Draft Environmental Impact Report

SCH No. 2022120346

Whittier Boulevard Business Center Project

City of Whittier, California

Lead Agency:

City of Whittier
13230 Penn Street
Whittier, CA 90602

July 19, 2023

DRAFT ENVIRONMENTAL IMPACT REPORT
SCH No. 2022120346

Whittier Boulevard Business Center Project

City of Whittier, California

Lead Agency
City of Whittier
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Lead Agency Discretionary Permits
Development Review Permit No. 21-0065
Conditional Use Permit No. 22-0007
Certificate of Appropriateness No. 22-0012

Draft EIR: July 19, 2023

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ACRONYMS AND ABBREVIATIONS

Acronym	Definition
§	Section
>	greater than
≥	greater than or equal to
a.m.	Ante Meridiem (between the hours of midnight and noon)
AAQS	Ambient Air Quality Standards
AB	Assembly Bill
AB 52	Native Americans: California Environmental Quality Act
AB 1493	Pavley Fuel Efficiency Standards
AB 1327	California Solid Waste Reuse and Recycling Act
AB 939	California Solid Waste Integrated Management Act
AB 1881	California Assembly Bill 1881, California Water Conservation Act of 2006
AC	Acres
ACHP	Advisory Council on Historic Preservation
ACMs	Asbestos Containing Materials
ACOE	Army Corps of Engineers
AERMOD	Air Quality Dispersion Modeling
ADT	Average Daily Traffic
AIA	Airport Influence Area
ALUC	Airport Land Use Commission
ALUCP	Airport Land Use Compatibility Plan
AMSL	Above Mean Sea Level
A-P Act	Alquist-Priolo Earthquake Fault Zoning Act
APS	Alternative Planning Strategy
APN	Assessor Parcel Number
AQMP	Air Quality Management Plan
ASTM	American Society of Testing and Materials
ASTs	Above ground storage tanks
Av.	Avenue
BACM	Best Available Control Measure
bgs	Below ground surface
Blvd.	Boulevard
BMPs	Best Management Practices
C2F6	Hexafluoroethane

C2H6	Ethane
CA	California
CAA	Federal Clean Air Act
CAAQS	California Ambient Air Quality Standards
CalEEMod™	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CALGreen Code	California Green Building Standards Code
Caltrans	California Department of Transportation
Calveno	California Vehicle Noise
CAO	Cleanup and Abatement Order
CAP	Climate Action Plan
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CBC	California Building Code
CBSC	California Building Standards Code
CCR	California Code of Regulations
CCAA	California Clear Air Act
CCUS	Carbon Capture, Utilization, or Storage
CCRUS	Carbon Capture, Removal, Utilization, and Storage
CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife
CDO	Cease and Desist Order
CDR	Carbon Dioxide Removal
CEC	California Energy Commission
CEPA	California Environmental Protection Agency
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CFC	California Fire Code
CFCs	Chlorofluorocarbons
C2F6	Hexaflouroethane
CF4	Tetraflouromethane
CF3CH2F	HFC-134a
CFGC	California Fish and Game Commission
CFR	Code of Federal Regulations
CFS	Cubic Feet per Second
CGS	California Geologic Survey
C2H6	Ethane
CH4	Methane
CH3CHF2	HFC-152a

CHF3	HFC-23
CHL	California Historical Landmark
CHRIS	California Historic Resources Information System
CMP	Congestion Management Program
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNRA	California Natural Resources Agency
CO	Carbon Monoxide
COG	Council of Governments
CO2	Carbon Dioxide
CO2e	Carbon Dioxide Equivalent
COHb	carboxyhemoglobin
COP	Conference of Parties
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CSU	California State University
CTC	California Transportation Commission
CUP	Conditional Use Permit
CWA	Clean Water Act
CWC	California Water Code
CY	Cubic Yards
dB	Decibel
dBA	A-weighted Decibels
DEH	Department of Environmental Health
DIF	Development Impact Fee
DOSH	Division of Occupational Safety and Health
DPM	Diesel Particulate Matter
DNL	Day-Night Average Noise Level
DRP	Design Review Permit
DTSC	Department of Toxic Substances Control
DU	Dwelling Unit
DU/AC	Dwelling units per acre
DWR	Department of Water Resources
EDR	EDR Sanborn
EIR	Environmental Impact Report
EMFAC	Emission Factor Model
EO	Executive Order
EOP	Emergency Operations Plan

EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-To-Know Act
EPS	Emission Performance Standard
ESA	Environmental Site Assessment
ESL	Ecological Screening Level
F	Fahrenheit
FAA	Federal Aviation Administration
FAR	floor area ratio
FEIR	Final Environmental Impact Report
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zone
FIRM	Flood Insurance Rate Map
FHWA	Federal Highway Administration
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Association
FY	Fiscal Year
FYI	For Your Information
GBN	Ground-Based Noise
GBV	Ground-Based Vibration
GCC	Global Climate Change
Gg	Gigagrams
GHG	Greenhouse Gas
GIS	Geographic Information System
GgCO2e	Gigagrams of carbon dioxide equivalent
GP	General Plan
gpd	Gallons per Day
gpm	Gallons per minute
GPS	Global Positioning System
GWP	Global Warming Potential
H2O	Water Vapor
HCM	Highway Capacity Manual
HDV	Heavy-duty vehicles
HFCs	Hydrofluorocarbons
HMBEP	Hazardous Materials Business Emergency Plan
HMTA	Hazardous Materials Transportation Act
HMTUSA	Hazardous Materials Transportation Uniform Safety Act
Hp	horsepower

HRC	Certificate of Appropriateness
HSC	Health and Safety Code
HSWA	Hazardous and Solid Waste Amendments
HVAC	Heating, Ventilation, and Air Conditioning
I	Interstate
i.e.	that is
IBC	International Building Code
IEPR	Integrated Energy Policy Report
IPCC	Intergovernmental Panel on Climate Change
IS	Initial Study
ISTEA	Intermodal Surface Transportation Efficiency Act
ITE	Institute of Transportation Engineers
JPA	Joint Powers Authority
JWPCP	Joint Water Pollution Control Plant
kg	kilogram
kBTU	kilo-British thermal units
kWh	kilowatt-hour
LACDPW	Los Angeles County Department of Public Works
LACSD	Los Angeles County Sanitation District
LACFD	Los Angeles County Fire Department
LACTMA	Los Angeles County Metropolitan Transport Authority
LAFCD	Los Angeles Flood Control District
LARWQCB	Los Angeles Regional Water Quality Control Board
LBP	Lead based paint
lbs	pounds
LCFS	low carbon fuel standard
LDA	Light duty autos
LDV	Light duty vehicles
LED	light-emitting diode
Leq	equivalent continuous sound level
LHD	light-heavy duty trucks
LID	low impact development
Lmax	Maximum level measured over the time interval
Lmin	Maximum level measures over the time interval
LOS	Level of Service
LSTs	Localized Significance Thresholds

LUST	Leaking Underground Storage Tank
M3	Cubic Meter
MBTA	Migratory Bird Treaty Act
MEISC	maximally exposed individual school child
MEIR	maximally exposed individual receptor
MEIW	maximally exposed individual worker
METRO	Los Angeles County Metropolitan Transportation Authority
mg	milligrams
MGD	million gallons per day
MH	medium-heavy duty truck
MICR	Maximum Individual Cancer Risk
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
MMTs	million metric tons
MMTCO2e	million metric tons of carbon dioxide equivalent
mpg	Miles Per Gallon
mph	Miles per hour
MPO	Metropolitan Planning Organization
MRI	Magnetic Resonance Imaging
MRZ	Mineral Resource Zone
MRF	Material Recovery Facility
MS4	Municipal Separate Storm Sewer System
MT	metric ton
MTCO2e	Metric Tons of Carbon Dioxide Equivalent
MWELO	Model Water Efficient Landscape Ordinance
N/A	Not Applicable
N2	Nitrogen
n.d.	no date
NAHC	Native American Heritage Commission
NAAQS	National Ambient Air Quality Standards
NAGPRA	Native American Graves Protection and Repatriation Act
NDC	nationally determined contributions
NHPA	National Historic Preservation Act
No.	Number
NO	Nitric Oxide
NO2	Nitrogen Dioxide
NOX	Nitrogen Oxides
N2	Nitrogen

N2O	Nitrous Oxide
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
n.p.	No page
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NPS	Non-Point Source
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NVIA	Noise and Vibration Impact Assessment
O2	Oxygen
O3	Ozone
OEHHA	Office of Environmental Health Hazard Assessment
OHP	Office Historic Preservation
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Assessment
Ord.	Ordinance
Pb	Lead
PCBs	Polychlorinated biphenyls
PCEs	Passenger Car Equivalents
PFCs	Perfluorocarbons
p.m.	Post Meridiem (between the hours of noon and midnight)
PM	Particulate Matter
PM2.5	Fine Particulate Matter (2.5 microns or smaller)
PM10	Fine Particulate Matter (10 microns or smaller)
ppb	parts per billion
ppm	parts per million
pp.	pages
ppt	parts per trillion
PPV	peak particle velocity
PRC	Public Resources Code
PV	photovoltaic
R&D	Research and Development
RCP	Reinforced Concrete Pipe
RCRA	Resource Conservation and Recovery Act
Rd.	Road
REC	Recognized Environmental Concerns

REMEL	Reference Mean Emission Level
ROGs	Reactive Organic Gasses
ROW	Right of Way
RPS	Renewable Portfolio Standards
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agency
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RWQCB	Regional Water Quality Control Board
SF/s.f.	square foot or square feet
SARA	Superfund Amendments and Reauthorization Act
SB	Senate Bill
SB 375	California Senate Bill 375, Sustainable Communities and Climate Protection Act of 2008
SCAB	South Coast Air Basin
SCAG	Sothern California Association of Governments
SCAQMD	Southern Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SCH	California State Clearinghouse (Office of Planning and Research)
SCS	Sustainable Communities Strategy
SEA	Significant Ecological Area
SF6	Sulfur Hexafluoride
SGMA	Sustainable Groundwater Management Act
SHMA	Seismic Hazards Mapping Act
SHPO	State Historic Preservation Office/Officers
SIP	State Implementation Plan
SMARA	Surface Mining Reclamation Act
SNUR	Significant New Use Rule
SO2	Sulfur Dioxide
SO4	Sulfates
SOX	Sulfur Oxides
SP	Specific Plan
SR	State Route
SRA	Source Receptor Area
St.	Street
SVP	Soil Vapor Probes
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Regional Control Board

TAC	Toxic Air Contaminants
TBD	To be determined
TCE	Trichloroethene
TEA-21	Transportation Equality Act for 21st Century
TIA	Traffic Impact Analysis
TPH-d	Diesel Range Total Petroleum Hydrocarbons
tpd	Tons Per Day
TSCA	Toxic Substance Control Act
TSF	Thousand Square Feet
µg	microgram
UBC	Uniform Building Code
UNFCCC	United Nations' Framework Convention on Climate Change
U.S.	United States
U.S.C.	United States Code
USCB	United States Census Bureau
USEPA	United States Environmental Protection Agency
USDA	U.S. Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United Stated Geological Society
USTs	Underground storage tanks
UWMP	Urban Water Management Plan
VdB	Vibration Decibels
VHFHSZ	Very High Fire Hazard Severity Zone
VIMS	Vapor Intrusion Mitigation System
VMT	Vehicle Miles Traveled
VOCs	Volatile Organic Compounds
VPH	Vehicles per Hour
WBSP	Whittier Boulevard Specific Plan
WDR	Water Discharge Requirements
WQMP	Water Quality Management Plan
Yr	year
ZE	Zero Emission
ZORI	Zones of Required Investigation

S.0 EXECUTIVE SUMMARY

S.1 INTRODUCTION

The California Environmental Quality Act (CEQA), Public Resources Code Section 21000, *et seq.* requires that before a public agency makes a decision to approve a project that could have one or more adverse effects on the physical environment, the agency must inform itself about the project's potential environmental impacts, give the public an opportunity to comment on the environmental issues, and take feasible measures to avoid or reduce potential harm to the physical environment.

This Environmental Impact Report (EIR), having California State Clearinghouse (SCH) No. 2022120346, was prepared in accordance with CEQA Guidelines Article 9, Sections 15120-15132 to evaluate the potential environmental impacts associated with planning, constructing, and operating the proposed Whittier Boulevard Business Center Project (hereafter, the "Project" or "proposed Project"). This EIR does not recommend approval or denial of the proposed Project; rather, this EIR is a source of factual information regarding potential impacts that the Project may cause to the physical environment. The Draft EIR will be available for public review for a minimum period of 45 days. After consideration of public comment, the City's decision makers will consider certifying the Final EIR and adopting required findings.

This Executive Summary complies with CEQA Guidelines Section 15123, "Summary." This EIR includes a description of the proposed Project individually and evaluates the physical environmental effects that could result from Project implementation.

The City of Whittier determined that the scope of this EIR should cover six subject areas. The scope was determined through the independent judgment of the City of Whittier pursuant to CEQA Guidelines Section 15063, and in consideration of public comment received by the City in response to this EIR's Notice of Preparation (NOP). The NOP and written comments received by the City in response to the NOP, are attached to this EIR as *Technical Appendix A*. As determined by the City and in consideration of public comment on the NOP, the six environmental subject areas that could be reasonably and significantly affected by planning, constructing, and/or operating the proposed Project are analyzed herein, including:

1. Cultural Resources
2. Geology and Soils
3. Greenhouse Gas Emissions
4. Hazards and Hazardous Materials
5. Noise
6. Tribal Cultural Resources

Refer to EIR Section 4.0, *Environmental Analysis*, for a full account and analysis of the subject matters listed above. Subject areas for which the EIR concluded that impacts would be clearly less than significant and that do not warrant detailed analysis in this EIR are addressed in EIR Section 5.0, *Other CEQA Considerations*. For each of the aforementioned subject areas, this EIR describes: 1) the physical conditions that existed at the

approximate time this EIR's NOP was filed with the California State Clearinghouse (December 14, 2022); 2) discloses the type and magnitude of potential environmental impacts resulting from Project planning, construction, and operation; and 3) if warranted, recommends feasible mitigation measures that would reduce or avoid significant adverse environmental impacts that the proposed Project may cause. A summary of the proposed Project's significant environmental impacts and the mitigation measures imposed by the City of Whittier on the Project to lessen or avoid those impacts is included in this Executive Summary as Table S-1, *Mitigation Monitoring and Reporting Program*. The City of Whittier applies mitigation measures that it determines 1) are feasible and practical for project applicants to implement, 2) are feasible and practical for the City of Whittier to monitor and enforce, 3) are legal for the City to impose, 4) have an essential nexus to the Project's impacts, and 5) would result in a benefit to the physical environment. CEQA does not require the Lead Agency to impose mitigation measures that are duplicative of mandatory regulatory requirements.

S.2 PROJECT OVERVIEW

S.2.1 LOCATION AND SETTING

The Project Site is located in the City of Whittier, which is located in the southern portion of Los Angeles County, California. The City of Whittier is located east of the City of Pico Rivera, southwest of the City of Industry, northwest of the City of La Habra, and north of the City of La Mirada. The Project Site is located approximately 1.6 miles southeast of Interstate 605 (I-605), 3.6 miles northeast of Interstate 5 (I-5), and 6.6 miles south of Interstate 10 (I-10). The Site's location in a regional context is shown on Figure 3-1, *Regional Map*, in EIR Section 3.0, *Project Description*.

At a local scale, the Project Site is located at 12352 Whittier Boulevard along the western side of the Whittier Boulevard frontage road, between Walnut Grove Drive and Pacific Place. Refer to Figure 3-2, *Vicinity Map*, and Figure 3-3, *USGS Topographic Map*, in Section 3.0 of this EIR.

S.2.2 PROJECT SUMMARY

When the term "Project" is used in this EIR with the initial letter capitalized, the term shall mean all aspects of the planning, construction, and operation of the proposed Project, including all discretionary and administrative approvals and permits required for its implementation. The Project Applicant proposes certain site-specific actions for the construction and operation of one building having up to 295,959 square feet (s.f.) of building space for occupancy by a manufacturing, assembly, research and development (R&D), and/or light industrial user, with ancillary distribution and storage space in compliance with the Whittier Boulevard Specific Plan's (WBSP) Workplace District designation. The Project's required discretionary approval actions include a proposed Development Review (DRP21-0065), a Conditional Use Permit (CUP22-007), and a Certificate of Appropriateness (HRC22-0012) to authorize demolition of the existing uses, redevelopment of the property, and the construction and operation of a proposed, new building on the 13.49-acre Project Site.

S.2.3 PROJECT OBJECTIVES

The underlying purpose and goal of the proposed Project is to redevelop an underutilized and deteriorated property in the City's Envision Whittier General Plan Innovation land use category to bring a contemporary,

economically viable, employment-generating use to the property. The following objectives are intended to achieve the underlying purpose:

A. To expand economic development and increase the tax base for the City of Whittier by redeveloping and revitalizing an underutilized property with an in-demand use.

B. To provide a new, modern building in proximity to Whittier Boulevard that is attractive to a variety of business types including manufacturing, assembly, R&D, and light industrial.

C. To make efficient use of an underutilized property in the City of Whittier by maximizing its buildout potential while accommodating all parking requirements with ground level non-structured parking (no parking garages or underground parking).

D. To enhance the visual quality of a property visible from Whittier Boulevard by introducing contemporary architecture and improved landscaping.

E. To attract a new employment-generating business to the City of Whittier, thereby growing the economy and providing a more equal jobs-housing balance in the local area that will reduce the need for members of the local workforce to commute outside the area for employment.

F. To assist in remediating hazardous building and soil conditions in the vicinity of Whittier Boulevard by removing and properly disposing of asbestos-containing materials and contaminated soils as part of a site's redevelopment plan.

S.3 EIR PROCESS

Following preliminary review of the Project's application materials, the City of Whittier concluded that the Project and its associated implementing actions have the *potential* to result in significant environmental effects; as such, the City proceeded with preparation of this EIR pursuant to CEQA Guidelines Section 15060(d). The City filed a NOP with the California Office of Planning and Research (State Clearinghouse) to indicate that an EIR would be prepared. The NOP and an accompanying CEQA Initial Study were distributed for a 30-day public review period, which began on December 14, 2022. The City of Whittier received written comments on the scope of the EIR during those 30 days, which were considered by the City during the preparation of this EIR.

This EIR is being circulated for review and comment by the public and other interested parties, agencies, and organizations for a 45-day review period. During the 45-day public review period, public notices announcing availability of the Draft EIR will be mailed to interested parties, an advertisement will be published in the Whittier Daily News (a newspaper of general circulation in the Project area), and copies of the Draft EIR and its Technical Appendices will be available for review at the locations indicated in the public notices.

After the close of the 45-day Draft EIR public comment period, the City will prepare and publish responses to written comments it received on the environmental effects of the Project. The Final EIR will be considered for

certification by the Whittier City Council. Certification of the Final EIR would be accompanied by the adoption of written findings and a statement of overriding considerations for any significant unavoidable environmental impacts identified in the Final EIR. In addition, the City must adopt a Mitigation, Monitoring, and Reporting Program (MMRP), which describes the process to ensure implementation of the mitigation measures identified in the Final EIR. The MMRP will ensure CEQA compliance during Project construction and operation.

S.4 Areas of Controversy and Issues to be Resolved

CEQA Guidelines Section 15123(b)(2) requires the Lead Agency (City of Whittier) to identify any known issues of controversy in the Executive Summary. The Lead Agency has not identified any issues of controversy associated with the Project after consideration of all comments received in response to the NOP. Notwithstanding, the Lead Agency has identified several issues of local concern including, but not limited to, potential impacts to a historic resource, hazards and hazardous materials, and potential tribal cultural resources.

Regarding issues to be resolved, this EIR addresses the environmental issues that are known by the City, and that were identified in the comment letters that the City of Whittier received on this EIR's NOP (refer to *Technical Appendix A*). Items raised in written comment to the NOP are summarized in Table 1-1, *Summary of NOP Comments*, in Section 1.0 of this EIR.

S.5 Alternatives to the Proposed Project

In compliance with CEQA Guidelines Section 15126.6, an EIR must describe a range of reasonable alternatives to the Project. A brief description of the alternatives to the Project considered in this EIR is provided below; a detailed description of each alternative evaluated in this EIR, as well as an analysis of the potential environmental impacts associated with each alternative, is provided in EIR Section 6.0, *Alternatives*. Also described in Section 6.0 is a list of alternatives that were considered but rejected from further analysis.

S.5.1 No Project Alternative

The No Project Alternative considers no development on the Project Site beyond what occurs on the Site under existing conditions. Under this Alternative, the three existing attached buildings, with a total building footprint of 213,430 s.f., would remain on the approximately 13.49-acre Project Site and the buildings would be kept vacant for the foreseeable future. No hazardous materials remediation work would occur on the Site. This Alternative was used to compare the environmental effects of the proposed Project with an alternative that would leave the property in its existing state.

S.5.2 Building Reuse Alternative

The Building Reuse Alternative considers a scenario in which the three existing buildings would remain on the Project Site and be reused. The three attached buildings would be renovated for reuse and would retain the total existing building footprint of 213,430 s.f. Asbestos would be removed to the extent possible, but the contaminated soil that underlies the Site would remain and could not be remediated. Also, to the extent possible, major interior renovations, roof replacement, and structural stability issues would need to be addressed. The existing pavement on the parking areas would be removed and new pavement would be applied.

This Alternative compares the environmental effects of the proposed Project with an alternative that would reuse the existing buildings on the property, thereby eliminating the Project's significant and unavoidable impact associated with demolition of a building that has associative historic significance for its former use as a post-World War II manufacturing facility.

S.5.3 Reduced Project Alternative

The Reduced Project Alternative would redevelop the Project Site with a smaller building than is proposed with the Project. The building would be reduced by 25 percent, for a total building footprint of 221,624 s.f. This alternative was used to evaluate a scenario that would reduce the total building space on the Project Site relative to the Project but still allow productive use of entire Project Site. The portions of the Project Site not used for building space would be used for parking.

S.6 Summary of Impacts, Mitigation Measures, and Conclusions

S.6.1 Effects Found Not to be Significant

The scope of detailed analysis in this EIR includes the six subject areas identified in the Initial Study prepared under the supervision of the City of Whittier pursuant to CEQA Guidelines Section 15063 and CEQA Statute Section 21002(e), as well as consideration of public comments received by the City on this EIR's NOP. The NOP and public comments received in response to the NOP, are attached to this EIR as *Technical Appendix A*. Subject areas for which the City concluded that impacts clearly would be less than significant and that do not warrant detailed analysis in this EIR include: aesthetics; agriculture and forestry resources; air quality; biological resources; energy; hydrology and water quality; land use and planning; mineral resources; population and housing; public services; recreation; transportation; utilities and service systems; and wildfire. This EIR addresses these 14 topics in EIR Subsection 5.0, *Other CEQA Considerations*.

S.6.2 Significant and Unavoidable Impacts of the Proposed Project

Table S-1 provides a summary of the Project's environmental impacts, as required by CEQA Guidelines Section 15123(a). Also presented are the mitigation measures recommended by the City of Whittier to further avoid adverse environmental impacts or to reduce their level of significance. After the application of all feasible mitigation measures, the Project would result in two significant and unavoidable environmental effects, as summarized below.

> Cultural Resources Threshold a) Significant Direct and Cumulatively-Considerable Impact. The Project Site is eligible for listing on the NRHP/CRHR under Criterion A/1, and as a City of Whittier local historic landmark under Criterion E of Section 18.84.050 of the Whittier Municipal Code, for associative value to post WWII manufacturing and distribution activities. Implementation of MM 4.1-1 and MM 4 4.1-2 will preserve the memory of the Ekco Products Company plant and its importance in the City of Whittier; however, demolition of the physical features and loss of their historical association would not be fully mitigable and remain a significant direct and cumulatively-considerable unavoidable impact.

Greenhouse Gas Emissions Threshold a) Significant Unavoidable Cumulatively Considerable Impact. The Project would exceed the SCAQMD significance threshold of 3,000 MTCO2e per year. As such, the Project would generate substantial, cumulatively-considerable GHG emissions that may have a significant impact on the environment. A majority of the Project's GHG emissions would be produced by mobile sources. Neither the Project Applicant nor the Lead Agency (City of Whittier) can substantively or materially affect reductions in Project mobile-source emissions beyond federal and State regulations. Accordingly, the City finds that the Project's GHG emissions are a significant and unavoidable cumulatively-considerable impact for which no feasible mitigation is available.

Table S-1 Mitigation Monitoring and Reporting Program

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
4.1 Cultural Resources					
Threshold a: Significant Direct and Cumulatively-Considerable Impact. The Project Site is eligible for listing on the NRHP/CRHR under Criterion A/1, and as a City of Whittier local historic landmark under Criterion E of Section 18.84.050 of the Whittier Municipal Code, for associative value to post WWII manufacturing and distribution activities. The proposed demolition of the Project Site's existing physical features represents a significant direct and cumulatively-considerable impact to known historical resources having associative value as defined in CEQA Guidelines Section 15064.5.	**MM 4.1-1**: Prior to the issuance of a demolition permit, a qualified historic preservation consultant that meets the U.S. Secretary of the Interior's Professional Qualifications Standards shall be retained by the Project Applicant and shall prepare a detailed written history of the Project Site. The report shall include the following elements, and when complete, the report shall be distributed to the City of Whittier Planning Division, the Whittier Public Library, the Whittier Historical Society and Museum, the Los Angeles Public Library, and the South Central Coastal Information Center at CSU, Fullerton. a) digital photography of the property, b) as-built site plans/drawings of the property, c) historic photos and maps of the property, d) oral interviews with former employees, if they can be identified, and e) an exhaustive history of the Ekco Products Company use of the property.	Professional Cultural Resource Specialist retained by Project Applicant	City of Whittier Community Development Department Planning Division Building and Safety Division	Prior to Demolition	Significant Direct and Cumulatively-Considerable Impact
	MM 4.1-2: As part of the Project's construction, a durable, legible, weather-proof interpretive sign or plaque shall be placed near the primary building entry in an area easily accessible to visitors, that displays a historic photograph or image of the Ekco Products Company buildings on the Project Site, and a brief description of the company's historic association with the Project Site and post WWII manufacturing and distribution.	Professional Cultural Resource Specialist retained by Project Applicant	City of Whittier Community Development Department Planning Division	Prior to Demolition	
Threshold b: Significant Direct and Cumulatively-Considerable Impact. The Project would not impact any known	**MM 4.1-3**: Prior to construction and as needed throughout the construction period involving ground-disturbing construction activities, a construction	Professional Cultural Resource Specialist	City of Whittier	Prior to the issuance of a grading permit or any	Less-than Significant Impact with Mitigation Incorporated

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
archaeological sites and would not cause a substantial adverse change in the significance of any known archaeological resources pursuant to CEQA Guidelines Section 15064.5. However, there is a possibility that subsurface archaeological resources may be present beneath the Project Site, unearthed during Project construction, and impacted. Therefore, the potential for Project impacts to archaeological resources that may be discovered during the Project's construction would be significant prior to mitigation.	worker cultural awareness training program shall be provided to all new construction workers within one week of employment at the Project Site. The training shall be prepared and conducted by a qualified cultural resources specialist. Workers attending the training shall sign a form that shall be kept by the Project Applicant and made available to the City of Whittier upon request.	retained by Project Applicant	Community Development Department Planning Division Building and Safety Division Public Works Department	permit that authorizes ground disturbance	
	MM 4.1-4: If suspected historical or archaeological resources are encountered during ground disturbance activities, the construction contractor(s) shall be required by their contract to immediately cease work within 100 feet of the find and have the area cordoned off until a qualified cultural resource specialist that meets the Secretary of the Interior's Professional Qualification Standards can evaluate the find and make recommendations. If the specialist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required. If cultural resources are discovered that may have relevance to Native Americans, the specialist or Project Applicant must provide written notice to the City of Whittier Planning Division, Gabrieleño Indian Tribe, Native American Heritage Commission, and any other appropriate individuals, agencies, and/or groups as determined by the specialist in consultation with the City of Whittier to receive input regarding treatment and disposition of the resource, which may include avoidance, testing, and/or excavation to prevent destruction of the resource and/or to allow documentation of the resource for research potential. All reports, correspondence, and determinations regarding the discovery shall be submitted to the California Historical Resources Information System's South Central Information Center at California State University Fullerton.	Construction Contractors and Professional Cultural Resource Specialist retained by Project Applicant	City of Whittier Community Development Department Planning Division Building and Safety Division Public Works Department	If suspected cultural resources are encountered	

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	MM 4.1-5: During construction, if human remains are discovered, further ground disturbance shall be prohibited pursuant to California Health and Safety Code Section 7050.5. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Health and Safety Code Section 7050.5, Public Resources Code 5097.97, and Senate Bill 447 shall be followed. In the event of the discovery of human remains, at the direction of the county coroner, Health and Safety Code Section 7050.5(c) shall guide Native American consultation. Unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The coroner, pursuant to the specific exemption set forth in California Government Code Section 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code Section 6254 (r).	Construction Contractors	County Coroner	If human remains are discovered	
Threshold c: Less-than-Significant Impact. In the unlikely event that human remains are discovered during Project grading or other ground disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097 *et seq*. Mandatory compliance with State law would ensure that any discovered human remains are appropriately treated and	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
would preclude the potential for significant impacts.					
4.2 Geology and Soils					
Threshold a: Less-than-Significant Impact. Implementation of the Project would not expose people or structures to direct or indirect adverse effects related to liquefaction or fault rupture. The Project Site is subject to seismic ground shaking associated with earthquakes; however, mandatory compliance with local and State regulatory requirements and building codes would ensure that potential hazards related to seismic ground shaking are reduced to less than significant levels.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold b: Less-than-Significant Impact. Implementation of the Project would not result in substantial soil erosion or loss of topsoil. The Project Applicant would be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit, comply with SCAQMD Rule 403, and adhere to a Storm Water Pollution Prevention Plan (SWPPP) during construction activities. Following completion of redevelopment, the Project's owner or operator would be required to comply with the requirements outlined in the Project's Low Impact Development (LID) report.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold c: Less-than-Significant Impact. There is no potential for the Project's construction or operation to cause, or be impacted by, on- or off-site landslides or lateral spreading, subsidence, liquefaction, or collapse.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
Potential hazards associated with unstable soils would be precluded through mandatory adherence to the recommendations contained in the site-specific geotechnical report during Project construction.					
Threshold d: Significant Direct Impact. Expansive soils are present beneath the Project Site, which have the potential to result in environmental effects if not adequately addressed during the Project's construction.	**MM 4.2-1:** As a condition of the Project's grading permit and shell building permit and prior to the approval of landscaping and irrigation plans, the City shall assure that construction activities adhere to recommendations given a site-specific geotechnical report prepared by NorCal Engineering titled "Geotechnical Engineering Investigation 12352 Whittier Boulevard Whittier, California," and dated April 2, 2021, including its attached expansive soil guidelines. Requirements to address expansive soils include but are not limited to the following: a. Soils underlying the building slab shall be 6 to 12 inches of non-expansive soils, with pre-saturation of underlying clayey soils required. b. The building slab shall have a thickened edge of six inches or thicker to assist in keeping excessive moisture from entering directly beneath the concrete. c. Drainage shall be directed away from the building and pavement to prevent excessive wetting of expansive soils. d. Planting schemes and irrigation plans shall be designed to strictly control irrigation around the building foundation and slab to maintain a relatively uniform moisture content in soils.	Project Applicant	City of Whittier Community Development Department Building and Safety Division Public Works Department	Prior to issuance of a grading permit	Less-than-Significant Impact with Mitigation Incorporated
Threshold e: No Impact. No septic tanks or alternative wastewater disposal systems are proposed to be installed on the Project Site. Accordingly, no impact would occur associated with soil	No mitigation is required.	N/A	N/A	N/A	No Impact

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
compatibility for wastewater disposal systems.					
Threshold f: Significant Direct and Cumulatively-Considerable Impact. The Project would not impact any known paleontological resource or geological feature. However, soil remediation and construction activities that extend below six feet in depth have a remote potential to encounter buried paleontological resources. As such, there is a potential that paleontological resources may be impacted during Project construction activities.	**MM 4.2-2**: Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Whittier Planning Division that a qualified paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.	Project Applicant; Project Paleontologist	City of Whittier Community Development Department Planning Division Public Works Department	Prior to the issuance of a grading permit	Less-than-Significant Impact with Mitigation Incorporated
	MM 4.2-3: The paleontological monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed late Pleistocene old alluvium soils at depths 10 or more feet below the existing ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontological monitor shall be empowered to temporarily halt or divert equipment to allow the removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by paleontological personnel to have a low potential to contain or yield fossil resources.	Project Applicant; Project Paleontologist	City of Whittier Community Development Department Planning Division Public Works Department	Prior to the issuance of a grading permit	
	MM 4.2-4: Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional, accredited public museum	Project Applicant; Project Paleontologist	City of Whittier	Prior to the issuance of a grading permit	

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	repository with a commitment to archival conservation and permanent retrievable storage, such as the Natural History Museum in Los Angeles, California, shall be required for discoveries of significance as determined by the paleontological monitor.		Community Development Department Planning Division		
	MM 4.2-5: A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Whittier Planning Division prior to final building inspection.	Project Applicant; Project Paleontologist	City of Whittier Community Development Department Planning Division	Prior to final building inspection	
4.3 Greenhouse Gas Emissions					
Threshold a: Cumulatively Considerable Impact. The Project would exceed the SCAQMD significance threshold of 3,000 MTCO2e per year. As such, the Project would generate substantial, cumulatively-considerable GHG emissions that may have a significant impact on the environment.	The Project would be required to implement design measures to maximize energy efficiency and reduce GHG emissions as required by State law (for example, the use of energy efficient appliances as required by the CBSC) and by local regulations. Although mandatory compliance with applicable State and local regulations would reduce Project-related GHG emissions, these requirements would not substantially reduce Project mobile source GHG emissions (i.e., emissions from construction equipment, passenger cars, and heavy-duty trucks), which comprise approximately 58 percent of all Project-related GHG emissions. Compliance with Title 24 of the California Green Building Code already serves to reduce area-source GHG emissions to the maximum feasible extent. As advancements in vehicle technology progress, it is expected that a higher percentage of vehicles including trucks will be electric-powered than occurs today. However, until vehicle technology advances and electric trucks are more commonly commercially available with enough power to haul heavy loads over long distances, it is reasonable to	Project Applicant	City of Whittier Community Development Department Planning Division Building Division	During Construction	Significant Unavoidable Cumulatively-Considerable Impact

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	assume that the truck fleet that will access the Project Site will be diesel-powered. Mobile source GHG emissions are regulated by State and federal fuel standards and tailpipe emissions standards and are outside of the control and authority of the City, the Project Applicant, and future Project occupants. CEQA Guidelines Section 15091 provides that mitigation measures must be within the responsibility and jurisdiction of the Lead Agency (i.e., City) in order to be implemented. No other mitigation measures are available that are feasible for the City to enforce, beyond those already required by regulations, that have a proportional nexus to the Project's level of impact.				
Threshold b: Less-than-Significant Impact. The Project would be consistent with or otherwise would not conflict with, applicable regulations, policies, plans, and policy goals that would further reduce GHG emissions.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
4.4 Hazards and Hazardous Materials					
Threshold a and b: Significant Direct Impact. Based on the results of the Project's Phase I ESA and Soil/Vapor Investigation, the Project Site is associated with RECs. As such, the Project has the potential to create a significant hazard to the public or the environment during demolition and construction activities due to existing site contamination and due to the likely presence of asbestos-containing materials within the existing buildings on-site.	**MM 4.4-1**: As conditions of the Project's demolition permit and grading permit, the City of Whittier shall require compliance with the Project's Soil Management Plan (*Technical Appendix E2* to this EIR) prepared by HMC, titled "Soil Management Plan Former Leggett & Platt Facility, 12352 Whitter Boulevard, Whitter, California 90602," and dated January 13, 2023, or the most recent version thereof published at the time of permit issuance and approved by the Los Angeles Regional Water Quality Control Board (LARWQCB). If there are any discrepancies among mitigation measures provided in this EIR and the Soil Management Plan, the requirements of the Soil Management Plan approved by the LARWQCB shall prevail. As part of the grading efforts, South	Construction Contractors	City of Whittier Community Development Department Building and Safety Division Public Works Department	Prior to issuance of a demolition and grading permit	Less-than-Significant Impact with Mitigation Incorporated

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	Coast Air Quality Management District (SCAQMD) Rules 1166 (VOCs) and 1466 (Metals) also shall apply.				
	MM 4.4-2: Locations of reported or suspected subsurface features shall be noted on demolition plans and grading plans. As a condition of demolition permits and grading permits, initial ground disturbance in areas of known former manufacturing features such as clarifiers, sumps, and drainage channels shall consist of trenching with small equipment such as backhoes in an attempt to locate the reported buried features. If features are discovered, they shall be handled and disposed of in accordance with all applicable regulatory requirements. Mass grading activities may proceed when the initial trenching investigations are complete.	Construction Contractors	City of Whittier Community Development Department Planning Division Building and Safety Division Public Works Department	Prior to issuance of a demolition and grading permits	
	MM 4.4-3: Prior to the issuance of a demolition permit and grading permit, the Project Applicant shall provide evidence to the City of Whittier Community Development Department that qualified hazardous materials professionals (at minimum, an Environmental Program Manager (ECM) and an Environmental Field Coordinator (EFC)) have been retained to oversee implementation of the Soil Management Plan.	Project Applicant; Construction Contractors	City of Whittier Community Development Department Planning Division Building and Safety Division Public Works Department	Prior to the issuance of a grading permit	
	MM 4.4-4: The ECM shall be required to provide health and safety training to the demolition and grading contractors and other site workers involved in ground-disturbing construction activities who may be in contact with hazardous materials or contaminated soils. The training shall occur not less than 30 days before the construction contractors begin work on the site. Verification of the training and a list of the	Construction Contractors	City of Whittier Community Development Department Building and Safety Division	Prior to ground disturbing activities	

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	individuals attending the training shall be kept in the records of the Project Applicant and made available for City review upon request.		Public Works Department		
	MM 4.4-5: As a condition of the Project's grading permit, the EFC shall be required to monitor soil excavation and grading operations and ensure implementation of the following protocols. These protocols shall be conditions of the Project's grading permit and shall be followed during all grading activities and cover both known and, if encountered, unanticipated environmental conditions. a) During grading, the EFC shall be on the Site to assist the contractor in segregating impacted soil from non-impacted soil and assisting in the selection of potential disposal options should impacted soil be encountered. b) The EFC shall conduct periodic soil sampling during grading. There are three types of testing that may be required. It is anticipated that most of the soil will remain on the Site during grading with nominal import or export required, if any. • Soil for Off Site Disposal: Samples shall be collected and analyzed as required by the receiving facility to develop an approved "soil profile" for disposal purposes. • Imported Fill: Any imported fill brought to the Site shall be tested in accordance with the procedures presented in the Soil Management Plan. • Soil to be Reused On-Site: Excess soil that is placed in stockpiles for potential reuse on the Site shall be sampled and evaluated	Construction Contractors	City of Whittier Public Works Department	During construction	

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	for reuse in accordance with the methodologies presented in US EPA SW-846, guidance presented by the Bay Area RWQCB (2006) and comments from the LARWQCB as described in the Soil Management Plan. c) Contractors shall notify the EFC if any odorous or discolored soil is encountered. Procedures to be followed if odorous or discolored soil is encountered are provided in the Soil Management Plan. d) Soil to be stockpiled from areas known to be impacted or soil that is potentially impacted based on field observations shall be segregated from other soils, placed on plastic sheeting, and covered at the end of each workday. Stockpiled soil awaiting characterization shall be treated as impacted soil until results are obtained. Daily cover, dust control, and storm water management shall be provided. e) Track out of soil or other materials from the construction site prohibited. Soil or other materials adhered to vehicles shall be removed via brushing or washing before exiting the Site. If water is used for washing; it shall be collected and contained on the Site. Sampling of the water may be needed prior to disposal in compliance with any sewer discharge permit(s). Sampling and compliance shall be the responsibility of the contractor.				
	MM 4.4-6: Prior to the issuance of a demolition permit that entails ground disturbance and prior to issuance of a grading permit, a VOC-Impacted Soil Mitigation	Construction Contractors	City of Whittier	Prior to issuance of a demolition permit	

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	Plan shall be prepared and approved by the SCAQMD Executive Officer and shall be kept on the Site during the entire excavation period. As a condition of the Project's demolition permit and grading permit, soil movement shall require air quality monitoring by an EFC or other qualified hazardous materials professional in accordance with SCAQMD Rule 1166. Monitoring for the presence of "VOC-Contaminated" soil as that term is defined by the SCAQMD and implementing the VOC-Impacted Soil Mitigation Plan approved by the SCAQMD Executive Officer shall be required if VOC-impacted soil is encountered during grading and excavation work. The following vapor or odor mitigation measures shall be implemented if real-time air monitoring exceeds an action level or if odors are encountered that requires mitigation from a health and safety perspective: a) Cover subject soil with clean soil or plastic sheeting; b) Reduce the pace of work; c) Reduce size of area being excavated; and/or d) Apply vapor suppression. Construction procedures or vapor/odor control measures may be altered based on observations of the effectiveness of such measures. Work must stop until such measures are improved or additional or more effective measures are employed. Additional air monitoring may be conducted to confirm the effectiveness of emission reduction activities.		Public Works Department		
	MM 4.4-7: As a condition of the Project's building permit, a vapor mitigation system shall be installed beneath the building to attenuate the presence of VOCs within soil gas as required by SCAQMD Rule 1166 (VOCs). The required vapor mitigation system shall	Construction Contractors	City of Whittier Community Development Department	During construction	

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	be depicted on the building plans and shall be in place prior to issuance of the first occupancy permit.		Building and Safety Division		
	MM 4.4-8: At the completion of grading, a report shall be prepared which shall provide a summary of the work conducted, results of soil sampling, monitoring results, laboratory results, and manifests used to dispose of soil from the Project site, if any. Prior to final grading inspection, the Project Applicant shall provide evidence to the City of Whittier Public Works Department demonstrating that the requirements of the Soil Management Plan have been completed to the satisfaction of the LARWQCB.	Construction Contractors	City of Whittier Public Works Department	At completion of grading	
Threshold c: No Impact. The Project Site is not located within one-quarter mile of any existing or planned school sites and therefore has no potential to emit or handle hazardous materials within one-quarter mile of a school.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold d: No Impact. The Project Site is not located on any list of hazardous materials sites complied pursuant to Government Code Section 65962.5.	No mitigation is required.	N/A	N/A	N/A	No Impact
Threshold e: Less-than-Significant Impact. The Project Site is not within an airport land use plan or within two miles of a public use airport. The nearest public use airport is the San Gabriel Valley Airport in El Monte, located approximately 7.3 miles northwest of the Project Site. Therefore, the proposed Project would not result in a safety or noise hazard for people working at the Project Site.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold f: Less-than-Significant Impact. The Project Site does not contain any emergency facilities nor does it serve	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
as an emergency evacuation route. During construction and long-term operation, adequate emergency vehicle access is required to be provided. Accordingly, implementation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan.					
Threshold g: No Impact. The Project Site is not located in close proximity to wildlands or areas with high fire hazards. Thus, the Project would not expose people or structures to a significant wildfire risk.	No mitigation is required.	N/A	N/A	N/A	No Impact
4.5 Noise					
Threshold a: Less-than-Significant Impact. The Project would generate short-term construction and long-term operational noise but would not generate noise levels that exceed the standards established by the Envision Whittier General Plan or Municipal Code.	No mitigation is required.	N/A	N/A	N/A	Less-than-Significant Impact
Threshold b: Significant Direct Impact. The Project's construction and operational activities would not result in a perceptible groundborne vibration or noise but the Project's construction has the potential to cause vibratory structural damage if large construction equipment operates within 25 feet of off-site structures.	**MM 4.5-1:** As a condition of the Project's demolition permit, grading permit, and building permit, the following best management practices shall be required. These items shall be noted on construction plans prior to City approval and construction contractors shall allow periodic inspection by the City or its designee to confirm compliance. a) Construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers, consistent with manufacturer standards. b) All stationary construction equipment shall be placed so that emitted noise is directed away from	Project Applicant; Construction Contractors	City of Whittier Public Works Department	During demolition and grading	Less-than-Significant Impact with Mitigation Incorporated

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
	the noise sensitive receptors nearest the construction site. c) Equipment shall be shut off and not left to idle when not in use. d) Equipment staging areas shall be located to the southeastern or northeastern corners of the site or in another location of the site approved by the City of Whittier Public Works Department that creates the greatest distance between construction-related noise/vibration sources and residential homes located to the west. e) Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded, and noise shall be directed away from sensitive receptors. f) Music or sound amplification shall be prohibited. g) Haul truck deliveries shall be limited to the same hours specified for construction and shall not occur at night unless approved by the City of Whittier.				
	MM 4.5-2: As a condition of the Project's grading permit, the use of large vibratory rollers, large bulldozers, or other similar vibratory equipment shall not be permitted within 25 feet of existing off-site occupied structures unless evidence is provided to the City of Whittier from a qualified professional that vibration levels at the off-site structures will be maintained below 0.25 PPV.	Project Applicant; Construction Contractors	City of Whittier Public Works Department	During grading	
Threshold c: No Impact. The Project Site is not located within an area exposed to high levels of noise from the San Gabriel	No mitigation is required.	N/A	N/A	N/A	No Impact

IMPACT SUMMARY	MITIGATION MEASURES (MM)	RESPONSIBLE PARTY	MONITORING PARTY	IMPLEMENTATION STAGE	LEVEL OF SIGNIFICANCE AFTER MITIGATION
Valley Airport. As such, the Project would not expose people to excessive noise levels associated with a public airport or public use airport.					
4.6 Tribal Cultural Resources					
Threshold a: Significant Direct and Cumulatively-Considerable Impact. The Project has the potential to result in significant impacts to tribal cultural resources in the absence of protective measures in the event that such resources are discovered during ground-disturbing construction activities.	CR **MM 4.1-3** through **4.1-5** shall apply.	Refer to CR MM 4.1-3 through 4.1-5.	Refer to CR MM 4.1-3 through 4.1-5.	Refer to CR MM 4.1-3 through 4.1-5.	Less-than-Significant Impact with Mitigation Incorporated

1.0 INTRODUCTION

This Environmental Impact Report (EIR) is an informational document that represents the independent judgement of the City of Whittier, acting as Lead Agency pursuant to the California Environmental Quality Act (CEQA), and evaluates the physical environmental effects that could result from constructing and operating the proposed Whittier Boulevard Business Center Project (hereafter, the "Project"). To implement the Project, the Project Applicant has requested the City of Whittier's approval of a Development Review (DRP21-0065), a Conditional Use Permit (CUP22-0007), and a Certificate of Appropriateness (HRC22-0012). Other related discretionary and administrative actions that are required to construct and operate the Project also are described in this EIR.

