant to CEQA, growth must not be assumed as beneficial, detrimental, or of little significance to the environment.

The Project would redevelop the Project Site, currently developed with the Weddington Golf & Tennis facility, which primarily consists of tennis and golf facilities. The Project would retain the existing clubhouse, putting green, low brick retaining wall, and golf ball-shaped light standards, and develop new athletic and recreational facilities for its students, employees and the general public. The Project would provide approximately 5.4 acres (235,224 square feet) of publicly accessible open space and landscaped trails connecting to the adjacent Zev Greenway and on-site landscaped areas, water features, and recreational facilities. The Project Site is located within an area identified in the General Plan and Community Plan as "Open Space", reflecting the long-term use of the Project Site for tennis and golf activities. The Community Plan also identifies the Project Site as a "major development opportunity site," including use of the Project Site to improve pedestrian access to the Los Angeles River. Regarding open space, the Community Plan states: "important open space areas do exist separate from land under control of the City of Los Angeles Department of Recreation and Parks. Open space is important due to its role in both physical and environmental protection. There are two classifications for Open Space, publicly owned and privately owned open space."[6]

The Project is associated with the existing Harvard-Westlake School and intended to serve the School's existing need for recreational facilities, for which adequate space is not available at the School's Upper Campus. The Project would not provide housing or increase or induce residential density growth or provide substantial new employment opportunities that would foster a substantial economic growth.

6 City of Los Angeles Department of City Planning, Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan, 1998, page III-12.

The Project Site is located in an urbanized area that is served by current infrastructure (e.g., roads and utilities), and community service facilities. The Project's only off-site infrastructure improvements would consist of tie-ins to the existing utility main-lines already serving the Project area. The Project would not develop new roads, or require the construction of off-site infrastructure that would provide additional infrastructure capacity for other future development. It would not open inaccessible sites to new development other than existing opportunities for development that are already available.

Therefore, the Project would not spur additional growth other than that already anticipated and would not eliminate impediments to growth. Consequently, the Project would not foster growth inducing impacts.

5. Potential Secondary Effects of Mitigation Measures

Section 15126.4(a)(1)(D) of the CEQA Guidelines requires mitigation measures to be discussed in less detail than the significant effects of the Project if the mitigation measure(s) would cause one or more significant effects in addition to those that would be caused by the Project as proposed. The analysis of Project impacts in Chapter IV of this Draft EIR resulted in recommended mitigation measures for several environmental topics, which are identified below. The following provides a discussion of the potential secondary effects on those topics that could occur as a result of implementation of the required mitigation measures. For the reasons stated below, it is concluded that the Project's mitigation measures would not result in significant secondary impacts.

a) Air Quality

Mitigation Measure AQ-MM-1 requires the Project to use off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board and U.S. Environmental Protection Agency Tier 4 Final off-road emissions standards or equivalent for equipment rated at 50 horsepower or greater during Project construction where available within the Los Angeles region, and to maintain applicable equipment to such standards. Mitigation Measure AQ-MM-1 also requires that construction activities shall be discontinued during second-stage smog alerts. These requirements would reduce construction air emissions to a level of less than significant. The mitigation measure would apply only to construction activities used within and immediately adjacent to the Project Site. Implementation of this mitigation measure would not result in secondary environmental effects at neighboring residential properties or within the broader community.

b) Biological Resources

Mitigation Measures BIO-MM-1 through BIO-MM-3 require the restoration or protection of sensitive plant and animal species and habitat, including nesting birds, the western yellow bat, and City-protected and non-protected significant trees and shrubs. These

mitigation measures would reduce impacts on species to a level of less than significant. Because these requirements would apply only to plant and animal habitat and trees within the Project Site, within the public street right-of-way adjacent to the Project Site, or adjacent to the Zev Greenway, the implementation of these mitigation measures would not result in secondary environmental effects at neighboring residential properties or within the broader community.

