

I. INTRODUCTION

As defined by Section 31087 of the California Public Resources Code (PRC), which codifies the California Environmental Quality Act (CEQA), the City of Los Angeles is the Lead Agency for the Project. In accordance with CEQA Guidelines Section 15089, subsequent to the circulation of a Draft EIR, the City of Los Angeles (City) must prepare a Final EIR before approving a project. The purpose of the Final EIR is to provide an opportunity for the lead agency to respond to comments made by the public and agencies regarding the Draft EIR. Pursuant to CEQA Guidelines Section 15132, the Final EIR includes a list of persons, organizations, and public agencies that provided comments on the Draft EIR; responses to comments received regarding the Draft EIR; and revisions to the Draft EIR. In addition, the Final EIR includes a Mitigation Monitoring Program (MMP).

This Final EIR constitutes the second part of the EIR for the Project and is intended to be a companion to the Draft EIR. The Draft EIR for the Project, which was circulated for public review and comment from October 12, 2023, through December 11, 2023, constitutes the first part of the EIR and is incorporated by reference and bound separately (refer to Volumes 1 through 7 of the Draft EIR).¹

1. Organization of the Final EIR

This Final EIR is organized into sections as follows:

SECTION I. INTRODUCTION

This section provides an introduction to the Final EIR.

SECTION II. RESPONSES TO COMMENTS

This section presents a matrix of the parties that commented on the Draft EIR and the issues that they raised. The matrix is followed by verbatim numbered copies of the comments followed by numbered responses to each of the written comments made regarding the Draft EIR pursuant to CEQA Guidelines Section 15088. Copies of the full original comment letters are included in Appendix A, Original Draft EIR Comment Letters, of this Final EIR.

SECTION III. REVISIONS, CLARIFICATIONS, AND CORRECTIONS TO THE DRAFT EIR

This section includes revisions that have been made to the Draft EIR for the Project based on comments received from the public and agencies and other items requiring revisions.

¹ The printed version of the Draft EIR was bound in seven (7) separate volumes.

These changes are minor and do not add significant new information that would affect the analysis or conclusions presented in the Draft EIR. CEQA Guidelines Section 15088.5(a) specifically states:

New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:

- *A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.*
- *A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance.*
- *A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.*
- *The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.*

CEQA Guidelines Section 15088.5(b) provides that “[r]ecirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.”

As demonstrated in this Final EIR, the comments submitted on the Draft EIR; the responses to these comments; and the revisions, clarifications, and corrections presented in Section III of this Final EIR, do not constitute significant new information warranting recirculation of the Draft EIR as set forth in CEQA Guidelines Section 15088.5. Rather, the Draft EIR is comprehensive and has been prepared in accordance with CEQA and the CEQA Guidelines.

SECTION IV. MITIGATION MONITORING PROGRAM

This section provides the full MMP for the Project. The MMP lists project’s Project Design Features (PDFs) and Mitigation Measures (MMs) by environmental topic and identifies for each of the features and measures the applicable enforcement agency, monitoring agency, monitoring phase, monitoring frequency, and action indicating compliance.

This Final EIR also includes the following appendices:

- Appendix FEIR-A – Original Draft EIR Comment Letters
- Appendix FEIR-B - Health Risk Assessment (HRA)
- Appendix FEIR-C – Modified Project Air Quality and Greenhouse Gas Emissions Technical Data
- Appendix FEIR-D – Modified Project Energy Calculation Worksheets
- Appendix FEIR-E – Modified Project Noise Worksheets
- Appendix FEIR-F – Modified Project Transportation Analysis
- Appendix FEIR-G – Modified Project Utility Information
- Appendix FEIR-H – Updated Alternative 2 VMT analysis

2. Draft EIR Project Summary

The Fourth & Central Project (Project) would generally be located at 400 South Central Avenue and consists of three distinct sites (North, South and West Sites – collectively referred to as the Project Site), with a total land area of approximately 7.6 acres (333,603 gross square feet of lot area pre-dedication). The Project Site is comprised of the following areas: North Site (1.35 acres) located at the northeast corner of 4th Street and Central Avenue; South Site (5.98 acres) located south of 4th Street between Central Avenue and Alameda Street; and West Site (0.32 acres) located at the northwestern intersection of Gladys Avenue and Central Avenue.

The Project would demolish the existing surface parking and cold storage facility uses on the West and South Sites. The Project intends to adaptively reuse a portion of a six-story cold storage warehouse building located on the North Site, while demolishing the remaining attached single-story warehouse building on the North Site. However, because the currently operating North Site cold storage warehouse building has been “frozen” for over 100 years, a confirmation of its structural integrity cannot be made until the existing operations cease (when and if the Project is approved) and the North Site building is “unfrozen.” Accordingly, for purposes of the Draft EIR and to provide a worst-case, conservative assessment of potential environmental impacts, such as construction air emissions, solid waste, and haul trips, the Project is assumed to demolish the entire six-story cold storage warehouse building and attached single-story warehouse on the North Site. Whether a portion of the six-story cold storage warehouse building on the North Site is adaptively reused or not, the development programming on the North Site (and Project) would remain similar under either development scenario.