When the term "Project" is used in this EIR with the initial letter capitalized, the term shall mean all aspects of the planning, construction, and operation of the proposed Project, including all discretionary and ministerial approvals and permits required for its implementation. When the term "Project Applicant" is used with the initial letters capitalized, the term shall mean Western Realco, LLC, which is the entity that submitted applications to the City of Whittier to entitle the Project Site as proposed and as evaluated in this EIR.

1.1 PURPOSES OF CEQA AND THIS EIR

As stated by CEQA Guidelines Section 15002(a), the basic purposes of CEQA are to:

- Inform governmental decision makers and the public about the potential, significant environmental effects of proposed development activities involving discretionary government approvals (including the approval of private development projects);
- Identify the ways that environmental damage can be avoided or significantly reduced;
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
- Disclose to the public the reasons why the governmental agency approved the project in the manner the agency chose (if the project involves significant environmental effects).

Following preliminary review of the Project's application materials, the City of Whittier concluded that the Project and its associated implementing actions have the *potential* to result in significant environmental effects; as such, the City proceeded with preparation of this EIR pursuant to CEQA Guidelines Section 15060(d). The City determined that a Project EIR, as described in CEQA Guidelines Section 15161, would be required. Accordingly, this document serves as a Project EIR. As required by CEQA Guidelines Section 15161, this Project EIR shall "…focus primarily on the changes in the environment that would result from the development project," and "…examine all phases of the project including planning, construction, and operation." Also, in conformance with CEQA Guidelines Section 15121(a), the purposes of this EIR are to: (1) disclose information by informing public agency decision makers and the public generally of the significant environmental effects associated with all phases of the Project, (2) identify possible ways to minimize or avoid

those significant effects, and (3) to describe a reasonable range of alternatives to the Project that would feasibly attain most of the basic Project objectives but would avoid or substantially lessen its significant environmental effects.

1.2 List of Project Approvals

The Project Applicant proposes the redevelopment of a 13.49-acre property located at 12352 Whittier Boulevard with one employment-generating building having up to 295,959 s.f. of floor space, consisting of 288,959 s.f. of ground floor space and 7,000 s.f. of mezzanine space. The Project requires the demolition of three vacant attached buildings having a total building footprint area of approximately 213,430 s.f. The Project's design also includes installation of associated site improvements, including drive aisles, landscaping, utility infrastructure, exterior lighting, and signage.

The Project Applicant has filed applications for the following discretionary actions for the City's consideration:

- **Development Review (DRP21-0065)** is proposed to allow for redevelopment of the 13.49-acre Project Site with one building having a total size of 295,959 s.f., which includes a building footprint of 288,959 s.f. and approximately 7,000 s.f. of interior mezzanine space, along with associated landscaping, lighting, and off-street parking. The proposed building's tenant is not known at this time; however, the building is designed to accommodate uses such as manufacturing, assembly, research and development (R&D), light industrial, and related uses, with ancillary distribution and storage space in compliance with the Whittier Boulevard Specific Plan's (WBSP) Workplace District designation. The building is designed with a primary office space facing the Whittier Boulevard frontage road at the northeast corner of the building, a potential second office space at the northwest corner of the building, and 24 loading docks positioned on the south-facing side of the building and screened from the Whittier Boulevard frontage road. A total of 417 parking stalls are proposed on the Site in surface parking lot areas to service the building.

- **Conditional Use Permit (CUP22-0007)** is requested to grant modification of orchard parking standards (Section 4.0.5.m.4.d) and publicly accessible open space requirements (Section 4.0.5.n.) under the Development Hardship provisions of the Whitter Boulevard Specific Plan (WBSP).

- **Certificate of Appropriateness (HRC22-0012)** is requested to authorize the proposed demolition of the existing onsite structures, which meet Criterion E of Whittier's Historic Preservation Ordinance, related to being the site of an important historical event or being associated with events that made a meaningful contribution to the City of Whittier during the years 1950-1967 when Ekco Products Company was operating out of the building at 12352 Whittier Boulevard.

1.3 Prior CEQA Review

The Project Site is located within the geographical limits of the City of Whittier and is covered by the City's Envision Whittier General Plan, which designates the site "Innovation." The Envision Whittier General Plan provides the fundamental basis for the City's land use and development policies. The City's General Plan was

the subject of review under CEQA (State Clearinghouse [SCH] Number 2021040762). The City of Whittier approved the Envision Whittier General Plan and certified its General Plan Update and Housing Element Update Final Program EIR on October 12, 2021. The Program EIR contains information relevant to the Project Site. The Project Site is designated "Innovation" by the General Plan and the proposed Project is consistent with the "Innovation" land use designation; thus, the General Plan EIR has already evaluated environmental effects from development on the Site in accordance with the "Innovation" land use designation. As such, the Program Draft EIR and Final EIR for the City's General Plan including their technical appendices and attachments are herein incorporated by reference pursuant to CEQA Guidelines Section 15150 and are available for public review at City of Whittier, Community Development Department, 13230 Penn Street, Whittier, CA 90602.

1.4 LEGAL AUTHORITY

This EIR has been prepared in accordance with all criteria, standards, and procedures of CEQA (California Public Resource Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq.).

Pursuant to CEQA Statute Section 21067, and CEQA Guidelines Article 4 and Section 15367, the City of Whittier is the Lead Agency under whose authority this EIR has been prepared. "Lead Agency" refers to the public agency that has the principal responsibility for carrying out or approving a project. Serving as the Lead Agency and before taking action to approve the Project, the City has the obligation to: (1) ensure that this EIR has been completed in accordance with CEQA; (2) review and consider the information contained in this EIR as part of its decision making process; (3) make a statement that this EIR reflects the City's independent judgment; (4) ensure that all significant effects on the environment are eliminated or substantially lessened where feasible; and, if necessary (5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or Project alternatives identified in this EIR are infeasible and citing the specific benefits of the Project that outweigh its unavoidable adverse effects (CEQA Guidelines Section 15090 through 15093).

Pursuant to CEQA Guidelines Sections 15040 through 15043, and upon completion of the CEQA review process, the City will have the legal authority under CEQA, and in conjunction with discretionary powers granted to the City by other laws, to do any of the following:

- Approve the Project;
- Require feasible changes in any or all activities involved in the Project in order to substantially lessen or avoid significant effects on the environment;
- Disapprove the Project, if necessary, in order to avoid one or more significant effects on the environment that would occur if the Project was approved as proposed; or
- Approve the Project even through the Project would cause a significant effect on the environment if the City makes a fully informed and publicly disclosed decision that: 1) there is no feasible way to

lessen the effect or avoid the significant effect; and 2) expected benefits from the Project will outweigh significant environmental impacts of the Project.

This EIR fulfills the CEQA environmental review requirements for the proposed DRP21-0065, CUP22-0007, and HRC22-0012 and all other governmental discretionary and ministerial actions related to the Project.

1.5 Responsible and Trustee Agencies

The California Public Resource Code Section 21104 requires that all EIRs be reviewed by responsible and trustee agencies (see also CEQA Guidelines Section 15082 and Section 15086(a)). As defined by CEQA Guidelines Section 15381, "the term 'Responsible Agency' includes all public agencies other than the Lead Agency that have discretionary approval power over the project." A "Trustee Agency" is defined in CEQA Guidelines Section 15386 as "a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California." The known Responsible and Trustee Agencies for the proposed Project are listed below. Regardless, this EIR can be used by any Trustee Agency or Responsible Agency, whether identified in this EIR or not, as part of their decision-making processes concerning the proposed Project.

- **Los Angeles Regional Water Quality Control Board (RWQCB)** is a Trustee Agency that is responsible for the approval of a National Pollutant Discharge Elimination System (NPDES) permit for construction of the Project.

- **South Coast Air Quality Management District (SCAQMD)** is a Responsible Agency in the event that the Project's building user needs a permit to construct or permit to operate from the SCAQMD.

- **Los Angeles County Flood Control District** is a Responsible Agency pertaining to the approval of the Project's proposed drainage infrastructure and a drainage outlet that is proposed to be installed into the side slope of an existing man-made open concrete channel located along the west side of the property.

- **Los Angeles County Fire Department** is a Responsible Agency pertaining to the approval of the Project's proposed fire protection infrastructure, including hydrants and fire sprinklers.

- **Los Angeles County Sanitation Districts (LACSD)** is a Responsible Agency pertaining to approvals associated with the Project's sewer connections.

- **Southern California Edison** is a Responsible Agency pertaining to approvals associated with undergrounding electric utility lines and connections to the electrical distribution network.

1.6 EIR Scope, Format, and Content

1.6.1 EIR Scope

The City prepared a CEQA Environmental Initial Study to determine the scope of this EIR and filed a Notice of Preparation (NOP) with the California Office of Planning and Research (State Clearinghouse) to indicate that an EIR would be prepared to evaluate the Project's potential to impact the environment. The NOP was filed with the State Clearinghouse and distributed to potential Responsible Agencies, Trustee Agencies, and other interested parties on December 14, 2022, for a 30-day public review period. The NOP was distributed for public review to solicit responses that would help the City identify the full scope and range of potential environmental concerns associated with the Project so that these issues could be fully examined in this EIR.

The NOP and written comments received by the City during the NOP public review period are provided in *Technical Appendix A* to this EIR. Substantive issues raised in response to the NOP are summarized below in Table 1-1, *Summary of NOP Comments*. The purpose of this table is to present a list of commentors and a summary of the environmental topics that were expressed by public agencies, interested parties, and members of the general public to be of primary interest. Table 1-1 is not intended to list every comment received by the City during the NOP review period. Regardless of whether or not an environmental or CEQA-related comment is listed in the table, all relevant comments received in response to the NOP are addressed in this EIR.

Table 1-1 Summary of NOP Comments

Commentor	Date	Comment	Section in this EIR Where Comment Is Addressed
South Coast Air Quality Management District	January 12, 2023	• Recommends use of SCAQMD's CEQA Air Quality Handbook and website as guidance for air quality and GHG analysis. • Recommends use of CalEEMod land use emissions software. • Recommends that criteria emissions are quantified and compared to SCAQMD's CEQA regional pollutant emissions significance thresholds and localized significance thresholds to determine air quality impacts. • Recommends that any potential air quality impacts and air pollutant sources from all Project phases be identified and calculated. • Recommends that overlapping construction and operational activities be combined and compared to SCAQMD's regional air quality CEQA operational thresholds. • Requests that if the Project has diesel emissions or diesel fueled vehicular trips, a mobile source health risk assessment be performed.	4.3, *Greenhouse Gas Emissions* 5.4, *Effects Found to be Not Significant During the Initial Scoping Process*

Table 1-1 Summary of NOP Comments

Commentor	Date	Comment	Section in this EIR Where Comment Is Addressed
		• Requests that should a permit be required of SCAQMD, that they be identified as a Responsible Agency. • Concerned about potential health impacts of siting warehouses within close proximity of sensitive land uses. • Requests that all feasible mitigation measures be utilized in the event of significant air quality impacts and any resulting impacts be analyzed. • Recommends several mitigation measures and design considerations to reduce air quality and health risk impacts. • Recommends review of SCAQMD Rule 2305.	
County of Los Angeles Fire Department	January 9, 2023	• Provides distance from the Project Site to Fire Station 28 (1.2 miles) and Station 17 (1.0 mile). • Requires that the Project comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows, and fire hydrants. • Requires that the Project has multiple ingress/egress access for the circulation of traffic and emergency response issues. • Requires that all on-site Fire Department vehicular access roads be labeled as "Private Driveway and Fire Lane." • Requires that the building be accessible to Fire Department apparatus by access roads with all-weather surface that the road be within 150 feet of all portions of the first-floor exterior walls, and is a minimum of 28 feet wide with unobstructed vertical clearance. • Requires that the fire apparatus access road be installed during construction in accordance with County of Los Angeles Fire Code. • Provides specifications for fire hydrants, fire flows, and fire sprinklers in accordance with the County of Los Angeles Fire Code. • Requests that the EIR address potential impacts in the following areas: erosion control, watershed management, rare and endangered species, brush clearance, vegetation management, fuel modification for Fire Hazard Severity Zones, archeological and cultural resources, and the County Oak Tree Ordinance.	2.0, *Environmental Setting* 3.0, *Project Description* 4.4, *Hazards and Hazardous Materials* 4.6, *Tribal Cultural Resources* 5.4, *Effects Found to be Not Significant During the Initial Scoping Process*

Table 1-1 Summary of NOP Comments

Commentor	Date	Comment	Section in this EIR Where Comment Is Addressed
		• Requests that the EIR analyze whether the Project would result in a significant hazard to the public or the environment due to presence of hazardous soil conditions.	
Los Angeles County Sanitation Districts	January 5, 2023	• Provided a correction to information presented in the Initial Study under the topic of Utilities and Service Systems: wastewater generated by the Project will be treated at the Joint Water Pollution Control Plant located in the City of Carson, which has a capacity of 400 mgd and processes an average flow of 243.1 mgd, or the Los Coyotes Water Reclamation Plant located in the City of Cerritos, which has a capacity of 37.5 mgd and processes an average recycled flow of 17.5 mgd. • Requests that the Project's building user contact the Districts' Industrial Waste section to determine if a District permit for Industrial Wastewater Discharge is required. • Indicated that wastewater flow originating from the Project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' North Plant Outfall Trunk Sewer located in Santa Fe Springs Road at Adler Drive. The Districts' 16-inch diameter trunk sewer has a capacity of 6.0 mgd and conveyed a peak flow of 2.1 mgd when last measured in 2019. • Provided a breakdown of the expected average wastewater flow from the Project site. • Stated that the Districts are empowered to charge a fee to connect facilities (directly or indirectly) to the Districts' Sewerage System. • Stated that the Districts intend to provide wastewater service up to the levels that are legally permitted based on the regional growth forecast adopted by SCAG.	5.4, *Effects Found to be Not Significant During the Initial Scoping Process*
Native American Heritage Commission	December 15, 2022	• Provides a summary of AB 52 and SB 18 Native American consultation requirements. • Recommends use of Native American Tribal Contact Lists and Sacred Lands File searches from the NAHC. • Recommends an archaeological records search from the California Historical Research Information Center (CHRIS). • Recommends the preparation of a professional report detailing findings if an archaeological inventory survey is required.	4.1, *Cultural Resources* 4.6, *Tribal Cultural Resources*

Table 1-1 Summary of NOP Comments

Commentor	Date	Comment	Section in this EIR Where Comment Is Addressed
		• Recommends that mitigation provisions provide for the identification and evaluation of inadvertently discovered archaeological resources; disposition of recovered cultural items that are not burial associated; and the treatment and disposition of inadvertently discovered Native American human remains.	
Creed LA	January 3, 2023	• Requests copies of records related to the Project.	Not applicable.

Upon consideration of the Initial Study's conclusions and all comments received by the City in response to the NOP, this EIR provides a detailed analysis of the Project's potential to cause adverse effects under the following topic areas:

- Cultural Resources
- Geology and Soils (including paleontological resources)
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Noise (including vibration)
- Tribal Cultural Resources

The analyses related to the topics listed above are provided in EIR Section 4.0, *Environmental Analysis*.

Based on the analyses provided in the Initial Study prepared for the Project (see *Technical Appendix A*), the City of Whittier concluded that the Project would clearly result in no impacts or less-than-significant impacts to the following environmental topic areas: Aesthetics; Agriculture and Forestry Resources; Air Quality; Biological Resources; Energy; Hydrology and Water Quality; Land Use and Planning; Mineral Resources; Population and Housing; Public Services; Recreation; Transportation; Utilities and Service Systems; and Wildfire. A discussion of why the Project would have no impact or a less-than-significant impact to the environment under these topic areas are summarized in EIR Subsection 5.4, *Effects Found not to be Significant During the Initial Scoping Process.*

1.6.2 EIR Format and Content

This EIR contains all of the information required to be included in an EIR as specified by the CEQA Statute and Guidelines (California Public Resources Code, Section 21000 et. seq. and California Code of Regulations, Title 14, Chapter 5). CEQA requires that an EIR contain, at a minimum, certain specified content. Table 1-2, *Location of CEQA Required Topics*, provides a quick reference guide for locating the CEQA-required sections within this EIR.

Table 1-2 Location of CEQA Required Topics

CEQA Required Topic	CEQA Guidelines Reference	Location in this EIR
Table of Contents	Section 15122	Table of Contents
Summary	Section 15123	Section S.0
Project Description	Section 15124	Section 3.0
Environmental Setting	Section 15125	Section 2.0
Consideration and Discussion of Environmental Impacts	Section 15126	Section 4.0
Significant Environmental Effects Which Cannot be Avoided if the Project is Implemented	Section 15126.2(c)	Section 4.0 & Subsection 5.1
Significant Irreversible Environmental Changes Which Would be Caused by the Project Should it be Implemented	Section 15126.2(d)	Subsection 5.2
Growth-Inducing Impact of the Project	Section 15126.2(e)	Subsection 5.3
Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects	Section 15126.4	Section 4.0 & Table S-1
Consideration and Discussion of Alternatives to the Project	Section 15126.6	Section 6.0
Effects Not Found to be Significant	Section 15128	Subsection 5.4
Organizations and Persons Consulted	Section 15129	Section 7.0 & Technical Appendices
Discussion of Cumulative Impacts	Section 15130	Section 4.0
Energy Conservation	Section 15126.2(b) & Appendix F	Subsection 5.4

In summary, the content and format of this EIR is as follows:

- **Section S.0, Executive Summary**, provides an overview of the EIR and CEQA process and provides a brief description of the Project, including its objectives, the location and regional setting of the Project Site, and potential alternatives to the Project as required by CEQA. The Executive Summary provides a summary of the Project's impacts, mitigation measures, and conclusions, in a table that forms the basis of the Project's MMRP.

- **Section 1.0, Introduction**, provides introductory information about the CEQA process and the responsibilities of the City of Whittier, serving as the Lead Agency for this EIR, a brief description of the Project, the purpose of the EIR, and an overview of the EIR format.

- **Section 2.0, Environmental Setting**, describes the environmental setting, including descriptions of the Project Site's physical conditions and surrounding context used as the baseline for analysis in this EIR.

- **Section 3.0, Project Description**, includes a detailed Project Description that identifies the precise location and boundaries of the Project, a map showing the Project's location in a regional perspective, a statement of the Project's objectives, a general description of the Project's technical, economic, and environmental characteristics, and a statement describing the intended uses of the EIR, including a list of agencies expected to use the EIR, and a list of approvals for which the EIR will be used. The Project Description contains a level of specificity commensurate with the level of detail proposed by the Project.

- **Section 4.0, Environmental Analysis**, provides an analysis of potential direct, indirect, and cumulative impacts that may occur with implementation of the Project. A determination concerning the significance of each impact is addressed and mitigation measures are presented when warranted. The environmental changes identified in Section 4.0 and throughout this EIR are referred to as "effects" or "impacts" interchangeably. CEQA Guidelines Section 15358 describes the terms "effects" and "impacts" as being synonymous.

  In each subsection of Section 4.0, the existing conditions are disclosed that are pertinent to the subject area being analyzed, accompanied by a specific analysis of physical impacts that may be caused by implementing the Project. Impacts are evaluated on a direct, indirect, and cumulative basis. Direct impacts are those that would occur directly as a result of the Project. Indirect impacts represent secondary effects that would result from Project implementation. Cumulative effects are defined in CEQA Guidelines Section 15355 as "…two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts."

  The analyses in Section 4.0 are based in part upon technical reports that are appended to this EIR. Information also is drawn from other sources of analytical materials that directly or indirectly relate to the Project and are cited in Section 7.0, *References*.

  Where the analysis identifies a significant environmental effect, feasible mitigation measures are recommended. Pursuant to CEQA and the CEQA Guidelines, an EIR must propose and describe mitigation measures to minimize the significant environmental effects identified in the EIR. The requirement that EIRs identify mitigation measures realizes CEQA's policy that Lead Agencies adopt feasible measures when approving a project to reduce or avoid its significant environmental effects. Per Public Resources Code Section 21081.6 and CEQA Guidelines Section 15126.4, mitigation measures must be enforceable through conditions of approval, contracts or other

means that are legally binding. Pursuant to Public Resources Code Section 21081.6, incorporating mitigation measures into conditions of approval is sufficient to demonstrate that the measures are enforceable. This requirement is designed to ensure that mitigation measures will actually be implemented, not merely adopted and then ignored. In light of the foregoing, the identified mitigation measures are analyzed to determine whether they would effectively reduce or avoid any significant environmental effects. In most cases, implementation of the mitigation measures would reduce an identified significant environmental effect to below a level of significance. If mitigation measures are not available or feasible to reduce an identified impact to below a level of significance, the environmental effect is identified as a significant and unavoidable adverse impact, for which a Statement of Overriding Considerations would need to be adopted by the Lead Agency pursuant to CEQA Guidelines Section 15093.

- **Section 5.0, Other CEQA Considerations**, includes specific topics that are required by CEQA. These include a summary of the Project's significant and unavoidable environmental effects, a discussion of the significant and irreversible environmental changes that would occur should the Project be implemented, as well as potential growth-inducing impacts of the Project. Section 5.0 also includes a discussion of the potential environmental effects that were found not be significant during preparation of the CEQA Initial Study and this EIR.

- **Section 6.0, Project Alternatives**, describes and evaluates alternatives to the Project that could reduce or avoid the Project's adverse environmental effects. CEQA does not require an EIR to consider every conceivable alternative to the Project but rather to consider a reasonable range of alternatives, including a "No Project" alternative that will foster informed decision making and public participation.

- **Section 7.0, References**, cites all reference sources used in preparing this EIR and lists the agencies and persons that were consulted in preparing this EIR. Section 7.0 also lists the persons who authored or participated in preparing this EIR.

1.6.3 Incorporation by Reference

CEQA Guidelines Section 15147 states that the "information contained in an EIR shall include summarized…information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public," and that the "[p]lacement of highly technical and specialized analysis and data in the body of an EIR shall be avoided through the inclusion of supporting information and analyses as appendices to the main body of the EIR." CEQA Guidelines Section 15150 allows for the incorporation "by reference all or portions of another document… [and is] most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of a problem at hand." The purpose of incorporation by reference is to assist the Lead Agency in limiting the length of this EIR. Where this EIR incorporates a document by reference, the document is identified in the body of the EIR, citing the appropriate section(s) of the incorporated document and describing the relationship between the incorporated part of the referenced document and this EIR.

This EIR relies on a number of Project-specific technical appendices that are bound separately as *Technical Appendices*. This EIR and its *Technical Appendices* are available for review at the City of Whittier, Community Development, 13230 Penn Street, 2nd Floor, Whittier, CA 90602, during the City's regular business hours or can be accessed in electronic form on the City's website at:

https://www.cityofwhittier.org/government/community-development/environmental-documents-notices/whittier-boulevard-business-center

The individual technical studies, reports, and supporting documentation that comprise the *Technical Appendices* are as follows:

A: Initial Study, Notice of Preparation (NOP), and Written Comments on the NOP
B: Air Quality, Greenhouse Gas, Health Risk Assessment and Energy Impact Analysis
C1: Cultural Resources Study
C2: Cultural Resources Records Search (Confidential and not available for public review except by qualified professionals)
C3: Historical Documentation Report
D: Geotechnical Investigation
E1: Phase I Environmental Site Assessment
E2: Soil and Soil Vapor Investigation
E3: Soil Management Plan
F1: Hydrology Report
F2: Low Impact Development Report
G: Noise Impact Analysis
H: Sewer Study
I1: Traffic Study
I2: Trip Generation Update Memo

Other reference sources that are incorporated into this EIR by reference are listed in Section 7.0, *References*, of this EIR. In most cases, documents and information available from publicly-accessible websites that are not included in the EIR's Technical Appendices are cited for convenience by a link to the online location where the document/website can be viewed. All references relied upon by this EIR will be available for public review during the Draft EIR public review period in electronic format on the City of Whittier's website, or in person at the City of Whittier, Community Development Department, 13230 Penn Street, Whittier, CA 90602.

2.0 ENVIRONMENTAL SETTING

2.1 REGIONAL SETTING AND LOCATION

The 13.49-acre Project Site is located in the City of Whittier ("City"), which is located in the southern portion of Los Angeles County, California. The City is located east of the City of Pico Rivera, southwest of the City of Industry, northwest of the City of La Habra, and north of the City of La Mirada. The Project Site is located approximately 1.6 miles southeast of Interstate 605 (I-605), 3.6 miles northeast of Interstate 5 (I-5), and 6.6 miles south of Interstate 10 (I-10). The Site's location in a regional context is shown on Figure 3-1, *Regional Map*, in EIR Section 3.0, *Project Description*.

2.2 LOCAL SETTING AND SURROUNDING LAND USES

As illustrated on EIR Figure 3-2, *Vicinity Map*, and Figure 3-3, *USGS Topographic Map*, the Project Site is located at 12352 Whittier Boulevard along the western side of the Whittier Boulevard frontage road, between Walnut Grove Drive and Pacific Place. The Project Site includes Assessor's Parcel Numbers (APNs) 8170-026-011 and -015. The Site is located within Section 29, Township 2 South, Range 11 West, San Bernardino Baseline and Meridian.

The area surrounding the Project Site contains a variety of uses, including industrial, commercial, residential, and medical. Existing land uses in the immediate vicinity of the Project Site are illustrated on Figure 2-1, *Surrounding Land Uses*, and are described below.

- **North**: The Envision Whittier General Plan designates the property to the north as Innovation, which is intended to accommodate creative design and manufacturing businesses. Existing use to the north is a public storage facility and an industrial building.

- **East**: East and northeast of the Project Site are Whittier Boulevard and the Whittier Boulevard frontage road. The Envision Whittier General Plan designates the property across Whittier Boulevard to the northeast of the Project Site as Innovation and the land to the east as Mixed Use 2 (40 du/acre for residential development). Existing uses to the northeast and east include various service commercial facilities including but not limited to auto sales, auto body repair, and an antique/collectibles center.

- **South**: The Envision Whittier General Plan designates the property to the south as Medical, which is intended to accommodate master-planned medical facility complexes. Existing uses to the south include a variety of light industrial facilities.

- **West**: To the west and northwest of the Project site are multi-family homes developed between 2020 and 2023 (and still under construction at the time this EIR was prepared) under the Lincoln Specific Plan (The Groves, and formerly Nelles). The Specific Plan area is 75.6-acres and entitled for a mixture of residential, commercial, and open space uses. To the southwest, the Envision Whittier General Plan designates property Medical and the existing use is the PIH Health Whittier Hospital.

Source(s): Esri, NearMap Imagery (2023)

Figure 2-1

Surrounding Land Uses

2.3 PLANNING CONTEXT

2.3.1 CITY OF WHITTIER GENERAL PLAN

The City of Whittier's prevailing planning document is the Envision Whittier General Plan, dated October 12, 2021. As depicted on Figure 2-2, *Existing General Plan Land Use Designation*, the Project Site is designated for Innovation land uses in the Envision Whittier General Plan. The Innovation land use designation is intended to accommodate creative design and manufacturing businesses focused on new technologies, maker industries, research and development, and craft businesses. The Innovation land use designation allows for a 3.0 floor-area-ratio (FAR) (Whittier, 2021a, p. LU and CC - 42).

2.3.2 ZONING

As shown in Figure 2-3, *Existing Zoning Classification*, the City of Whittier Zoning Map classifies the Project Site as Workplace District by the Whittier Boulevard Specific Plan (WBSP). The mix of allowable uses in the Workplace District includes light manufacturing, office, research and development (R&D), and supportive commercial uses, including large-scale retail. Housing is allowed in this district consistent with the Workplace District Residential Overlay. The Project Site is not identified as having a Residential Overlay. Distribution/storage ancillary is not a permitted primary use and thus is limited to no more than 49% of a building's floor space. Applicable development standards include: 1) a maximum Floor Area Ratio (FAR) of 2.0; 2) a maximum building height of up to five stories or 65 feet, whichever is less; 3) a minimum front setback of 15 feet; 4) a minimum side setback of 10 feet; 5) a minimum rear setback of 10 feet; and 6) a minimum frontage requirement, which requires that at least 50% of the building footprint must be built up to the back of sidewalk along the Whittier Boulevard frontage road. (Whittier, 2015, Table 4-2)

2.3.3 SCAG REGIONAL TRANSPORTATION PLAN / SUSTAINABLE COMMUNITIES STRATEGY

SCAG is a regional agency established pursuant to California Government Code Section 6500, also referred to as the Joint Powers Authority law. SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO). The Project Site is within SCAG's regional authority. On September 3, 2020, SCAG's Regional Council approved and adopted the *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy* ("*Connect SoCal*"). *Connect SoCal* is the applicable Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) for the Project. The goals of *Connect SoCal* are to: 1) Encourage regional economic prosperity and global competitiveness; 2) Improve mobility, accessibility, reliability, and travel safety for people and goods; 3) Enhance the preservation, security, and resilience of the regional transportation system; 4) Increase person and goods movement and travel choices within the transportation system; 5) Reduce greenhouse gas emissions and improve air quality; 6) Support healthy and equitable communities; 7) Adapt to a changing climate and support an integrated regional development pattern and transportation network; 8) Leverage new transportation technologies and data-driven solutions that result in more efficient travel; 9) Encourage development of diverse housing types in areas that are supported by multiple transportation options; 10) Promote conservation of natural and agricultural lands and restoration of habitats. Performance measures and funding strategies also are included to ensure that the adopted goals are achieved through implementation of the RTP. (SCAG, 2020a)

2.4 EXISTING PHYSICAL SITE CONDITIONS

Pursuant to CEQA Guidelines § 15125(a)(1), the physical environmental condition for purposes of establishing the setting of an EIR is the environment as it existed at the time the EIR's NOP was released for public review. The NOP for this EIR was released for public review on December 12, 2022. The following subsections provide a description of the Project Site's physical environmental condition ("existing conditions") as of that approximate date. The current physical conditions of the Site and surrounding areas are shown on Figure 2-4, *Aerial Photograph*. More detailed information regarding the Project Site's environmental setting as it relates to a specific environmental issue area is provided in the various subsections of EIR Section 4.0, *Environmental Analysis*.

2.4.1 LAND USE

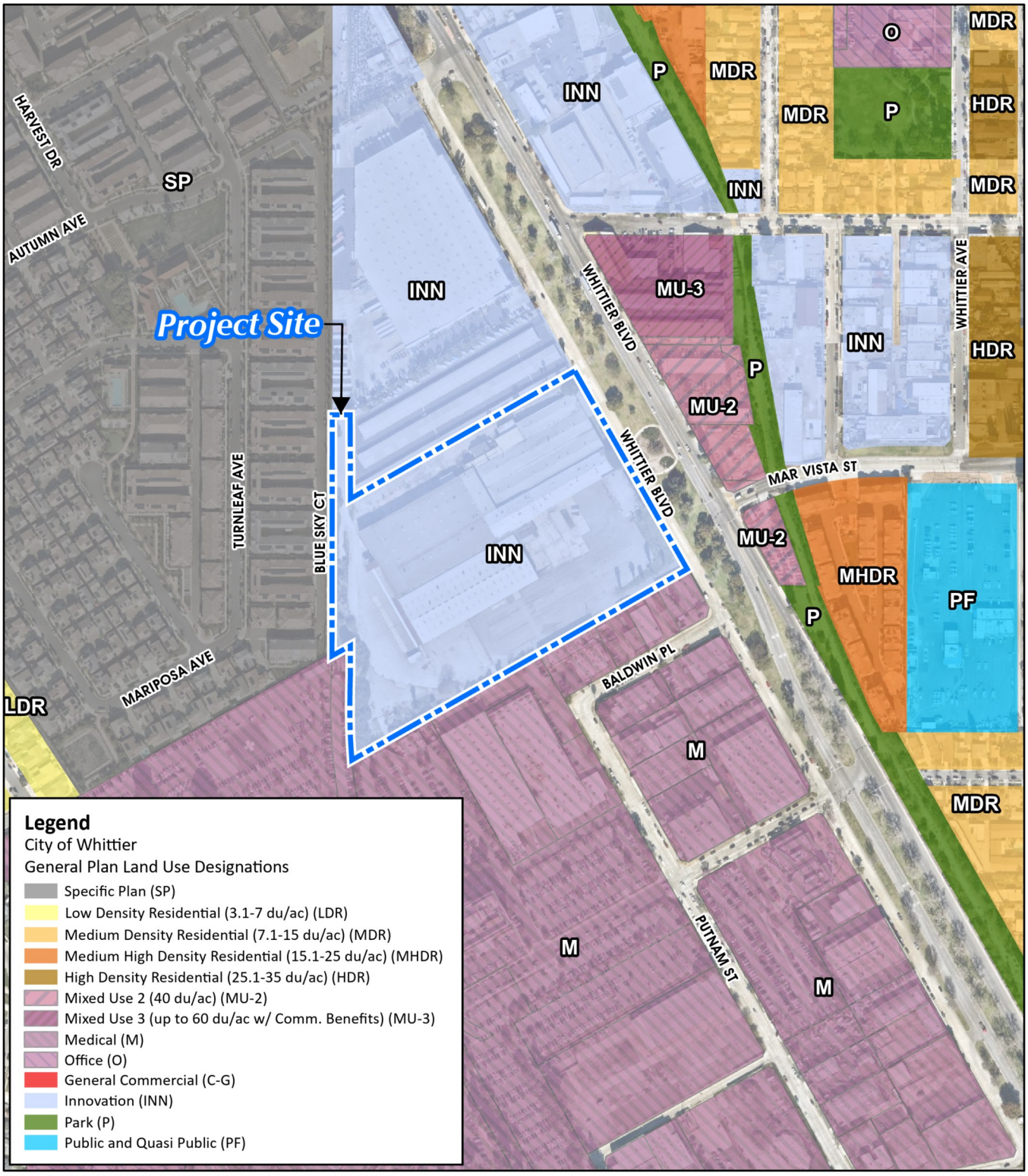
As shown on Figure 2-4, the Project Site is currently developed with three attached buildings having a total building footprint area of 213,430 s.f. and approximately 227 parking stalls. The Site is currently vacant and has been vacant since 2019. For security, the site is surrounded by chain link fencing but the property is subject to periodic trespassing and vandalism. Former occupants of the Project Site included Ekco Products Company from 1951 to the 1967, followed by American Home Products Company, the Worley Division of Standard Pressed Steel, and Leggett and Platt Decorators.

Pursuant to CEQA Guidelines Section 15125(d), the environmental setting should identify any inconsistencies between a proposed project and applicable general, specific, or regional plans. The principal discretionary actions required of the City of Whittier to implement the Project are described in detail in Section 3.0, *Project Description*, and are listed in Table 3-3, *Project Related Approvals/Permits*. The Project Applicant's proposal is consistent with the Project Site's existing General Plan land use and zoning designations of "Innovation" and "Whittier Boulevard Specific Plan: Workplace District," respectively, and would not necessitate changing the land use and zoning designations applied to the property.

2.4.2 AESTHETICS AND TOPOGRAPHIC FEATURES

The Project Site is relatively flat with elevations ranging from 206 feet above mean sea level (amsl) in the southwest corner of the Project Site to 229 feet amsl near the existing driveway along the Whittier Boulevard frontage road. The site generally slopes downward from the northeast to the southwest with an overall topographic relief of 23 feet. Figure 3-3, *USGS Topographic Map*, in EIR Section 3.0, depicts the Project Site's existing topographic conditions.

The Project Site's aesthetic character is primarily characterized by a large, non-operating, vacant former manufacturing facility with a two-story office building. The remainder of the Site is mostly paved, which was previously used for parking and outdoor storage. The Site is secured by varying degrees of chain link fencing, some with barbed wire, except where the existing building fronts along the Whittier Boulevard frontage road. Southern California Edison (SCE) maintains on-site power poles and aerial facilities in the northeast portion of the Site and power poles on or just off-site along the south property line. There are no unique topographic or aesthetic features present on the property.

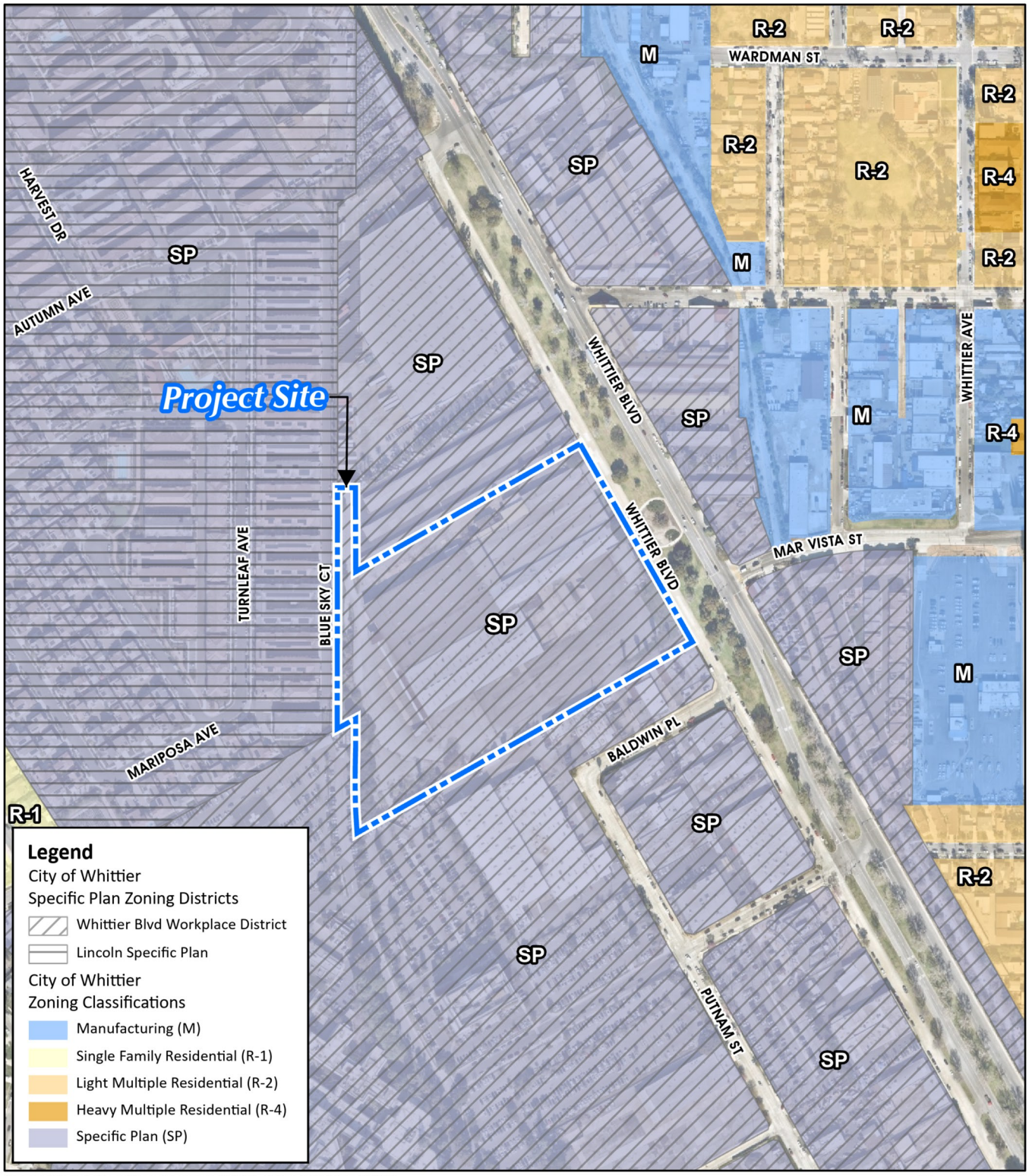


Source(s): Esri, NearMap Imagery (2023), City of Whittier (2021)

Figure 2-2

0 100 200 400 Feet

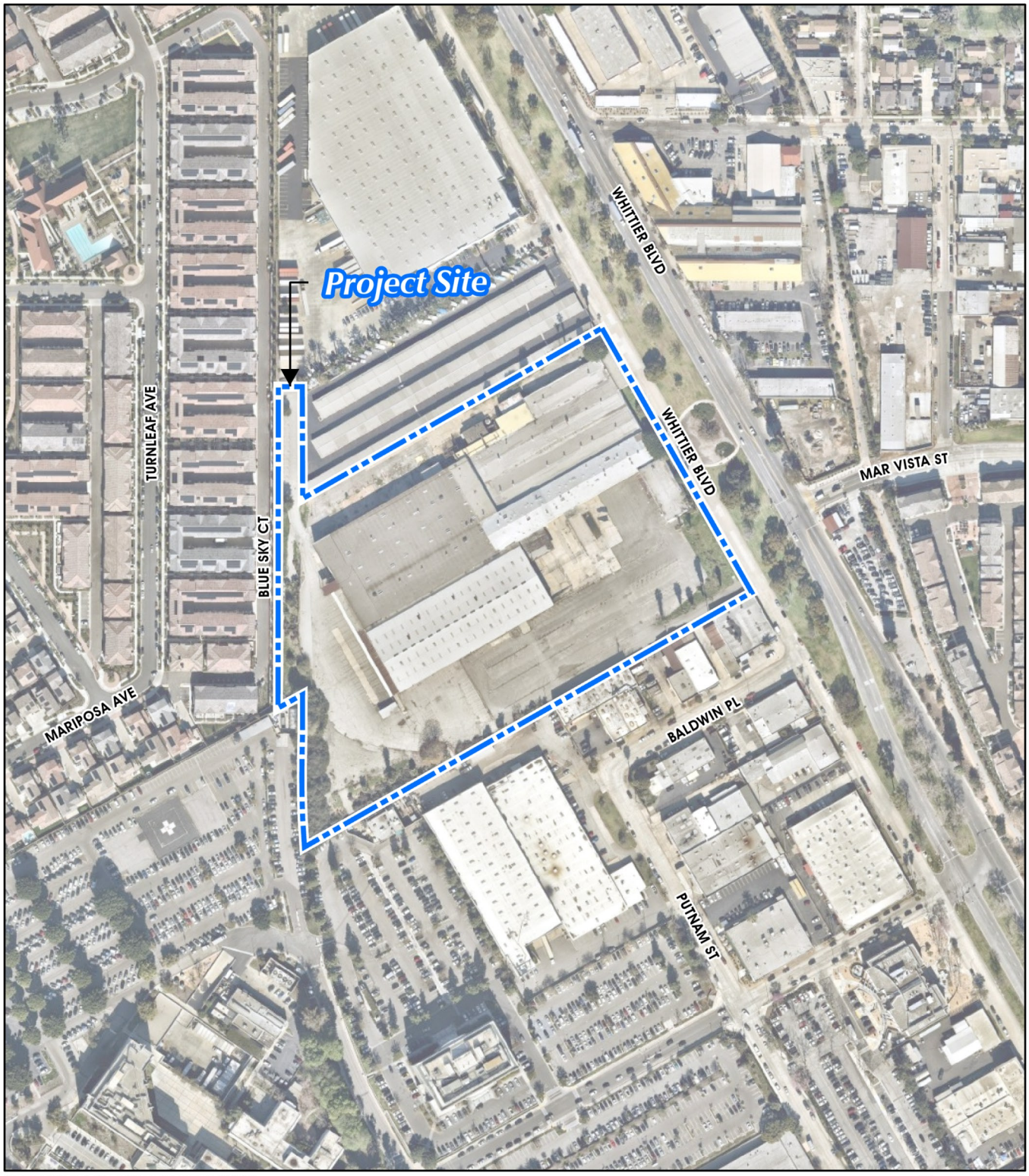
Existing General Plan Land Use Designations



Source(s): Esri, NearMap Imagery (2023), City of Whittier (2021)

Figure 2-3

Existing Zoning Classifications



Source(s): Esri, NearMap Imagery (2023)

Figure 2-4

0 75 150 300 Feet

Aerial Photograph

2.4.3 Air Quality and Climate

The Project Site is located in the 6,745-square-mile South Coast Air Basin (SCAB), which includes portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County. The SCAB is bound by the Pacific Ocean to the west and the San Gabriel, San Bernardino, the San Jacinto Mountains to the north and east, and San Diego County to the south. The SCAB is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD), the agency charged with bringing air quality in the SCAB into conformity with federal and State air quality standards.