c) Hazards and Hazardous Materials

Mitigation Measure HAZ-MM-1 requires a Soil Management Plan (SMP) for testing soils within the golf course and near the location of the 500-gallon UST removed from the Project Site in 1995. Sampling, testing, and analysis shall be conducted in accordance with appropriate California and local guidelines. This measure would reduce impacts related to potential contamination in the on-site soils to a level that is less than significant. Mitigation Measure HAZ-MM-2 requires a Health and Safety Plan (HASP) that would address, as appropriate, safety requirements to avoid significant impacts or risks to workers or the public in the event that contaminated soils or elevated levels of subsurface vapors are encountered during grading and excavation. The implementation of these mitigation measures would occur only within the Project Site and would not result in secondary environmental effects at neighboring residential properties or within the broader community.

d) Noise

Mitigation Measure NOI-MM-1 requires temporary on-site construction noise barriers. The barriers shall be confined to the Project Site. Mitigation Measure NOI-MM-2 requires construction equipment that would generate high levels of noise and vibration whose specific location on the Project Site may be flexible (e.g., compressors and generators) to be located at least 100 feet away from the nearest off-site sensitive land uses, or natural and/or manmade barriers (e.g., intervening construction trailers) to be used to screen propagation of noise from such equipment towards these land uses. Mitigation Measure NOI-MM-3 requires the Project contractor to use power construction equipment with properly operating and maintained noise shielding and muffling devices, consistent with manufacturers' standards. In addition, no impact pile driving shall be utilized; augered or drilled piles are permitted. Flexible sound control curtains are to be placed around all stationary compressors and generators, drilling apparatuses, drill rigs, and jackhammers when in use. Also, the flexible sound control curtains are to have a minimum Sound Transmission Class (STC) rating of 25. Because the noise barriers and standards of use of construction equipment would only occur during Project construction activities within the Project Site and, as applicable, at the off-site improvements at the Coldwater Canyon Avenue Riverwalk Path Ramp location, implementation of these mitigation measures would not result in secondary environmental effects at neighboring residential properties or within the broader community.

e) Wastewater

Mitigation Measure WW-MM-1 requires that the swimming pool volume shall be discharged at a rate of no more than 166,000 gallons per day (gpd). Mitigation Measure WW-MM-2 requires that wastewater from the discharge of the swimming pool (50 percent of the resulting volume) to be split equally between the 8-inch lines in Whitsett Avenue and Bellaire Avenue, unless an alternative split is otherwise approved by LA Sanitation based on future detailed gauging and evaluation as part of the final approval process for the sewer capacity and connection permit. The implementation of these mitigation measures would ensure available capacity of existing sewer lines serving the Project Site and reduce wastewater discharge impacts to a level that is less than significant. Because Mitigation Measures WW-MM-1 and WW-MM-2 serve to preserve capacity within the Project Site-serving wastewater system, the implementation of these mitigation measures would not result in secondary environmental effects at adjacent properties or within the broader community.

6. Effects Found Not to be Significant

Section 15128 of the CEQA Guidelines states that an EIR shall contain a brief statement indicating reasons that various possible significant effects of a project were determined not to be significant and not discussed in detail in the Draft EIR. An Initial Study was prepared for the Project and is included in Appendix A-1 of this Draft EIR. Pursuant to Section 15128, such a statement may be contained in an attached copy of an Initial Study.

The Initial Study provides a detailed discussion of the potential environmental impact issues and the reasons that some topics are not further analyzed in the Draft EIR. The Initial Study determined that the Project would not result in potentially significant impacts related to Aesthetics (scenic vistas, state scenic highways, and quality of public views), Agriculture and Forestry Resources, Air Quality (objectionable odors), Biological Resources (federally or state-protected wetland, Habitat Conservation Plan), Geology and Soils (landslides, alternative disposal systems), Hazards (airport land use plan, adopted emergency evacuation plan, wildfire), Land Use (physical division of an established community), Mineral Resources, Noise (airport land use plan, private airstrip), Population and Housing, Public Services (parks, schools, and libraries), Recreation (park facilities), Transportation (geometric hazards), Utilities (solid waste local management and statutes), and Wildfire. For further discussion of these issues and more detailed evaluation of potential impacts, refer to the Project Initial Study, provided in Appendix A-1 of this Draft EIR. Based on NOP public comments, this Draft EIR includes additional analysis of impacts related to Transportation (geometric hazards), Public Services (parks), and Recreation (park facilities), with the DEIR concluding that impacts in these regards would be less than significant, similar to that concluded in the Initial Study.