The Project would include a mix of residential, office, restaurant/retail, and hotel uses within 10 distinct buildings over the Project Site totaling 2,318,534 square feet, for a floor area ratio (FAR) of 7.13:1. The Project would comprise 1,521 residential units, including affordable housing units, totaling 1,731,849 sf; 411,113 square feet of office uses; 101,088 square feet of restaurant/retail uses; and 68 hotel rooms (74,484 square feet of

hotel floor area).² The Project would include 163,325 square feet of Los Angeles Municipal Code (LAMC) required usable open space. In addition, the Project would include 90,113 square feet of publicly-accessible open space, including paseos passing between Central Avenue and Alameda Street, plazas, and pocket parks within the North and South Sites. The proposed buildings would range in height from two to 44 stories, with a maximum height of 497 feet. The Project would provide 2,475 vehicle parking spaces within subterranean parking (up to four levels) and six levels of podium parking in Building 2 and four levels of podium parking in Building 9. The Project would also provide 146 short-term bicycle parking spaces and 596 long-term bicycle parking spaces.

Based on the analysis included in the Draft EIR, the Project would result in significant and unavoidable Project-level impacts related to regional construction-related emissions of volatile organic compounds (VOC), nitrogen oxides (NO_x), and carbon monoxide (CO); regional operation-related emissions of VOC and NO_x; historic resources; on-site noise during construction; construction-related vibration (related to structural building damage); and cumulative impacts associated with regional construction-related NO_x and CO emissions, regional-operation-related CO emissions in the interim scenario, on- and off-site (traffic) noise during construction, and construction-related vibration (related to structural building damage). All other potential impacts would be less than significant or mitigated to less-than-significant levels.

3. Project Design Modifications

In response to public and agency comments received on the Draft EIR, design modifications have been made to the Project. Please refer to Section III, *Revisions, Clarifications and Corrections to the Draft EIR*, of this Final EIR, which includes all of the design modifications made to the Project, including those made to Section II, *Project Description*, of the Draft EIR. As shown therein, modifications have been made to reduce the height of Building 2 (on the North Site) from 44 stories to 30 stories while increasing the height of Building 6 (on the South Site) from six stories to 26 stories, and to reduce the residential density/unit count in Building 2 from 449 units to 335 units, a reduction of 114 units. Additionally, the hotel component (68 rooms) in Building 6 has been removed. With the conversion of the 68 hotel rooms to residential units, as well as the transfer of 114 units from Building 2 to Building 6, the residential unit count in Building 6 has increased from 68 units to 250 units. Overall, the Project's unit count has been increased from 1,521 units to 1,589 units. Also, the amount of restaurant and retail space within Building 1 has been increased from 16,378 square feet to 61,038 sf. As such, the

² The 101,088 square feet of restaurant/retail floor area includes floor area for purposes of calculating floor area per LAMC requirements. An additional potential 12,477 square feet of outdoor dining/patio space may be incorporated into the Project, which does not count towards the LAMC calculation of floor area. To provide a conservative analysis of environmental impacts associated with the Project's retail/restaurant uses, the environmental analyses included in Section IV, *Environmental Impact Analysis*, of the Draft EIR, evaluated a total of 113,565 square feet of restaurant/retail uses. It was assumed there would be 45,266 square feet of retail uses and 68,299 square feet of restaurant uses (indoor and outdoor uses combined).

Project's overall amount of restaurant/retail square footage has been increased from 101,088 square feet to 145,748 sf.³ Within Building 1, the 44,660 square feet of residential floor area (previously designated for residential amenity space) would be removed to accommodate for the increase in restaurant and retail square footage. With these modifications, the Project's overall floor area (2,318,534 sf) would remain the same as analyzed in the Draft EIR. The Project's total parking count has also been reduced from 2,475 spaces to 2,444 spaces. Relevant figures from the Draft EIR have also been revised to illustrate the Project design modifications summarized above.

(1) CEQA Implications

CEQA anticipates circumstances where new information can be included in a Final EIR without recirculation of the Draft EIR if the new information is intended to clarify or amplify information in the Draft EIR and does not result in significant new or magnified environmental effects.

In order to give a degree of finality to EIR documentation, CEQA requires recirculation of a Draft EIR only when "significant new information" is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred but before the EIR is certified.⁴ The CEQA Guidelines define "significant new information" as changes to an EIR, which "[deprive] the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement."⁵ CEQA Guidelines Section 15088.5(a) further provides four examples of "significant new information," as follows:

1. "A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.

³ The 145,748 square feet of restaurant/retail floor area includes floor area for purposes of calculating floor area per LAMC requirements. An additional potential 12,477 square feet of outdoor dining/patio space may be incorporated into the Project, which does not count towards the LAMC calculation of floor area. To provide a conservative analysis of environmental impacts associated with the Projects retail/restaurant uses, the updated environmental analyses included in Section III, *Revisions, Clarifications and Corrections to the Draft EIR*, of this Final EIR, evaluates a total of 158,225 square feet of restaurant/retail uses. It is assumed there would be 67,595 square feet of retail uses and 90,630 square feet of restaurant uses (indoor and outdoor uses combined).