The driving mechanism for transport and dispersion of air pollution in the SCAB is dominant airflows and the mountains surrounding the region, which act as natural barriers to dispersion. Air pollution that is transported inland from the coastal area and around Los Angeles is prevented from further dispersion by the mountains and inversion layers. This poor air ventilation can result in a gradual decline in air quality from the coastal areas inland, leading to air stagnation which tends to occur in the early evening and early morning hours. The SCAB region also experiences periods of hot, dry winds from the desert known as Santa Ana winds, which blow against the sea breeze out towards the ocean. When the Santa Ana winds are strong, they can carry air pollutants out to the ocean, but when they are weak, can cause air stagnation, which leads to high air pollution (Ganddini, 2023a, p. 5).

The average annual temperature within the SCAB ranges from the low to middle 60's (degrees Fahrenheit) and has little variation. The majority of the annual rainfall in the region occurs between November and April with minimal summer rainfall. Data from the monitoring station closest to the Project Site, in the City of Montebello, shows that typically August is the warmest month and December is the coolest. Rainfall amounts are varied throughout the year with most of the rain between late November to early April with summers being almost completely dry. (Ganddini, 2023a, pp. 5-6)

2.4.4 Pollution Burden

Using data collected in 2016 and 2018, the California Department of Environmental Protection (CalEPA) Office of Environmental Health Hazard Assessment (OEHHAA) ranks California census tract pollution burdens. Being located near the I-605 corridor, the census tract containing the Project Site (Census Tract 6037502100) is in the 94th percentile for pollution burden which, based on the census tract's demographic characteristics, results in OEHHA ranking the area in the 89th percentile of communities that are disproportionately burdened by multiple sources of pollution. OEHHA's California Communities Environmental Health Screening Tool: CalEnviroScreen 4.0, is a screening methodology used by the State to identify California communities that are disproportionately burdened by multiple sources of pollution. The CalEnviroScreen 4.0 indicators for the Project Site's Census Tract are shown below. (OEHHA, 2022).

Exposure indicators are based on measurements of different types of pollution that people may encounter. Environmental effects indicators are based on the locations of toxic chemicals in or near communities. Sensitive population indicators measure the number of people in a community who may be more severely affected by pollution because of their age or health. Socioeconomic factor indicators are conditions that may increase people's stress or make healthy living difficult and cause them to be more sensitive to pollution's

effects. As indicated in Table 2-1, *CalEnviroScreen Indicators for Census Tract 6037502100*, for the Project Site's Census Tract, the highest environmental exposures (75% or more) are from fine particulate matter ($PM_{2.5}$), toxic releases, diesel particulate matter (DPM), drinking water contaminates, and lead from housing. The highest environmental effects (80% or more) are from cleanup sites, groundwater threats, and hazardous waste. The highest population and socioeconomic factors (over 80%) are compromised health conditions related to low birth weight and cardiovascular disease and a population with low levels of educational attainment.

Table 2-1 CalEnviroScreen Indicators for Census Tract 6037502100

Indicator	% Burden	Indicator	% Burden
Exposures		**Sensitive Populations**	
Ozone:	63	Asthma	55
PM 2.5:	77	Low Birth Weight	88
Diesel PM:	76	Cardiovascular Disease	78
Toxic Releases:	83	**Socioeconomic Factors**	
Traffic:	58	Education	75
Pesticides:	0	Linguistic Isolation	59
Drinking Water Contaminants:	86	Poverty	52
Lead from Housing:	85	Unemployment	25
Environmental Effects		Housing Burden	60
Cleanup Sites	99		
Groundwater Threats	90		
Hazardous Waste	98		
Impaired Waters	0		
Solid Waste	0		

Source: (OEHHA, 2022)

The Project Site is located in a SB 535 Disadvantaged Community identified by the California Environmental Protection Agency (CalEPA). The State provides California Climate Investment funding appropriated by the State Legislature from the proceeds of the State's Cap-and-Trade Program for investment in disadvantaged communities. The funding is used for programs that reduce emissions of greenhouse gases with at least 25% of the funding going to projects that provide a benefit to disadvantaged communities and at least 10 percent of the funding going to projects located within those communities (CalEPA, 2022).

2.4.5 Cultural Resources, Tribal Cultural, and Historic Resources

The 13.49-acre property is developed with a vacant, former manufacturing facility that was first occupied in 1951. Because the Project Site has been fully developed since the 1950s and was disturbed for agricultural operations prior to its development, there is no reasonable potential for archaeological resources to be located on the surface of the Project Site; however, buried resources may be present beneath the surface of the Site. Based on a records search conducted through the South Central Coastal Information Center (SCCIC) at

California State University (CSU), Fullerton there are no recorded archaeological sites within a half-mile radius of the Project Site (BFSA, 2021).

Regarding the existing buildings on the Project Site, the first building was developed by Ekco Products Company in 1950, followed by another office and additional warehouses in the early to mid-1950s and early 1960s. The original factory was opened in October 1951. The Ekco Products Company produced non-electric housewares, ranging from cutlery and flatware to baking supplies, pressure cookers, chemicals, plastic accessories, aluminum foil containers, bathroom fixtures, lighting, and building supplies (Duke CRM, 2022, p. 2). By 1967, following the sale of the Ekco Products Company to the American Home Products Company, the subject property was occupied by the Worley Division of Standard Pressed Steel. By 1977, the building complex was occupied by Bedline Manufacturing. Most recently, the building was occupied by Leggett and Platt Decorators, which vacated the Site in 2019 (Duke CRM, 2022, p. 2). Although the existing vacant buildings are not historically significant from an architectural or physical context perspective, the buildings are eligible for listing on the National Register of Historic Places (NRHP) and California Register of Historic Resources (CRHR) under Criterion A/1, related to the past use of the building by Ekco Products Company as a representative example of a significant post-World War II manufacturing and distribution facility whose products were sold throughout the world. Under the City of Whittier's Historic Preservation Ordinance, the Project Site does not meet Criteria A, B, C, D, F, and G, but does meet Criterion E of the Ordinance, being the site of an important historical event or being associated with events that made a meaningful contribution to City of Whittier during the years 1950-1967 when Ekco Products Company was operating on the Project Site. (Duke CRM, 2022, pp. 2-3) Refer to EIR Subsection 4.1, *Cultural Resources*, for a more detailed discussion of the historical context of the Project Site.

Off-site, the Paradox Hybrid Walnut Tree is located in the median of the Whittier Boulevard right-of-way to the east of the Project Site, between Penn and Mar Vista Streets. This tree was planted in 1907 by George Weinshank and assistants as part of the University of California Department of Agriculture Experiment Station. The tree is a cross between an English Walnut and Black Walnut and is more than 13 feet in circumference and has a canopy of approximately 100 feet. The Paradox Hybrid Walnut Tree was designated in 1959 as State Historical Landmark No. 681 and is on the City of Whittier's Local Register of Historic Resources (Landmark No. 25). (OHP, n.d.; City of Whittier, n.d., p. 25)

2.4.6 GEOLOGY

There are no known active or potentially active earthquake faults on the Project Site or in the immediate area. The closest fault to the Project Site is the Elsinore Fault Zone, Whittier Section located approximately 1.2 miles northeast. Similar to other properties throughout Southern California, the Project Site is located within a seismically active region and is subject to ground shaking during seismic events. According to the Envision Whittier General Plan Public Safety, Noise, and Health Element, the Project Site is not located in an area with potential for landslide or liquefaction susceptibility (Whittier, 2021a, Figure PSNH-3; NorCal Engineering, 2021, p. 4). The Project Site's ground surface was previously disturbed by excavation for construction of the existing development and fill soils exist beneath the Site to approximately six feet in depth. Below the fill soils are native soils ranging from sandy silt to a silty clay, which have the potential to contain paleontological

resources. Refer to EIR Subsection 4.2, *Geology and Soils*, for a more detailed discussion of the existing geologic setting in the Project area.

2.4.7 HAZARDS

The Project Site and properties in the Site's vicinity have an approximately 70-year history of industrial use. As such, hazardous materials and soils and groundwater impacted by hazardous materials are known to exist at the Project Site and in the surrounding area. The Project Site is considered a Recognized Environmental Condition (REC) (HMC, 2019, p. 8). Refer to EIR Subsection 4.4, *Hazards and Hazardous Materials*, for a more detailed discussion of the existing hazardous materials setting in the Project area.

2.4.8 HYDROLOGY

The Project Site is located within the San Gabriel River Watershed, which drains an approximately 689 square-mile area and is the principal surface flow water body within the Project region. The San Gabriel Watershed originates in the San Gabriel Mountains, approximately 30 miles northeast of the Project Site, and flows through the San Gabriel Valley where the river has been extensively modified to control flood and debris flows and to recharge groundwater. The lower part of the river flows through a concrete-lined channel in a heavily urbanized portion of the Los Angeles Coastal Plain, before becoming a soft-bottom channel near its outlet to the Pacific Ocean in the City of Long Beach. The Project Site is within the purview of the Los Angeles Regional Water Quality Control Board (LARWQCB). The Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties is the governing water quality plan for the region, which sets forth goals and objectives for protecting water quality within the region (LARWQCB, 2014).

The Project Site is developed with a former manufacturing facility, associated office building, associated parking, and limited ornamental landscaping. The site drains to existing gutters which connect to existing on-site storm drains. These existing storm drains connect to an existing concrete-lined open channel along the Project Site's westerly property line, which continues south downstream connecting to a 48-inch reinforced concrete pipe (RCP) storm drain that runs south through the adjacent hospital property. (Thienes, 2021)

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06037C1835F, the Project Site is located within FEMA Flood Zone X. Flood Zone X is correlated with areas of minimal flood hazard, determined to be less than the 0.2 percent annual chance flood (FEMA, 2008).

2.4.9 NOISE

To document the existing noise environment, 24-hour noise readings were collected at six locations in the Project Site's vicinity in 2022. Short-term ambient noise levels were measured between 53.1 and 64 dBA Leq. Long-term hourly noise measurement ambient noise levels ranged from 59 to 60.8 dBA Leq. (Ganddini, 2023b, pp. 10 and 11). Primary sources of noise include traffic noise and operational noise from nearby businesses. Refer to EIR Subsection 4.6, *Noise*, for a more detailed discussion of the existing noise setting in the Project area.

2.4.10 TRANSPORTATION

The primary regional travel routes serving the Project area are I-605, which is located approximately 1.6 miles to the northwest, I-5 which is located approximately 3.6 miles to the southwest, and I-10, which is located approximately 6.6 miles to the north (Google Earth, 2022). The Project Site is located west of Whittier Boulevard and the Whittier Boulevard frontage road. Under existing conditions, there is one private driveway connection from the Project Site to the Whitter Boulevard frontage road.

In terms of non-vehicular travel options, the Whittier Greenway Trail is classified as a Class I bike path and is located parallel to the east side of Whittier Boulevard in the Project area, however, it is offset from the street itself. Class II bike lanes are designated on Mar Vista Street (between Whittier Boulevard and Painter Avenue). Santa Fe Springs Road (between Whittier Boulevard and Mulberry Drive) and on Washington Boulevard (between Whitter Boulevard and Lambert Road) have proposed Class II bike lanes (Whittier, 2021a, Figure MI-2). A sidewalk is located along the west side of the Whittier Boulevard frontage road in the public right-of-way adjoining the Project Site (Google Earth, 2022).

Public transit service in the region is provided by Foothill Transit, Los Angeles County Metropolitan Transportation Authority (METRO), Montebello Bus Lines, Norwalk Transit, and Public Works of Los Angeles County. No transit service is provided along Whittier Boulevard directly west of the Project Site. Transit service is provided along Whitter Boulevard north of Philadelphia Street by Montebello Bus Route 10, and south of Washington Boulevard by Sunshine Shuttle Route A. Montebello Bus Route 50, Norwalk Transit Route 1, and Sunshine Shuttle Route A provide transit along Washington Boulevard. Montebello Bus Route 50 and Norwalk Transit Route 1 provide service along Pickering Avenue. The closest bus stop to the Project Site is located on the Montebello Bus Route 50 at Mar Vista Street and Pickering Avenue, located approximately 0.2-mile east of the Project Site. (Whittier, 2021a, Figure MI-3)

2.4.11 UTILITIES AND SERVICE SYSTEMS

The Project Site is located in the water and sewer service area of the City of Whittier. The City of Whittier water service area is within the City boundary and comprises roughly the western half of the City. All of the City of Whittier's water supply is obtained from groundwater wells located in the Main San Gabriel Basin and Central Basin (City of Whittier, 2018a). The City of Whittier maintains an existing 8-inch domestic water main located in the parkway area within the right-of-way of the adjacent Whittier Boulevard frontage road and a 12-inch main onsite in an easement along the Project Site's south property line.

The City of Whittier maintains an existing 10-inch sanitary sewer main that flows south in Whittier Boulevard and a 6-inch and 10-inch sewer onsite that flow south in existing easements. There is also an existing 6-inch lateral and manholes onsite adjacent to the Project Site's south property line that connect to the 10-inch main.

Southern California Edison (SCE) maintains a conduit system in the Whittier Boulevard frontage road and power poles with aerial facilities onsite in the northeast portion of the property that serve only the Project Site. SCE also has a pole line just offsite along the Project Site's south property line serving both the Project Site and the adjacent properties to the south.

Southern California Gas Company maintains an existing 8-inch natural gas main in Whittier Boulevard with a 4-inch lateral to the Project Site.

2.4.12 Vegetation Communities

The Project Site is a developed, vacant property and all vegetation on the Site is ornamental landscaping with some invasive weed growth. There are no sensitive vegetation communities or plant species located within the boundaries of the Project Site.

2.4.13 Wildlife

The Project Site is a developed, vacant property that is surrounded on all sides by urban development. Due to the extent of urban development on the Project Site and in the Site's vicinity, there are no areas of natural vegetation suitable to support endangered, threatened, or sensitive wildlife species. As reflected in Figures RM-1 and RM-2 of the Envision Whittier General Plan, the Project Site is not located within any Significant Ecological Areas or Recreation Facilities. (Whittier, 2021a) Other than migratory bird species that have the potential to build nests in trees on and near the Project site, there is no reasonable potential that the Site or its immediate surroundings support endangered, threatened, or sensitive wildlife species.

2.4.14 Rare and Unique Resources

As required by CEQA Guidelines Section 15125(c), the environmental setting should place special emphasis on resources that are rare or unique to that region and would be affected by a project. Based on the existing conditions of the Project Site and surrounding area described above and discussed in more detail in Section 4.0, *Environmental Analysis*, the Project Site contains former manufacturing buildings that are eligible for listing in the NRHP and CRHR and meet Criterion E of the City's Historic Preservation Ordinance. Under Criterion E, the Project Site's buildings qualify as being associated with events that made a meaningful contribution to the City of Whittier during the years 1950-1967 when Ekco Products Company was operating on the Project Site. The physical features of the existing buildings are not historically significant but their former use and association with post-World War II manufacturing is historically significant. The Project Site does not contain any other resources that are rare or unique to the region.

3.0 PROJECT DESCRIPTION

This Section provides all of the information required of an EIR Project Description by CEQA Guidelines Section 15124, including a description of the Project's precise location and boundaries; a statement of the Project's objectives; a description of the Project's technical, economic, and environmental characteristics; and a description of the intended uses of this EIR (including a list of the government agencies that are expected to use this EIR in their decision-making processes); a list of the permits and approvals that are required to implement the Project; and a list of related environmental review and consultation requirements.

3.1 PROJECT LOCATION

The Project Site is 13.49 acres located in the western portion of the City of Whittier having an address of 12352 Whittier Boulevard. As shown on Figure 3-1, *Regional Map*, the City of Whittier is located in southern Los Angeles County, east of the City of La Mirada, southwest of the City of Industry, west of the City of La Habra, and north of the City of La Mirada.

At the local scale, the Project Site is located along the western side of the Whittier Boulevard frontage road, between Walnut Grove Drive and Pacific Place (see Figure 3-2, *Vicinity Map*, and Figure 3-3, *USGS Topographic Map*). The Project Site is approximately 1.6 miles southeast of Interstate 605 (I-605), 3.6 miles northeast of Interstate 5 (I-5), and 6.6 miles south of Interstate 10 (I-10). The Project includes Assessor Parcel Numbers (APNs) 8170-026-011 and -015. The Project Site is within Section 28, Township 2 South, Range 11 West, San Bernardino Baseline and Meridian.

3.1.1 SURROUNDING USES

To the north of the Project Site is Public Storage, a commercial self-storage business. To the south of the Site are several light industrial buildings primarily used for product manufacturing and distribution. To the southwest of the Site is the PIH Health Whittier Hospital. To the west of the Site are multi-family residential homes in a community named "The Groves Whittier." To the east of the Site is the Whittier Boulevard frontage road and Whittier Boulevard, beyond which are service commercial businesses, including but not limited to, Alexander Auto Sales, Anthony's Muffler Shop, and King Richard's Antique Vintage Center.

3.2 STATEMENT OF OBJECTIVES

The underlying purpose and goal of the proposed Project is to redevelop an underutilized and deteriorated property in the City of Whittier's Innovation land use category to bring a contemporary, economically viable, employment-generating use to the property. The following objectives are intended to achieve the underlying purpose:

A. To expand economic development and increase the tax base for the City of Whittier by redeveloping and revitalizing an underutilized property with an in-demand use.

B. To provide a new, modern building in proximity to Whittier Boulevard that is attractive to a variety of business types including manufacturing, assembly, R&D, and light industrial.

C. To make efficient use of an underutilized property in the City of Whittier by maximizing its buildout potential while accommodating all parking requirements with ground level non-structured parking (no parking garages or underground parking).

D. To enhance the visual quality of a property visible from Whittier Boulevard by introducing contemporary architecture and improved landscaping.

E. To attract a new employment-generating business to the City of Whittier, thereby growing the economy and providing a more equal jobs-housing balance in the local area that will reduce the need for members of the local workforce to commute outside the area for employment.

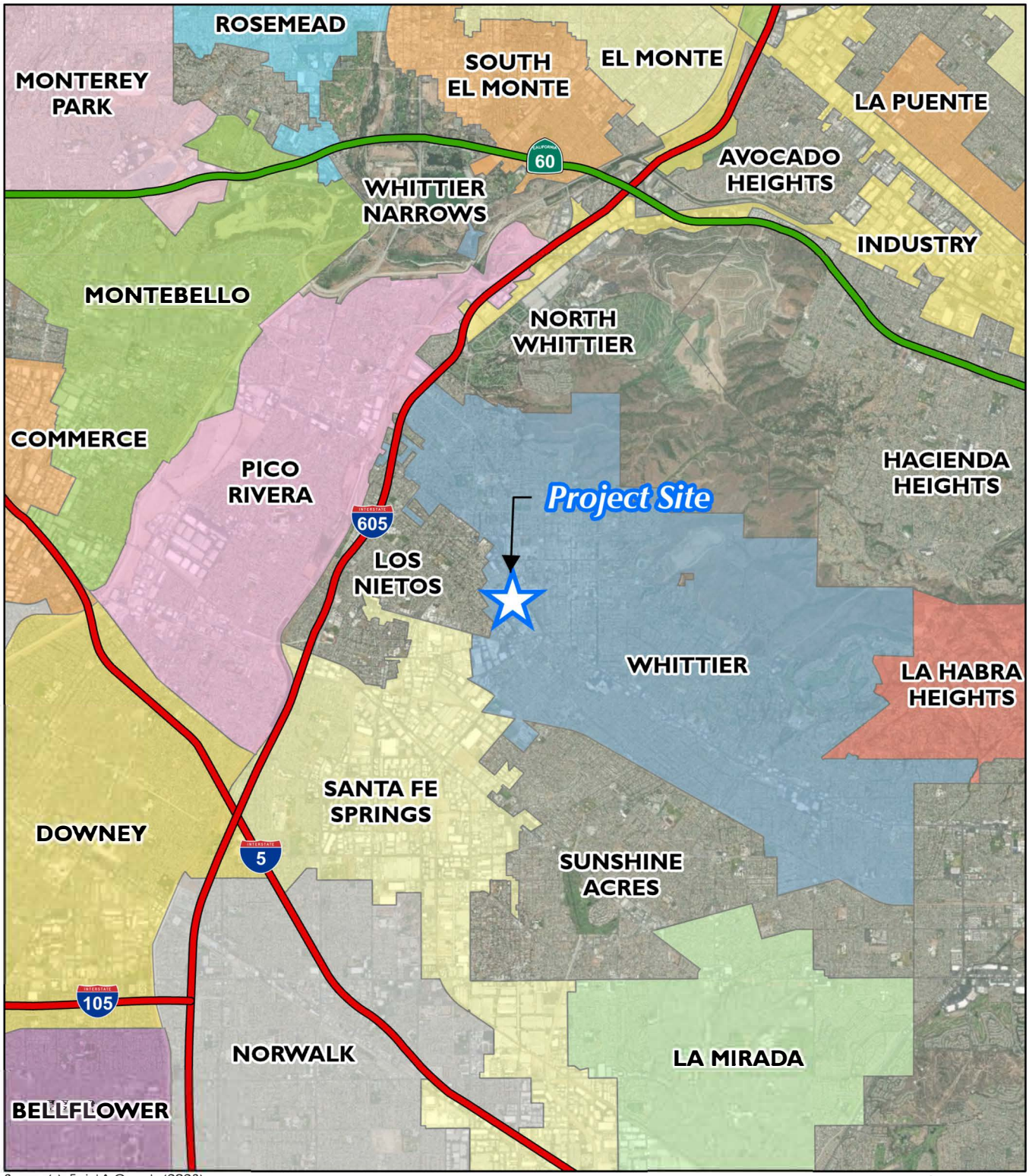
F. To assist in remediating hazardous building and soil conditions in the vicinity of Whittier Boulevard by removing and properly disposing of asbestos-containing materials and contaminated soils as part of a site's redevelopment plan.

3.3 Proposed Entitlement Permits and Other Approvals

The Project evaluated herein involves applications for a Development Review (DRP), Conditional Use Permit (CUP), and Certificate of Appropriateness (HRC) to allow for redevelopment of the Project Site with one building that can accommodate manufacturing, assembly R&D, and/or light industrial uses. The principal discretionary actions required of the City of Whittier to implement the Project are described below. Additional discretionary and administrative actions that would or may be necessary to implement the proposed Project are listed in Table 3-1, *Project-Related Approvals/Permits.*

3.3.1 Development Review

Development Review No. DRP21-0065 proposes a redevelopment plan for the Project Site that provides for the construction and operation of one building having up to 295,959 s.f. of floor space, including 7,000 s.f. of interior mezzanine. The building is designed to accommodate uses such as manufacturing, assembly, R&D, light industrial, and related uses, with ancillary distribution and storage space in compliance with the Whittier Boulevard Specific Plan's (WBSP's) Workplace District designation. The building would range from approximately 39 feet 6 inches to 48 feet tall as measured from the building's finished floor elevation to the highest point of the building's parapets and contain 24 loading dock positions on the south-facing side of the building. Other features include drive aisles, parking areas, landscaping, lighting, and signage. The DRP application materials depict a conceptual layout of the proposed building and associated physical design features, conceptual architectural design for the building, and a conceptual landscape plan, which are described in more detail in Subsection 3.4.

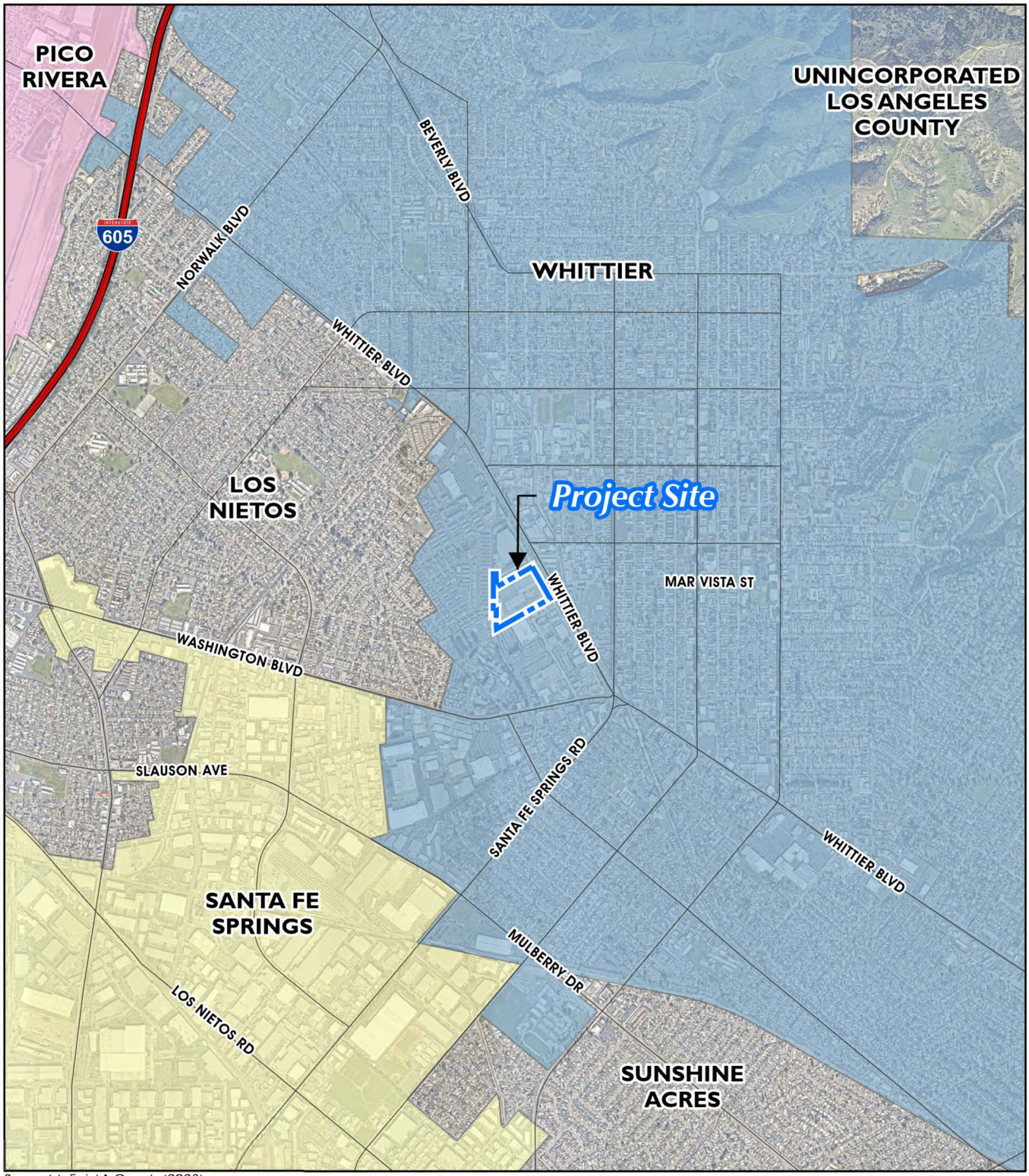


Source(s): Esri, LA County (2023)

Figure 3-1

0 0.375 0.75 1.5 Miles

Regional Map

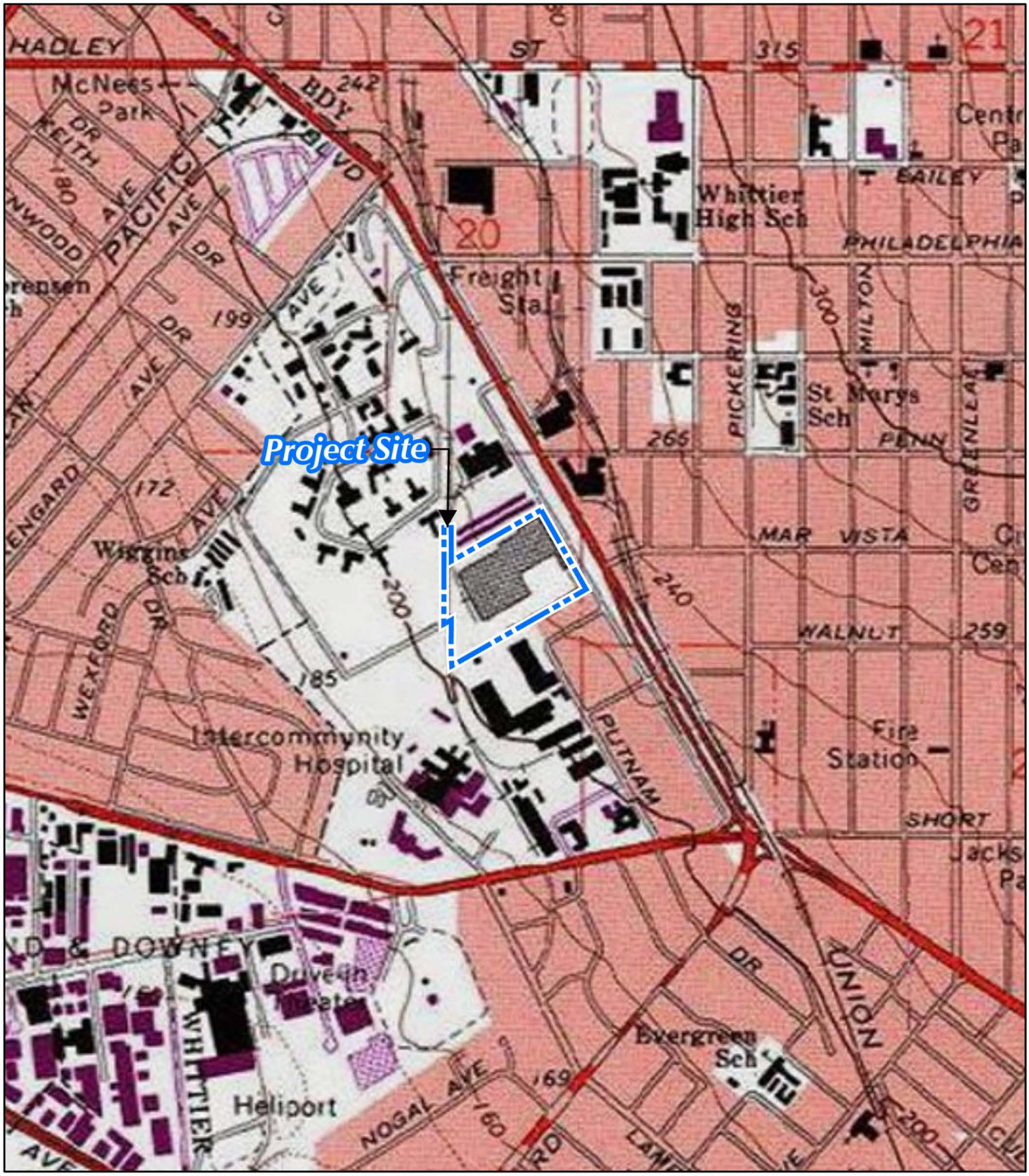


Source(s): Esri, LA County (2023)

0 625 1,250 2,500 Feet

Figure 3-2

Vicinity Map



Source(s): Esri, USGS (2013)

Figure 3-3

0 250 500 1,000 Feet

USGS Topographic Map

3.3.2 Conditional Use Permit

Conditional Use Permit CUP22-0007 is requested to grant modification of orchard parking standards (Section 4.0.5.m.4.d) and publicly accessible open space requirements (Section 4.0.5.n.) under the Development Hardship provisions of the Whitter Boulevard Specific Plan (WBSP).

- Orchard Parking: WBSP Section 4.0.5, *Standards for Specific Land Use*s, m. *Parking Location for Properties Facing Whittier Boulevard*, 4. *Design*., d) states that surface parking areas shall be planted with 36-inch box shade trees within six-foot landscaping fingers at a ratio of at least one tree for every five spaces in an "orchard" planting arrangement. The Project Applicant is seeking relief from this standard in the Project Site's south parking area near the proposed building's loading docks because providing landscaping fingers at the south property line would create a maneuvering hazard for large vehicles in the truck yard.

- Publicly Accessible Open Space: WBSP Section 4.0.5, *Standards for Specific Land Uses*, n. *Publicly Accessible Open Space for Nonresidential Uses*, directs the City to require new development projects to provide open space and facilities that are open to the public, to increase public open space opportunities along Whittier Boulevard. The Project Applicant is seeking relief from this requirement because: 1) the Project Site is located along the Whittier Boulevard frontage road and is not directly adjacent to Whittier Boulevard, and 2) there are no areas along the Project Site's frontage with the frontage road that could feasibly serve as publicly accessible open space due to physical constraints (the Project's building pad is designed to be lower in elevation than the elevation of the frontage road) and limitations associated with allowing public use of private property.

3.3.3 Certificate of Appropriateness

Certificate of Appropriateness HRC22-0012 is requested to authorize the proposed demolition of the existing onsite structures, which meet Criterion E of the City's Historic Preservation Ordinance. The existing buildings were constructed in phases between 1950 and 1962. Under Criterion E, the Project Site qualifies as being associated with events that made a meaningful contribution to the City of Whittier during the years 1950-1967 when Ekco Products Company was operating on the Project Site.

3.3.4 Subsequent Permits and Approvals

Subsequent to approval of DRP21-0065, CUP22-0007, and HRC22-0012, additional discretionary and ministerial permits and approvals may or would be required to implement the Project. Table 3-1, *Project-Related Approvals/Permits*, lists the agencies that are expected to use this EIR and provides a summary of subsequent actions associated with the Project. This EIR covers all federal, State, and local government and quasi-governmental approvals which may be needed to construct and implement the Project, whether or not they are explicitly listed in Table 3-1 or elsewhere in this EIR (CEQA Guidelines § 15124(d)).

Table 3-1 Project-Related Approvals/Permits

Public Agency	Approvals and Decisions
City of Whittier	• Issue Demolition Permits. • Approve Parcel Mergers or Lot Line Adjustments if needed. • Approve Development Review Plan(s) and Landscaping/Irrigation Plans. • Approve Conditional or Temporary Use Permits, if required. • Issue Grading Permits. • Issue Building Permits. • Approve Roadway Improvement Plans. • Approve Sewer Infrastructure Plans. • Issue Encroachment Permits. • Accept public right-of-way dedications. • Approve Water Quality Management Plan (WQMP). • Approval of connections to the municipal sewer system. • Approvals for construction of water infrastructure and connection to water distribution system.
Los Angeles Regional Water Quality Control Board (LARWQCB)	• Issue Construction Activity General Construction Permit. • Issuance of a National Pollutant Discharge Elimination System (NPDES) Permit. • Approve WQMP.
Los Angeles County Flood Control District	• Approve proposed drainage infrastructure and the proposed drainage outlet into the side slope of the existing open channel.
South Coast Air Quality Management District	• Approve permits to construct and permits to operate, if needed.
Los Angeles County Fire Department	• Approve fire protection infrastructure, including hydrants and fire sprinklers.
Los Angeles County Sanitation Districts	• Approve sewer connections.
Southern California Edison	• Approve undergrounding electric utility lines and connections to the electric utility network.

3.4 Construction Activity Characteristics

3.4.1 Proposed Physical Disturbances

For purposes of analysis throughout this EIR, it is assumed that implementation of the Project would result in disturbances to all portions of the Project Site. Off-site disturbances would include removal of the existing sidewalk along the Whitter Boulevard frontage road and replacement with a new sidewalk along the Project Site's frontage, and the installation of two driveway connections from the Project Site to the Whittier Boulevard frontage road (one being in the same location as the Site's existing driveway), resulting in off-site improvements within the public right-of-way of the frontage road. To accommodate turning movements of trucks entering and exiting the Project Site's driveways, parking restrictions also would occur along small segments of the frontage road near the Project Site's driveways.

3.4.2 Construction Activities Schedule and Equipment Fleet

The Project Applicant anticipates that the construction process will span a length of approximately 12.5 months. Demolition of the existing on-site structures and parking areas would occur first, followed by site preparation, then mass-grading, fine grading, and installation of underground infrastructure and retaining walls. As part of the demolition and site preparation process, asbestos-containing materials present in the existing buildings would be properly handled and disposed of in accordance with applicable regulatory requirements.

Because soils on the Project Site contain volatile organic compounds (VOCs) and Diesel Range Total Petroleum Hydrocarbons (TPH-d) above regulatory limits from an off-site release that occurred in the 1980's, shallow soils would be excavated, recompacted, and handled following a Soil Management Plan contained as *Technical Appendix E3* to this EIR, which was reviewed and approved by the LARWQCB. A vapor barrier would be installed beneath the proposed building slab to attenuate the presence of volatile organic compounds (VOCs) within soil gas as required by South Coast Air Quality Management District (SCAQMD) Rule 1166.

Next, the building's concrete foundation and walls would be poured and formed, the concrete walls would be tilted up by a crane, and the proposed building shell would be erected, roofed, connected to the underground utility system, and painted. The concrete parking lots and drive aisles also would be poured. Lastly, landscaping, fencing, screen walls, lighting, signage, and other site improvements would be installed. The estimated Project construction schedule, organized by construction stage, is summarized in Table 3-2, *Estimated Construction Schedule.* After the building shell is completed and an occupant is identified, interior tenant improvements would occur.

Table 3-2 Estimated Construction Schedule

Phase Name	Work Days
Demolition	52
Site Preparation	9
Grading	42
Construction	153
Paving	42
Architectural Coatings	94

(Ganddini, 2023a, Table 26)

The construction equipment fleet that the Project Applicant estimates will be used for Project construction is summarized in Table 3-3, *Construction Equipment Fleet*. Construction workers would travel to the Project Site by passenger vehicle and materials deliveries would occur by medium- and heavy-duty trucks. Construction equipment is expected to operate on the Project Site up to eight hours per day, six days per week. Even though construction activities are permitted to occur between 7:00 a.m. to 6:00 p.m. on Mondays through Fridays, and 8:00 a.m. to 5:00 p.m. on Saturdays pursuant to the Whittier Municipal Code Section 8.32.040(L),

Table 3-3 Construction Equipment Fleet

Activity	Equipment	Number	Hours/Day
Demolition	Concrete/Industrial Saws	1	8
	Excavators	3	8
	Rubber Tired Dozers	2	8
Site Preparation	Rubber Tired Dozers	3	8
	Tractors/Loaders/Backhoes	4	8
Grading	Excavators	2	8
	Graders	1	8
	Rubber Tired Dozers	1	8
	Tractors/Loaders/Backhoes	2	8
Building Construction	Cranes	1	7
	Forklifts	3	8
	Generator Sets	1	8
	Tractors/Loaders/Backhoes	3	7
	Welders	1	8
Paving	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Architectural Coatings	Air Compressors	1	6

(Ganddini, 2023a, Table 26)

as is typical to a construction site, construction equipment is not in continual use and some pieces of equipment are used only periodically throughout a typical day of construction. Also, most construction crews work from approximately 7:00 a.m. to 3:00 p.m. For these reasons, seven or eight hours of daily use per piece of equipment is a reasonable assumption. If daytime air temperatures are too hot to properly cure concrete and the City allows concrete pouring activities to occur at night, City of Whittier Ordinance 8.32.040 limits noise that is plainly audible by inhabitants or occupants of any adjacent or neighboring residential properties or units or are plainly audible at a distance of 50 feet from a real property boundary.

3.4.3 Site Design and Configuration

Provided below are descriptions of the proposed Project's physical and technical characteristics.

A. Site Plan and Building Configuration

Figure 3-4, *Conceptual Site Plan*, depicts the overall site plan proposed by the Project Applicant. As shown, DRP21-0065 proposes redevelopment of the 13.49-acre Project Site with a proposed 295,959 s.f. building and associated site improvements. The building is designed to contain approximately 288,959 s.f. of ground floor space and 7,000 s.f. of interior mezzanine space. An office is proposed at the northeast corner of the building facing the Whittier Boulevard frontage road and a second office space has the potential to occur at the northwest corner of the building depending on the need for additional office space by the eventual building tenant. The building is designed to accommodate uses such as manufacturing, assembly, R&D, light industrial, and related uses, ancillary distribution, and storage space in accordance with the WBSP's Workplace District designation. The future occupant(s) of the building is not known at the time of writing this EIR and it is not typical for a building tenant to commit to a building lease until the project's entitlements are approved and the building is either ready for construction, under construction, or constructed. Prior to the issuance of building permits to construct the building shell, the Project Applicant would be required to submit construction documents/plans to the City of Whittier for review and approval. The construction documents/plans would be required to comply with the City of Whittier Building Code, which is based on the California Building Code and is included in Title 15 of the City of Whittier Municipal Code (Whittier, 2023, Title 15). Building permits for interior tenant improvements also would be required to comply with the City of Whittier Municipal Code.