⁴ California Public Resources Code Section 21092.1 and CEQA Guidelines Section 15088.5.

⁵ CEQA Guidelines Section 15088.5 (a)

4. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.”

CEQA Guidelines Section 15088.5 also provides that “[r]ecirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.”⁶

The design modifications to the Project in response to public comments do not constitute “significant new information” pursuant to CEQA Guidelines Section 15088.5 because they do not “deprive the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project’s proponents have declined to implement,”⁷ or fall into any of the examples of “significant new information” provided in CEQA Guidelines Section 15088.5(a).

The revisions to the environmental analyses in the Draft EIR resulting from the Project design modifications are shown in Section III, *Revisions, Clarifications and Corrections to the Draft EIR*, of this Final EIR. Based on the revisions identified therein, the proposed design modifications (1) would not result in any new significant environmental impacts, (2) would not result in a substantial increase in the severity of any environmental impacts, and (3) are not part of a feasible project alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the significant environmental impacts of the project. In addition, the City has determined that the Draft EIR provided a comprehensive analysis of the environmental issues that were identified to have potentially significant impacts following completion of the Project’s Initial Study and EIR scoping process and that the analysis remains adequate and applicable with the revisions, clarifications, and corrections included in Section III of this Final EIR. Technical analysis was provided by experts in their respective fields for those issues evaluated in the Draft EIR, where necessary. Responses to the Draft EIR comment letters were prepared in accordance with CEQA Guidelines Section 15088 and have been provided in Section II of this Final EIR. The responses clarify information and analysis presented in the Draft EIR, with corrections and additions provided in Section III of this Final EIR.

The implementation of the proposed design modifications would not result in any additional significant impacts other than those already disclosed under the Project in the Draft EIR or result in any impacts of a different type or character from those studied under the Project in the Draft EIR. Therefore, the analysis of the Project’s impacts and the level of impacts disclosed in the Draft EIR also apply to the Project with the proposed design modifications.

⁶ CEQA Guidelines Section 15088.5 (b)

⁷ CEQA Guidelines Section 15088.5 (a)

For the reasons explained above, no new significant information is introduced in the Final EIR that would warrant recirculation as set forth in CEQA Guidelines Section 15088.5. Therefore, recirculation of the Draft EIR is not required.

Without or with the Project design modifications, based on analysis included in the Draft EIR and Section III of this Final EIR, the Project would result in significant and unavoidable impacts related to air quality (project-level and cumulative), historic resources (project-level), and on-site and off-site noise/vibration sources during construction (project-level and cumulative). Furthermore, without or with the Project design modifications, all other potential impacts would be less than significant or mitigated to less-than-significant levels.

With regard to Project-level regional criteria pollutant air quality impacts, the Project without design modifications would result in significant and unavoidable carbon monoxide (CO) impacts during the interim construction and operation scenario. This scenario was analyzed as an operational impact. However, the Project with design modifications would reduce the CO Project-level impact to a less-than-significant level with implementation of the prescribed mitigation measures during the interim construction and operation scenario. In addition, because the Project with design modifications would have a less-than-significant Project-level impact with mitigation in this regard, the corresponding cumulative impact would also be less than significant with mitigation. Comparatively, the Project without design modifications as analyzed in the Draft EIR would have a significant and unavoidable Project-level impact with mitigation; in this regard, the corresponding cumulative impact would also be significant and unavoidable with mitigation. In summary, the Project with design modifications would eliminate the Project-level and cumulative significant and unavoidable operational air quality impacts. All construction impacts without or with the Project design modifications would be the same.

4. Public Review Process

In accordance with CEQA, the environmental review process for the Project commenced with solicitation of comments from the identified responsible and trustee agencies, as well as interested parties on the scope of the Draft EIR, through a Notice of Preparation (NOP) process. The City prepared an Initial Study and circulated an NOP for public comment to the State Clearinghouse, Office of Planning and Research, responsible agencies, and other interested parties on March 10, 2022 for a 30-day public review period. In addition, a public scoping meeting was conducted on March 23, 2022. The Initial Study was included in Appendix A-2 of the Draft EIR, the NOP was included in Appendix A-1 of the Draft EIR, and the public comments received during the Initial Study circulation period were provided in Appendix A-4 of the Draft EIR.

Consistent with the requirements of Sections 15087 and 15105 of the CEQA Guidelines, Draft EIR was submitted to the State Clearinghouse, Office of Planning and Research and was circulated for public review commencing on October 12, 2023. The Draft EIR was made available for review on the City's website, the State Clearinghouse CEQAnet website, at the Department of City Planning, and at three public libraries. While CEQA

requires a 45-day public comment period, the comment period for the Project was extended approximately two weeks to December 11, 2023, for a total review period of 61 days. Following the Draft EIR public comment period, this Final EIR has been prepared and includes responses to the comments raised regarding the Draft EIR.