The proposed building is approximately rectangular shaped with its elongated sides oriented parallel to the Project Site's northwestern and southeastern boundaries and the shorter sides paralleling the Whittier Boulevard frontage road and the Site's southwestern boundary. A total of 24 loading docks would occur on the southeastern face of the building, facing existing light industrial buildings located off-site to the south and southeast. A total of 417 parking stalls, including 42 parking stalls with electric vehicle (EV) charging stations for passenger vehicles, are designed to occur around the building perimeter. Access to and from the Project Site would be provided from two private driveways connecting to the Whittier Boulevard frontage road, one of which would be positioned in the same location as the Site's existing driveway.

B. Architectural Design

The proposed building elevations are depicted on Figure 3-5, *Conceptual Elevations – North and East*, and Figure 3-6, *Conceptual Elevations – South and West.* As shown, the typical height of the building is designed to vary from 39 feet 6 inches at the lowest point and reach a maximum height of 48 feet as measured from the building's finished floor to the high point of the roof including parapets. Because the building pad would be lower in elevation than the Whittier Boulevard frontage road, the perceived height of the building from the public right-of-way would be shorter than 48 feet. The building would be constructed with painted concrete tilt-up panels and aluminum storefront with a limited amount of reflective blue/green glass. The building's exterior color palette would be comprised of various shades of grey. Decorative building elements include panel reveals, mullions, and canopies at office entries. Rooftop parapets would serve as screening features for rooftop mechanical equipment. Wing walls would serve as screening features for the loading dock and truck court area.

BAI # 19006
Project Directory

DEVELOPER / APPLICANT:
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5●● Newport Center Drive, Suite 63●
Newport Beach, California 9266●
Telephone: 949 72● 3788
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gedwards@westernrealco.com

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Tustin, California 9278●
Telephone: 714 617 86●●
Contact: Mike McAndrew
mmcandrew@bastienarchitects.com

CIVIL:
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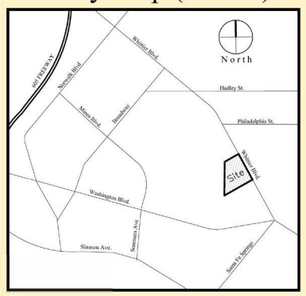
La Mirada, CA 9●638
Telephone: 714 521 4811
Contact: Brian Thienes
briant@thieneseng.com

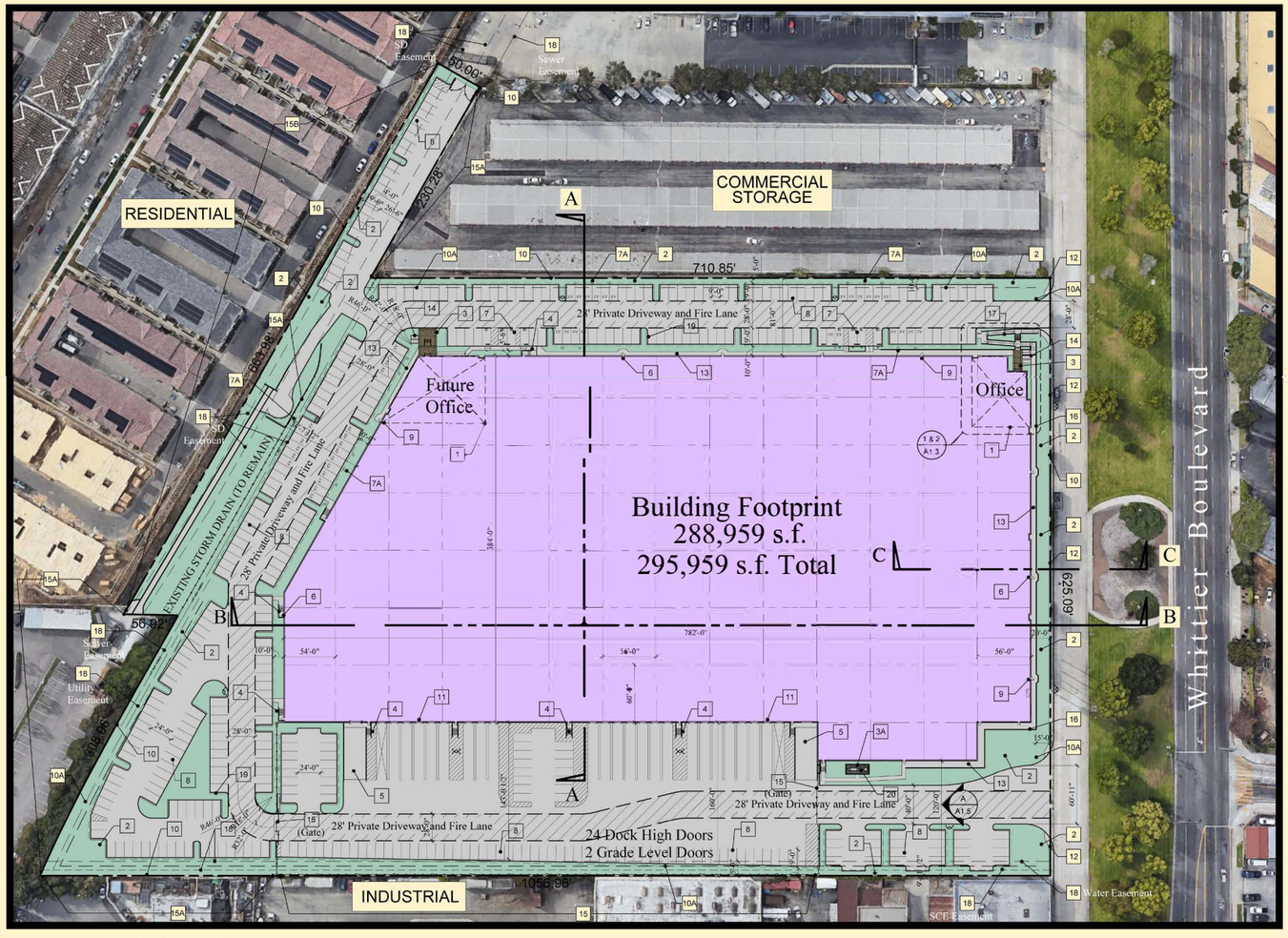
LANDSCAPE:
EMERALD DESIGN
3●5 N. Harbor Blvd., Suite 222
Fullerton, CA 92832
Telephone: 714 68● ●417
Contact: Charles Lamb
charles@emeraldladesign.com

Vicinity Map (N.T.S.)



Legend

- Existing Property Line
- Setback Line
- Potential Interior Wall Location
- Fencing
- E.V. — Electric Vehicle Charging Station Stall
- Solid Dark Hatch Represents Landscape Area
- Diagonal Hatch Represents Painted Striping
- Solid Light Hatch Represents On-Site Hardscape
- Dark Hatch Represents Enhanced Hardscape
- (10) — Parking Stall Count Reference



Scope of Work

- Single New Concrete Tilt Industrial Building
- All new Drives shall be Asphalt or Concrete Paving.
- All new Walks shall be concrete with medium Broom Finish
- Public Improvements as directed by City Staff.
- All new Landscaping Per City Requirements

Legal Description

Parcel 2 of Parcel Map no. 60391, in the city of Whittier, county of Los Angeles, state of California, as per map filed in book 326, page 39-43 of parcel maps, in the office of the county recorder of said county.

Parcel Numbers

8170-026-011 8170-026-015

CONCEPTUAL SITE PLAN

0 60 120 180 240
Scale: 1" = 60'-0"
North

Planning Information

General Plan Zone:	General Plan (GP) - Specific Plan
Specific Plan:	Whittier Blvd. Specific Plan (Workplace District)
Bldg. Setbacks:	15' On Whittier Blvd. 'East'
	10' On the South property line
	10' On the West property line
	10' On the North property line

Site Plan Summary

Gross Site Area		13.49 Acres	587,672 s.f.
Total Building Footprint			288,959 s.f.
Total Building Area (Including 7,000 s.f. Mezz)			295,959 s.f.
Gross Site Coverage			49.09%
Gross Floor Area Ratio (Including Mezz)			50.28%
Parking Required			417 Stalls
Office	13,500 s.f.	1/300	45 Stalls
Manufacturing	137,439 s.f.	1/500	275 Stalls
Distribution	145,020 s.f.	1/1,500	97 Stalls
Parking Provided (1.41 Stalls per 1,000 s.f.)			417 Stalls
Electric Vehicle Charging Station Required (10% of Total Actual Stalls for Project w/201 Stalls or more)			42
Electric Vehicle Charging Station Provided			42
Bike Parking (4 Bikes for first 50,000 sf/ 1 Bike for each additional 50,000 sf)			9 Bikes
Landscape Required (10% Min.)			58,767 sf.
Landscape Provided			78,889 sf.

Sheet Index

General Notes

1. Site Plan Shall Meet All Engineering and NPDES Requirements.
2. All Lighting Shall Conform with the Municipal Standards
3. All Signage Shall Conform with the Municipal Standards
4. All Hardscape Shown on Plan will be Installed as either Concrete or Asphalt Paving
5. All Parking Spaces are shown as Standard Size Stalls
6. All Mechanical Equipment and Screening Shall Conform with the Municipal Standards
7. All Public Improvements Shall Conform with the Municipal Standards
8. Roof will be able to accommodate the installation of the appropriate number of solar panels.

Key Notes

1. Approximate Extent of Office Area - Typ. (Anticipated to be Built with Shell Construction)
2. Green Shaded Area Represents Landscaping - Typ. (See Legend)
3. Decorative Colored Concrete with Exposed Aggregate at Main Building Entrance. Decorative Concrete Pavers Employee Lunch Area at "3A". See Landscape drawings.
4. Concrete Stairs and Painted Metal Railings - Typ
5. Ramp Up to Ground Level Service Door - Typ.
6. Fire Dept. Access Door at 125'-0" max
7. Accessible Parking with Accessible Path to Entry - Typ. Provide Conduit And J-Box For Future Electric Vehicle (EV) Dual Charging Station at "7A"
8. Standard Parking Space: 9'-0" x 19'-0" (17'-0" w/ 2' Overhang, where occurs)
9. Grade Level Exit Door Connected to Path of Travel
10. Property Line - Refer to Civil. Building Setback Line at "10A"
11. Vertical Lift, Sectional Door - Painted to Match adjacent Wall - Typ.
12. Existing Public Sidewalk - Refer to Civil
13. On-Site, Concrete Sidewalk (48" Wide Minimum) Natural Color with Medium Broom Finish - Refer to Civil
14. Bike Rack (5 Bikes) by Dero Rack (Hitch style) Color: Green, See A1.0.1 for Details
15. 8'-0" high Steel Tube Fence w/ 2'-0"x2'-0" Concrete Pilasters at ±40'-0" on center. Existing 6'-0" High Chain link Fence to remain at "15A". Existing CMU wall at "15B". Provide Fire Department Approved Knox Box or Equal at all Gates within Fire Lane.
16. Natural Concrete Retaining Wall (Not in Public View) - Refer to Civil
17. ADA Compliant Concrete Ramp and Integrated Stair with Painted Metal Handrails for Accessible Path of Travel to Public Way.
18. Easement - Refer to Civil
19. 12" wide concrete "Step-out" - Typ. See sheet A1.3 for typical detail.
20. ADA Accessible Table & Seating for Employee Lunch Area, See Detail and Cut Sheet on A1.0.1

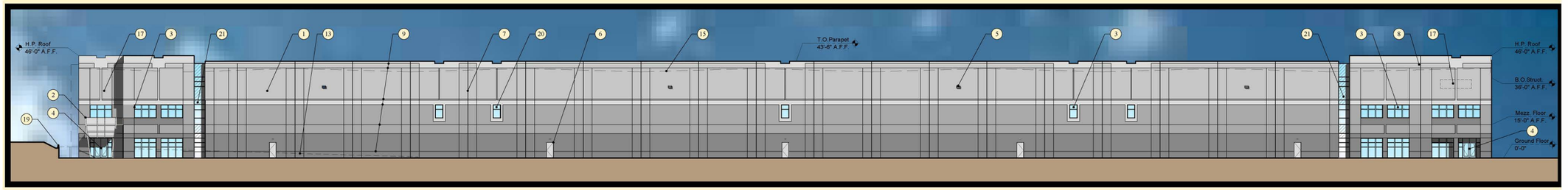
Source(s): Bastien and Associates, Inc. (03-31-2023)

Not to Scale

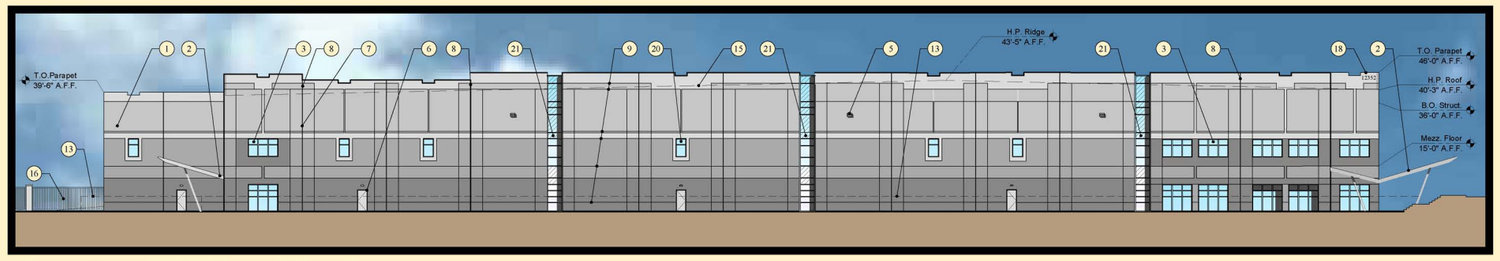
Figure 3-4

Conceptual Site Plan

BAI # 19006



North Elevation



East Elevation (Whittier Blvd.)

0 20 40 60 80

Scale: 1" = 20'-0"

Conceptual Elevations

Elevation Notes

1. Concrete Tilt-up Panels with Joints and Reveals as Indicated. Painted. Typical
2. Metal Standing Seam Canopy With Exposed Tube Steel Structural Frame
3. Clear Anodized, Front Glazed, Aluminum Mullion System w/ Insulated Reflective Blue/Green Glass - Typ (Hatched Areas Indicate Spandrel Conditions).
4. 9'-0" High Medium Stile Entry Doors - Typ.
5. Light Fixture (Final Locations To Be Determined w/ Photometric)
6. 3'x7' Steel Man Door and Frame
7. Panel Joint - Typ.
8. Parapet Return Over Roof where Parapet Step Occurs
   36" Return at changes of elevations of more than 24" in height
   24" Return at changes of elevations of less than 24" in height
9. 3/4" Reveal - Typ.
10. Concrete Stair With Painted Metal Handrails.
11. 9'x10' Steel Panel Sectional Door Painted to Match Adjacent Wall Surface
12. 12'x14' Steel Panel Sectional Door Painted to Match Adjacent Wall Surface
13. Dashed Line Indicates Interior Retaining Wall Elevation in Foreground (Not seen from Public View)
14. External Down Spout and Overflow Scupper Painted to Match Adjacent Wall.
15. Dashed Line Represents Roof Line at Backside of Parapet
16. 8'-0" Steel Tube Fence w/Concrete 2'-0"x2'-0" Plasters at ±40'-0" on Center and Rolling Gates (All Gates to have Corresponding Knox Box as Required by Fire Dept.)
17. Proposed Building/Tenant Indentification Signage
18. Proposed Address Location
19. Retaining Wall - Refer to Site Plan
20. Warehouse Clerestory Windows
21. Recessed Spandrel and Vision Glass

Paint Legend

- Paint Color #1 Porpoise DE 6373-C
- Paint Color #2 Silver Polish DE 6374-C
- Paint Color #3 Castlerock DE 6375-C
- Paint Color #4 Looking Glass DE 6376-C

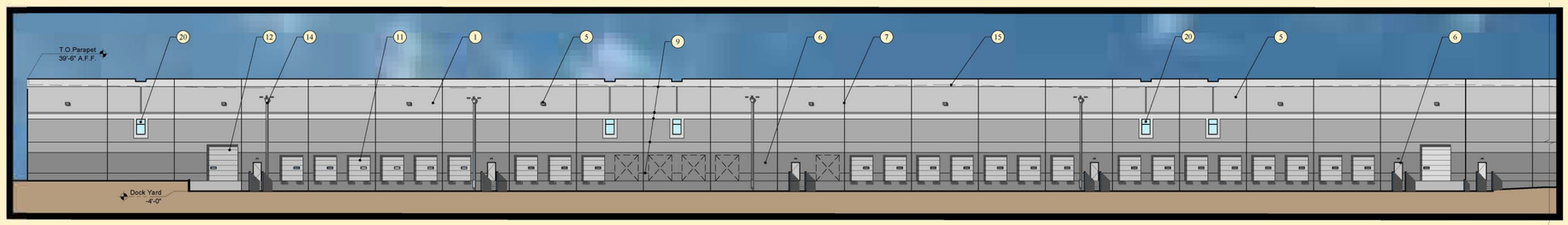
Source(s): Bastien and Associates, Inc. (03-31-2023)

Figure 3-5

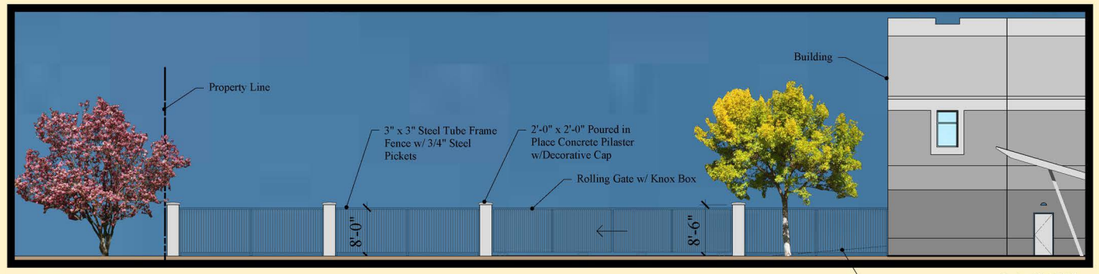
Not to Scale

Conceptual Elevations – North and East

BAI # 19006

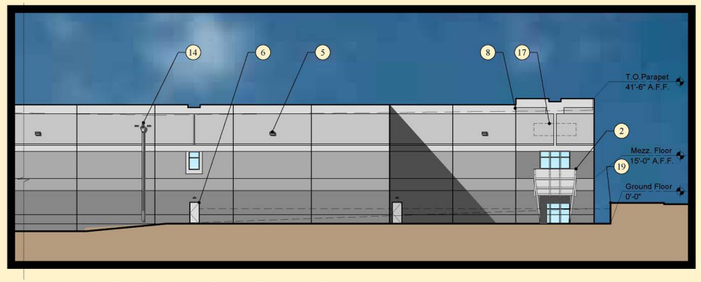


Partial South Elevation

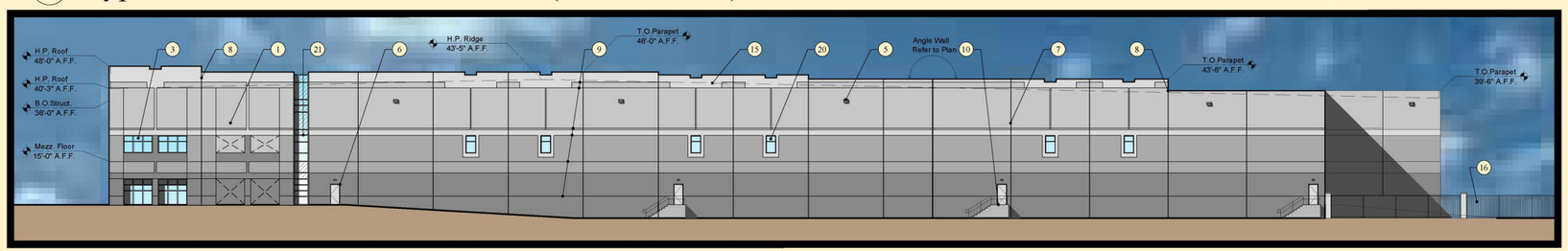


Ⓐ Typical Truck Yard Fence Elevation (Whitter Blvd.)

Scale: 1"=10'-0"



Partial South Elevation



West Elevation

0 20 40 60 80

Scale: 1" = 20'-0"

Conceptual Elevations

Elevation Notes

1. Concrete Tilt-up Panels with Joints and Reveals as Indicated. Painted. Typical
2. Metal Standing Seam Canopy With Exposed Tube Steel Structural Frame
3. Clear Anodized, Front Glazed, Aluminum Mullion System w/ Insulated Reflective Blue/Green Glass - Typ (Hatched Areas Indicate Spandrel Conditions).
4. 9'-0" High Medium Stile Entry Doors - Typ.
5. Light Fixture (Final Locations To Be Determined w/ Photometric)
6. 3'x7 Steel Man Door and Frame
7. Panel Joint - Typ.
8. Parapet Return Over Roof where Parapet Step Occurs
   36" Return at changes of elevations of more than 24" in height
   24" Return at changes of elevations of less than 24" in height
9. 3/4" Reveal - Typ.
10. Concrete Stair With Painted Metal Handrails
11. 9'x10' Steel Panel Sectional Door Painted to Match Adjacent Wall Surface
12. 12'x14' Steel Panel Sectional Door Painted to Match Adjacent Wall Surface
13. Dashed Line Indicates Interior Retaining Wall Elevation in Foreground (Not seen from Public View)
14. External Down Spout and Overflow Scupper Painted to Match Adjacent Wall.
15. Dashed Line Represents Roof Line at Backside of Parapet
16. 8'-0" Steel Tube Fence w/Concrete 2'-0"x2'-0" Plasters at ±40'-0" on Center and Rolling Gates (All Gates to have Corresponding Knox Box as Required by Fire Dept.)
17. Proposed Building/Tenant Indentification Signage
18. Proposed Address Location
19. Retaining Wall - Refer to Site Plan
20. Warehouse Clerestory Windows
21. Recessed Spandrel and Vision Glass

Paint Legend

- Paint Color #1 Porpoise DE 6373-C
- Paint Color #2 Silver Polish DE 6374-C
- Paint Color #3 Castlerock DE 6375-C
- Paint Color #4 Looking Glass DE 6376-C

Source(s): Bastien and Associates, Inc. (03-31-2023)

Figure 3-6

Not to Scale

Conceptual Elevations – South and West

According to the Project's application materials, the architectural concept for the proposed building embraces the Whittier Boulevard "car culture" by incorporating a free-form Moderne Canopy along the Whittier Boulevard frontage road. The canopy is proposed to create a landmark to define the building and provide a sense of place along the Whittier Boulevard frontage road.

C. Landscaping

All existing landscaping on the Project Site would be removed and replaced with the plant material specified in DRP21-0065, which is illustrated on Figure 3-7, *Landscape Conceptual Plan*. Proposed landscaping would be ornamental in nature and would feature drought-tolerant trees, shrubs, and accent plants in addition to a variety of groundcovers. As shown in Figure 3-7, landscaping would be concentrated around the perimeter of the Project Site with additional landscaping around the building and in the passenger vehicle parking areas.

All landscaping would be irrigated with an automatic irrigation system. Landscaping would conform to the City of Whittier Municipal Code and the WBSP, other than for the Project Applicant's request for relief from the WBSP's orchard parking requirement in the south parking area; the requirement calls for the installation of 4' x 4' landscape fingers in parking areas, which would interfere with large vehicle movements in that parking area and as such the Applicant is seeking relief via proposed CUP22-0007.

Overall, the Project's landscaping plan calls for 13% landscape cover and the planting of 213 new trees whereas 156 trees are required by City's Municipal Code. Prior to the issuance of building permits to construct the building, the Project Applicant would be required to submit final planting and irrigation plans to the City for review and approval. The plans are required to comply with Chapter 13.42, "Water Conservation in Landscaping," of the Whittier Municipal Code, which establishes standards and procedures for the design, installation, and management of water-conserving landscapes. (Whittier, 2023, Chapter 13.42)

D. Infrastructure Plans

1. Water Service

The Project Site is located in the water service area of the City of Whittier and water service has been provided to the Site since its initial development in the early 1950's. To serve the redeveloped Project Site with domestic water, a connection would be made to two existing water lines, an 8-inch line located along the east side of the property in the Whittier Boulevard frontage road and a 12-inch main located along the south side of the property. All water service connections are governed by the City of Whittier Municipal Code Title 13, Division I.

2. Sewer Service

The Project Site is located in the sewer service area of the City of Whittier and sewer service has been provided to the Site since its initial development in the early 1950's. Two existing sewer lines are located along the western side of the property: a 10-inch line and a line that is 6-inches on the northwest side of the property and 8-inches in the southwest side of the property. A 6-inch sewer line is located along the southern side of the property. To serve the redeveloped Project Site with domestic sewer service, a 6-inch sewer is proposed

LANDSCAPE NOTES

- ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM.
- LANDSCAPINGIS TO CONFORM TO ALL APPLICABLE CODES & ORDINANCES.
- PROPERTY OWNER SHALL BE RESPONSIBLE FOR ALL ON-SITE LANDSCAPING AS SHOWN.
- ALL TREES WITHIN 5' OF HARDSCAPE TO HAVE A 12" DEEP LINEAR ROOT BARRIER.
- ALL PLANTER AREAS TO RECEIVE A 3" LAYER OF SHREDDED ORGANIC MULCH.
- SOIL COMPACTION TO BE NO GREATER THAN 85% ON LANDSCAPE AREAS.
- ALL FINISH GRADES TO BE 1-1/2" BELOW FINISH SURFACE PAVING.
- AGRONOMICAL SOIL TESTING REPORT TO BE PROVIDED BY CONTRACTOR.
- USE ONLY APPROVED PLANTING MEDIA AT DESIGNATED UNDERGROUND PLANTER LOCATIONS.

TREE CALCULATIONS

PARKING TREES
1 TREE PER 4 STALLS
PARKING STALLS = 325 (EXCLUDING TRUCK YARD)
TREES REQUIRED = 81
TREES PROVIDED = 136

ON-SITE TREES
1 TREE PER 500 SQ. FT. OF LANDSCAPE
LANDSCAPE SQ. FT.= 78,058 SQ. FT.
TREES REQUIRED = 156
TREES PROVIDED = 213

LANDSCAPE PERCENTAGE

GROSSSITE AREA = 587,668 SQ. FT.
LANDSCAPE AREA = 78,440 SQ. FT.
PERCENTAGE = 13%

PARKING AREA LANDSCAPE %
PARKING AREA = 49,725 SQ. FT.
(325 x 153 SF = 49,725 SF)
LANDSCAPE AREA = 10,408 SQ. FT.
PERCENTAGE = 21%

PRELIMINARY - California Water Efficient Landscape Worksheet

Reference Evapotranspiration (ET_0)			50.1	Project Type	Non-Residential		0.45
Hydrozone # / Planting Description[a]	Plant Factor (PF)	Irrigation Method[b]	Irrigation Efficiency (IE)[c]	ETAF (PF/IE)	Landscape Area (Sq. Ft.)	ETAF x Area	Estimated Total Water Use (ETWU)[d]
Regular Landscape Areas							
Low Water Use	0.2	Drip	0.81	0.25	39527	9760	303157
Low Water Use	0.2	Overhead	0.75	0.27	39527	10541	327410
Mod Water Use	0.5	Drip	0.81	0.62	425	262	8149
			0.75	0.00		0	0
				Totals	79479	20563	638716
Special Landscape Areas							
[redacted]				1		0	0
				1		0	0
				1		0	0
				1		0	0
				Totals	0	0	0
						ETWU Total	638716
						Maximum Allowed Water Allowance (MAWA)[e]	1110950

ETAF Calculations

Regular Landscape Areas

Total ETAF x Area	20563
Total Area	79479
Average ETAF	0.26

All Landscape Areas

Total ETAF x Area	20563
Total Area	79479
Average ETAF	0.26

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential

Source(s): Emerald Design (10-14-2022)

Figure 3-7

Not to Scale

Landscape Conceptual Plan

beneath the eastern and northern portions of the building, which would connect to an existing 6-inch sewer line located near the northwest corner of the building and an existing 10-inch sewer line near the southwest corner of the building.

3. Stormwater Drainage

An existing concrete drainage channel is located along the northwestern side of the Project Site. Under existing conditions, the Project Site drains to gutters which drain to an onsite storm drain system before discharging to the open channel along the northwestern property line. An existing 18-inch storm drain on the west side of the Project Site drains into the channel and the redeveloped Project Site would continue to drain to the channel via an outlet. To serve the redeveloped Project Site with storm drain infrastructure, a 36-inch stone foundation detention chamber is proposed on the west side of the property and an 18-inch storm drain is proposed on the south side of the property. Following construction of the proposed Project, runoff from the landscaped areas along the east side of the building would sheet flow into area drains before being conveyed westerly via the proposed 18-inch storm drain on the south side of the property. The proposed storm drain would connect to the existing storm drain located along the northwestern property line. Runoff from the southerly half of the building, the truck yard, and the southerly and southwesterly vehicle parking areas would sheet flow into the proposed catch basin located at the southerly tip of the Project Site. Runoff from the west of the building is designed to sheet flow into the proposed catch basin within the vehicle parking area. Runoff from the northerly half of the building and the northerly vehicle parking areas is designed to drain to two catch basins located along the westerly property line. (Thienes, 2022, p. 2)

E. Dry Utilities

The Project Site is located in the service territories of Southern California Electric (SCE) for electric service, Southern California Gas (SoCal Gas) for natural gas service, and Frontier Communications for telephone and data services. Upon redevelopment of the Project Site, the Site would be connected to the utility lines of these service providers. Any SCE power poles and aerial lines located on the Project site under existing conditions would be removed and the lines would be undergrounded as part of the Project.

F. Roadway and Driveway Improvements

The Whittier Boulevard frontage road is the existing public street abutting the Project Site to the east. Proposed improvements to this street include curb and gutter, removing the existing sidewalk and replacing with a new sidewalk, landscaping/irrigation, streetlights, and fire hydrants.

Two driveway connections would be made with the Whittier Boulevard frontage road, at the northeast and southeast corners of the Project Site. The northeast driveway would be used by passenger vehicles and emergency vehicles. The southeast driveway would be used by passenger vehicles, trucks, and emergency vehicles. The northbound lane of the Whittier Boulevard frontage road is already red-curbed to restrict parking. As part of the Project's development, small sections of the southbound lane would be red-curbed near the Project's driveways to restrict parking to allow for vehicle turning movements in and out of the driveways.

3.4.4 Operational Characteristics

The Project Applicant is pursuing the Project on a speculative basis, meaning that the future user/occupant of the proposed building is not yet identified. The Project Applicant expects that the building would be used by a manufacturing, assembly, R&D, or light industrial user, with ancillary distribution and storage pursuant to the WBSP. Also, the storage area, if any, is not proposed to be refrigerated. Until a building user is identified, the operating hours of the building are unknown, so for purposes of analysis herein, the building is assumed to be occupied and used 24 hours per day, seven days per week, 365 days per year, with any operations open to the public between the hours of 6:00 a.m. and 12:00 a.m. Based on the Project's design, all business activities would occur interior to the building with the exception of vehicle movement, parking, and the loading and unloading of tractor trailers at the loading docks at the south side of the building. Exterior loading and parking areas would be illuminated at night.

A. Future Employment

Because the user(s) of the Project's building is not yet known, the number of jobs that the proposed Project would generate cannot be precisely determined. However, relying on the City of Whittier's General Plan Update EIR employment generation estimate of 1 job for every 500 s.f. of industrial building space, the Project's proposed 295,959 s.f. building is calculated to employ approximately 592 people (Whittier, 2021b, Table 3-11). This employment estimate is likely high based on the proposed building type, with a more conservative employment estimate being approximately 296 people (1 job per 1,000 s.f. of building space).

B. Traffic

For purposes of estimating the number of vehicle trips that would be traveling to and from the Project site, the Project's trip generation forecast is based on trip generation rates obtained from the Institute of Transportation Engineers (ITE) Trip Generation Manual. Trip generation rates for Industrial Park (ITE Land Use Code 130) were used based on the expected building user types of manufacturing, assembly, R&D, and/or light industrial with ancillary storage. The Project was analyzed using 294,800 s.f. of ITE 130 Industrial Park land use as the trip rates encapsulate the proposed mixture of potential building user types for the Project while providing a conservative trip generation forecast. (Ganddini, 2022c, p. 18) Because the proposed building size slightly increased after the Project's traffic study was prepared, an update to the trip generation was conducted to account for a 295,959 s.f. building and the updated 11th Edition ITE rates were used (*Technical Appendix I2* to this EIR) (Ganddini, 2023c).

In accordance with industry practice for land uses that generate an appreciable number of truck trips, the Project's trip generation was calculated in terms of actual vehicle trips, but also Passenger Car Equivalent (PCE) trips, which converts truck trips into a comparable number of passenger vehicle trips. The City of Whittier Transportation Study Guidelines for VMT (October 2021) ["the City guidelines"] does not specify PCE adjustment factors; therefore, truck trips were converted to PCE trips based on the following factors used in San Bernardino County where truck-related projects are analyzed more regularly: 1.5 for 2-axle trucks, 2.0 for 3-axle trucks, and 3.0 for trucks with four or more axles. Note that the calculations given in *Technical Appendix I1* are based on a proposed 294,800 s.f. building whereas the Project as proposed entails a 295,959 s,f, building (1,159 s.f. larger), but the de minimis 0.3 percent increase in building size would not change any

of the significance conclusions provided in this EIR. Because the building size slightly increased after the Project's traffic study was prepared, an update to the trip generation was conducted to account for a 295,959 s.f. building and the updated 11th Edition ITE rates were used (*Technical Appendix I2* to this EIR) (Ganddini, 2023c).

As more fully discussed in the updated technical memo prepared by Ganddini titled "12352 Whittier Boulevard Industrial Project Trip Generation Memorandum," dated June 13, 2023 (*Technical Appendix I2* to this EIR), the proposed Project is estimated to generate a total of 998 average daily trips (ADT) in terms of actual vehicles, including 101 morning peak hour trips and 101 evening peak hour trips. In terms of "passenger car equivalent" (PCE), which converts all classifications of vehicles – including heavy trucks with multiple axles – to a single metric, the Project would generate a total of 1,305 ADT, including 123 PCE trips during the morning peak hour and 123 PCE trips during the evening peak hour. (Ganddini, 2023c, Table 1)

3.5 Summary of Requested Actions

The City has primary approval responsibility for the proposed Project. As such, the City serves as the Lead Agency for this EIR pursuant to CEQA Guidelines Section 15050. The role of the Lead Agency was previously described in detail in Section 1.0 of this EIR. As part of the approval process for the proposed Project, the City's Historic Resources Commission will conduct a public hearing to consider this EIR and the Project's Certificate of Appropriateness No. HRC22-0012 and will decide whether to recommend approval, approval with changes or denial of Certificate of Appropriateness No. HRC22-0012. After action by the HRC, the City's Design Review Board will conduct a public hearing to review the architectural design of Development Review No. DRP21-0065. The DRB will decide whether to recommend approval, approval with changes or denial of the architectural design of Development Review No. DRP21-0065. The Planning Commission will then conduct a public hearing to consider this EIR and the Project's Development Review No. DRP21-0065 and Conditional Use Permit No. CUP22-0007. The Planning Commission will decide whether to recommend approval, approval with changes, or denial of Development Review No. DRP21-0065 and Conditional Use Permit No. CUP22-0007 and certification of this EIR. A public hearing will then be held before the City Council, which will consider the information contained in this EIR and the EIR's Administrative Record in its decision-making processes, certify or decline to certify this EIR, and approve, approve with changes, or deny approval of Certificate of Appropriateness No. HRC22-0012, Development Review No. DRP21-0065, and Conditional Use Permit No. CUP22-0007.

4.0 Environmental Analysis

4.0.1 Summary of EIR Scope

In accordance with CEQA Guidelines Sections 15126-15126.4, this EIR Section includes analyses of potential direct, indirect, and cumulatively-considerable impacts that could occur from planning, constructing, and/or operating the proposed Project.

In compliance with the procedural requirements of CEQA, an Initial Study was prepared to determine the scope of environmental analysis for this EIR. The City of Whittier distributed a Notice of Preparation (NOP) to public agencies and interested individuals and posted the NOP on its website to solicit input on the scope of study for the EIR. The NOP also was distributed to the California Office of Planning and Research (OPR) State Clearinghouse (SCH) and assigned SCH No. 2022120346. Public comment on the scope of the EIR consisted of written comments received by the City of Whittier in response to the NOP issued for this EIR. Taking all known information and public comments into consideration, six primary environmental factors are evaluated in detail in this Section 4.0, as listed below. Each subsection evaluates several specific topics related to the primary environmental subject. The title of each subsection is not limiting; therefore, refer to each subsection for a full account of the subject matters addressed therein.

4.1 Cultural Resources
4.2 Geology and Soils
4.2 Greenhouse Gas Emissions
4.4 Hazards and Hazardous Materials
4.5 Noise
4.6 Tribal Cultural Resources

4.0.2 Scope of Cumulative Effects Analysis

CEQA requires that an EIR contain an assessment of the cumulative impacts that may be associated with a project. As noted in CEQA Guidelines Section 15130(a), "an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable." "A cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects creating related impacts" (CEQA Guidelines Section 15130(a)(1)). As defined in CEQA Guidelines Section 15355:

> *'Cumulative Impacts' refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.*
> *(a) The individual effects may be changes resulting from a single project or a number of separate projects.*
> *(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.*

CEQA Guidelines Section 15130(b) describes two acceptable methods for identifying a study area for purposes of conducting a cumulative impact analysis. These two approaches include: "1) a list of past, present, and probable future projects producing related or cumulative impacts, including if necessary, those projects outside the control of the agency ['the list of projects approach'], or 2) a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact ['the summary of projections approach']."

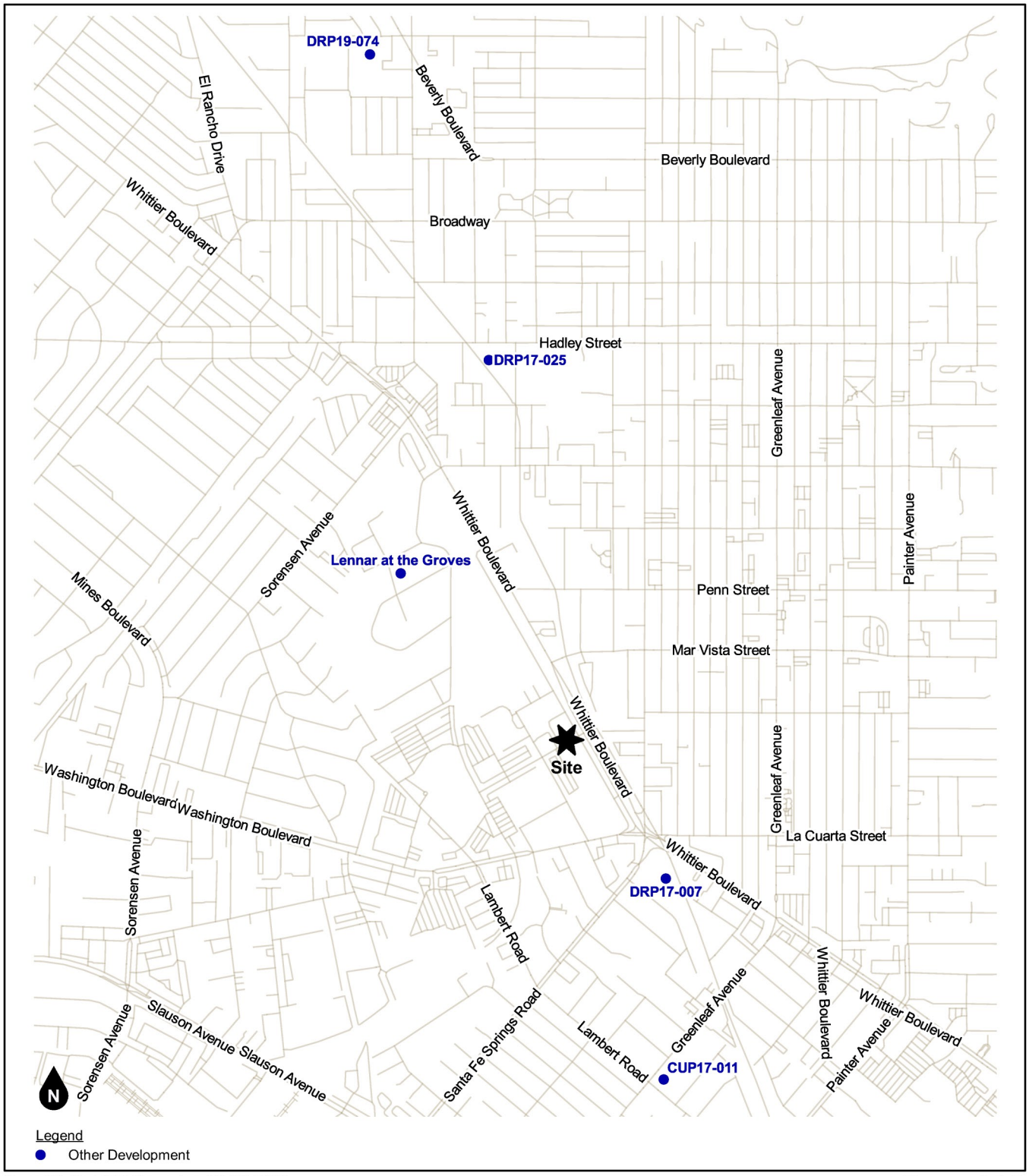
The summary of projections approach is used in this EIR, except for the evaluation of cumulative vehicular-related noise impacts presented in Subsection 4.5, *Noise*, and the evaluation of transportation impacts presented in Subsection 5.4, *Effects Found not to be Significant During the Initial Scoping Process*, for which the analyses combines the summary of projections approach with the manual addition of nearby past, present, and reasonably foreseeable projects ("combined approach"). The City determined the combined approach to be appropriate because long-range planning documents contain a sufficient amount of information to enable an analysis of cumulative effects for all subject areas, with the exception of nearby vehicular-related effects reliant on the Project's Traffic Study (EIR *Technical Appendix I*) which requires a greater level of detailed study for nearby cumulative projects. With the combined approach, the cumulative impact analyses for vehicular-related noise and transportation topics overstate the Project's potential cumulatively considerable impacts relative to analyses that rely solely on the list of projects approach or solely on the summary of projections approach; therefore, the combined approach provides a conservative, "worst-case" analysis for the Project's cumulative noise and transportation-related effects.

The list of projects used to supplement the summary of projections approach includes known approved and pending development projects in proximity to the Project Site. These include five other past, present, and reasonably foreseeable projects described in Table 4.0-1, *Cumulative Development Land Use Summary*, and illustrated on Figure 4.0-1, *Cumulative Development Location Map*.

Table 4.0-1 Cumulative Development Projects Summary

Project	Address	Land Use	Quantity
The Groves	11850 Whittier Blvd	Apartments	189 DU
		Condominiums/Townhomes	106 DU
		Single-Family Detached Residential	32 DU
		Commercial Retail	97,515 s.f.
CUP17-011	13001 Lambert Road	Automated Car Wash	1 site
DRP17-025	12110 Hadley Street	Manufacturing	24,420 s.f.
DRP17-007	8016 Santa Fe Springs Road	Apartments	60 DU
DRP19-074	11716 Floral Drive	Condominiums	25 DU

DU = residential dwelling unit
s.f. = square feet
Source: (Ganddini, 2022c, Table 5)



Source(s): Ganddini Group, Inc. (01-24-2022)

Figure 4.0-1

Not to Scale

Cumulative Development Location Map

For the cumulative impact analyses that rely on the summary projections approach (i.e., all issue areas with the exception of vehicular-related effects as described above), the cumulative study area primarily includes the City of Whittier in which the Project Site is located; land within the City of Whittier surrounds the Project site on all sides and has similar environmental characteristics as the Project area. Areas beyond the City's boundary are considered that encompass the flatland valley area with the San Gabriel Mountains to the north, the Santa Ana Mountains to the southeast, and the Pacific coastline to the west. This cumulative study area exhibits similar characteristics in terms of climate, geology, and hydrology and, therefore, is likely to also have similar biological, archaeological, and tribal cultural resource characteristics as well. This study area also encompasses the service areas of the Project Site's primary public service and utility providers. Areas outside of this study area either exhibit topographic, climatological, or other environmental circumstances that differ from those of the Project area or are simply too far from the proposed Project Site to produce environmental effects that could be cumulatively-considerable when considered together with the Projects' impacts. Exceptions include the cumulative greenhouse gas emissions and global climate change analysis addressed in Subsection 4.3, which affects all areas on the planet.

Environmental impacts associated with buildout of the Project's cumulative study area in the City of Whittier were evaluated in the City's Envision Whittier General Plan Update EIR. The Draft EIR, Final EIR and accompanying technical appendices and attachments are herein incorporated by reference pursuant to CEQA Guidelines Section 15150 and cited below.

- City of Whittier General Plan Update and Housing Element Update Draft EIR, Final EIR, Technical Appendices, and Findings (SCH No. 2021040762), available for review at the City of Whittier, Community Development Department, 13230 Penn Street, Whittier, California 90602.

4.0.3 Analysis Format

Subsections 4.1 through 4.6 of this EIR evaluate the six environmental subjects warranting detailed analysis as determined by the City of Whittier in consideration of preliminary research findings, public comments on this EIR's NOP, and technical study conclusions. The format of discussion is standardized as much as possible in each section for ease of review. The environmental setting is discussed first, followed by a discussion of the potential environmental impacts that would result from implementation of the Project (which is based on specified thresholds of significance used as criteria to determine whether potential environmental effects are significant).

The thresholds of significance used in this EIR are based on the thresholds presented in CEQA Guidelines Appendix G and as applied by the City of Whittier. The thresholds are intended to assist the reader of this EIR in understanding how and why this EIR reaches a conclusion that an impact would or would not occur, is significant, or is less than significant.

Serving as the CEQA Lead Agency for this EIR, the City of Whittier is responsible for determining whether an adverse environmental effect identified in this EIR should be classified as significant or less than significant. The standards of significance used in this EIR are based on the independent judgment of the City of Whittier,

taking into consideration the current CEQA Guidelines Appendix G, the Envision Whittier General Plan, the Whittier Municipal Code and adopted City policies, the judgment of the technical experts that prepared this EIR's Technical Appendices, performance standards adopted, implemented, and monitored by regulatory agencies, and significance standards recommended by regulatory agencies.

As required by CEQA Guidelines Section 15126.2(a), Project-related effects on the environment are characterized in this EIR as direct, indirect, cumulatively considerable, short-term, long-term, on-site, and/or off-site impacts. A summarized "impact statement" is provided in each subsection following the analysis. Each subsection also includes a discussion or listing of the applicable regulatory criteria (laws, policies, regulations) that the Project and their implementing actions are required to comply with (if any). If impacts are identified as significant after mandatory compliance with regulatory criteria, feasible mitigation measures are presented that would either avoid the impact or reduce the magnitude of the impact. For any impact identified as significant and unavoidable, the City of Whittier would be required to adopt a statement of overriding considerations pursuant to CEQA Guidelines Section 15093 in order to approve the Project despite its significant impact(s) to the environment. The statement of overriding considerations will list the specific economic, legal, social, technological, and other benefits of the Project, supported by substantial evidence in the Project's administrative record, that outweigh the unavoidable impacts.

4.1 CULTURAL RESOURCES

The analysis in this Subsection is based in part on a historical resources assessment prepared by Duke Cultural Resources Management, LLC (hereinafter, "Duke CRM"). The assessment titled "Cultural Resources Services for the 12352 Whittier Boulevard Project, City of Whittier, County of Los Angeles, California," and dated April 10, 2022 (Duke CRM, 2022) is included as *Technical Appendix C1* to this EIR. Additional resources include a confidential cultural resources records search (BFSA, 2021) included as *Technical Appendix C2*, a "Historical Documentation Report" included as *Technical Appendix C3* prepared by Duke CRM to satisfy Mitigation Measure MM 4.4-1 presented in this Subsection, and the Envision Whittier General Plan Update Draft EIR (Whittier, 2021b). These and other reference sources are listed in EIR Section 7.0, *References.*

The records search results that is part of *Technical Appendix C2* is confidential and not available for public review other than by qualified professionals. In addition, much of the written and oral communication between Native American tribes and the City of Whittier is considered confidential in respect to places that may have tribal cultural significance (Gov. Code Section 65352.4), and although relied upon in part to inform the preparation of this EIR Subsection, those communications are treated as confidential and are not available for public review. Under existing law, environmental documents must not include information about the location of archeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (Cal. Code Regs. Section 15120(d)).

4.1.1 EXISTING CONDITIONS

The Project Site is surrounded on all sides by urban uses and is fully developed with three attached buildings having a total building footprint area of 213,430 s.f. The history of the Site's usage and occupancy is provided below and further documented in *Technical Appendix C1*. The property contains 227 parking stalls and is accessed via one driveway with a curb cut along the Whittier Boulevard frontage road. Vegetation on the Site is minimal, located mainly along the Whittier Boulevard frontage road and along the southwest edge of the site, consisting of ornamental grass, shrubs, and several trees, in addition to invasive weeds.

A. Pre-History and Archaeological Context

The City of Whittier and surrounding area was occupied by Native Americans referred to as the Gabrieleño Indians. The Puente Hills to the northeast are known to contain archaeological resources that pre-date Spanish and Mexican land grants in California which began in the middle of the 19th century. The Gabrieleño occupied an area that extended from the present-day San Fernando Valley on the north, across the greater Los Angeles Basin, south to San Juan Capistrano in Orange County. Given the long history of Native American settlement in the region, there is a high probability that prehistoric (archaeological) resources are buried beneath properties in the City of Whittier. (Whittier, 2021b, Section 4.5) Because the Project Site has been fully developed since the 1950s and was disturbed for agricultural operations prior to its development, there is no reasonable potential for archaeological resources to be located on the surface of the Project Site; however, buried resources may be present beneath the surface of the Site.

Based on a records search conducted through the South Central Coastal Information Center (SCCIC) at California State University (CSU), Fullerton (contained as confidential *Technical Appendix C2*), there are no recorded archaeological sites within a one-half-mile radius of the Project Site (BFSA, 2021).

B. Historical Context and Assessment of Onsite Resources

Duke CRM determined that the historic context for the Project Site is rooted in the development of light-industrial and commercial office buildings along Whittier Boulevard following the rezoning of former agricultural land after World War II (Duke CRM, 2022, p. 1). Eighty-nine (89) historic resources were identified with one-half-mile of the Project Site as part of the cultural resources record search conducted for the Project, as summarized in confidential *Technical Appendix C2* (BFSA, 2021).

Off-site, the Paradox Hybrid Walnut Tree is located to the east of the Project Site in the median of the Whittier Boulevard right-of-way to the east, between Penn and Mar Vista Streets. The Paradox Hybrid Walnut Tree was designated in 1959 as State Historical Landmark No. 681 and is listed on the Local Register of Historic Resources (Landmark No. 25) (OHP, n.d.; City of Whittier, n.d., p. 25).

The Project Site was used for agricultural operations prior to 1950 and was developed with an office and warehouse by the Ekco Products Company in 1950, followed by another office and additional warehouse space on the Project Site in the early to mid-1950s and early 1960s. The original factory was opened on the Site in October 1951. The Ekco Products Company itself dates to 1888. Ekco produced non-electric housewares, from cutlery and flatware to baking supplies, pressure cookers, chemicals, plastic accessories, aluminum foil containers, bathroom fixtures, lighting, and building supplies. (Duke CRM, 2022, p. 2)

By 1967, following the sale of the Ekco Products Company to the American Home Products Company, the subject property was occupied by the Worley Division of Standard Pressed Steel. By 1977, the onsite building complex was occupied by Bedline Manufacturing. Most recently, the Project Site was occupied by Leggett and Platt Decorators, which vacated the Project Site in 2019. (Duke CRM, 2022, p. 2)

Regarding physical attributes of the existing structures on the Project Site, the first buildings that were constructed on the Site are an office built in 1950 that lies on the north side of the Site and is connected to a warehouse to the west with a domed roof. A second office, which was built in the mid to late-1950s, lies to the south and only shares one wall with the warehouse spaces to the north. The original masonry office to the north is rectangular in shape, features a shed-style roof and modest eaves with projecting steel trusses, a painted brick masonry wall on the south elevation followed by an aluminum plate-glass entry door with sidelights, and a bank of aluminum-clad plate glass windows. The second office built in the mid to late-1950s is also rectangular- shaped, split-level, built of brick and concrete, characterized by a flat roof lacking eaves, smooth painted concrete exterior wall surfaces, a raised concrete foundation, and rows of plate-glass windows set in wood-frames. The office is accented by a painted concrete box that juts out beyond the main wall surface, divided by a decorative rock masonry wall with applied lettering that once read “LG” Leggett & Platt Decorators. The south elevation of the office lacks fenestration, while the north elevation shares a common wall with the older warehouse, which features banks of steel multi-pane windows. The rear of the office

features a second- floor bank of replaced windows. Below the windows are three open bays or sheds that look out onto a large asphalt parking area. (Duke CRM, 2022, p. 10)

In November 2013, the property was formally recorded and evaluated for the National Register of Historic Places (NRHP), California Register of Historic Places (CRHR), and the City of Whittier Historic Preservation Ordinance by GPA Consulting. The property was determined eligible for the NRHP/CRHR under Criterion A/1. Criterion A/1 has significance for associative value, meaning that the resource is considered significant for its association or linkage to events, and not for its physical attributes. The buildings on the Project Site do not embody distinctive characteristics of a type, period, region, or method of construction, do not represent the work of an important creative individual, nor do they possess high artistic values. (Duke CRM, 2022, p. 18)

In assessing the property's historical significance under NRHP Criterion A/CRHR Criterion 1, the property was determined to represent a significant post-World War II manufacturing and distribution facility whose products were sold throughout the world. The company's products, including those made at the Whittier plant, were illustrated in newspapers and magazines throughout the United States during the 1950s-1960s. Their kitchenware products were some of the most innovative for their time and during the 1950s the company branched into manufacturing hardware, as well as, supplying the U.S. Army and Navy with armaments during the Korean War. Based upon newspapers, the subject property acted as one of the primary operation centers for Ekco, and its Whittier headquarters became a major employer during its period of significance, namely 1950-1967. (Duke CRM, 2022, p. 3)

In applying the City of Whittier's Historic Preservation Ordinance, the features present on the Project Site do not meet Criteria A, B, C, D, F, and G, but do meet Criterion E of the Ordinance, being the site of an important historical event or is associated with events that have made a meaningful contribution to City of Whittier during the years 1950-1967 when Ekco Products Company was operating out of 12352 Whittier Boulevard. (Duke CRM, 2022, p. 3)

4.1.2 Regulatory Setting

A. Federal Plans, Policies, and Regulations

1. National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) was passed primarily to acknowledge the importance of protecting United States heritage. While Congress recognized that national goals for historic preservation could best be achieved by supporting the drive, enthusiasm, and wishes of local citizens and communities, it understood that the federal government must set an example through enlightened policies and practices. In the words of the Act, the federal government's role would be to "provide leadership" for preservation, "contribute to" and "give maximum encouragement" to preservation, and "foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony." (NPS, 2022a)

NHPA and related legislation sought a partnership among the federal government and the states that would capitalize on the strengths of each. The federal government, led by the National Park Service (NPS) provides funding assistance; basic technical knowledge and tools; and a broad national perspective on America's

heritage. The states, through State Historic Preservation Officers (SHPOs) appointed by the governor of each state, would provide matching funds, a designated state office, and a statewide preservation program tailored to state and local needs and designed to support and promote state and local historic preservation interests and priorities. (NPS, 2022a)

An Advisory Council on Historic Preservation (ACHP), the first and only federal entity created solely to address historic preservation issues, was established as a cabinet-level body of Presidentially-appointed citizens, experts in the field, and federal, state, and local government representatives, to ensure that private citizens, local communities, and other concerned parties would have a forum for influencing federal policy, programs, and decisions as they impacted historic properties and their attendant values. (NPS, 2022a)

Section 106 of NHPA granted legal status to historic preservation in federal planning, decision-making, and project execution. Section 106 requires all federal agencies to take into account the effects of their actions on historic properties and provide ACHP with a reasonable opportunity to comment on those actions and the manner in which federal agencies are taking historic properties into account in their decisions. (NPS, 2022a)

A number of additional executive and legislative actions have been directed toward improving the ways in which all federal agencies manage historic properties and consider historic and cultural values in their planning and assistance. Executive Order 11593 (1971) and, later, Section 110 of NHPA (1980, amended 1992), provided the broadest of these mandates, giving federal agencies clear direction to identify and consider historic properties in federal and federally assisted actions. The National Historic Preservation Amendments of 1992 further clarified Section 110 and directed federal agencies to establish preservation programs commensurate with their missions and the effects of their authorized programs on historic properties. (NPS, 2022a)

2. National Register of Historic Places (NRHP)

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. Authorized by the NHPA of 1966, the NPS's National Register of Historic Places (NRHP) is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archaeological resources. (NPS, 2022b)

To be considered eligible, a property must meet the National Register Criteria for Evaluation. This involves examining the property's age, integrity, and significance, as follows:

- Age and Integrity. Is the property old enough to be considered historic (generally at least 50 years old) and does it still look much the way it did in the past?

- Significance. Is the property associated with events, activities, or developments that were important in the past? With the lives of people who were important in the past? With significant architectural history, landscape history, or engineering achievements? Does it have the potential to yield information through archaeological investigation about our past? (NPS, 2022b)

Nominations can be submitted to a SHPO from property owners, historical societies, preservation organizations, governmental agencies, and other individuals or groups. The SHPO notifies affected property owners and local governments and solicits public comment. If the owner (or a majority of owners for a district nomination) objects, the property cannot be listed but may be forwarded to the NPS for a Determination of Eligibility (DOE). Listing in the NRHP provides formal recognition of a property's historical, architectural, or archaeological significance based on national standards used by every state. (NPS, 2022b)

Under Federal Law, the listing of a property in the National Register places no restrictions on what a non-federal owner may do with their property up to and including destruction, unless the property is involved in a project that receives Federal assistance, usually funding or licensing/permitting. National Register listing does not lead to public acquisition or require public access. (NPS, 2022b)

3. Native American Graves Protection and Repatriation Act (NAGPRA)

The Native American Graves Protection and Repatriation Act (NAGPRA; Public Law 101-601; 25 U.S.C. 3001-3013) describes the rights of Native American lineal descendants, Indian tribes, and Native Hawaiian organizations with respect to the treatment, repatriation, and disposition of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony, referred to collectively in the statute as cultural items, with which they can show a relationship of lineal descent or cultural affiliation. (NPS, 2022c)

One major purpose of this statute is to require that federal agencies and museums receiving Federal funds inventory holdings of Native American human remains and funerary objects and provide written summaries of other cultural items. The agencies and museums must consult with Indian Tribes and Native Hawaiian organizations to attempt to reach agreements on the repatriation or other disposition of these remains and objects. Once lineal descent or cultural affiliation has been established, and in some cases the right of possession also has been demonstrated, lineal descendants, affiliated Indian Tribes, or affiliated Native Hawaiian organizations normally make the final determination about the disposition of cultural items. Disposition may take many forms from reburial to long term curation, according to the wishes of the lineal descendent(s) or culturally affiliated Tribe(s). (NPS, 2022c)

The second major purpose of the statute is to provide greater protection for Native American burial sites and more careful control over the removal of Native American human remains, funerary objects, sacred objects, and items of cultural patrimony on Federal and tribal lands. NAGPRA requires that Indian tribes or Native Hawaiian organizations be consulted whenever archaeological investigations encounter, or are expected to encounter, Native American cultural items or when such items are unexpectedly discovered on Federal or tribal lands. Excavation or removal of any such items also must be done under procedures required by the Archaeological Resources Protection Act. This NAGPRA requirement is likely to encourage the in-situ preservation of archaeological sites, or at least the portions of them that contain burials or other kinds of cultural items. (NPS, 2022c)

Other provisions of NAGPRA: (1) stipulate that illegal trafficking in human remains and cultural items may result in criminal penalties; (2) authorizes the Secretary of the Interior to administer a grants program to assist museums and Indian Tribes in complying with certain requirements of the statute; (3) requires the Secretary

of the Interior to establish a Review Committee to provide advice and assistance in carrying out key provisions of the statute; (4) authorizes the Secretary of the Interior to penalize museums that fail to comply with the statute; and, (5) directs the Secretary to develop regulations in consultation with this Review Committee. (NPS, 2022c)

B. State Plans, Policies, and Regulations

1. California Administrative Code, Title 14, Section 4308

Section 4308, *Archaeological Features*, of Title 14 of the California Administrative Code provides that: "No person shall remove, injure, disfigure, deface, or destroy any object of archaeological, or historical interest or value." (NPS, n.d.)

2. California Code of Regulations Title 14, Section 1427

California Code of Regulations Title 14, Section 1427 provides that: "No person shall collect or remove any object or thing of archaeological or historical interest or value, nor shall any person injure, disfigure, deface or destroy the physical site, location or context in which the object or thing of archaeological or historical interest or value is found." (NAHC, n.d.)

3. California Register of Historic Resources

The State Historical Resources Commission has designed this program for use by state and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources. The Register is the authoritative guide to the state's significant historical and archaeological resources. The California Register program encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance; identifies historical resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA. (OHP, n.d.)

In order for a resource to be included on the Register of Historic Resources, the resources must meet one of the following criteria:

- Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion 1).
- Associated with the lives of persons important to local, California or national history (Criterion 2).
- Embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values (Criterion 3).
- Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation (Criterion 4). (OHP, n.d.)

For resources included on the Register of Historic Resources, environmental review may be required under CEQA if property is threatened by a project. Additionally, local building inspectors must grant code alternatives provided under State Historical Building Code. Further, the local assessor may enter into a contract

with property owner for property tax reduction pursuant to the Mills Act. A property owner also may place his or her own plaque or marker at the site of the resource. (OHP, n.d.)

Consent of owner is not required, but a resource cannot be listed over an owner's objections. The State Historical Resources Commission (SHRC) can, however, formally determine a property eligible for the California Register if the resource owner objects. (OHP, n.d.)

4. Traditional Tribal Cultural Places Act (Senate Bill 18, "SB 18")

Senate Bill 18 (SB 18) requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places ("cultural places") through local land use planning. The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. (OPR, n.d.) The consultation and notice requirements apply to adoption and amendment of general plans (defined in Government Code § 65300 et seq.) and specific plans (defined in Government Code § 65450 et seq.). More information about SB 18 is found in Subsection 4.6, *Tribal Cultural Resources.*

5. Assembly Bill 52 (AB 52)

California Assembly Bill 52 (AB 52) (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code, relating to Native Americans. AB 52 was approved on September 25, 2014. By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources. By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process (OPR, 2017a). More information about AB 52 is found in Subsection 4.6, *Tribal Cultural Resources.*

6. State Health and Safety Code

California Health and Safety Code (HSC) § 7050.5(b) requires that excavation and disturbance activities must cease "In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery…" until the coroner can determine regarding the circumstances, manner, and cause of any death. The coroner is then required to make recommendations concerning the treatment and disposition of the human remains. Further, this section of the code makes it a misdemeanor to intentionally disturb, mutilate or remove interred human remains. § 7051 specifies that the removal of human remains from "internment or a place of storage while awaiting internment" with the intent to sell them or to dissect them with "malice or wantonness" is a public offense punishable by imprisonment in a state prison. Lastly, HSC §§ 8010-8011 establish the California Native American Graves Protection and Repatriation Act consistent with the federal law addressing the same. The Act stresses that "all California Indian human remains and cultural items are to be treated with dignity and respect." It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also outlines the need for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims. (CA Legislative Info, n.d.)

7. California Code of Regulations Section 15064.5

The California Code of Regulations, Title 14, Chapter 3, § 15064.5 (the State CEQA Guidelines) establishes the procedure for determining the significance of impacts to archaeological and historical resources, as well as classifying the type of resource. Cultural resources are aspects of the environment that require identification and assessment for potential significance. The evaluation of cultural resources under CEQA is based upon the definitions of resources provided in CEQA Guidelines § 15064.5, as follows:

- A resource listed in or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4850 et seq.).
- A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4852) including the following:
    - Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
    - Is associated with the lives of persons important in our past;
    - 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
    - Has yielded, or may be likely to yield, information important in prehistory or history.
- The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

C. Local Plans, Policies, and Regulations

1. City of Whittier General Plan Historic Resources Element

A Historic Resources Element is included as part of the Envision Whitter General Plan that identifies goals and policies to promote the preservation of historic and cultural resources. Applicable goals and policies of the Historic Resources Element are:

- Goal 1: Identify historic, cultural, and archaeological resources.
- Goal 2: Update the City's Historic Preservation Program to align with best practices.
- Goal 3: Protect historic and cultural resources from demolition, destruction, or inappropriate actions or consequences. (City of Whittier, 2021a, pp. HR-9 and HR-10)

2. City of Whittier Municipal Code

Chapter 18.84 (Historic Resources) of the City's Municipal Code, also known as the Historic Preservation Ordinance, states that:

> *The purpose of this ordinance is to promote the public health, safety, and general welfare through the following measures: (a) Safeguard the heritage of the city by protecting resources that reflect its cultural, historical and architectural legacy; (b) Promote public understanding, appreciation and involvement in the unique heritage of the City; (c) Foster civic pride in the beauty and notable accomplishments of the past; (d) Protect and enhance the city's attractions to residents and visitors and to support and stimulate business and industry; (e) Enhance the visual and aesthetic character of the City; (f) Promote the use of historic resources; and (g) Protect and safeguard the property rights of the owners whose property is declared to be a historic resource.*

To this end, City Code includes criteria for determining resource value and specifies expectations for historic structure maintenance and renovations. The Historic Preservation Ordinance also gives criteria listed in Section 18.84.050 for determining if a resource qualifies for designation as a city historic landmark, which aligns with the eligibility criteria for listing on the NRHP or the CRHR. Under Criterion E, and applicable to the proposed Project evaluated in this EIR, a resource is eligible if it is the site of an important historical event or is associated with events that have made a meaningful contribution to the nations, state, or City of Whittier.

A Certificate of Appropriateness is a certification that the City's Historic Resources Commission, or City Council upon appeal, has made the necessary findings to approve plans to alter, restore, rehabilitate, remove, relocate, add on to, or demolish, in whole or in part, a historic resource. No permit can be issued for work on a historic resource until a Certificate of Appropriateness or waiver has been issued in accordance with the provisions of the Whitter Municipal Code Chapter 18.84. (Whittier, 2023, Section 18.84.150)

Pursuant to City Code Section 18.84.210, a Certificate of Appropriateness for demolition of a historic resource may be issued upon the Historic Resource Commission's finding that it, in whole or in part, is necessary because:

A. All efforts to restore, rehabilitate, and/or relocate the resource have been exhausted;

B. Restoration/rehabilitation is not practical because the extensive alterations required would render the resource not worthy of preservation;
C. Failure to demolish the resource would adversely affect or detract from the character of the [historic] district; or
D. The applicant has obtained a certificate of economic hardship, in accordance with City Code Section 18.84.220.

4.1.3 Basis for Determining Significance

Section V of Appendix G to the CEQA Guidelines addresses typical adverse effects to cultural resources, and includes the following threshold questions to evaluate the Project's impacts on cultural resources (OPR, 2019):

a. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5;

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5;

c. Disturb any human remains, including those interred outside of formal cemeteries.

4.1.4 Impact Analysis

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

A cultural resources assessment of the property determined that the Project Site is eligible for the NRHP/CRHR under Criterion A/1 because the property represents a significant post-World War II manufacturing and distribution facility whose products were sold throughout the world. The Project Site is significant for its association to events and is not significant for any of its physical attributes.

The property is also eligible as a City of Whittier local historic landmark under Criterion E of Section 18.84.050 of the Whittier Municipal Code, due to the property being the site of an important historical event or being associated with events that have made a meaningful contribution to City of Whittier during the years 1950-1967 when Ekco Products Company was operating on the property.

To implement the proposed Project and redevelop the property, the existing buildings on the Project Site and all other existing physical site features would be demolished. The Project Applicant submitted an application to the City for a Certificate of Appropriateness to approve demolition of the existing Site features inclusive of the buildings, parking areas, drive aisles, and landscaping in order to accomplish redevelopment of the Site as proposed and evaluated throughout this EIR.

The existing buildings are in poor physical condition, are vacant and subject to periodic vandalism, and are not significant for their physical attributes. Regardless, the proposed demolition represents a significant impact associated with the loss of a historic resource that is significant for its association with important events in United States and City of Whittier history. The removal of the Site's existing physical features would represent

a loss of the Site's historical associative value in post WWII manufacturing and distribution and would be considered a substantial adverse change in the significance of a historical resource as defined in § 15064.5 of CEQA. The impact would be significant and mitigation is recommended, although no mitigation can fully compensate for the loss of associative value and the impact would remain significant and unavoidable.

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

Based upon the cultural records (*Technical Appendix C2*), no known archaeological resources are present on the Project Site. Because no archaeological resources are known to exist on the Project Site, implementation of the proposed Project would not cause a substantial adverse change in the significance of a known archaeological resource pursuant to CEQA Guidelines Section 15064.5. However, it is possible, although unlikely due to the disturbed nature of the Site, that previously undiscovered archaeological resources may be present beneath the Site's subsurface and may be impacted by ground-disturbing activities associated with Project construction. If any prehistoric cultural resources are unearthed during Project construction that meet the definition of a significant archaeological resource pursuant to CEQA Guidelines Section 15064.5 and are disturbed/damaged by Project construction activities, impacts to those prehistoric cultural resources would be significant. Mitigation is presented below to reduce the potential impact to less than significant with mitigation.

Threshold c: Would the Project disturb any human remains, including those interred outside of formal cemeteries?

The Project Site is fully developed and does not contain a cemetery and no known formal cemeteries are located within the immediate Site vicinity (Google Earth, 2023). Nevertheless, the remote potential exists that human remains may be unearthed during grading and excavation activities associated with Project construction should Project-related construction activities extend into previously undisturbed soils.

If human remains are unearthed during Project construction, the construction contractors would be required by law to comply with California Health and Safety Code Section 7050.5 "Disturbance of Human Remains." According to Section 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner is required to contact the NAHC by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code Section 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native

American human burials, skeletal remains, and items associated with Native American burials. With mandatory compliance to California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, any potential impacts to human remains, including human remains of Native American ancestry, that may result from development of the Project would be less than significant.

4.1.5 Cumulative Impact Analysis

The potential for implementation of the Project to contribute to cumulative impacts to historical resources was analyzed in conjunction with other development and redevelopment plans for areas in Whittier that were once similarly influenced by the historical context of the post WW II era. As noted above, the property is eligible for the NRHP/CRHR under Criterion A/1, and as a City of Whittier local historic landmark under Criterion E of Section 18.84.050 of the Whittier Municipal Code, due to the Project Site's associative value to Post WW II manufacturing and distribution. As such, the proposed demolition of the Project Site's existing physical features, although the physical features themselves are not historically significant, represents a significant impact for historic associative value and would be considered a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of CEQA. Implementation of the Project and the loss of the Project Site's associative value to post WW II manufacturing and distribution history have the potential to contribute towards a significant cumulatively-considerable impact to historical resources in Whittier.

The potential for Project's ground-disturbing construction activities to result in cumulatively-considerable impacts to prehistoric archaeological resources were analyzed in conjunction with other projects located in the traditional use areas of the Gabrieleño. Development activities on the Project Site would not impact any known prehistoric archaeological resources and the likelihood of uncovering previously unknown prehistoric archaeological resources during Project construction is low due to the magnitude of disturbance that has occurred on the Project Site due to past uses of the property. Nonetheless, a remote potential exists for subsurface prehistoric archaeological resource that meet the CCR Section 15064.5 definition of a significant archaeological resource to be discovered on the Project Site, and other development project sites in the region, during construction activities. Accordingly, the Project has the potential to contribute to a significant cumulative impact to prehistoric archaeological sites and/or resources. Therefore, the Project would result in a cumulatively-considerable impact to prehistoric archaeological resources, if such resources are unearthed during Project construction, for which mitigation is required. As discussed below, with implementation of mitigation, cumulatively-considerable impacts would be less than significant.

Mandatory compliance with the provisions of California Health and Safety Code Section 7050.5 as well as Public Resources Code Section 5097 et seq., would assure that all development projects within the region treat human remains that may be uncovered during development activities in accordance with prescribed, respectful and appropriate practices, thereby avoiding significant cumulative impacts.

4.1.6 Significance of Impacts Before Mitigation

Threshold a: Significant Direct and Cumulatively-Considerable Impact. The Project Site is eligible for listing on the NRHP/CRHR under Criterion A/1, and as a City of Whittier local historic landmark under Criterion E of Section 18.84.050 of the Whittier Municipal Code, for associative value to post WWII manufacturing and distribution activities. The proposed demolition of the Project Site's existing physical features represents a

significant direct and cumulatively-considerable impact to known historical resources having associative value as defined in CEQA Guidelines Section 15064.5.

Threshold b: Significant Direct and Cumulatively-Considerable Impact. The Project would not impact any known archaeological sites and would not cause a substantial adverse change in the significance of any known archaeological resources pursuant to CEQA Guidelines Section 15064.5. However, there is a possibility that subsurface archaeological resources may be present beneath the Project Site, unearthed during Project construction, and impacted. Therefore, the potential for Project impacts to archaeological resources that may be discovered during the Project's construction would be significant prior to mitigation.

Threshold c: Less-than-Significant Impact. In the unlikely event that human remains are discovered during Project grading or other ground disturbing activities, the Project would be required to comply with the applicable provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097 *et seq*. Mandatory compliance with State law would ensure that any discovered human remains are appropriately treated and would preclude the potential for significant impacts.

4.1.7 Mitigation

MM 4.1-1 Prior to the issuance of a demolition permit, a qualified historic preservation consultant that meets the U.S. Secretary of the Interior's Professional Qualifications Standards shall be retained by the Project Applicant and shall prepare a detailed written history of the Project Site. The report shall include the following elements, and when complete, the report shall be distributed to the City of Whittier Planning Division, the Whittier Public Library, the Whittier Historical Society and Museum, the Los Angeles Public Library, and the South Central Coastal Information Center at CSU, Fullerton.

a) digital photography of the property,
b) as-built site plans/drawings of the property,
c) historic photos and maps of the property,
d) oral interviews with former employees, if they can be identified, and
e) an exhaustive history of the Ekco Products Company use of the property.

MM 4.1-2 As part of the Project's construction, a durable, legible, weather-proof interpretive sign or plaque shall be placed near the primary building entry in an area easily accessible to visitors, that displays a historic photograph or image of the Ekco Products Company buildings on the Project Site, and a brief description of the company's historic association with the Project Site and post WWII manufacturing and distribution.

MM 4.1-3 Prior to construction and as needed throughout the construction period involving ground-disturbing construction activities, a construction worker cultural awareness training program shall be provided to all new construction workers within one week of employment at the Project Site. The training shall be prepared and conducted by a qualified cultural resources specialist.

Workers attending the training shall sign a form that shall be kept by the Project Applicant and made available to the City of Whittier upon request.

MM 4.1-4 If suspected historical or archaeological resources are encountered during ground disturbance activities, the construction contractor(s) shall be required by their contract to immediately cease work within 100 feet of the find and have the area cordoned off until a qualified cultural resource specialist that meets the Secretary of the Interior's Professional Qualification Standards can evaluate the find and make recommendations. If the specialist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required. If cultural resources are discovered that may have relevance to Native Americans, the specialist or Project Applicant must provide written notice to the City of Whittier Planning Division, Gabrieleño Indian Tribe, Native American Heritage Commission, and any other appropriate individuals, agencies, and/or groups as determined by the specialist in consultation with the City of Whittier to receive input regarding treatment and disposition of the resource, which may include avoidance, testing, and/or excavation to prevent destruction of the resource and/or to allow documentation of the resource for research potential. All reports, correspondence, and determinations regarding the discovery shall be submitted to the California Historical Resources Information System's South Central Information Center at California State University Fullerton.

MM 4.1-5 During construction, if human remains are discovered, further ground disturbance shall be prohibited pursuant to California Health and Safety Code Section 7050.5. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Health and Safety Code Section 7050.5, Public Resources Code 5097.97, and Senate Bill 447 shall be followed. In the event of the discovery of human remains, at the direction of the county coroner, Health and Safety Code Section 7050.5(c) shall guide Native American consultation. Unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The coroner, pursuant to the specific exemption set forth in California Government Code Section 6254 (r), parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code Section 6254 (r).

4.1.8 Significance of Impacts After Mitigation

Threshold a: Significant Direct and Cumulatively-Considerable Impact. Implementation of MM 4.1-1 and MM 4.1-2 will preserve the memory of the Ekco Products Company plant and its importance in the City of Whittier; however, demolition of the physical features and loss of their historical association would not be fully mitigable and remain a significant direct and cumulatively-considerable unavoidable impact.

Threshold b: Less-than-Significant Impact with Mitigation. Implementation of MM 4.1-3 through MM 4.1-5 would ensure the proper identification and subsequent treatment of any significant archaeological resources

that may be encountered during ground-disturbing activities associated with Project construction. With implementation of the required mitigation, the Project's potential impacts to important archaeological resources would be reduced to less than significant. Cumulatively-considerable impacts would likewise be reduced to less than significant.

4.2 GEOLOGY AND SOILS

The analysis in this Subsection is based primarily on information contained in a technical report prepared by NorCal Engineering (hereinafter "NorCal") titled "Geotechnical Engineering Investigation 12352 Whittier Boulevard Whittier, California," dated April 2, 2021 (NorCal, 2021). The technical report is included as *Technical Appendix D* to this EIR. Refer to Section 7.0, *References*, for a complete list of reference sources used in this analysis.

4.2.1 EXISTING CONDITIONS

A. Soils

The Project Site is fully developed and is covered with buildings and paved parking areas, with the exception of small areas of ornamental landscaping and weeds where soil is exposed at the surface. Two types of soil conditions were encountered in the Project Site during a subsurface soils and geotechnical investigation performed by NorCal Engineering: fill and natural soil (NorCal, 2021, p. 2).

As is typical on developed properties, fill soils were imported to the Project Site and used as part of compacted fill to support the Site's existing development. Fill soils classifying as brown, fine to medium grained, clayey silt with occasional gravel was encountered across the Site to depth of 1 to 6 feet below ground surface. These soils were noted to be firm to stiff and moist.

Natural undistributed soil classifying as a brown, clayey to sandy silt to a silty clay was encountered beneath the fill soils. The native soils were observed to be firm to stiff and moist. Deeper soils encountered consisted of a sandy silt to a silty clay which were noted to be firm to stiff and moist.

B. Groundwater

Groundwater was not encountered to the depth of NorCal Engineering's borings and no caving occurred. According to groundwater depth data reported from the California Department of Water Resources, depth to groundwater in monitoring wells located nearest to the Project Site in the nearby City of Industry and City of Norwalk are recorded at approximately 175 feet and 200 feet below ground surface, respectively. (DWR, n.d.)

C. Seismic Hazards

The Project Site is located in an area of Southern California that is subject to strong ground motions due to seismic events (i.e., earthquakes). The Project Site is situated in an area of high regional seismicity and the Whittier fault is located about 2 kilometers (1.2 miles) from the Site (NorCal, 2021, p. 4). An active fault is defined by the California Geological Survey as a fault that has experienced surface displacement within the Holocene Epoch (roughly the last 11,000 years). Secondary hazards associated with earthquakes include surface rupture, ground failure, unstable soils and slopes. Each of these hazards is briefly described below.

1. Fault Rupture

Fault rupture can occur along pre-existing, known active fault traces; however, fault ruptures also can splay from known active faults or rupture along unidentified fault traces. The Project Site lies outside of any Alquist-Priolo Special Studies Zone and the potential for damage due to direct fault rupture is considered unlikely (NorCal, 2021, p. 4).

2. Liquefaction

Liquefaction is a phenomenon in which loose, saturated, relatively cohesion-less soil deposits lose shear strength during strong ground motions, which causes the soil to behave as a viscous liquid. Liquefaction is generally limited to the upper 50 feet of subsurface soils. Research and historical data indicate that loose granular soils of Holocene to late Pleistocene age below a near-surface groundwater table are most susceptible to liquefaction, while the stability of most clayey material is not adversely affected by vibratory motion (SCEC, 1999). Based upon information in the California Division of Mines and Geology "Seismic Hazard Zone Map – Whittier Quadrangle," dated March 25, 1999, the Project Site is not situated in an area of historic occurrence of liquefaction, or local geological, geotechnical and groundwater conditions to indicate a potential for permanent ground displacement (NorCal, 2021).

3. Unstable Soils and Slopes

The Project Site is generally flat under existing conditions and does not contain, nor is it adjacent to any, steep natural or manufactured slopes and there is no evidence of historical landslides or rockfalls on the Site (Google Earth, 2023). As such, the Project Site in its present condition is not susceptible to seismically-induced landslides and rockfalls.

D. Slope and Instability Hazards

1. Soil Erosion

Erosion is the process by which the upper layers of the ground surface (such as soils) are worn and removed by the movement of water or wind. Soils with characteristics such as low permeability and/or low cohesive strength are more susceptible to erosion than those soils having higher permeability and cohesive strength. Additionally, the slope gradient on which a given soil is located also contributes to the soil's resistance to erosive forces. Because water is able to flow faster down steeper gradients, the steeper the slope on which a given soil is located, the more readily it will erode.

Wind erosion can damage land and natural vegetation by removing soil from one place and depositing it in another. It mostly affects dry, sandy soils in flat, bare areas, but wind erosion may occur wherever soil is loose, dry, and finely granulated. According to the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS), soils on the Project Site and in the surrounding area are moderately resistant to dust propagation (USDA, 2023). Under existing conditions, the Project Site does not have the potential to contribute windblown soil and sand because the Project Site is fully developed and covered with impervious surfaces and minimal areas of ornamental landscaping and weeds.

2. Settlement Potential

Settlement refers to unequal compression of soil foundation, shrinkage, or undue loads being applied to a building after its initial construction that affect the soil foundation. According to NorCal Engineering, the Project Site's soil will experience settlements on the order of ¾ inch and differential settlements of less than ¼ inch (NorCal, 2021, p. 10).

3. Shrinkage/Subsidence Potential

Subsidence is a gradual settling or sudden sinking of the ground surface (i.e., loss of elevation). The principal causes of subsidence are aquifer-system compaction, drainage of organic soils, underground mining, and natural compaction. Shrinkage is the reduction in volume in soil as the water content of the soil drops (i.e., loss of volume). Testing conducted by NorCal Engineering on the Project Site's soil sample reveals that the soil shrinkage will be less than 10 to 15% due to excavation and recompaction, and subsidence should be expected at 0.2 feet due to earthwork operations (NorCal, 2021, p. 9).

4. Soil Expansion Potential

Expansive soils are soils that exhibit cyclic shrink and swell patterns in response to variations in moisture content. According to NorCal Engineering, expansive soils were encountered in the Project Site's natural soils (NorCal, 2021, p. 14).

5. Landslide Potential

The Project Site and its immediately surrounding properties are generally flat and contain no steep natural or manufactured slopes (Google Earth, 2023); thus, there is no potential for landslides to occur on or immediately adjacent to the Site.

E. Paleontological Setting

Paleontology is a branch of geology that studies the life forms of the past, especially prehistoric life forms, through the study of plant and animal fossils. Paleontological resources are the fossilized remains or traces of multi-cellular invertebrate and vertebrate animals and multi-cellular plants, including their imprints, from a previous geologic period. In the City of Whittier, the Puente Hills are known to have paleontological resources that date back hundreds of thousands of years spanning several geologic eras. (Whittier, 2021b, p. 4.7-8)

Geologist testing by NorCal Engineering indicates that the Project Site is underlain by fill soils and natural soils. Natural soils in the flat areas of Whittier consist of alluvial deposited from the Puente Hills. The potential for unearthing important fossil remains in these deposits is low, because alluvial deposits are too young to contain significant fossil remains. Regardless, the possibility exists that older fossiliferous alluvium may be present below six feet, beneath the Project Site's imported fill material.

4.2.2 Regulatory Setting

The following is a brief description of the federal, State, and local environmental laws and related regulations governing issues related to geology and soils.

A. Federal Plans, Policies, and Regulations

1. Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. "Clean Water Act" became the Act's common name with amendments in 1972. Under the CWA, the Environmental Protection Agency (EPA) has implemented pollution control programs such as setting wastewater standards for industry, and also has set water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained. EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters (EPA, 2022a).

B. State Plans, Policies, and Regulations

1. Alquist-Priolo Earthquake Fault Zoning Act (A-P Act)

The Alquist-Priolo Earthquake Fault Zoning Act (A-P Act) was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The A-P Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults (CA Legislative Info, n.d.). The A-P Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards.

The A-P Act requires the State Geologist to establish regulatory zones (known as Earthquake Fault Zones) around the surface traces of active faults and to issue appropriate maps. ["Earthquake Fault Zones" were called "Special Studies Zones" prior to January 1, 1994.] The maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Local agencies must regulate most development projects within the zones. Projects include all land divisions and most structures for human occupancy. Single family wood-frame and steel-frame dwellings up to two stories not part of a development of four units or more are exempt. However, local agencies can be more restrictive than state law requires.

Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed buildings will not be constructed across active faults. An evaluation and written report of a specific Site must be prepared by a licensed geologist. 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 from the fault (generally 50 feet).

There are no active faults on the Project Site and the Project Site is not located within an Alquist-Priolo Earthquake Fault Zone (NorCal, 2021, p. 4).

2. Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code, Chapter 7.8, § 2690-2699.6) directs the Department of Conservation, California Geological Survey to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. The purpose of the SHMA is to minimize loss of life and property through the identification, evaluation, and mitigation of seismic hazards. (CDC, n.d.)

Staff geologists in the Seismic Hazards Program gather existing geological, geophysical, and geotechnical data from numerous sources to produce the Seismic Hazard Zone Maps. They integrate and interpret these data regionally in order to evaluate the severity of the seismic hazards and designate as Zones of Required Investigation (ZORI) those areas prone to liquefaction and earthquake–induced landslides. Cities and counties are then required to use the Seismic Hazard Zone Maps in their land use planning and building permit processes. (CDC, n.d.)

The SHMA requires site-specific geotechnical investigations be conducted within the ZORI to identify and evaluate seismic hazards and formulate mitigation measures prior to permitting most developments designed for human occupancy. (CDC, n.d.)

3. Natural Hazards Disclosure Act

The Natural Hazards Disclosure Act, effective June 1, 1998 (as amended June 9, 1998), requires that sellers of real property and their agents provide prospective buyers with a "Natural Hazard Disclosure Statement" when the property being sold lies within one or more state-mapped hazard areas, including a Seismic Hazard Zone. (CA Legislative Info, n.d.)

The law requires the State Geologist to establish regulatory zones (Zones of Required Investigation) and to issue appropriate maps (Seismic Hazard Zone maps). These maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling construction and development. Single-family frame dwellings up to two stories not part of a development of four or more units are exempt from the state requirements. However, local agencies can be more restrictive than state law requires. (CA Legislative Info, n.d.)

Before a development permit can be issued or a subdivision approved, cities and counties must require a site-specific investigation to determine whether a significant hazard exists at the site and, if so, recommend measures to reduce the risk to an acceptable level. The investigation must be performed by state-licensed engineering geologists and/or civil engineers. (CA Legislative Info, n.d.)

4. California Building Standards Code (Title 24)

California Code of Regulations (CCR) Title 24 is reserved for state regulations that govern the design and construction of buildings, associated facilities, and equipment. These regulations are also known as building standards (reference California Health and Safety Code § 18909). Health and Safety Code (state law) § 18902 gives CCR Title 24 the name California Building Standards Code (CBSC). (CBSC, 2022, p. 1)

The CBSC in CCR Title 24 is published by the California Building Standards Commission and it applies to all building occupancies (see Health and Safety Code §§ 18908 and 18938) throughout the State of California. Cities and counties are required by state law to enforce CCR Title 24 (reference Health and Safety Code §§ 17958, 17960, 18938(b), and 18948). Cities and counties may adopt ordinances making more restrictive requirements than provided by CCR Title 24, because of local climatic, geological, or topographical conditions. Such adoptions and a finding of need statement must be filed with the California Building Standards Commission (Reference Health and Safety Code §§ 17958.7 and 18941.5). (CBSC, 2022, p. 1)

5. Porter-Cologne Water Control Act

The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water (SWRCB, 2014a). The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code Section 13000 *et seq*.), the policy of the State is as follows:

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established nine Regional Water Boards (based on hydrogeologic barriers) and the State Water Board, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews Regional Water Boards decisions. In addition, the State Water Board allocates rights to the use of surface water. The Regional Water Boards have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The State Water Board and Regional Water Boards have numerous non-point source (NPS) related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The Regional Water Boards regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The Storm Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCBs) can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. In addition, regional water quality control plans (basin plans) have been adopted by each of the Regional Water Boards and get updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans.

C. Local Plans, Policies, and Regulations

1. City of Whittier General Plan

The Public Safety, Noise and Health Element of the Envision Whittier General Plan provides information about natural and human-made hazards in Whittier and establishes goals and policies to prepare and protect the community from such risks. The Public Safety, Noise and Health Element states that the City shall ensure that new development abides by current City and State seismic and geotechnical requirements and that projects in areas susceptible to liquefaction, landslides, and other geologic hazards demonstrate that appropriate engineering and planning mitigations have been implemented (Whittier, 2021, p. PSNH-19).

2. City of Whittier Building Code

The City of Whittier Building Code is based on the CBSC and is supplemented with local amendments (Whittier, 2022). The Building Code regulates the construction, alteration, repair, moving, demolition, conversion, occupancy, use, and maintenance of all buildings and structures in the City of Whittier. The Building Code is included in Chapter 15.02 of the City of Whittier Municipal Code.

3. City of Whittier Municipal Code

The City of Whittier Municipal Code Chapter 12.28 notes requirements for erosion control during grading activities. In addition to erosion control, Whittier Municipal Code Chapter 8.36 requires the City to participate in the improvement of water quality and comply with federal requirements for the control of urban pollutants, including sediment, in stormwater runoff (Whittier, 2022).

4. SCAQMD Rule 403 (Fugitive Dust)

SCAQMD Rule 403 (Fugitive Dust) requires the implementation of best available dust control measures (BACMs) during active operations capable of generating fugitive dust (SCAQMD, 2005). The purpose of this Rule is to minimize the amount of particulate matter in the ambient air as a result of anthropogenic fugitive dust sources.

4.2.3 Basis for Determining Significance

Section VII of Appendix G to the CEQA Guidelines addresses typical adverse effects due to geological conditions, and includes the following threshold questions to evaluate a project's impacts resulting from geologic or soil conditions (OPR, 2019):

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 or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?*

   ii. *Strong seismic ground shaking?*

   iii. *Seismic-related ground failure, including liquefaction?*

   iv. *Landslides?*

b. *Would the project result in substantial soil erosion or the loss of topsoil?*

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?*

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?*

e. *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

f. *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

4.2.4 IMPACT ANALYSIS

Threshold a:	***Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: 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 or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42; strong seismic ground shaking; seismic-related ground failure, including liquefaction; landslides?***

A. Rupture of Known Earthquake Fault

The Project Site lies outside of any Alquist-Priolo Special Studies Zone and approximately 1.2 miles from the Whittier fault (NorCal, 2021, p. 4). The potential for damage due to direct fault rupture is considered unlikely. Because there are no known faults located on or adjacent to the Project Site, the Project would not directly or indirectly expose people or structures to substantial adverse effects related to ground rupture. No impact would occur.

B. Strong Seismic Ground Shaking

According to the Envision Whittier General Plan, the City of Whittier, including the Project Site, is within a seismically active region of Southern California; therefore, projects developed pursuant to General Plan policies, such as the Project, would expose people and structures to ground shaking hazards associated with earthquakes. Any ground shaking that occurs on the Site is anticipated to be similar throughout the area and would not be considered unusual or unique. Additionally, the Project would be required to be designed in accordance with the requirements of the 2022 edition of the California Building Code (CBC) Standard ASCE/SEI 7-16 or the applicable building code in effect at the time that construction documents are submitted to the City for review and approval. The CBC has been specifically tailored for California earthquake conditions and provides standards that must be met to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures. The redevelopment of the Project Site with one building with a total building area of 295,959 s.f. would expose people and the structure to ground shaking; however, the Project is not anticipated to result in unusual or unique risks as compared to other development projects in the City. Moreover, the construction of the proposed building would comply with all requisite State and local seismic safety standards. 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. Impacts would be less than significant.

C. Seismic-Related Ground Failure

The Project Site is expected to experience ground shaking and earthquake activity that is typical of the Southern California area. It is during severe ground shaking that loose, granular soils below the groundwater table can liquefy. Based upon information in the California Division of Mines and Geology "Seismic Hazard Zone Map – Whittier Quadrangle," dated March 25, 1999, the Project Site is not situated in an area of historic occurrence of liquefication, or local geological, geotechnical and groundwater conditions to indicate a potential for permanent ground displacement. Therefore, the design of the proposed Project in conformance with the latest Building Code provisions for earthquake design is expected to provide mitigation of ground shaking hazards that are typical to Southern California (NorCal, 2021, p. 5). Impacts would be less than significant with mandatory compliance to applicable building codes.

D. Landslides

Seismic events can cause the soils within a slope to become unstable and slip, causing a landslide. The Project Site and the surrounding are generally flat with no significant slopes and the Site is not located within a landslide zone (Google Earth, 2023). Furthermore, no substantial slopes are proposed as part of the Project's design. The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismically-induced landslides. No impact would occur.

Threshold b: Would the Project result in substantial soil erosion or the loss of topsoil?

The analysis below summarizes the likelihood of the Project to result in substantial soil erosion during temporary construction activities and/or long-term operation.

A. Construction-Related Erosion Impacts

Proposed demolition, site preparation, grading and construction activities at the Project Site would expose underlying soils and disturb surficial soils. Exposed soils would be temporarily subject to erosion during rainfall events or high winds due to the removal of existing impervious surfaces and the temporary exposure of these erodible materials to wind and water. All soil disturbances would be conducted and controlled under a Soil Management Plan contained as *Technical Appendix E3* to this EIR, which was reviewed and approved by the Los Angeles Regional Water Quality Control Board (LARWQCB).

Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant is required to obtain a National Pollutant Discharge System (NPDES) permit for construction activities, including proposed site preparation and grading activities. The NPDES permit is required for all projects that include construction activities such as clearing, grading, and/or excavation that disturb at least one (1) acre of total land area. The Los Angeles County Municipal Separate Sewer System (MS4) NPDES Permit requires the Project Applicant to prepare and submit to the City for approval a Project-specific Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would identify a combination of erosion control and sediment control measure (i.e., Best Management Practice [BMPs]) to reduce or eliminate sediment discharge to surface water from storm water and non-stormwater source discharges during construction.

In addition, proposed construction activities would be required to comply with SCAQMD Rule 403, which would reduce the amount of particulate matter in the air and minimize the potential for wind erosion. Rule 403 requires that certain construction practices be following that limit dust and dirt from leaving the construction site. For example, no dust is allowed to be tracked out of the site by more than 25 feet. In addition, proposed construction activities would be required to comply with Chapter 8.36, Stormwater and Runoff Pollution Control, of the City's Municipal Code, which regulates discharges to protect and improve water quality of receiving waters and requires the Project Applicant to obtain a NPDES construction general permit from the Storm Water Resources Control Board (SWRCB). Compliance with the NPDES construction general permit requires the Project Applicant to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP), which in turn requires the preparation and implementation of an erosion control plan.

Construction activities will comply with the requirements to be included in the Project's SWPPP, as well as mandatory compliance to applicable regulatory requirements including by not limited to SCAQMD Rule 403. Impact will be less than significant with mandatory compliance to these requirements.

B. Post-Development Erosion Impacts

Following redevelopment of the Project Site, wind and water erosion on the Site would be minimized, as the temporarily disturbed areas would be re-covered with impervious surfaces or landscaped, and drainage would be controlled through a storm drain system. The Project Applicant and construction contractors would be required to comply with the requirements outlined in the Project's Low Impact Development (LID) report, pursuant to the requirements of Chapter 8.36 of the City's Municipal Code. The Project's preliminary LID is included as *Technical Appendix F2* to this EIR. The LID includes structural and non-structural BMPs to ensure water quality standards are upheld, including standards related to erosion and sedimentation. The BMPs

identified in the Project's LID would reduce the Project's potential to cause soil erosion or loss of topsoil over the Project's lifetime to a less than significant level. Long-term operation of the proposed Project would not result in substantial soil erosion or the loss of topsoil. Impacts would be 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?***

The Project Site is not situated in an area where liquefaction has occurred, or an area where local geological, geotechnical, and groundwater conditions indicate a potential for permanent ground displacement. Therefore, the design of the proposed Project in conformance with the latest Building Code provisions for earthquake design is expected to mitigate ground shaking hazards, including liquefaction, that are typical to Southern California. (NorCal, 2021, p. 5)

The Project Site is not within a landslide zone. Additionally, the Project Site and surrounding area are fully developed and do not have substantial natural or manufactured slopes. No substantial slopes are proposed as part of the Project's design. The Project would not be located on a geologic unit or soil that is unstable that would result in on- or off-site landslide (Google Earth, 2023). No impact would occur.

The soils present beneath the surface of the Site are calculated to experience shrinkage less than 10 to 15% due to excavation and recompaction that would occur during the Site's redevelopment. Subsidence is anticipated to be 0.2 feet (NorCal, 2021, p. 9). The Project Applicant and construction contractors would be required to comply with City Municipal Code Chapter 12.28, *Excavations and Grade Changes*, which regulates and controls "the design, construction, qualify of materials, the location and maintenance of buildings and structures, and the grading and filling of land within the city." With mandatory compliance with City Municipal Code Chapter 12.28 and the recommendations of the Project-specific Geotechnical Investigation contained as *Technical Appendix D* to this EIR, impacts due subsidence would be less than significant. In addition, mandatory compliance with the site-specific recommendations of the Project-specific Geotechnical Investigation (*Technical Appendix D*) would ensure that potential hazards associated with collapse remain below a level of significance.

Based on the foregoing analysis, the Project would not 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. Impacts would be 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?***

Expansive soils are defined as soils possessing clay particles that react to moisture changes by shrinking or swelling. As determined by the Project's site-specific Geotechnical Investigation prepared by NorCal Engineering (*Technical Appendix D*), expansive soils were encountered during geotechnical investigation of the Project Site. As a result, *Technical Appendix D* includes Expansive Soil Guidelines that specifies measures

to be undertaken to address the potential for expansive soils on the Site during construction. The Project would be conditioned by the City to implement the site-specific recommendations of the Geotechnical Investigation. Impacts associated with the presence of expansive soils are potentially significant and would be addressed through compliance to geotechnical recommendations during the Project's construction.

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 waste water?***

Sewer service to the Project Site would be provided by the City of Whittier. The Project does not include the use of septic tanks or alternative wastewater disposal systems, as all wastewater generated by the Project would be collected via the City's sanitary sewer system and conveyed to the Los Angeles County Sanitation Districts Los Coyotes Wastewater Treatment Plant for treatment. No Impacts associated with alternative wastewater disposal systems would occur.

Threshold f: ***Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

The Project Site's ground surface was previously disturbed by excavation for construction of the existing buildings and associated improvements. According to the Project's Geotechnical Report prepared by NorCal Engineering and included as *Technical Appendix D* to this EIR, fill soils exist on the site at depths ranging from one to six feet, below which are natural soils (NorCal, 2021, p. 3). The construction of the proposed Project would entail excavation and grading to a similar depth and expanse. However, the Project would require soil remediation due to the presence of contaminated soils that would be excavated, recompacted, and handled following a Soil Management Plan contained as *Technical Appendix E3* to this EIR, which was reviewed and approved by the LARWQCB. Excavation required per the Soil Management Plan and to install building footings and underground utilities would extend below the depths of prior excavation. For excavations that occur below six feet in depth, there is a remote potential that paleontological resources could be discovered, Therefore, the Project's potential to directly or indirectly destroy a unique paleontological resource buried beneath the ground surface is considered a significant impact and mitigation is required.

4.2.5 Cumulative Impact Analysis

This cumulative impact analysis considers development of the proposed Project in conjunction with other development projects and planned development in the vicinity of the Project Site. With the exception of erosion hazards, potential hazardous effects related to geologic and soil conditions addressed under Thresholds "a," "c," "d," and "e" are unique to the Project Site, and inherently restricted to the specific property proposed for development. That is, issues including fault rupture, seismic ground shaking, liquefaction, landslides, and expansive soils would involve effects to (and not from) a proposed development project, are specific to conditions on the subject property, and are not influenced or exacerbated by the geologic and/or soils hazards that may occur on other, off-site properties. Because of the site-specific nature of these potential hazards and the measures to address them, there would be no direct or indirect connection to similar potential issues or cumulative effects to or from other properties.

As discussed under Threshold "b," regulatory requirements mandate that the Project incorporate design measures during construction and long-term operation to ensure that significant erosion impacts do not occur. Other development projects in the vicinity of the Project Site would be required to comply with the same regulatory requirements as the Project to preclude substantial adverse water and wind erosion impacts. Because the Project and other projects within the cumulative study area would be subject to similar mandatory regulatory requirements to control erosion hazards during construction and long-term operation, cumulative impacts associated with wind and water erosion hazards would be less than significant.

The Project's potential to result in cumulative impacts to paleontological resources (Threshold "f") is similar to that of other development and redevelopment projects located in the region. Development and redevelopment projects that involve ground disturbance activities reaching native soils are unlikely to encounter paleontological resources, but a remote potential exists for resources to be unearthed and impacted. As a result, potential impact to paleontological resources is a determined to be a cumulatively-considerable impact for which mitigation is required.

4.2.6 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. Implementation of the Project would not expose people or structures to direct or indirect adverse effects related to liquefaction or fault rupture. The Project Site is subject to seismic ground shaking associated with earthquakes; however, mandatory compliance with local and State regulatory requirements and building codes would ensure that potential hazards related to seismic ground shaking are reduced to less than significant levels.

Threshold b: Less-than-Significant Impact. Implementation of the Project would not result in substantial soil erosion or loss of topsoil. The Project Applicant would be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit, comply with SCAQMD Rule 403, and adhere to a Storm Water Pollution Prevention Plan (SWPPP) during construction activities. Following completion of redevelopment, the Project's owner or operator would be required to comply with the requirements outlined in the Project's Low Impact Development (LID) report.

Threshold c: Less-than-Significant Impact. There is no potential for the Project's construction or operation to cause, or be impacted by, on- or off-site landslides or lateral spreading, subsidence, liquefaction, or collapse. Potential hazards associated with unstable soils would be precluded through mandatory adherence to the recommendations contained in the site-specific geotechnical report during Project construction.

Threshold d: Significant Direct Impact. Expansive soils are present beneath the Project Site, which have the potential to result in environmental effects if not adequately addressed during the Project's construction.

Threshold e: No Impact. No septic tanks or alternative wastewater disposal systems are proposed to be installed on the Project Site. Accordingly, no impact would occur associated with soil compatibility for wastewater disposal systems.

Threshold f: Significant Direct and Cumulatively-Considerable Impact. The Project would not impact any known paleontological resource or geological feature. However, soil remediation and construction activities that extend below six feet in depth have a remote potential to encounter buried paleontological resources. As such, there is a potential that paleontological resources may be impacted during Project construction activities.

4.2.7 Mitigation

MM 4.2-1 As a condition of the Project's grading permit and shell building permit and prior to the approval of landscaping and irrigation plans, the City shall assure that construction activities adhere to recommendations given a site-specific geotechnical report prepared by NorCal Engineering titled "Geotechnical Engineering Investigation 12352 Whittier Boulevard Whittier, California," and dated April 2, 2021, including its attached expansive soil guidelines. Requirements to address expansive soils include but are not limited to the following:

a. Soils underlying the building slab shall be 6 to 12 inches of non-expansive soils, with pre-saturation of underlying clayey soils required.
b. The building slab shall have a thickened edge of six inches or thicker to assist in keeping excessive moisture from entering directly beneath the concrete.
c. Drainage shall be directed away from the building and pavement to prevent excessive wetting of expansive soils.
d. Planting schemes and irrigation plans shall be designed to strictly control irrigation around the building foundation and slab to maintain a relatively uniform moisture content in soils.

MM 4.2-2 Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Whittier Planning Division that a qualified paleontologist has been retained by the Project Applicant to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.

MM 4.2-3 The paleontological monitor shall conduct full-time monitoring during grading and excavation operations in undisturbed late Pleistocene old alluvium soils at depths 10 or more feet below the existing ground surface and shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontological monitor shall be empowered to temporarily halt or divert equipment to allow the removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by paleontological personnel to have a low potential to contain or yield fossil resources.

MM 4.2-4 Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into a professional,

accredited public museum repository with a commitment to archival conservation and permanent retrievable storage, such as the Natural History Museum in Los Angeles, California, shall be required for discoveries of significance as determined by the paleontological monitor.

MM 4.2-5 A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Whittier Planning Division prior to final building inspection.

4.2.8 Significance of Impacts After Mitigation

Threshold d: Less-than-Significant Impact with Mitigation Incorporated. Mitigation Measure MM 4.2-1 would ensure proper soil preparation, building slab design, and landscaping and irrigation around the building to assure that expansive soils risks are mitigated to less than significant.

Threshold f: Less-than-Significant Impact with Mitigation Incorporated. Mitigation Measures MM 4.2-2 through 4.2-5 would ensure the proper identification and subsequent treatment of any paleontological resources that may be encountered during ground-disturbing activities associated with implementation of the proposed Project. Therefore, with implementation of MM 4.2-1 through MM 4.2-5, the Project's potential impact to paleontological resources would be reduced to less than significant.

4.3 GREENHOUSE GAS EMISSIONS

The analysis provided in this Subsection evaluates whether greenhouse gas (GHG) emissions resulting from the Project have the potential to contribute substantially to Global Climate Change (GCC) and its associated environmental effects. This analysis is based on a report prepared by Ganddini Group, Inc. titled, "Whittier Boulevard Business Park Air Quality, Global Climate Change, HRA, and Energy Impact Analysis," dated June 27, 2023 (Ganddini, 2023a). The report is included as *Technical Appendix B* to this EIR. All references used in this Subsection are listed in EIR Section 7.0, *References*.

4.3.1 EXISTING CONDITIONS

A. Introduction to Global Climate Change

Constituent gases of the Earth's atmosphere, called atmospheric GHGs, play a critical role in the Earth's radiation amount by trapping infrared radiation emitted from the Earth's surface, which otherwise would have escaped to space. Prominent GHGs contributing to this process include carbon dioxide (CO_2), methane (CH_4), ozone, water vapor, nitrous oxide (N_2O), and chlorofluorocarbons (CFCs). This phenomenon, known as the Greenhouse Effect, is responsible for maintaining a habitable climate. Anthropogenic (caused or produced by humans) emissions of these GHGs in excess of natural ambient concentrations are responsible for the enhancement of the Greenhouse Effect and have led to a trend of unnatural warming of the Earth's natural climate, known as global warming or climate change. Emissions of gases that induce global warming are attributable to human activities associated with industrial/manufacturing, agriculture, utilities, transportation, and residential land uses. Transportation is responsible for 41 percent of the State's GHG emissions, followed by electricity generation. Emissions of CO_2 and nitrous oxide (NO_x) are byproducts of fossil fuel combustion. Methane, a potent greenhouse gas, results from off-gassing associated with agricultural practices and landfills. Sinks of CO_2, where CO_2 is stored outside of the atmosphere, include uptake by vegetation and dissolution into the ocean. (Ganddini, 2023a, p. 59)

B. Greenhouse Gases

The following provides a description of each of the greenhouse gases and their global warming potential.

1. Water Vapor

Water vapor is the most abundant, important, and variable GHG in the atmosphere. Water vapor is not considered a pollutant; in the atmosphere it maintains a climate necessary for life. Changes in its concentration are primarily considered a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. The feedback loop in which water is involved is critically important to projecting future climate change. As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity can be higher (in essence, the air is able to "hold" more water when it is warmer), leading to more water vapor in the atmosphere. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. The warmer atmosphere can then hold more water vapor and so on and so on. This is referred to as a "positive feedback loop." The extent to which this positive feedback loop will continue is unknown as there is also dynamics that put the positive feedback

loop in check. As an example, when water vapor increases in the atmosphere, more of it will eventually also condense into clouds, which are more able to reflect incoming solar radiation (thus allowing less energy to reach the Earth's surface and heat it up). (Ganddini, 2023a, p. 59)

2. Carbon Dioxide

The natural production and absorption of CO_2 is achieved through the terrestrial biosphere and the ocean. However, humankind has altered the natural carbon cycle by burning coal, oil, natural gas, and wood. Since the industrial revolution began in the mid-1700s. Each of these activities has increased in scale and distribution. CO_2 was the first GHG demonstrated to be increasing in atmospheric concentration with the first conclusive measurements being made in the last half of the 20th century. Prior to the industrial revolution, concentrations were fairly stable at 280 parts per million (ppm). The International Panel on Climate Change (IPCC Fifth Assessment Report, 2014) Emissions of CO_2 from fossil fuel combustion and industrial processes contributed about 78% of the total GHG emissions increase from 1970 to 2010, with a similar percentage contribution for the increase during the period 2000 to 2010. Globally, economic and population growth continued to be the most important drivers of increases in CO_2 emissions from fossil fuel combustion. The contribution of population growth between 2000 and 2010 remained roughly identical to the previous three decades, while the contribution of economic growth has risen sharply. (Ganddini, 2023a, p. 59)

3. Methane

CH_4 is an extremely effective absorber of radiation, although its atmospheric concentration is less than that of CO_2. Its lifetime in the atmosphere is brief (10 to 12 years), compared to some other GHGs (such as CO_2, N_2O, and CFCs. CH_4 has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of methane. Other anthropocentric sources include fossil-fuel combustion and biomass burning. (Ganddini, 2023a, p. 60)

4. Nitrous Oxide

Concentrations of N_2O also began to rise at the beginning of the industrial revolution. In 1998, the global concentration of this GHG was documented at 314 parts per billion (ppb). N_2O 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 also commonly used as an aerosol spray propellant, (i.e., in whipped cream bottles, in potato chip bags to keep chips fresh, and in rocket engines and in race cars). (Ganddini, 2023a, p. 60)

5. Chlorofluorocarbons

CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane (C_2H_6) with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs have no natural source but were first synthesized in 1928. They were used for refrigerants, aerosol propellants, and cleaning solvents. Due to the discovery that

they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and in 1989 the European Community agreed to ban CFCs by 2000 and subsequent treaties banned CFCs worldwide by 2010. This effort was extremely successful, and the levels of the major CFCs are now remaining level or declining. However, their long atmospheric lifetimes mean that some of the CFCs will remain in the atmosphere for over 100 years. (Ganddini, 2023a, p. 60)

6. Hydrofluorocarbons

Hydrofluorocarbons (HFCs) are synthetic man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential. The HFCs with the largest measured atmospheric abundances are (in order), HFC-23 (CHF_3), HFC-134a (CF_3CH_2F), and HFC-152a (CH_3CHF_2). Prior to 1990, the only significant emissions were HFC-23. HFC-134a use is increasing due to its use as a refrigerant. Concentrations of HFC-23 and HFC-134a in the atmosphere are now about 10 parts per trillion (ppt) each. Concentrations of HFC-152a are about 1 ppt. HFCs are manmade for applications such as automobile air conditioners and refrigerants. (Ganddini, 2023a, p. 60)

7. Perfluorocarbons

Perfluorocarbons (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. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6). Concentrations of CF_4 in the atmosphere are over 70 ppt. The two main sources of PFCs are primary aluminum production and semiconductor manufacturing. (Ganddini, 2023a, p. 60)

8. Sulfur Hexafluoride

Sulfur Hexafluoride (SF_6) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. SF_6 has the highest global warming potential of any gas evaluated; 23,900 times that of CO_2. Concentrations in the 1990s were about 4 ppt. SF_6 is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection. (Ganddini, 2023a, p. 61)

9. Aerosols

Aerosols are particles emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light. Cloud formation can also be affected by aerosols. Sulfate aerosols are emitted when fuel containing sulfur is burned. Black carbon (or soot) is emitted during biomass burning due to the incomplete combustion of fossil fuels. Particulate matter regulation has been lowering aerosol concentrations in the United States; however, global concentrations are likely increasing. (Ganddini, 2023a, p. 61)

C. Global Warming Potential

The Global Warming Potential (GWP) was developed to allow comparisons of the global warming impacts of different gases. Specifically, it is a measure of how much energy the emissions of 1 ton of a gas will absorb over a given period of time, relative to the emissions of 1 ton of CO_2. The larger the GWP, the more that a given gas warms the Earth compared to CO_2 over that time period. The time period usually used for GWPs is 100 years. GWPs provide a common unit of measure, which allows analysts to add up emissions estimates of different gases (e.g., to compile a national GHG inventory), and allows policymakers to compare emissions reduction opportunities across sectors and gases. A summary of the atmospheric lifetime and the global warming potential of selected gases are summarized in Table 4.3-1, *Global Warming Potentials and Atmospheric Lifetimes*. As shown in Table 4.3-1, the global warming potential of GHGs ranges from 1 to 22,800. (Ganddini, 2023a, p. 61)

Table 4.3-1 Global Warming Potentials and Atmospheric Lifetimes

Gas	Atmospheric Lifetime	Global Warming Potential[1] (100 Year Horizon)
Carbon Dioxide (CO_2)	-[2]	1
Methane (CH_4)	12	28-36
Nitrous Oxide (NO)	114	298
Hydrofluorocarbons (HFCs)	1-270	12-14,800
Perfluorocarbons (PFCs)	2,600-50,000	7,390-12,200
Nitrogen trifluoride (NF_3)	740	17,200
Sulfur Hexafluoride (SF_6)	3,200	22,800

[1] Compared to the same quantity of CO_2 emissions.
[2] Carbon dioxide's lifetime is poorly defined because the gas is not destroyed over time, but instead moves among different parts of the ocean–atmosphere–land system. Some of the excess carbon dioxide will be absorbed quickly (for example, by the ocean surface), but some will remain in the atmosphere for thousands of years, due in part to the very slow process by which carbon is transferred to ocean sediments.
Source: (Ganddini, 2023a, Table 20)

D. Project Site GHG Emissions

The Project Site was developed between the early 1950's to early 1960's and contains three attached buildings having a total building footprint area of 213,430 s.f. and approximately 227 parking stalls. The site is currently vacant and has been vacant since 2019. As such, nominal GHG emissions emitted from the Project Site under existing conditions, other than from energy sources used to provide electricity to the property and by occasional vehicles that visit the Site for maintenance and security. Former occupants of the Project Site included Ekco Products Company from 1951 to the 1967, followed by American Home Products Company, the Worley Division of Standard Pressed Steel, and Leggett and Platt Decorators. As such, over the past approximately 72 years, GHG emissions were emitted from manufacturing activities that occurred on the Site. Because utility records and operational records for these businesses are not readily available, it is not possible to accurately report an annual average GHG emissions quantity for the Site over its approximately 72 years of use for manufacturing operations.

4.3.2 Regulatory Setting

The following is a brief description of the federal, State, and local environmental laws and related regulations related to GHG emissions.

A. International Regulations

1. Kyoto Protocol

The Kyoto Protocol is an international agreement linked to the United Nations Framework Convention on Climate Change, which commits its Parties by setting internationally binding emission reduction targets (UNFCCC, n.d.). Recognizing that developed countries are principally responsible for the current high levels of GHG emissions in the atmosphere as a result of more than 150 years of industrial activity, the Protocol places a heavier burden on developed nations under the principle of "common but differentiated responsibilities."

The Kyoto Protocol was adopted in Kyoto, Japan, on December 11, 1997 and entered into force on February 16, 2005. The detailed rules for the implementation of the Protocol were adopted at Conference of the Parties (COP) 7 in Marrakesh, Morocco, in 2001, and are referred to as the "Marrakesh Accords." Its first commitment period started in 2008 and ended in 2012.

On December 8, 2012, in Doha, Qatar, the "Doha Amendment to the Kyoto Protocol" was adopted. The amendment includes:

- New commitments for Annex I Parties to the Kyoto Protocol who agreed to take on commitments in a second commitment period from January 1, 2013 to December 31, 2020;
- A revised list of GHGs to be reported on by Parties in the second commitment period; and
- Amendments to several articles of the Kyoto Protocol which specifically referenced issues pertaining to the first commitment period and which needed to be updated for the second commitment period.

During the first commitment period, 37 industrialized countries and the European Community committed to reduce GHG emissions to an average of five percent against 1990 levels. During the second commitment period, Parties committed to reduce GHG emissions by at least 18 percent below 1990 levels in the eight-year period from 2013 to 2020; however, the composition of Parties in the second commitment period is different from the first.

2. The Paris Agreement

The Paris Agreement entered into force on November 4, 2016. The Paris Agreement brings all nations into a common cause to undertake ambitious efforts to combat climate change and adapt to its effects, with enhanced support to assist developing countries to do so. As such, it charts a new course in the global climate effort.

The Paris Agreement's central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius (UNFCCC, n.d.).

Additionally, the agreement aims to strengthen the ability of countries to deal with the impacts of climate change. To reach these ambitious goals, appropriate financial flows, a new technology framework and an enhanced capacity building framework will be put in place, thus supporting action by developing countries and the most vulnerable countries, in line with their own national objectives. The Agreement also provides for enhanced transparency of action and support through a more robust transparency framework.

The Paris Agreement requires all Parties to put forward their best efforts through "nationally determined contributions" (NDCs) and to strengthen these efforts in the years ahead. This includes requirements that all Parties report regularly on their emissions and on their implementation efforts.

On June 1, 2017, President Donald Trump announced he would begin the process of withdrawing the United States from the Paris Agreement. In accordance with articles within the Paris Agreement, the earliest effective date for the United States' withdrawal from the Agreement was November 4, 2020, at which time the withdrawal became official. On January 20, 2021, President Joseph Biden signed the executive order for the United States to rejoin the Paris Agreement, which became official on February 19, 2021.

B. Federal Regulations

1. Clean Air Act

Coinciding with the 2009 meeting of international leaders in Copenhagen, on December 7, 2009, the United States Environmental Protection Agency (EPA) issued an Endangerment Finding under Section 202(a) of the Clean Air Act (CAA), opening the door to federal regulation of GHGs (EPA, 2022b; DOJ, 2021). The Endangerment Finding notes that GHGs threaten public health and welfare and are subject to regulation under the CAA. To date, the EPA has not promulgated regulations on GHG emissions, but it has begun to develop them.

Previously the EPA had not regulated GHGs under the CAA because it asserted that the Act did not authorize it to issue mandatory regulations to address GCC and that such regulation would be unwise without an unequivocally established causal link between GHGs and the increase in global surface air temperatures. In *Massachusetts v. Environmental Protection Agency et al.* (127 S. Ct. 1438 [2007]); however, the U.S. Supreme Court held that GHGs are pollutants under the CAA and directed the EPA to decide whether the gases endangered public health or welfare. The EPA had also not moved aggressively to regulate GHGs because it expected Congress to make progress on GHG legislation, primarily from the standpoint of a cap-and-trade system. However, proposals circulated in both the House of Representative and Senate have been controversial and it may be some time before the U.S. Congress adopts major climate change legislation. The EPA's Endangerment Finding paves the way for federal regulation of GHGs with or without Congress.

C. State Regulations

1. Title 24 Building Energy Standards

The California Energy Commission (CEC) first adopted Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, 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 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. The 2016 Building Energy Efficiency Standards were 28 percent more efficient for residential construction and five percent more efficient for nonresidential construction than the 2013 Building Energy Efficiency Standards they replaced. The 2019 version of Title 24 was seven percent more efficient than the 2016 standards for residential construction and 30 percent more efficient than the 2016 standards for non-residential construction. The 2022 Building Efficiency Standards that are even more efficient went into effect on January 1, 2023.

Part 11 of Title 24 is referred to as the California Green Building Standards Code (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 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." The CALGreen Code is not intended to substitute 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 (CBSC). Unless otherwise noted in the regulation, all newly constructed buildings in California are subject of the requirements of the CALGreen Code. Non-residential mandatory measures included in the 2022 CALGreen Code include but are not limited to:

- Short-term bicycle parking. If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5% of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (Section 5.106.4.1.1).

- Long-term bicycle parking. For new buildings with tenant spaces that have 10 or more tenant-occupants, provide secure bicycle parking for 5% of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (Section 5.106.4.1.2).

- Designated parking for clean air vehicles. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (Section 5.106.5.2).

- EV charging stations. New construction shall facilitate the future installation of EV supply equipment. The compliance requires empty raceways for future conduit and documentation that the electrical system has adequate capacity for the future load. The number of spaces to be provided for is contained in Table 5.106.5.3.3 (Section 5.106.5.3). Additionally, Table 5.106.5.4.1 specifies requirements for the installation of raceway conduit and panel power requirements for medium- and heavy-duty electric vehicle supply equipment for warehouses, grocery stores, and retail stores.

- Outdoor light pollution reduction. Outdoor lighting systems shall be designed to meet the backlight, uplight and glare ratings per Table 5.106.8 (Section 5.106.8).

- Construction waste management. Recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1. 5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (Section 5.408.1).

- Excavated soil and land clearing debris. 100% of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reuse or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed (Section 5.408.3).

- Recycling by Occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (Section 5.410.1).

- Water conserving plumbing fixtures and fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall be water conserving and limit water use to specified amounts (Section 5.303.3).

- Outdoor potable water uses in landscaped areas. Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), whichever is more stringent (Section 5.304.1).

- Water meters. Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 sf or for excess consumption where any tenant within a new building or within an addition that is project to consume more than 1,000 gallons per day (GPD) (Sections 5.303.1.1 and 5.303.1.2).

- Commissioning. For new buildings 10,000 sf and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (Section 5.410.2).

2. California Assembly Bill 1493

AB 1493 required the CARB to adopt the nation's first GHG emission standards for automobiles (CARB, n.d.). On September 24, 2009, CARB adopted amendments to the "Pavley" regulations that reduce greenhouse gas (GHG) emissions in new passenger vehicles from model year 2009 through 2016. These amendments were part of California's commitment toward a nation-wide program to reduce new passenger vehicle GHGs from 2012 through 2016. CARB's September amendments cement California's enforcement of the Pavley rule

starting in 2009 while providing vehicle manufacturers with new compliance flexibility. The amendments also prepare California to harmonize its rules with the federal rules for passenger vehicles.

The U.S. EPA granted California the authority to implement GHG emission reduction standards for new passenger cars, pickup trucks, and sport utility vehicles on June 30, 2009. The first California request to implement GHG standards for passenger vehicles, known as a waiver request, was made in December 2005, and was denied by the EPA in March 2008. That decision was based on a finding that California's request to reduce GHG emissions from passenger vehicles did not meet the CAA requirement of showing that the waiver was needed to meet "compelling and extraordinary conditions." With the granting of the waiver, it is estimated that the Pavley regulations reduced GHG emissions from California passenger vehicles by about 22 percent in 2012 and about 30 percent in 2016, all while improving fuel efficiency and reducing motorists' costs.

The CARB has adopted a new approach to passenger vehicles – cars and light trucks – by combining the control of smog-causing pollutants and greenhouse gas emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the numbers of plug-in hybrids and zero-emission vehicles in California.

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3. Executive Order S-3-05

Executive Order (EO) S-3-05 documents GHG emission reduction goals, creates the Climate Action Team and directs the Secretary of the California EPA to coordinate efforts with meeting the GHG reduction targets with the heads of other state agencies (CA State Library, 2005). The EO requires the Secretary to report back to the Governor and Legislature biannually to report: progress toward meeting the GHG goals; GHG impacts to California; and applicable Mitigation and Adaptation Plans. EO S-3-05 documents goals for GHG emissions reductions include: reducing GHG emissions to 2000 levels by the year 2010; reducing GHG emissions to 1990 levels by the year 2020; and reducing GHG emissions to 80 percent below 1990 levels by 2050.

4. California Assembly Bill 32 – Global Warming Solutions Act of 2006

In September 2006, Governor Schwarzenegger signed Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006. AB 32 required California to reduce its GHG emissions to 1990 levels by 2020, which represented a reduction of approximately 15 percent below emissions expected under a "business as usual" scenario (CARB, 2018). Among other items, AB 32 specifically required that CARB prepare and approve a Scoping Plan for achieving the maximum technologically feasible and cost-effective reductions in GHG emissions from sources or categories of sources of GHGs by 2020 and update the Scoping Plan every five years.

In December 2008, CARB approved the initial Scoping Plan, which included a suite of measures to sharply cut GHG emissions. In May 2014, CARB approved the First Update to the Scoping Plan (Update), which built

upon the initial Scoping Plan with new strategies and recommendations. The Update highlighted California's progress toward meeting the near-term 2020 GHG emission reduction goals, highlighted the latest climate change science and provided direction on how to achieve long-term emission reduction goal described in Executive Order S-3-05. In December 2017, CARB adopted the Second Update to the Scoping Plan, which identified the State's post-2020 reduction strategy. The Second Update reflected the 2030 target of a 40 percent GHG emissions reduction below 1990 levels set by SB 32. The Second Update built upon the Cap- and-Trade Regulation; the Low Carbon Fuel Standard; much cleaner cars, trucks, and freight movement; cleaner, renewable energy; and strategies to reduce methane emissions from agricultural and other wastes to reduce GHG emissions. (CARB, 2017)

In December 2022, CARB released the *Final 2022 Scoping Plan Update* (*2022 Scoping Plan*), which identifies the State's strategies to reduce GHG emissions by 85% and achieve carbon neutrality by 2045. The *2022 Scoping Plan* reflects an accelerated target of an 85% reduction in GHG emissions compared to 1990 levels by 2045. This third update relies on key programs in place, including the Cap-and-Trade Regulation and the LCFS, while stressing the need to increase their pace and scale. (CARB, 2022a)

The 2022 Scoping Plan also identifies local governments as essential partners in achieving the State's long-term GHG reduction goals and identifies local actions to reduce GHG emissions. As part of the previous 2017 Scoping Plan, CARB recommended that local governments achieve a community-wide goal to achieve emissions of no more than 6.0 metric tons of CO2e (MTCO2e) or less per capita by 2030 and 2.0 MTCO2e or less per capita by 2050. However, because the state is now pursuing carbon neutrality no later than 2045, CARB now recommends that local governments instead focus on developing locally appropriate, plan-level targets that align with the goal of carbon neutrality rather than focusing on a 2050 target. CARB identifies several "priority areas," including transportation electrification, VMT reduction, and building decarbonization, as these are the GHG reduction opportunities over which local governments have the most authority and the highest GHG reduction potential. (CARB, 2022a)

5. California Senate Bill 1368

In 2006, the State Legislature adopted Senate Bill (SB) 1368 (Perata, Chapter 598, Statutes of 2006), which directs the California Public Utilities Commission (CPUC) to adopt a GHG emission performance standard (EPS) for the future power purchases of California utilities (CEC, n.d.). SB 1368 seeks to limit carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than five years from resources that exceed specified emissions criteria. Accordingly, SB 1368 effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. SB 1368 will lead to dramatically lower GHG emissions associated with California energy demand.

6. Executive Order S-01-07

Executive Order (EO) S-01-07 is effectively known as the Low Carbon Fuel Standard (LCFS). The Executive Order seeks to reduce the carbon intensity of California's passenger vehicle fuels by at least 10 percent by 2020 (CA State Library, 2007). The LCFS requires fuel providers in California to ensure that the mix of fuel

they sell into the California market meet, on average, a declining standard for GHG emissions measured in CO_2e grams per unit of fuel energy sold.

7. Senate Bill 1078

Senate Bill (SB) 1078 establishes the California Renewables Portfolio Standard Program, which requires electric utilities and other entities under the jurisdiction of the California Public Utilities Commission to meet 20% of their renewable power by December 31, 2017, for the purposes of increasing the diversity, reliability, public health, and environmental benefits of the energy mix. (CA Legislative Info, 2018)

8. Senate Bill 107

SB 107 directed California Public Utilities Commission's Renewable Energy Resources Program to increase the amount of renewable electricity (Renewable Portfolio Standard) generated per year, from 17% to an amount that equals at least 20% of the total electricity sold to retail customers in California per year by December 31, 2010. (CA Legislative Info, 2006)

9. Executive Order S-14-08

On November 17, 2008, Governor Schwarzenegger signed Executive Order S-14-08, revising California's existing Renewable Portfolio Standard (RPS) upward to require all retail sellers of electricity to serve 33% of their load from renewable energy sources by 2020 (CA State Library, 2008). In order to meet this new goal, a substantial increase in the development of wind, solar, geothermal, and other "RPS eligible" energy projects will be needed. Executive Order S-14-08 seeks to accelerate such development by streamlining the siting, permitting, and procurement processes for renewable energy generation facilities. To this end, S-14-08 issues two directives: (1) the existing Renewable Energy Transmission Initiative will identify renewable energy zones that can be developed as such with little environmental impact, and (2) the California Energy Commission (CEC) and the California Department of Fish and Wildlife (CDFW) will collaborate to expedite the review, permitting, and licensing process for proposed RPS-eligible renewable energy projects.

10. Senate Bill 97

By enacting SB 97 in 2007, California's lawmakers expressly recognized the need to analyze GHGs as a part of the CEQA process. SB 97 required the Governor's Office of Planning and Research (OPR) to develop, and the Natural Resources Agency to adopt, amendments to the CEQA Guidelines addressing the analysis and mitigation of greenhouse gas emissions (CA Legislative Info, 2007). Those CEQA Guidelines amendments clarified several points, including the following:

- Lead agencies must analyze the GHG emissions of proposed projects and must reach a conclusion regarding the significance of those emissions. (See CEQA Guidelines Section 15064.4.)
- When a project's GHG emissions may be significant, lead agencies must consider a range of potential mitigation measures to reduce those emissions. (See CEQA Guidelines Section 15126.4(c).)
- Lead agencies must analyze potentially significant impacts associated with placing projects in hazardous locations, including locations potentially affected by climate change. (See CEQA Guidelines Section 15126.2(a).)

- Lead agencies may significantly streamline the analysis of GHGs on a project level by using a programmatic GHG emissions reduction plan meeting certain criteria. (See CEQA Guidelines Section 15183.5(b).)
- CEQA mandates analysis of a proposed project's potential energy use (including transportation-related energy), sources of energy supply, and ways to reduce energy demand, including through the use of efficient transportation alternatives. (See CEQA Guidelines, Appendix F.)

The CEQA Guideline amendments do not identify a quantitative threshold of significance for GHG emissions, nor do they prescribe assessment methodologies or specific mitigation measures. Instead, they call for a "good-faith effort, based on available information, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project." The amendments encourage lead agencies to consider many factors in performing a CEQA analysis and preserve lead agencies' discretion to make their own determinations based upon substantial evidence. The amendments also encourage public agencies to make use of programmatic mitigation plans and programs from which to tier when they perform individual project analyses. The GHG analysis thresholds incorporated into the CEQA Guidelines' Environmental Checklist (Guidelines Appendix G) are addressed in this EIR. The amendments to the CEQA Guidelines implementing SB 97 became effective on March 18, 2010.

11. Senate Bill 375

The Sustainable Communities and Climate Protection Act of 2008 (Sustainable Communities Act, SB 375, Chapter 728, Statutes of 2008) supports the State's climate action goals to reduce greenhouse gas (GHG) emissions through coordinated transportation and land use planning with the goal of more sustainable communities (CARB, n.d.). Under the Sustainable Communities Act, CARB sets regional targets for GHG emissions reductions from passenger vehicle use. In 2010, CARB established these targets for 2020 and 2035 for each region covered by one of the State's metropolitan planning organizations (MPO). CARB will periodically review and update the targets, as needed.

Each of California's MPOs must prepare a "sustainable communities strategy" (SCS) as an integral part of its regional transportation plan (RTP). The SCS contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet its GHG emission reduction targets. Once adopted by the MPO, the RTP/SCS guides the transportation policies and investments for the region. CARB must review the adopted SCS to confirm and accept the MPO's determination that the SCS, if implemented, would meet the regional GHG targets. If the combination of measures in the SCS would not meet the regional targets, the MPO must prepare a separate "alternative planning strategy" (APS) to meet the targets.

The Sustainable Communities Act also establishes incentives to encourage local governments and developers to implement the SCS or the APS. Developers can get relief from certain environmental review requirements under CEQA if their new residential and mixed-use projects are consistent with a region's SCS (or APS) that meets the targets (see Cal. Public Resources Code Sections 21155, 21155.1, 21155.2, 21159.28.).

12. Executive Order B-30-15

On April 29, 2015, Governor Brown issued Executive Order B-30-15, which sets a goal to reduce GHG emissions in California to 40 percent below 1990 levels by 2030 (CA State Library, 2015). The 2030 target serves as a benchmark goal on the way to achieving the GHG reductions goal set by Governor Schwarzenegger via Executive Order S-3-05 (i.e., 80 percent below 1990 greenhouse gas emissions levels by 2050).

13. Senate Bill 32

On September 8, 2016, Governor Brown signed the Senate Bill (SB) 32. SB 32 requires the State to reduce statewide GHG emissions to 40 percent below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15 (CA Legislative Info, 2022d). The new legislation builds upon the AB 32 goal of 1990 levels by 2020 and provides an intermediate goal to achieving S-3-05, which sets a statewide greenhouse gas reduction target of 80 percent below 1990 levels by 2050.

14. California Climate Crisis Act (AB 1279)

AB 1279, also known as the California Climate Crisis Act, declares that it is the policy of the State to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045; to achieve and maintain net negative greenhouse gas emissions thereafter; and to ensure that by 2045, Statewide anthropogenic greenhouse gas emissions are reduced to at least 85% below the 1990 levels. The bill requires the California Air Resources Board (CARB) to work with relevant State agencies to ensure that updates to the CARB Scoping Plan identify and recommend measures to achieve these policy goals and to identify and implement a variety of policies and strategies that enable carbon dioxide removal solutions and carbon capture, utilization, and storage technologies in California. AB 1279 also requires CARB to submit an annual report evaluating progress towards these policies. (CA Legislative Info, 2022b)

15. Clean Energy, Jobs, and Affordability Act of 2022 (Senate Bill 1020)

SB 1020, also known as the Clean Energy, Jobs, and Affordability Act of 2022, revised State policy to include interim targets requiring that eligible renewable energy resources and zero-carbon resources supply 90 percent of all retail sales of electricity to California end-use customers by December 31, 2035, 95 percent of all retail sales of electricity to California end-use customers by December 31, 2040, 100 percent of all retail sales of electricity to California end-use customers by December 31, 2045, and 100 percent of electricity procured to serve all state agencies by December 31, 2035. SB 1020 also requires each State agency to ensure that zero-carbon resources and eligible renewable energy resources supply 100 percent of electricity procured to serve their agency by December 31, 2035. In addition, SB 1020 requires the State Water Project (SWP) to procure eligible renewable energy and zero-carbon resources as necessary to meet the clean energy requirements specified for all State agencies. Finally, SB 1020 requires the California Public Utilities Commission (CPUC) to develop utility affordability metrics for both electricity and gas service. (CA Legislative Info, 2022c)

16. Carbon sequestration: Carbon Capture, Removal, Utilization, and Storage Program (Senate Bill 905)

SB 905 requires CARB to establish a Carbon Capture, Removal, Utilization, and Storage (CCRUS) Program and adopt regulations for a model unified permit program for the construction and operation of CCRUS projects. SB 905 is intended to accelerate the deployment of carbon management technologies and ensuring they are deployed in a safe and equitable way. SB 905 requires the CCRUS Program to ensure that carbon dioxide capture, removal, and sequestration projects include specified components including, among others, certain monitoring activities. In addition, SB 905 requires that by January 1, 2025, CARB shall adopt regulations for a unified permit application for the construction and operation of carbon dioxide capture, removal, or sequestration projects to expedite the issuance of permits or other authorizations for the construction and operation of those projects. SB 905 also requires the establishment of a centralized public database to track the deployment of carbon capture, utilization, or storage (CCUS) technologies and carbon dioxide removal (CDR) technologies. (CA Legislative Info, 2022e)

17. Assembly Bill 1757

AB 1757 directs the California Natural Resources Agency (CNRA) to determine an ambitious range of targets for natural carbon sequestration, and for nature-based climate solutions, that reduce GHG emissions for 2030, 2038, and 2045 to support State goals to achieve carbon neutrality and foster climate adaptation and resilience. Additionally, AB 1757 requires these targets to be integrated into the CARB Scoping Plan and other State policies. It also includes provisions to avoid double counting emission reductions, updates the Natural and Working Lands Climate Smart Strategy, develops GHG tracking protocols, and biennially post progress made in achieving the targets on CNRA's internet website. In addition, AB 1757 requires CARB to develop standard methods for State agencies to consistently track greenhouse gas emissions and reductions, carbon sequestration, and, where feasible, additional benefits from natural and working lands over time. (CA Legislative Info, 2022a)

D. Regional and Local Regulations

1. Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy

The Southern California Association of Governments (SCAG) is a Joint Powers Authority (JPA) under California State law, established as an association of local governments and agencies that voluntarily convene as a forum to address regional issues. Under federal law, SCAG is designated as a MPO and under State law as a Regional Transportation Planning Agency and a Council of Governments. The SCAG region encompasses six counties (Los Angeles, Orange, Riverside, San Bernardino, Imperial, and Ventura) and 191 cities in an area covering more than 38,000 square miles.

SCAG's *2020-2045 RTP/SCS*, also referred to as Connect SoCal, develops long-range regional transportation plans including a sustainable communities strategy and growth forecast components, regional transportation improvement programs, regional housing needs allocations and other plans for the region. The *RTP/SCS* provides objectives for meeting air pollution emissions reduction targets set forth by the CARB; these objectives were provided in direct response to SB 375 which was enacted to reduce GHG emissions from

automobiles and light trucks through integrated transportation, land use, housing, and environmental planning. The Subregional Sustainable Communities Strategies identifies the Project Site as being located in an area with a "Standard Suburban" land use pattern, which is defined as auto-oriented development with a minimal mix of land uses.

2. City of Whittier General Plan

The Public Safety, Noise and Health Element of the Envision Whittier General Plan includes the following goals and policies related to climate adaptation:

- Goal 8: An adaptive community responsive to changing climate solutions.
- PSNH-8.2: Require the passive solar design of projects to address the possible effects of extreme heat events, such as requiring shade trees and shade shelter areas, shaded playgrounds, bus shelters, and placement of structures that account for proper sun exposure to reduce heat within structures.
- PSNH-8.3: Encourage use of pavement materials designed to reflect solar energy, speed up evaporation, and otherwise stay cooler than traditional pavements.
- PSNH-8.4: Encourage redundant power sources such as generators or renewable energy sources to help assure power is available for increased power needs in the heat events and to minimize blackouts.

4.3.3 Basis for Determining Significance

According to Section VIII of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant impact due to GHG emissions if the Project or any Project-related component would:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The City of Whittier does not have an adopted threshold of significance for GHG emissions, but for CEQA compliance purposes, the City has discretion to select an appropriate significance criterion, based on substantial evidence. To provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents, the SCAQMD Board adopted an Interim CEQA GHG Significance Threshold. (SCAQMD, 2008). The City has selected this value as a significance criterion for use in this EIR which has been supported by substantial evidence.

The 3,000 MTCO2e per year threshold is based on a 90 percent emission "capture" rate methodology. Prior to its use by the SCAQMD, the 90 percent emissions capture approach was one of the options suggested by the California Air Pollution Control Officers Association (CAPCOA) in their CEQA & Climate Change white paper (SCAQMD, 2008). A 90 percent emission capture rate means that unmitigated GHG emissions from the top 90 percent of all GHG-producing projects within a geographic area – the SCAB in this instance – would

be subject to a detailed analysis of potential environmental impacts from GHG emissions, while the bottom 10 percent of all GHG-producing projects would be excluded from detailed analysis. A GHG significance threshold based on a 90 percent emission capture rate is appropriate to address the long-term adverse impacts associated with global climate change because medium and large projects will be required to implement measures to reduce GHG emissions, while small projects, which are generally infill development projects that are not the focus of the State's GHG reduction targets, are allowed to proceed. Further, a 90 percent emission capture rate sets the emission threshold low enough to capture a substantial proportion of future development projects and demonstrate that cumulative emissions reductions are being achieved while setting the emission threshold high enough to exclude small projects that will, in aggregate, contribute approximate 1 percent of projected statewide GHG emissions in the Year 2050 (SCAQMD, 2008, p. 4).

In setting the threshold at 3,000 MTCO2e per year, SCAQMD researched a database of projects kept by the Governor's Office of Planning and Research (OPR). That database contained 798 projects, 87 of which were removed because they were very large projects and/or outliers that would skew emissions values too high, leaving 711 as the sample population to use in determining the 90th percentile capture rate. The SCAQMD analysis of the 711 projects within the sample population combined commercial, residential, and mixed-use projects. It should be noted that the sample of projects included warehouses and other light industrial land uses but did not include industrial processes (i.e., oil refineries, heavy manufacturing, electric generating stations, mining operations, etc.). Emissions from each of these projects were calculated by SCAQMD to provide a consistent method of emissions calculations across the sample population and from projects within the sample population. In calculating the emissions, the SCAQMD analysis determined that the 90th percentile ranged between 2,983 to 3,143 MTCO2e per year. The SCAQMD set their significance threshold at the low-end value of the range when rounded to the nearest hundred tons of emissions (i.e., 3,000 MTCO2e per year) to define small projects that are considered less than significant and do not need to provide further analysis.

The City understands that the 3,000 MTCO2e per year threshold for residential/commercial uses was proposed by SCAQMD a decade ago and was adopted as an interim policy; however, no permanent, superseding policy or threshold has since been adopted. The 3,000 MTCO2e per year threshold was developed and recommended by SCAQMD, an expert agency, based on substantial evidence as provided in the Draft Guidance Document – Interim CEQA Greenhouse Gas Significance Threshold (2008) document and subsequent Working Group meetings (latest of which occurred in 2010). SCAQMD has not withdrawn its support of the interim threshold and all documentation supporting the interim threshold remains on the SCAQMD website on a page that provides guidance to CEQA practitioners for air quality analysis (and where all SCAQMD significance thresholds for regional and local criteria pollutants and toxic air contaminants also are listed). Further, as stated by SCAQMD, this threshold "uses the Executive Order S-3-05 goal [80 percent below 1990 levels by 2050] as the basis for deriving the screening level" and, thus, remains valid for use in 2022 (SCAQMD, 2008, pp. 3-4). Lastly, this threshold has been used for hundreds, if not thousands of GHG analyses performed for projects located within the SCAQMD jurisdiction.

Thus, for purposes of analysis in this EIR, if Project-related GHG emissions do not exceed the 3,000 MTCO2e per year threshold, then Project-related GHG emissions would clearly have a less-than-significant impact pursuant to Threshold "a." On the other hand, if Project-related GHG emissions exceed 3,000 MTCO2e per year, the Project would be considered a substantial source of GHG emissions.

4.3.4 IMPACT ANALYSIS

Threshold a:	***Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?***

The California Emission Estimator Model (CalEEMod, v2022.1.1.13), was used to calculate the GHG emissions from the Project. CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions from a variety of land use projects. CalEEMod was developed in collaboration with the air districts of California. Regional data (e.g., emission factors, trip lengths, meteorology, source inventory, etc.) have been provided by the various California air districts to account for local requirements and conditions. The model is considered to be an accurate and comprehensive tool for quantifying GHG impacts from land use projects throughout California and is recommended by the SCAQMD. (Ganddini, 2023a, p. 28)

Daily regional emissions during construction are forecasted by assuming a conservative estimate of construction activities (i.e., assuming all construction occurs at the earliest feasible date) and applying the mobile source and fugitive dust emissions factors. The input values used in this analysis were adjusted to be project-specific for the construction schedule and the equipment used was based on CalEEMod defaults. The CalEEMod program uses the EMFAC2021 computer program to calculate the emission rates for construction-related employee vehicle trips and the OFFROAD2017 computer program to calculate emission rates for heavy truck operations. EMFAC2021 and OFFROAD2017 are computer programs generated by CARB that calculate composite emission rates for vehicles. Emission rates are reported by the program in grams per trip and grams per mile or grams per running hour. Daily truck trips and CalEEMod default trip length data were used to assess roadway emissions from truck exhaust. The maximum daily emissions are estimated values for the worst-case day and do not represent the emissions that would occur for every day of Project construction. The maximum daily emissions are compared to the SCAQMD daily regional numeric indicators. Detailed construction equipment lists, construction scheduling, and emission calculations are provided in *Technical Appendix B* of this EIR. (Ganddini, 2023a, p. 28)

The Project is calculated to emit 5,710.83 MTCO2e per year, as shown in Table 4.3-2, *Project-Related Greenhouse Gas Emissions*.

As shown in Table 4.3-2, the Project's GHG emissions would exceed the significance threshold of 3,000 MTCO2e per year, resulting in a cumulatively considerable impact. It is recognized that the Project's calculated emissions of 5,710.83 MTCO2e per year represent a snapshot in time. It is likely that GHG emissions will decrease over time as regulatory compliance measures transition passenger vehicle and truck manufacturers and consumers toward ZE vehicles; however, because a timeline for ZE vehicle use at the Project Site is dependent on the commercial availability of these vehicles and consumer behavior, the pace of GHG reduction cannot be assured with any certainty. As such, the Project's GHG impact is concluded to be significant into the foreseeable future.

Table 4.3-2 Project-Related Greenhouse Gas Emissions

Category	Greenhouse Gas Emissions (Metric Tons/Year)					
	Bio-CO2	NonBio-CO_2	CO_2	CH_4	N_2O	CO_2e
Maximum Annual Operations	54.50	5,356.00	5,410.00	5.78	0.38	5,685.00
Construction[1]	0.00	24.40	25.40	0.00	0.00	25.83
Total Emissions	54.50	5,381.40	5,435.40	5.78	0.38	**5,710.83**

[1] Construction GHG emissions CO2e based on a 30-year amortization rate.
Source: (Ganddini, 2023a, Table 21)

Threshold b: ***Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?***

As demonstrated by the following analysis, the Project would not conflict with applicable plans, policies, and/or regulations adopted with the intent to reduce GHG emissions, including AB 32 and SB 32, SCAG's *2016-2040 RTP/SCS*, and the Title 24 CBSC, which are particularly applicable to the Project.

In April 2015, Governor signed EO B-30-15, which advocated for a statewide GHG-reduction target of 40 percent below year 1990 levels by 2030 and 80 percent below 1990 levels by 2050. In September 2016, Governor Brown signed the SB 32, which formally established a statewide goal to reduce GHG emissions to 40 percent below year 1990 levels by 2030. To date, no statutes or regulations have been adopted to translate the year 2050 GHG reduction goal into comparable, scientifically-based statewide emission reduction targets.

In November 2017, CARB release the 2017 Scoping Plan. This Scoping Plan incorporates, coordinates, and leverages many existing and ongoing efforts and identifies new policies and actions to accomplish the State's climate goals, and includes a description of a suite of specific actions to meet the State's 2030 GHG limit. The actions identified in the 2017 Scoping Plan to reduce overall GHG emissions in California identify new, technologically feasible, and cost-effective strategies to ensure that California meets its GHG reduction targets. These strategies include the use of lower GHG fuels, efficiency regulations, and the Cap-and-Trade Program, which constrains and reduces emissions at covered sources. The Project is consistent with the applicable strategies. (Ganddini, 2023a, pp. 83-86)

In November 2022, CARB released the Final 2022 Scoping Plan Update, which identifies the State's progress towards the statutory 2030 target, while providing a path towards carbon neutrality and reduced greenhouse gases emissions by 85% below 1990 levels by 2045. Recent studies show that the State's existing and proposed regulatory framework will allow the State to reduce its GHG emissions level to 40% below 1990 levels by 2030. The Project would not conflict with any of the 2022 Scoping Plan elements as any regulations adopted would apply directly or indirectly to the Project.

Rendering a significance determination for year 2050 GHG emissions relative to EO B-30-15 would be speculative because EO B-30-15 establishes a goal three decades into the future; no agency with GHG subject matter expertise has adopted regulations to achieve these statewide goals at the project-level; and, available analytical models cannot presently quantify all project-related emissions in those future years. Further, due to the technological shifts anticipated and the unknown parameters of the regulatory framework in 2050, available

GHG models and the corresponding technical analyses are subject to limitations for purposes of quantitatively estimating the Project's emissions in 2050.

The *2016-2040 RTP/SCS* was prepared to ensure that the SCAG region attains the per capita vehicle miles targets for passenger vehicles identified by CARB (and, thus, meeting associated GHG emissions targets), as required by Senate Bill 375. As explained in EIR Section 5.4, *Effects Found not to be Significant During the Scoping Process*, the Project would not conflict with applicable measures of the *2016-2040 RTP/SCS* and, therefore, would not interfere with the region's ability to minimize GHG emissions from transportation sources.

The Project would provide for the construction and operation of one building that would include contemporary, energy-efficient/energy-conserving design features and operational procedures. The CBSC includes the California Energy Code, or Title 24, Part 6 of the California Code of Regulations, also titled The Energy Efficiency Standards for Residential and Nonresidential Buildings. The California Energy Code was established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated approximately every three years to improve energy efficiency by allowing and incorporating new energy efficiency technologies and methods. The Project would be required to comply with all applicable provisions of the CBSC. As such, the Project's energy demands would be minimized through design features and operational programs that, in aggregate, would ensure that Project energy efficiencies would comply with – or exceed – incumbent CBSC energy efficiency requirements, thereby minimizing GHG emissions produced from energy consumption.

As described on the preceding pages, implementation of the Project would not conflict with the State's ability to achieve the State-wide GHG reduction mandates and would be consistent with applicable policies and plans related to GHG emissions reductions. Implementation of the Project would not actively interfere with any future federally-, State-, or locally-mandated retrofit obligations (such as requirements to use new technologies such as diesel particulate filters, emissions upgrades to a higher tier equipment, etc.) enacted or promulgated to legally require development projects to assist in meeting State-adopted GHG emissions reduction targets, including those established under EO S-3-05, EO B-30-15, or SB 32. Therefore, the Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs and would result in a less than significant impact.

4.3.5 Cumulative Impact Analysis

GCC occurs as the result of global emissions of GHGs. An individual development project does not have the potential to result in direct and significant GCC-related effects in the absence of cumulative sources of GHGs. The CEQA Guidelines emphasize that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (See CEQA Guidelines Section 15130[f]). Accordingly, the analysis provided in Subsection 4.3.5 reflects a cumulative impact analysis of the effects related to the Project's GHG emissions, which concludes that the Project would not conflict with an applicable GHG-reduction plans, policies, or regulations but would generate cumulatively-considerable GHG emissions that may have a significant impact on the environment because the Project would exceed the SCAQMD's GHG emissions threshold of 3,000 $MTCO_2e$ per year.

4.3.6 Significance of Impacts Before Mitigation

Threshold a: Cumulatively Considerable Impact. The Project would exceed the SCAQMD significance threshold of 3,000 MTCO2e per year. As such, the Project would generate substantial, cumulatively-considerable GHG emissions that may have a significant impact on the environment.

Threshold b: Less-than-Significant Impact. The Project would be consistent with or otherwise would not conflict with applicable regulations, policies, plans, and policy goals that would further reduce GHG emissions.

4.3.7 Mitigation

The Project would be required to implement design measures to maximize energy efficiency and reduce GHG emissions as required by State law (for example, the use of energy efficient appliances as required by the CBSC) and by local regulations. Although mandatory compliance with applicable State and local regulations would reduce Project-related GHG emissions, these requirements would not substantially reduce Project mobile source GHG emissions (i.e., emissions from construction equipment, passenger cars, and heavy-duty trucks). Compliance with Title 24 of the California Green Building Code already serves to reduce area-source GHG emissions to the maximum feasible extent. As advancements in vehicle technology progress, it is expected that a higher percentage of vehicles including trucks will be electric-powered than occurs today. However, until vehicle technology advances and electric trucks are more commonly commercially available with enough power to haul heavy loads over long distances, it is reasonable to assume that the truck fleet that will access the Project Site will be primarily diesel-powered. Mobile source GHG emissions are regulated by State and federal fuel standards and tailpipe emissions standards and are outside of the control and authority of the City, the Project Applicant, and future Project occupants. CEQA Guidelines Section 15091 provides that mitigation measures must be within the responsibility and jurisdiction of the Lead Agency (i.e., City) in order to be implemented. No other mitigation measures are available that are feasible for the City to enforce, beyond those already required by regulations, that have a proportional nexus to the Project's level of impact.

4.3.8 Significance of Impacts After Mitigation

Threshold a: Significant Unavoidable Cumulatively-Considerable Impact. As noted above, a majority of the Project's GHG emissions would be produced by mobile sources. Neither the Project Applicant nor the Lead Agency (City of Whittier) can substantively or materially affect reductions in Project mobile-source emissions beyond federal and State regulations. Accordingly, the City finds that the Project's GHG emissions are a significant and unavoidable cumulatively-considerable impact for which no feasible mitigation is available.

4.4 HAZARDS AND HAZARDOUS MATERIALS

The information and analysis presented in the Subsection is based in part on three technical studies that were prepared by Hazard Management Consulting (hereinafter "HMC") to determine the presence or absence of hazardous materials on the Project Site under existing conditions. The first report is titled "Phase I Environmental Site Assessment Former Leggett & Platt Facility 12352 Whittier Boulevard Whittier, California CA 90602," and dated December 12, 2019 (HMC, 2019). The second report is titled "Soil and Soil Vapor Investigation, 12352 East Whittier Boulevard, Whittier, California," and dated April 13, 2021 (HMC, 2021). The third report is titled "Soil Management Plan Former Leggett & Platt Facility, 12352 Whitter Boulevard, Whitter, California 90602," and dated January 13, 3023 (HMC, 2023). These reports are provided as *Technical Appendix E1, E2, and E3*, respectively, to this EIR. Refer to Section 7.0, *References*, for a complete list of reference sources used in this analysis.

In this EIR, the term "toxic substance" is defined as a substance that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may present an unreasonable risk of injury to human health or the environment. Toxic substances include chemical, biological, flammable, explosive, and radioactive substances.

In this EIR, the term "hazardous material" is defined as a substance that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may: 1) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, disposed of, or otherwise mismanaged; or 2) cause or contribute to an increase in mortality or an increase in irreversible or incapacitating illness.

Hazardous waste is defined in the California Code of Regulations, Title 22, Section 66261.3. The defining characteristics of hazardous waste are: ignitability (oxidizers, compressed gases, and extremely flammable liquids and solids), corrosivity (strong acids and bases), reactivity (explosives or generates toxic fumes when exposed to air or water), and toxicity (materials listed by the United States Environmental Protection Agency (USEPA) as capable of inducing systemic damage to humans or animals). Certain wastes are called "Listed Wastes" and are found in the California Code of Regulations, Title 22, Sections 66261.30 through 66261.35. Wastes appear on the lists because of their known hazardous nature or because the processes that generate them are known to produce hazardous wastes (which are often complex mixtures).

4.4.1 EXISTING CONDITIONS

To inform the Project's Phase I ESA (*Technical Appendix E1*), HMC conducted a site walk to document the current condition of the Project Site and neighboring facilities; reviewed a regulatory database report; reviewed previously prepared reports for the Project Site; submitted questionnaires to property owner; reviewed historical references including aerial photographs, city directories, Sanborn Maps, and topographic maps; conducted on-line research and filed review requests concerning the Project Site and suspect off site sources at the State of California Regional Water Quality Control Board (RWQCB) and Department of Toxic Substances Control (DTSC) websites; reviewed records maintained by the Los Angeles County Fire Department; reviewed records maintained by Los Angeles Public Works; reviewed records kept by the South Coast Air Quality Management District; and reviewed building permit records kept by the City of Whittier. The results of the assessment are summarized below.

A. Historical Review

Past use of the Project Site was assessed through a review of historical aerial photographs, topographic maps, and an Environmental Data Resources, Inc. (EDR) search of city directories and prior reports (HMC, 2019, p. 5). Sanborn Maps were generated for the Project Site, which only displayed the original industrial building that was labeled to be a steel products manufacturer (HMC, 2019, p. 7).

Aerial photographs covering the Project Site were obtained from EDR. Photographs were available from the period 1928 through 2016. Copies of the aerial photographs are included in Appendix B to the Project's Phase I ESA (*Technical Appendix E1*). Table 4.4-1, *Aerial Photograph Review Results*, presents the results of the aerial photograph review conducted by HMC.

Table 4.4-1 Aerial Photograph Review Results

Year	Findings
1928	The Site and Site vicinity were in agricultural use in this photograph. A single structure was located on the northeast border of the Site. Whittier Boulevard was in place, across which were industrial buildings.
1938-47	No significant changes were seen at the Site or in the Site vicinity.
1953	A large industrial structure is first seen at the Site in the photo from 1953. Cleared land was present in the vicinity of the Site as well as industrial development north and south of the Site.
1963	Additional development is shown to have occurred at the Site. Two structures were built attached to the structure previously noted at the Site with vehicle parking south of the buildings. The Site appeared in the orientation it is seen in today. Further industrial development was noted north and south of the Site. The Omega Chemical facility was first seen to the south southeast of the Site.
1972	No significant changes were noted at the Site. An additional structure was noted to the south in the Site vicinity.
1979	No significant changes were noted at the Site. Two long industrial buildings were first seen immediately north of the Site.
1981-2016	No significant changes were noted at the Site or the Site vicinity other than continued development of industrial facilities in the vicinity of the Site.

Source: (HMC, 2019, p. 6)

Historical topographic maps were also reviewed as part of the Project's Phase I ESA and aided in interpreting the overall Project Site history. Although, no specific observations were made from the review of the topographic maps (HMC, 2019, p. 7).

In summary, the Project Site and site vicinity was observed to have previously been used for agriculture since 1928 until the 1953 photograph when the Project Site was first seen on an aerial photograph to be developed with the original single structure occupied by Ekco Products Company. The Site is noted to have an approximately 70-year history of industrial use from the review of the aerial photographs and the City Directory report. The long history of industrial use of the Site is considered a Recognized Environmental Condition (REC) (HMC, 2019, p. 8).

B. Regulatory Records Review

Regulatory agency database information was obtained from a standard radius Site Assessment (ASTM) report by EDR. The center of the search was in the approximate center of the Project Site. Search distances for specific databases were one-quarter to one mile as specified in the ASTM 152-13 standard. The database search includes over 70 federal, state, local, and proprietary records. A complete copy of the report is included in Appendix B of the Project's Phase I ESA (*Technical Appendix E1*) (HMC, 2019, p. 13).

The Project Site was listed on several databases during a database search as part of the EDR Radius Report (HMC, 2019, p. 14). A summary of the databases search results is provided in Table 4.4-2, *Database Records Concerning the Project Site*.

Table 4.4-2 Database Records Concerning the Project Site

Name	Address	Dist.	Direction	Lists	REC	Rationale
Leggett and Platt Inc.	12352 E. Whittier Blvd.	0'	NA	FINDS, HAZNET, CIWQS CERS, LOS ANGELES CO, HMS, WDS, SLIC REG 4 CERS HAZ WASTE SWEEPS UST, HIST UST, EMI LA CO. SITE MITIGATION RGA LUST, RCRASQG LUST REG 4, CPSSLIC US AIRS MINOR HIST CORTESE ECHO, SSTS	YES	This facility is indicated to have used, stored, and disposed of various chemicals including halogenated organics, unspecified solvent mixtures, and degreasing sludge. Halogenated solvents or chlorinated solvents have been listed as having been disposed of from the Site and therefore used at the Site. Two Underground Storage Tanks (USTs) were operated at the Site that cause naptha and motor vehicle fuel releases to the Site subsurface. According to the RWQCB, this Site has received groundwater closure but has not received any other closure in regard to soil. Impacts to soil still may remain in the Site subsurface. The use of chlorinated solvents and the potential residual contamination to soil caused by the USTs are RECs.
Southern California Edison	12352 E. Whittier Blvd.	0'	NA	HAZNET	NO	This listing is a record of SCE having disposed of PCB waste. The disposal of this chemical does not imply that PCB contamination has affected the Site.
May Trucking	12352 E. Whittier Blvd.	0'	NA	HAZNET	NO	This listing is a record of oil containing waste from the Site. This listing does not imply that contamination exists at the Site.

Source: (HMC, 2019, p. 14)

HMC also reviewed the database report for off-site potential sources within the relevant search distance. Based on the review of the available regulatory information, the Project Site is located in an area with long history of

industrial use. Several facilities were identified to store and use hazardous chemicals and have had releases of petroleum and chlorinated solvent chemicals. The Omega Chemical facility and the Sunrise Properties (TCE Source at Whittier Boulevard) are believed to have had releases of chlorinated solvents that have comingled and migrated below the Project Site. These former facilities are RECs (HMC, 2019, p. 16). A summary of the databases search results is provided in Table 4.4-3, *Database Records Concerning the Project Site Vicinity*.

Table 4.4-3 Database Records Concerning the Project Site Vicinity

Name	Address	Dist.	Direction	Lists	REC	Rationale
Omega Chemical Site PRP Organized Group	12504-12512 E. Whittier Blvd	1,311’	SE	NPL, SEMS CORRACTS RCRA-TSDF RCRA-LQG SITE US INST CONTROL SWEEPS UST HIST UST ROD, RAATS PRP, EMI	YES	This facility is noted to have caused a groundwater plume of TCE and other chlorinated solvents that extends north and effects at least the southeastern portion of the Site
Modine Mfg. Co.	12252 E. Whittier Blvd.	483’	NNW	EMS ARCHIVE RCRA-SQG ENVIROSTOR SLIC REG 4 HIST UST, ICIS FINDS, ECHO HAZNET LA CO. SITE MITIGATION, CERS SWEEPS UST LOS ANGELES CO. HMS	NO	This facility is listed as having had a release of chlorinated solvents. Soil contamination has received a Closed status from the RWQCB. Groundwater is ongoing to the best of our knowledge from records available. The Site is located northwest of the Site and groundwater is noted to flow west in the area.
Union Pacific Corp.	12300 Whittier Blvd.	344’	N	LUST LOS ANGELES CO. HMS CERS	NO	This facility is listed as having a small release of hydrocarbons from a UST. The contamination was limited to soil and the tank was removed. The Site received closure status in 2018.
Sunrise Properties	12353 and 12363 Whittier Blvd.	222’	NE	ENVIROSTOR	YES	This facility has been referred to as the “TCE Source at Whittier Boulevard” in past reports. This facility is located across Whittier Boulevard from the Site and has a TCE plume that has comingled with the Omega Chemical plume. The release has been documented to have comingled with the Omega plume and has traveled below the Site.
Mar Vista Moulding	7343 Pierce Ave.	510’	ENE	LUST REG 4 NPDES WDS CIWQS CERS	NO	This facility has had a release of gasoline from a leaking UST. The contamination was limited to soil and received a closed status from the RWQCB in 2004.

Source: (HMC, 2019, pp. 15-16)

Orphan sites are those properties that are included on various agency lists, but for which the records do not have sufficient address information for the database program to map the site. No orphan sites identified appear to be in the Project Site vicinity with the exception of Dryclean Express located 846 feet east of the Project Site. The drycleaning facility is noted to use PCE but has not been indicated to have caused contamination from the evidence found in the listing. The facility was not found on GeoTracker or Envirostor (HMC, 2019, p. 16).

C. Field Reconnaissance

HMC conducted a reconnaissance of the Project Site and site vicinity on November 4, 2019. The reconnaissance was conducted in order to identify visible evidence of RECs at the Project Site and to assess possible conditions offsite that may impact the Project Site (HMC, 2019, p. 11).

The Project Site was observed with an asphalt driveway leading down toward the former Leggett and Platt facility parking lot. Two industrial buildings were noted to be vacant at the time of the reconnaissance. They were noted to be of steel and concrete tilt up construction with concrete foundations. Inside the former production area there was an office to the north. The office area and office build out within the facility was noted to have been built in the 1950's through the 1960's when asbestos use was common in building materials. Suspect asbestos containing material (ACM) was observed and included drywall, acoustic ceilings, and vinyl floor tiles. Outside of the office area in the former production area, floor cuts were seen where maps of the Project Site noted press machines once occupied that area. A long L-shaped drainage trench was noted to have been removed from the area. The trench was seen to lead toward an indoor clarifier that led to another clarifier outdoors north of this building near where the former USTs were once located. Wells were also seen near this feature. In the northern area of the production area, a former painting room was noted with concrete bases for machinery. Staining was observed on the concrete surfaces in this area. Oxidizing chemicals containers were also noted in this area including a single 55-gallon drum and a 5-gallon bucket noted to be sealed (HMC, 2019, p. 11).

A warehouse was noted to be attached to the former production building to the south. The warehouse was noted to be vacant and no features of concern were noted (HMC, 2019, p. 11).

North of the production building was noted to be the area of the former USTs and pump stations. The previously mentioned outdoor clarifier was observed with a concrete trench extending south toward the building. The clarifier lids were opened and a distinct hydrocarbon odor was present and aqueous contents were noted. Further north a yellow metal lid was noted to be a confined space area. Upon opening the entrance hatch, water was noted almost to the top of the subsurface enclosure. Its purpose and contents were unable to be investigated due to it being full of water. Well boxes with vapor probes were seen scattered about this area. Machinery to have been used for the former painting operations were seen in this outdoor area north of the production area. An AST existed here although its contents, if any, were unable to be ascertained (HMC, 2019, pp. 11-12).

Loading docks were observed on the south side of the production building although no features of concern were noted at this location (HMC, 2019, p. 12).

Selected photographs illustrating the property and nearby off-site conditions are included in Appendix A of the Project's Phase I ESA (*Technical Appendix E1*) (HMC, 2019, p. 12). Additionally, Table 4.4-4, *Site Observation Summary*, provides a summary of the Project Site observations made by HMC.

Table 4.4-4 Site Observation Summary

Description and Use of Site:	The Site was noted to be a vacant former manufacturing facility at the time of the Project Site inspection.
Underground and Aboveground Storage Tanks:	No Underground Storage Tanks (USTs) were observed during the reconnaissance although two former USTs were historically present, north of the production building. An above-ground storage tank (AST) was present north of the production building. Its contents, if any, were unable to be ascertained. Two clarifiers were seen at the Site. One remained within the production building and the other outside north of the production building. The outdoor clarifier was noted with aqueous contents and a hydrocarbon odor.
Hazardous Materials, Hazardous Wastes of Petroleum Products:	Two containers of an oxidizing chemical were noted on the Site.
Drains, Drain Lines and Sumps:	An L shaped trench which formerly contained drainage piping leading toward the clarifiers was seen.
Pits, Ponds, Lagoons	No ponds, pits, or lagoons were seen at or near the Site.
Industrial Wastewater:	The facility was non-operational and vacant at the time of the investigation. No wastewater was being generated at the Site.
Stains:	Staining was observed in the former painting room located in the production building.
Wells:	Monitoring wells were observed within the production building and north of the production building.
Transformers:	Several transformers were noted at the Site. No staining was observed in the vicinity of these features.
Other Features:	Floor patches were noted in an area in the production facility where presses have been indicated to have been used.

Source: (HMC, 2019, pp. 12-13)

D. Soil and Gas Sampling Results

In response to the investigations conducted in 2019, HMC recommended supplemental soil and soil gas sampling for the Site. In January 2021, a licensed contractor completed the advancement of 21 borings and installed soil vapor probes (SVPs) on the property. Soil borings were advanced to five or ten feet below ground surface (bgs). All SVPs were installed at five feet bgs. In March 2021, additional step out locations were advanced near a soil vapor probe where elevated VOC concentrations were observed during the January 2021 sampling. Soil vapor probes were installed at five and 15 feet bgs at the step out locations. The VOCs detected in the soil samples were 1,1-dichloroethene (1,1-DCE), acetone, benzene, ethanol, tetrachloroethene (PCE), toluene and trichloroethene (TCE). Concentration ranges are reported in *Technical Appendix E2*. (HMC, 2021)

Soil vapor analytical results for samples collected in January and March 2021 were analyzed for VOCs and 1,1-DFA by U.S. Environmental Protection Agency (USEPA) Test Method 8260B. Several VOCs were detected above laboratory reporting limits in at least one soil vapor probe during both the sampling events. Of the chemicals detected, only PCE, TCE, 1,1-DCE, benzene and chloroform exceeded regulatory limits for commercial/industrial use in least one soil vapor sample collected at depths of five and 15 feet bgs. In total, HMC identified the presence of six VOCs and TPH-d in soil and the presence of 23 VOCs in soil vapor, in which PCE, TCE, 1,1-DCE, benzene and chloroform exceeded the commercial/industrial Ecological Screening Levels (ESLs). (HMC, 2021)

4.4.2 Regulatory Setting

The following is a brief description of the federal, state, and local environmental laws and related regulations related to hazards and hazardous materials.

A. Federal Plans, Policies, and Regulations

1. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Superfund Amendments and Reauthorization Act (SARA)

The Comprehensive Environmental Response, Compensation, and Liability Act, also known as CERCLA or Superfund, provides a Federal "Superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through CERCLA, the Environmental Protection Agency (EPA) was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup. EPA cleans up orphan sites when potentially responsible parties cannot be identified or located, or when they fail to act. Through various enforcement tools, EPA obtains private party cleanup through orders, consent decrees, and other small party settlements. EPA also recovers costs from financially viable individuals and companies once a response action has been completed. (EPA, 2022c)

EPA is authorized to implement the Act in all 50 states and U.S. territories. Superfund site identification, monitoring, and response activities in states are coordinated through the state environmental protection or waste management agencies. (EPA, 2022c)

The Superfund Amendments and Reauthorization Act (SARA) of 1986 reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and technical requirements were added to the legislation, including additional enforcement authorities. Also, Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA). (EPA, 2022c)

2. Resource Conservation and Recovery Act (RCRA)

The Resource Conservation and Recovery Act (RCRA) gives EPA the authority to control hazardous waste from the "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The

1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances. (EPA, 2022e)

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program. (EPA, 2022e)

3. Hazardous Materials Transportation Act (HMTA)

The Hazardous Materials Transportation Act of 1975 (HMTA) empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property." (OSHA, n.d.)

Hazardous materials regulations are subdivided by function into four basic areas:

- Procedures and/or Policies 49 CFR Parts 101, 106, and 107
- Material Designations 49 CFR Part 172
- Packaging Requirements 49 CFR Parts 173, 178, 179, and 180
- Operational Rules 49 CFR Parts 171, 173, 174, 175, 176, and 177 (OSHA, n.d.)

The HMTA is enforced by use of compliance orders [49 U.S.C. 1808(a)], civil penalties [49 U.S.C. 1809(b)], and injunctive relief (49 U.S.C. 1810). The HMTA (Section 112, 40 U.S.C. 1811) preempts state and local governmental requirements that are inconsistent with the statute, unless that requirement affords an equal or greater level of protection to the public than the HMTA requirement. (OSHA, n.d.)

4. Hazardous Materials Transportation Uniform Safety Act of 1990

In 1990, Congress enacted the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) to clarify the maze of conflicting state, local, and federal regulations. Like the HMTA, the HMTUSA requires the Secretary of Transportation to promulgate regulations for the safe transport of hazardous material in intrastate, interstate, and foreign commerce. The Secretary also retains authority to designate materials as hazardous when they pose unreasonable risks to health, safety, or property. (OSHA, n.d.)

The statute includes provisions to encourage uniformity among different state and local highway routing regulations, to develop criteria for the issuance of federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials. (OSHA, n.d.)

5. Occupational Safety and Health Act (OSHA)

Congress passed the Occupational and Safety Health Act (OSHA) to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized

hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions. (EPA, 2022d)

In order to establish standards for workplace health and safety, the Act also created the National Institute for Occupational Safety and Health (NIOSH) as the research institution for OSHA. OSHA is a division of the U.S. Department of Labor that oversees the administration of the Act and enforces standards in all 50 states. (EPA, 2022d)

6. Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint. (EPA, 2022f)

Various sections of TSCA provide authority to:

- Require, under Section 5, pre-manufacture notification for "new chemical substances" before manufacture
- Require, under Section 4, testing of chemicals by manufacturers, importers, and processors where risks or exposures of concern are found
- Issue Significant New Use Rules (SNURs), under Section 5, when it identifies a "significant new use" that could result in exposures to, or releases of, a substance of concern.
- Maintain the TSCA Inventory, under Section 8, which contains more than 83,000 chemicals. As new chemicals are commercially manufactured or imported, they are placed on the list.
- Require those importing or exporting chemicals, under Sections 12(b) and 13, to comply with certification reporting and/or other requirements.
- Require, under Section 8, reporting and record-keeping by persons who manufacture, import, process, and/or distribute chemical substances in commerce.
- Require, under Section 8(e), that any person who manufactures (including imports), processes, or distributes in commerce a chemical substance or mixture and who obtains information which reasonably supports the conclusion that such substance or mixture presents a substantial risk of injury to health or the environment to immediately inform EPA, except where EPA has been adequately informed of such information. EPA screens all TSCA b§8(e) submissions as well as voluntary "For Your Information" (FYI) submissions. The latter are not required by law but are submitted by industry and public interest groups for a variety of reasons. (EPA, 2022f)

B. State Plans, Policies, and Regulations

1. Cal/OSHA and the California State Plan

Under an agreement with OSHA, since 1973 California has operated an occupational safety and health program in accordance with Section 18 of the federal OSHA. The State of California's Department of Industrial

Relations administers the California Occupational Safety and Health Program, commonly referred to as Cal/OSHA. The State of California's Division of Occupational Safety and Health (DOSH) is the principal agency that oversees plan enforcement and consultation. In addition, the California State program has an independent Standards Board responsible for promulgating State safety and health standards and reviewing variances. It also has an Appeals Board to adjudicate contested citations and the Division of Labor Standards Enforcement to investigate complaints of discriminatory retaliation in the workplace. (OSHA, n.d.)

Pursuant to 29 CFR 1952.172, the California State Plan applies to all public and private sector places of employment in the state, with the exception of federal employees, the United States Postal Service, private sector employers on Native American lands, maritime activities on the navigable waterways of the United States, private contractors working on land designated as exclusively under federal jurisdiction and employers that require federal security clearances. Cal/OSHA is the only agency in the state authorized to adopt, amend, or repeal occupational safety and health standards or orders. In addition, the Standards Board maintains standards for certain things not covered by federal standards or enforcement, including: elevators, aerial passenger tramways, amusement rides, pressure vessels and mine safety training. The Cal/OSHA enforcement unit conducts inspections of California workplaces in response to a report of an industrial accident, a complaint about an occupational safety and health hazard, or as part of an inspection program targeting industries with high rates of occupational hazards, fatalities, injuries or illnesses. (OSHA, n.d.)

2. California Hazardous Waste Control Law

The Hazardous Waste Control Law (HWCL) (Health and Safety Code [HSC], Division 20, Chapter 6.5, Section 25100, et seq.) is the primary hazardous waste statute in California. The HWCL implements RCRA as a "cradle-to-grave" waste management system in the state. It specifies that generators have the primary duty to determine whether their wastes are hazardous and to ensure its proper management. The HWCL also establishes criteria for the reuse and recycling of hazardous wastes used or reuse as raw materials. The HWCL exceeds federal requirements by mandating source reduction planning and broadening requirements for permitting facilities that treat hazardous waste. It also regulates a number of waste types and waste management activities not covered by federal law (RCRA). (CA Legislative Info, n.d.)

3. California Code of Regulations (CCR), Titles 22 and 26

A variety of California Code of Regulation (CCR) titles address regulations and requirements for generators of hazardous waste. Title 22 contains detailed compliance requirements for hazardous waste generators, transporters, and facilities for treatment, storage, and disposal. Because California is a fully-authorized state according to RCRA, most regulations (i.e., 40 CFR 260, et seq.) have been duplicated and integrated into Title 22. However, because the Department of Toxic Substances Control (DTSC) regulates hazardous waste more stringently than the EPA, the integration of state and federal hazardous waste regulations that make up Title 22 does not contain as many exemptions or exclusions as does 40 CFR 260. As with the HSC, Title 22 also regulates a wider range of waste types and waste management activities than does RCRA. To aid the regulated community, California has compiled hazardous materials, waste, and toxics-related regulations from CCR, Titles 3, 8, 13, 17, 19, 22, 23, 24 and 27 into one consolidated listing: CCR Title 26 (Toxics). However, the

hazardous waste regulations are still commonly referred to collectively as "Title 22." (DTSC, n.d.; DTSC, n.d.)

C. *Airport and Aircraft Hazards Regulations and Plans*

1. *State Aeronautics Act*

The State Aeronautics Commission Act of 1947 created the Division of Aeronautics ("Division") and was later amended by statute to read the State Aeronautics Act (Aeronautics Act) in 1961. As a result of this legislation, the Division's first priorities are those mandated by the Aeronautics Act, then Caltrans guidance, then Division guidance as expressed through its Policy Element. As directed by the Aeronautics Act, the Division is a steward and advocate of aviation in California. To that end, its efforts are focused on activities that "protect the public interest in aeronautics and aeronautical progress." (§ 21002) (CA Legislative Info, n.d.)

The Aeronautics Act itself is divided into six chapters, the first five of which have not received significant cleanup legislation since its enabling in 1947. The first chapter begins with general provisions and definitions and explains the Legislature's intent for a State aviation program. Chapter two explains Caltrans' role in administering the Division and explains the role of the California Transportation Commission (CTC). Chapter three includes many of the safety considerations from Federal Aviation Administration (FAA) regulations that help keep airports and the surrounding communities safe and compatible with flight operations. Chapter four deals with airport and heliport permitting, air navigation facilities, noise guidelines, funding, and importantly, the formation and authority of Airport Land Use Commissions (ALUC). Chapter five covers the investigations and hearings on matters covered in the Aeronautics Act. Finally, Chapter six introduces airport planning and specifically introduces the intent of the CASP and how it can be used to support California aviation. (CA Legislative Info, n.d.)

4.4.3 Basis for Determining Significance

Section VIII of Appendix G to the CEQA Guidelines addresses typical adverse effects due to hazards and hazardous materials, and includes the following threshold questions to evaluate the Project's impacts from hazards and hazardous materials (OPR, 2019):

a. *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;*

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;*

c. *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;*

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 it create a significant hazard to the public or the environment;*

e. For a project 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, would the project result in a safety hazard or excessive noise for people residing or working in the project area;

f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan;

4.4.4 IMPACT ANALYSIS

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?

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?

A significant impact may occur if a project would involve the use or disposal of hazardous materials as part of its routine operations or would have the potential to generate toxic or otherwise hazardous emissions that could adversely affect sensitive receptors. The analysis below addresses the potential for hazardous materials effects associated with the existing conditions of the Project Site, Project construction activities, and long-term operations.

A. Existing Site Conditions

The Project Site was used for agriculture since at least 1928 until the 1950's when it was developed with the original single industrial structure used by the company Ecko Products. The two additional industrial structures were attached to the original structure in the 1960's, which are the existing three attached structures currently on the Project Site. The Site was used by Leggett & Platt to manufacture bedframes since the 1950s. In 2009, manufacturing operations ceased, and the Site was used for storage and distribution of bedframes. (HMC, 2019, pp. 1, 20) Uses at the Site ceased in 2019 and the onsite buildings are currently vacant.

An REC is defined by the American Society for Testing Materials (ASTM) as, "the presence or likely presence of any hazardous substances or petroleum product in, on, or at the property: 1) due to a release to the environment; 2) under conditions indicative of a release to the environment, or 3) under conditions that pose a material threat of a future release to the environment." Based on the results of the Project's Phase I ESA and Soil/Vapor Investigation, the Project Site is associated with Recognized Environmental Conditions (RECs) as follows (HMC, 2019, p. 22):

- The Project Site has an open Leaking Underground Storage Tank (LUST) case with the RWQCB due to releases from former Underground Storage Tanks (USTs). While groundwater has been closed by the RWQCB, soil remains an open issue.
- The Project Site has a history of industrial use including the use of chlorinated solvents since the 1950's.

- Evidence exists that the plumes of chlorinated solvents from the off-site Omega Chemical facility and Sunrise Properties extends below the Project Site.
- A vapor intrusion condition exists due to past releases on the Site as well as the impacted groundwater from off-site facilities.

During construction activities, all applicable federal, state, and local regulations and codes relating to health and safety are required to be adhered to by the construction contractors, including Cal OSHA regulations contained in Title 8 of the California Code of Regulations (8 CCR). Applicable requirements may include but are not limited to the following:

- Injury and Illness Prevention Program (8 CCR 1509 and 8 CCR 3203)
- Hazardous Waste Operations and Emergency Response (8 CCR 5192)
- Hazard Communication (8 CCR 5194)
- Personal Protective Equipment (8 CCR Article 10)
- Respiratory Protective Equipment (8 CCR 5144)
- Control of Noise Exposure (8 CCR 5095-5100)
- Excavations (8 CCR 1503 and 8 CCR 1539- 1547)
- Fire Prevention and Suppression Procedures (8 CCR 4848)
- Portable Fire Extinguishers (8 CCR 6151)
- Cleaning, Repairing, Servicing, and Adjusting Prime Movers, Machinery, and Equipment
- Lockout/Tagout (8 CCR 3314)
- Medical Services and First Aid (8 CCR 3400)

In summary, releases of hazardous substances have occurred at the Site which is currently an open case under the jurisdiction of the Los Angeles Regional Water Quality Control Board (LARWQCB). Proposed demolition of the existing improvements at the Project Site and construction of the proposed Project would entail grading across the Site. This activity would allow for removal of the contaminants of concern in the areas that would be disturbed by Project construction activities as well as removal of any unknown features or other contaminated areas that may be encountered and that are currently unknown and cannot be known until subsurface ground disturbance occurs as part of the Project's construction. In addition, the LARWQCB requires that a vapor intrusion mitigation system (VIMS, aka "vapor barrier") be installed under the Project's proposed building. Additionally, the Project's proposed storm water drainage system and required storm water pollution prevention plan (SWPPP) are designed to capture and treat rain water falling on the surface of the Site and keep it away from soil contaminates found in deeper soils. In summary, redevelopment of the Project Site as proposed would have environmental cleanup benefits and reduce contamination as compared to the existing condition.

Based on the foregoing analysis, because the Project Site contains RECs including low concentrations of metals, petroleum hydrocarbons and VOCs that are known to be present in the Site's subsurface soils, the Project has the potential to create a significant hazard to the public or the environment during demolition and construction activities if proper protective measures required by regulatory agencies are not followed. As part of the Project's construction, shallow soils would be excavated, recompacted, and handled following a Soil

Management Plan contained as *Technical Appendix E3* to this EIR, which was reviewed and approved by the LARWQCB. A vapor barrier also is proposed to be installed beneath the proposed building slab to attenuate the presence of VOCs within soil gas as required by LARWQCB and in compliance with South Coast Air Quality Management District (SCAQMD) Rule 1166. Impacts are potentially significant during construction and mitigation is required to require implementation of the Soil Management Plan and installation of the vapor barrier pursuant to the requirements of the LARWQCB.

B. Project Demolition and Construction

1. Demolition

While not an REC, the existing buildings on the Site were reported to have been built in the 1950's through the 1960's during a time when asbestos was commonly found in construction materials. Suspect asbestos containing materials were observed at the Project Site including drywall, joint compound, ceiling tiles, vinyl floor tile, acoustic ceilings, and mastic. As such, there is a potential for the Project to create a significant hazard to the public or the environment during the demolition phase of construction.

2. *General Construction Hazardous Waste*

Heavy equipment (e.g., dozers, excavators, tractor) would operate on the Project Site during construction of the Project. Heavy equipment is typically fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which is considered hazardous if improperly stored or handled. Also, materials such as paints, adhesives, solvents, and other substances typically used in building construction would be located on the Project Site during construction. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. This is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with the proposed Project than would occur on any other similar construction site. Construction contractors would be required to comply with all applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited requirements imposed by the Environmental Protection Agency (EPA), US Department of Transportation regulations listed in the Code of Federal Regulations (Title 49, Hazardous Materials Transportation Act); California Department of Transportation standards; California Department of Toxic Substances Control (DTSC), SCAQMD, RWQCB, and the California Department of Industrial Relations Division of Occupational Safety and Health, better known as Cal/OSHA. With mandatory compliance to applicable hazardous materials regulations, the Project would not create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials during the construction phase. Impacts would be less than significant.

C. Project Operations

The Project entails redevelopment of the Project Site with one building having a total building area of 295,959 s.f. The future building occupant(s) for the Project is not yet identified but expected to be an assembly, manufacturing, R&D, and/or light industrial use with ancillary storage. It is possible that hazardous materials could be used during the future building user's daily operations. State and federal Community-Right-to-Know laws allow public access to information about the amounts and types of chemicals in use at local businesses.

Laws also are in place that requires businesses to plan and prepare for possible chemical emergencies. The City of Whittier follows Los Angeles County's Hazardous Waste Management Plan, which provides standards for disposal, handling, processing, storage, and treatment of local hazardous waste. Additionally, any business handling at any one time, greater than 500 pounds of solid, 55 gallons of liquid, or 200 cubic ft. of gaseous hazardous material, is required, under Assembly Bill 2185 (AB 2185), to file a Hazardous Materials Business Emergency Plan (HMBEP). An HMBEP is a written set of procedures and information created to help minimize the effects and extent of a release or threatened release of hazardous material. The HMBEP intends to satisfy federal and State Community Right-To-Know laws and to provide detailed information for use by emergency responders.

If businesses that use or store hazardous materials occupy the Project Site, the business owners and operators would be required to comply with all applicable federal, State, and local regulations to ensure proper use, storage, use, emission, and disposal of hazardous substances (as described above). With mandatory regulatory compliance, the Project is not expected to pose a significant hazard to the public or the environment through the routine transport, use, storage, emission, or disposal of hazardous materials. Impacts would be less than significant.

D. Conclusion

Based on the foregoing analysis, the Project has the potential to create a significant hazard to the public or the environment during demolition and construction activities due to existing site contamination and due to the likely presence of asbestos-containing materials within the existing buildings on the Site. Impacts would be significant.

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?

There are no schools located within 0.25-mile of the Project Site. The nearest school to the Project Site is St. Mary's Catholic School, located approximately 0.28-mile northeast of the Project Site at 7218 Pickering Avenue on the opposite side of Whittier Boulevard. Additionally, there are no properties within 0.25-mile of the Project Site that are known to the planned for proposed school facilities. Therefore, implementation of the Project would have no potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25-mile of an existing or proposed school. No impact would occur.

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 it create a significant hazard to the public or the environment?

Based on a review of Cortese List data resources available from the California Environmental Protection Agency (CalEPA), the Project Site is not identified as a hazardous materials site by DTSC's EnviroStor database, the State Water Board's GeoTracker database for leaking underground storage tanks (LUST), the list of solid waste disposal sites identified by the State Water Board, the list of "active" cease and desist orders (CDO) or cleanup and abatement orders (CAO) compiled by the State Water Board, or DTSC's list of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety

Code (CalEPA, n.d.). Accordingly, the Project would not result in a significant hazard to the public or the environment due to the Project being included on a list of hazardous materials sites complied pursuant to Government Code Section 65962. No impact would occur.

Threshold e: For a project 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, would the Project result in a safety hazard or excessive noise for people residing or working in the project area?

The Project Site is not within an airport land use plan or within two miles of a public use airport. The nearest public use airport is the San Gabriel Valley Airport in El Monte, located approximately 7.3 miles northwest of the Project Site. Therefore, the proposed Project would not result in a safety or noise hazard for people working at the Project Site. Impacts would be less than significant.

Threshold f: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The adopted emergency response plan in the Project area is the City of Whittier Emergency Operations Plan (EOP). The purpose of the EOP is to address the City's planned response and recovery to emergencies associated with natural disasters and technological incidents. The redevelopment of the Project Site is not anticipated to impair implementation of or physically interfere with the City's EOP or any emergency evacuation plans as the Project Site does not serve as an emergency evacuation route or emergency operation center. SR-72 and I-605 serve as evacuation corridors within the Project vicinity, with Whittier Boulevard serving as the primary local evacuation route in the area. The Project Site is located on the Whittier Boulevard frontage road and has no potential to affect Whittier Boulevard during either construction or operation of the proposed Project (City of Whittier, n.d.).

Additionally, the Project was subject to the City's development review and permitting process and future building permits associated with the Project would be required to incorporate all applicable design and safety standards and regulations in the California Fire Code and the City of Whittier Municipal Code Chapter 15.12, Fire Code. The incorporation of applicable design and safety standards and regulations would ensure that the Project's development does not interfere with the provision of local emergency services.

Based on the foregoing, implementation of the Project would not significantly impair the implementation of or physically interfere with the City's Emergency Response Plan or any other emergency response plans. A less than significant impact would occur.

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?

The Project Site is fully developed and within a completely urbanized area of the City of Whittier that is void of any wildland areas. Additionally, according to the California Department of Forestry and Fire Protection (CalFire), the Project Site is not within a fire hazard severity zone (FHSZ). As such, the Project would not expose people or structure to a significant risk involving wildland fires. No impact would occur.

4.4.5 CUMULATIVE IMPACT ANALYSIS

Because the issue of hazards and hazardous materials tends to be site-specific in nature, the cumulative study area includes existing and planned developments within a one-mile radius of the Project Site. A one-mile radius is appropriate for most of the thresholds identified herein because that is the standard distance used in regulatory database searches of properties that may generate or store toxic materials.

As discussed under the analysis of Threshold a and b, the Project Site is associated with RECs based on the results of the Project's Phase I ESA (*Technical Appendix E1*) and Soil/Vapor Investigation (*Technical Appendix E2*). The Project has the potential to have cumulatively-considerable impacts to the public or the environment during demolition and construction activities due to the existing contamination present on and beneath the Project Site as the result of past onsite manufacturing operations and off-site releases. The Project would be subject to compliance with all applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited to requirements imposed by the EPA and DTSC. Project construction activities also would be required to adhere to a Soil Management Plan contained as *Technical Appendix E3* to this EIR, which was reviewed and approved by the LARWQCB. Other cumulative developments similarly would be subject to applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials. As such, cumulatively-considerable impacts would be less than significant. Similarly, under long-term operating conditions, future businesses on the Site that involve the storage or use of hazardous materials or substances would be subject to applicable federal, State, and local requirements related to hazardous materials. Other businesses within the Project's cumulative study area similarly would be required to comply with applicable federal, State, and local requirements related to hazardous materials. With mandatory regulatory compliance, potential hazardous materials impacts associated with long-term operation of the Project are determined to be less than cumulatively considerable.

As discussed under the analysis of Threshold c, there are no existing schools within one-quarter miles of the Project Site. The nearest school to the Project Site is St. Mary's Catholic School, located approximately 0.28-mile northeast of the Project Site on the opposite side of Whittier Boulevard. Additionally, there are no properties within 0.25-mile of the Project Site that are known to the planned for future school facilities. As such, the Project has no potential to result in cumulatively-considerable impacts due to hazardous emissions, or due to the handling of hazardous or acutely hazardous materials, substances, waste, within one-quarter mile of an existing or planned school.

As discussed under the analysis of Threshold d, the Project Site is not identified as a hazardous materials site by DTSC's EnviroStor database, the State Water Board's GeoTracker database for leaking underground storage tanks (LUST), the list of solid waste disposal sites identified by the State Water Board, the list of "active" cease and desist orders (CDO) or cleanup and abatement orders (CAO) compiled by the State Water Board, or DTSC's list of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code (CalEPA, n.d.). As such, there is no potential for the Project to contribute to any cumulative impacts that would create a significant impact on the public or the environment.

As discussed under the analysis of Threshold e, the Project Site is not within an airport land use plan or within two miles of a public use airport. The nearest public use airport is the San Gabriel Valley Airport in El Monte, located approximately 7.3 miles northwest of the Project Site. As such, there is no potential for the Project to contribute to any cumulative impacts that would result in a safety hazard or excessive noise for people residing or working in the Project area.

As discussed under the analysis of Threshold f, the adopted emergency response plan in the Project area is the City of Whittier Emergency Operations Plan (EOP). The redevelopment of the Project Site is not anticipated to impair implementation of or physically interfere with the City's EOP or any emergency evacuation plans as the Project Site does not serve as an emergency evacuation route or emergency operation center. Thus, there is no potential for the Project to contribute to any cumulative impacts associated with an adopted agency emergency response plan or emergency evacuation plan.

As discussed under the analysis of Threshold g, the Project Site is fully developed and within a completely urbanized area of the City of Whittier that is void of any wildland areas. Additionally, according to the California Department of Forestry and Fire Protection (CalFire), the Project Site is not within a fire hazard severity zone (FHSZ). As such, there is no potential for the Project to contribute to any cumulative impacts associated with a significant risk of loss, injury, or death involving wildland fire.

4.4.6 Significance of Impacts Before Mitigation

Threshold a and b: Significant Direct Impact. Based on the results of the Project's Phase I ESA and Soil/Vapor Investigation, the Project Site is associated with RECs. As such, the Project has the potential to create a significant hazard to the public or the environment during demolition and construction activities due to existing site contamination and due to the likely presence of asbestos-containing materials within the existing buildings on-site.

Threshold c: No Impact. The Project Site is not located within one-quarter mile of any existing or planned school sites and therefore has no potential to emit or handle hazardous materials within one-quarter mile of a school.

Threshold d: No Impact. The Project Site is not located on any list of hazardous materials sites complied pursuant to Government Code Section 65962.5.

Threshold e: Less-than-Significant Impact. The Project Site is not within an airport land use plan or within two miles of a public use airport. The nearest public use airport is the San Gabriel Valley Airport in El Monte, located approximately 7.3 miles northwest of the Project Site. Therefore, the proposed Project would not result in a safety or noise hazard for people working at the Project Site.

Threshold f: Less-than-Significant Impact. The Project Site does not contain any emergency facilities nor does it serve as an emergency evacuation route. During construction and long-term operation, adequate emergency vehicle access is required to be provided. Accordingly, implementation of the Project would not impair

implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan.

Threshold g: No Impact. The Project Site is not located in close proximity to wildlands or areas with high fire hazards. Thus, the Project would not expose people or structures to a significant wildfire risk.

4.4.7 Mitigation Measures

MM 4.4-1 As conditions of the Project's demolition permit and grading permit, the City of Whittier shall require compliance with the Project's Soil Management Plan (*Technical Appendix E2* to this EIR) prepared by HMC, titled "Soil Management Plan Former Leggett & Platt Facility, 12352 Whitter Boulevard, Whitter, California 90602," and dated January 13, 2023, or the most recent version thereof published at the time of permit issuance and approved by the Los Angeles Regional Water Quality Control Board (LARWQCB). If there are any discrepancies among mitigation measures provided in this EIR and the Soil Management Plan, the requirements of the Soil Management Plan approved by the LARWQCB shall prevail. As part of the grading efforts, South Coast Air Quality Management District (SCAQMD) Rules 1166 (VOCs) and 1466 (Metals) also shall apply.

MM 4.4-2 Locations of reported or suspected subsurface features shall be noted on demolition plans and grading plans. As a condition of demolition permits and grading permits, initial ground disturbance in areas of known former manufacturing features such as clarifiers, sumps, and drainage channels shall consist of trenching with small equipment such as backhoes in an attempt to locate the reported buried features. If features are discovered, they shall be handled and disposed of in accordance with all applicable regulatory requirements. Mass grading activities may proceed when the initial trenching investigations are complete.

MM 4.4-3 Prior to the issuance of a demolition permit and grading permit, the Project Applicant shall provide evidence to the City of Whittier Community Development Department that qualified hazardous materials professionals (at minimum, an Environmental Program Manager (ECM) and an Environmental Field Coordinator (EFC)) have been retained to oversee implementation of the Soil Management Plan.

MM 4.4-4 The ECM shall be required to provide health and safety training to the demolition and grading contractors and other site workers involved in ground-disturbing construction activities who may be in contact with hazardous materials or contaminated soils. The training shall occur not less than 30 days before the construction contractors begin work on the site. Verification of the training and a list of the individuals attending the training shall be kept in the records of the Project Applicant and made available for City review upon request.

MM 4.4-5 As a condition of the Project's grading permit, the EFC shall be required to monitor soil excavation and grading operations and ensure implementation of the following protocols. These protocols shall be conditions of the Project's grading permit and shall be followed during

all grading activities and cover both known and, if encountered, unanticipated environmental conditions.

a) During grading, the EFC shall be on the Site to assist the contractor in segregating impacted soil from non-impacted soil and assisting in the selection of potential disposal options should impacted soil be encountered.

b) The EFC shall conduct periodic soil sampling during grading. There are three types of testing that may be required. It is anticipated that most of the soil will remain on the Site during grading with nominal import or export required, if any.

- Soil for Off Site Disposal: Samples shall be collected and analyzed as required by the receiving facility to develop an approved "soil profile" for disposal purposes.
- Imported Fill: Any imported fill brought to the Site shall be tested in accordance with the procedures presented in the Soil Management Plan.
- Soil to be Reused On-Site: Excess soil that is placed in stockpiles for potential reuse on the Site shall be sampled and evaluated for reuse in accordance with the methodologies presented in US EPA SW-846, guidance presented by the Bay Area RWQCB (2006) and comments from the LARWQCB as described in the Soil Management Plan.

c) Contractors shall notify the EFC if any odorous or discolored soil is encountered. Procedures to be followed if odorous or discolored soil is encountered are provided in the Soil Management Plan.

d) Soil to be stockpiled from areas known to be impacted or soil that is potentially impacted based on field observations shall be segregated from other soils, placed on plastic sheeting, and covered at the end of each workday. Stockpiled soil awaiting characterization shall be treated as impacted soil until results are obtained. Daily cover, dust control, and storm water management shall be provided.

e) Track out of soil or other materials from the construction site prohibited. Soil or other materials adhered to vehicles shall be removed via brushing or washing before exiting the Site. If water is used for washing; it shall be collected and contained on the Site. Sampling of the water may be needed prior to disposal in compliance with any sewer discharge permit(s). Sampling and compliance shall be the responsibility of the contractor.

MM 4.4-6 Prior to the issuance of a demolition permit that entails ground disturbance and prior to issuance of a grading permit, a VOC-Impacted Soil Mitigation Plan shall be prepared and approved by the SCAQMD Executive Officer and shall be kept on the Site during the entire excavation period. As a condition of the Project's demolition permit and grading permit, soil movement

shall require air quality monitoring by an EFC or other qualified hazardous materials professional in accordance with SCAQMD Rule 1166. Monitoring for the presence of "VOC-Contaminated" soil as that term is defined by the SCAQMD and implementing the VOC-Impacted Soil Mitigation Plan approved by the SCAQMD Executive Officer shall be required if VOC-impacted soil is encountered during grading and excavation work. The following vapor or odor mitigation measures shall be implemented if real-time air monitoring exceeds an action level or if odors are encountered that requires mitigation from a health and safety perspective:

a) Cover subject soil with clean soil or plastic sheeting;
b) Reduce the pace of work;
c) Reduce size of area being excavated; and/or
d) Apply vapor suppression.

Construction procedures or vapor/odor control measures may be altered based on observations of the effectiveness of such measures. Work must stop until such measures are improved or additional or more effective measures are employed. Additional air monitoring may be conducted to confirm the effectiveness of emission reduction activities.

MM 4.4-7 As a condition of the Project's building permit, a vapor mitigation system shall be installed beneath the building to attenuate the presence of VOCs within soil gas as required by SCAQMD Rule 1166 (VOCs). The required vapor mitigation system shall be depicted on the building plans and shall be in place prior to issuance of the first occupancy permit.

MM 4.4-8 At the completion of grading, a report shall be prepared which shall provide a summary of the work conducted, results of soil sampling, monitoring results, laboratory results, and manifests used to dispose of soil from the Project site, if any. Prior to final grading inspection, the Project Applicant shall provide evidence to the City of Whittier Public Works Department demonstrating that the requirements of the Soil Management Plan have been completed to the satisfaction of the LARWQCB.

4.4.8 Significance of Impacts After Mitigation

Threshold a and b: Less-than-Significant with Mitigation Incorporated. In addition to mandatory compliance with regulatory requirements, Mitigation Measures MM 4.4-1 through MM 4.4-8 will ensure that the Project Site's associated RECs and soil contamination and soil vapors are properly remediated during construction. Therefore, with implementation of MM 4.4-1 through 4.4-8, the Project's potential impact to the public or the environment due to the presence of existing RECs would be reduced to less than significant.

4.5 NOISE

This Subsection addresses the environmental issue of noise, including existing noise levels in the Project area and the Project's potential to introduce new or elevated sources of noise. The analysis contained herein incorporates information contained in a technical report prepared by Ganddini Group, Inc., titled "Whittier Boulevard Business Park Noise Impact Analysis" ("Noise Analysis") and dated June 16, 2023 (Ganddini, 2023b). The report is included as *Technical Appendix G* to this EIR. Refer to Section 7.0, *References*, for a complete list of reference sources used in the analysis presented in this Subsection.

4.5.1 NOISE FUNDAMENTALS

Sound is a pressure wave created by a moving or vibrating source that travels through an elastic medium such as air. Noise is defined as unwanted or objectionable sound. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and in extreme circumstances, hearing impairment. (Ganddini, 2023b, p. 4)

Commonly used noise terms are presented in *Technical Appendix G* to this EIR. The unit of measurement used to describe a noise level is the decibel (dB). The human ear is not equally sensitive to all frequencies within the sound spectrum. Therefore, the "A-weighted" noise scale, which weights the frequencies to which humans are sensitive, is used for measurements. Noise levels using A-weighted measurements are written dB(A) or dBA. (Ganddini, 2023b, p. 4)

From the noise source to the receiver, noise changes both in level and frequency spectrum. The most obvious is the decrease in noise as the distance from the source increases. The manner in which noise reduces with distance depends on whether the source is a point or line source as well as ground absorption, atmospheric effects and refraction, and shielding by natural and manmade features. Sound from point sources, such as air conditioning condensers, radiates uniformly outward as it travels away from the source in a spherical pattern. The noise drop-off rate associated with this geometric spreading is 6 dBA per each doubling of the distance (dBA/DD). Transportation noise sources such as roadways are typically analyzed as line sources, since at any given moment the receiver may be impacted by noise from multiple vehicles at various locations along the roadway. Because of the geometry of a line source, the noise drop-off rate associated with the geometric spreading of a line source is 3 dBA/DD. (Ganddini, 2023b, p. 4)

Decibels are measured on a logarithmic scale, which quantifies sound intensity in a manner similar to the Richter scale used for earthquake magnitudes. Thus, a doubling of the energy of a noise source, such as a doubled traffic volume, would increase the noise levels by 3 dBA; halving of the energy would result in a 3 dBA decrease. (Ganddini, 2023b, p. 4)

Average noise levels over a period of minutes or hours are usually expressed as dBA Leq, or the equivalent noise level for that period of time. For example, Leq (3-hr) would represent a 3-hour average. When no period is specified, a one-hour average is assumed. (Ganddini, 2023b, p. 4)

Noise standards for land use compatibility are stated in terms of the Community Noise Equivalent Level (CNEL) and the Day-Night Average Noise Level (DNL). CNEL is a 24-hour weighted average measure of community noise. CNEL is obtained by adding five decibels to sound levels in the evening (7:00 PM to 10:00 PM), and by adding ten decibels to sound levels at night (10:00 PM to 7:00 AM). This weighting accounts for the increased human sensitivity to noise during the evening and nighttime hours. DNL is a very similar 24-hour average measure that weights only the nighttime hours. (Ganddini, 2023b, p. 4)

It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA; that a change of 5 dBA is readily perceptible, and that an increase (decrease) of 10 dBA sounds twice (half) as loud. This definition is recommended by the California Department of Transportation's Technical Noise Supplement to the Traffic Noise Analysis Protocol (2013). (Ganddini, 2023b, p. 4)

4.5.2 Vibration Fundamentals

The way in which vibration is transmitted through the earth is called propagation. Propagation of earthborn vibrations is complicated and difficult to predict because of the endless variations in the soil through which waves travel. As vibration waves propagate from a source, the energy is spread over an ever-increasing area such that the energy level striking a given point is reduced with the distance from the energy source. Wave energy is also reduced with distance as a result of material damping in the form of internal friction, soil layering, and void spaces. (Ganddini, 2023b, pp. 4-5)

Vibration amplitudes are usually expressed as either peak particle velocity (PPV) or the root mean square (RMS) velocity. The PPV is defined as the maximum instantaneous peak of the vibration signal in inches per second. The RMS of a signal is the average of the squared amplitude of the signal in vibration decibels (VdB), ref one micro-inch per second. (Ganddini, 2023b, p. 5)

PPV is appropriate for evaluating the potential of building damage and VdB is commonly used to evaluate human response. Similar to the noise descriptors, Leq and Lmax can be used to describe the average vibration and the maximum vibration level observed during a single vibration measurement interval. The threshold of perception for human response is approximately 65 VdB; however, human response to vibration is not usually substantial unless the vibration exceeds 70 VdB. Vibration tolerance limits for sensitive instruments such as magnetic resonance imaging (MRI) or electron microscopes could be much lower than the human vibration perception threshold. (Ganddini, 2023b, p. 5)

4.5.3 Existing Noise Conditions

A. Existing Study Area Ambient Noise Conditions

Ganddini Group recorded five 15-minute daytime noise measurements between 12:33 PM and 4:02 PM on September 21, 2021, and one long-term 24-hour noise measurement from September 21, 2021, to September 22, 2021. The results of the existing short-term noise level measurements are summarized below and in Table 4.5-1, *Short-Term Noise Measurement Summary (dBA*). Short-term ambient noise levels were measured between 53.1 and 64 dBA Leq. Hourly interval ambient noise data from the long-term measurement is shown in Table 4.5-2, *Long-Term Noise Measurement Summary (dBA)*. Long-term hourly noise measurement ambient

noise levels ranged from 59 to 60.8 dBA Leq. The dominant noise sources were from HVAC and other machinery equipment, vehicles traveling along Whittier Boulevard and other surrounding roadways, activities associated with the adjacent public storage facility to the north, residential activity to the west, and an emergency vehicle siren. (Ganddini, 2023b, p. 9) Field worksheets and noise measurement output data are provided in the Noise Analysis (refer to *Technical Appendix G*). (Ganddini, 2023b, p. 8)

- Location STNM1 represents the existing noise environment of the hospital use located to the southwest of the Project Site boundary. The noise meter was placed near the southwestern corner of the Project Site in the parking lot of the adjacent hospital use.

- Location STNM2 represents the existing noise environment of the commercial and industrial uses located adjacent to the south of the Project Site. The noise meter was placed just south of the Project Site's southern boundary near industrial/commercial buildings located at 12436 Putnam Street and 7635 Baldwin Place.

- Location STNM3 represents the existing noise environment of the commercial uses located to the east of the Project Site (east of Whittier Boulevard). The noise meter was placed between Whittier Boulevard and Whittier Boulevard just east of the Project Site.

- Location STNM4 represents the existing noise environment of the commercial self-storage facility located adjacent to the north of the Project Site. The noise meter was placed at the southwest corner of the public storage facility.

- Location STNM5 represents the existing noise environment of the multi- and single-family residential uses located adjacent to the west of the Project Site. The noise meter was placed between the residential buildings and the western boundary of the Project Site.

- Location LTNM1 represents the existing noise environment of the Project Site and the multi- and single-family residential uses located adjacent to the west of the Project Site. The noise meter was placed within the Project Site, near the project's western boundary.

Table 4.5-1 Short-Term Noise Measurement Summary (dBA)

Daytime Measurements[1,2]								
Site Location	**Time Started**	**Leq**	**Lmax**	**Lmin**	**L(2)**	**L(8)**	**L(25)**	**L(50)**
STNM1	12:33 PM	58.5	63.6	57.4	60.7	59.6	58.6	58.3
STNM2	1:11 PM	63.5	75.9	60.5	69.5	64.3	62.9	62.3
STNM3	2:12 PM	64.0	82.4	52.0	71.5	65.5	62.3	60.1
STNM4	2:49 PM	53.1	67.6	43.8	63.1	56.0	51.7	49.3
STNM5	3:47 PM	53.5	61.9	48.7	58.5	54.2	53.6	51.8

[1] See Figure 5 for noise measurement locations. Each noise measurement was performed over a 15-minute duration.
[2] Noise measurements performed on September 21, 2021.
Source: (Ganddini, 2023b, Table 1)

Table 4.5-2 Long-Term Noise Measurement Summary (dBA)

24-Hour Ambient Noise[1,2]								
Hourly Measurements	**Time Started**	**Leq**	**Lmax**	**Lmin**	**L(2)**	**L(8)**	**L(25)**	**L(50)**
Overall Summary	**6:00 PM**	**60.0**	**79.3**	**55.9**	**62.0**	**60.9**	**60.3**	**59.7**
1	6:00 PM	59.6	67.4	57.2	61.7	60.4	59.8	59.4
2	7:00 PM	59.5	64.4	57.5	61.5	60.4	59.7	59.3
3	8:00 PM	60.5	67.5	58.5	62.5	61.5	60.9	60.3
4	9:00 PM	60.2	70.1	58.7	62.4	60.8	60.2	59.9
5	10:00 PM	60.2	67.1	58.3	61.6	60.9	60.4	60.0
6	11:00 PM	60.4	64.3	59.3	61.7	61.0	60.6	60.3
7	12:00 AM	60.4	62.0	59.0	61.3	61.0	60.7	60.4
8	1:00 AM	59.1	62.8	57.8	60.2	59.9	59.4	59.1
9	2:00 AM	59.0	60.6	57.8	59.9	59.6	59.3	59.0
10	3:00 AM	59.7	64.8	58.6	60.6	60.3	59.9	59.6
11	4:00 AM	59.9	66.4	58.6	60.9	60.5	60.1	59.9
12	5:00 AM	60.3	65.6	59.0	61.3	60.8	60.5	60.2
13	6:00 AM	60.5	67.2	59.0	62.8	61.3	60.7	60.3
14	7:00 AM	60.3	65.9	58.2	62.7	61.2	60.5	60.1
15	8:00 AM	59.6	67.5	57.4	62.5	60.5	59.7	59.3
16	9:00 AM	59.6	62.6	57.6	61.2	60.5	59.8	59.4
17	10:00 AM	59.8	65.4	57.6	62.4	60.8	60.0	59.5
18	11:00 AM	60.0	66.6	57.7	62.1	61.1	60.3	59.8
19	12:00 PM	60.1	66.0	57.5	62.3	61.4	60.6	60.0
20	1:00 PM	60.4	71.1	56.9	64.8	61.7	60.5	59.8
21	2:00 PM	60.8	79.3	55.9	63.0	60.8	60.0	59.3
22	3:00 PM	59.3	68.8	56.8	61.7	60.4	59.6	59.1
23	4:00 PM	59.2	66.2	56.4	61.6	60.2	59.5	59.0
24	5:00 PM	59.8	64.6	56.9	62.2	60.9	60.1	59.6

[1] See Figure 5 for noise measurement locations. Noise measurement was performed over a 24-hour duration.
[2] Noise measurement performed from September 21, 2021, to September 22, 2021.
Source: (Ganddini, 2023b, Table 2)

B. Existing Groundborne Vibration

Based on the nature of the existing uses on the Project Site, the lack of heavy impact machinery, and vacant condition of the buildings, there are no sources of groundborne vibration on the Project Site under existing conditions.

C. Existing Airport Noise

The Project Site is located approximately 7.3 miles southeast of the San Gabriel Valley Airport (formerly El Monte Airport). According to the Los Angeles County Airport Land Use Plan, the Project Site is not within the Airport Influence Area or within a noise impact zone. (Los Angeles County, 2004)

4.5.4 REGULATORY SETTING

The following is a brief description of the federal, State, and local environmental laws and related regulations related to noise.

A. Federal Plans, Policies, and Regulations

1. Noise Control Act of 1972

The Noise Control Act of 1972 establishes a national policy to promote an environment for all Americans free from noise that jeopardizes their health and welfare. The Act also serves to (1) establish a means for effective coordination of Federal research and activities in noise control; (2) authorize the establishment of Federal noise emission standards for products distributed in commerce; and (3) provide information to the public respecting the noise emission and noise reduction characteristics of such products. (EPA, 2022g)

While primary responsibility for control of noise rests with State and local governments, Federal action is essential to deal with major noise sources in commerce, control of which require national uniformity of treatment. The Environmental Protection Agency (EPA) is directed by Congress to coordinate the programs of all Federal agencies relating to noise research and noise control. (EPA, 2022g)

2. Federal Transit Administration

The Federal Transit Administration (FTA) has published a Noise and Vibration Impact Assessment (NVIA), which provides guidance for preparing and reviewing the noise and vibration sections of environmental documents. In the interest of promoting quality and uniformity in assessments, the manual is used by project sponsors and consultants in performing noise and vibration analyses for inclusion in environmental documents. The manual sets forth the methods and procedures for determining the level of noise and vibration impact resulting from most federally-funded transit projects and for determining what can be done to mitigate such impact. (FTA, 2006, p. 1-1)

The NVIA also establishes criteria for acceptable ground-borne vibration, which are expressed in terms of root mean square (rms) velocity levels in decibels and the criteria for acceptable ground-borne noise are expressed in terms of A-weighted sound levels. As shown in Table 4.5-3, *Ground-Borne Vibration and Noise Impact Criteria for General Assessment*, the FTA identifies three categories of land uses and provides Ground-Based Vibration (GBV) and Ground-Based Noise (GBN) criteria for each category of land use. (FTA, 2006, pp. 8-3 and 8-4)

Table 4.5-3 Ground-Borne Vibration and Noise Impact Criteria for General Assessment

Land Use Category	GBV Impact Levels (VdB re 1 micro-inch /sec)			GBN Impact Levels (dB re 20 micro Pascals)		
	Frequent Events[1]	Occasional Events[2]	Infrequent Events[3]	Frequent Events[1]	Occasional Events[2]	Infrequent Events[3]
Category 1: Buildings where vibration would interfere with interior operations.	65 VdB[4]	65 VdB[4]	65 VdB[4]	N/A[4]	N/A[4]	N/A[4]
Category 2: Residences and buildings where people normally sleep.	72 VdB	75 VdB	80 VdB	35 dBA	38 dBA	43 dBA
Category 3: Institutional land uses with primarily daytime use.	75 VdB	78 VdB	83 VdB	40 dBA	43 dBA	48 dBA

Notes:

1. "Frequent Events" is defined as more than 70 vibration events of the same source per day. Most rapid transit projects fall into this category.
2. "Occasional Events" is defined as between 30 and 70 vibration events of the same source per day. Most commuter trunk lines have this many operations.
3. "Infrequent Events" is defined as fewer than 30 vibration events of the same kind per day. This category includes most commuter rail branch lines.
4. This criterion limit is based on levels that are acceptable for most moderately sensitive equipment such as optical microscopes. Vibration-sensitive manufacturing or research will require detailed evaluation to define the acceptable vibration levels. Ensuring lower vibration levels in a building often requires special design of the HVAC systems and stiffened floors.
5. Vibration-sensitive equipment is generally not sensitive to ground-borne noise.

Source: (FTA, 2006, Table 8-1)

3. Federal Highway Administration

The Federal Highway Administration (FHWA) is the agency responsible for administering the Federal-aid highway program in accordance with Federal statutes and regulations. The FHWA developed the noise regulations as required by the Federal-Aid Highway Act of 1970 (Public Law 91-605, 84 Stat. 1713). The regulation, 23 CFR 772 *Procedures for Abatement of Highway Traffic Noise and Construction Noise*, applies to highway construction projects where a State department of transportation has requested Federal funding for participation in the project. The regulation requires the highway agency to investigate traffic noise impacts in areas adjacent to federally-aided highways for proposed construction of a highway on a new location or the reconstruction of an existing highway to either significantly change the horizontal or vertical alignment or increase the number of through-traffic lanes. If the highway agency identifies impacts, it must consider abatement. The highway agency must incorporate all feasible and reasonable noise abatement into the project design. (FHWA, 2022)

The FHWA regulations for mitigation of highway traffic noise in the planning and design of federally aided highways are contained in Title 23 of the United States Code of Federal Regulations Part 772. The regulations

contain noise abatement criteria, which represent the upper limit of acceptable highway traffic noise for different types of land uses and human activities. The regulations do not require meeting the abatement criteria in every instance. Rather, they require highway agencies make every reasonable and feasible effort to provide noise mitigation when the criteria are approached or exceeded. Compliance with the noise regulations is a prerequisite for the granting of Federal-aid highway funds for construction or reconstruction of a highway. (FHWA, 2022)

4. Construction-Related Hearing Conservation

The Occupational Safety and Health Administration (OSHA) hearing conservation program is designed to protect workers with significant occupational noise exposures from hearing impairment even if they are subject to such noise exposures over their entire working lifetimes. Standard 29 CFR, Part 1910 indicates the noise levels under which a hearing conservation program is required to be provided to workers exposed to high noise levels. (OSHA, 2002)

Note: This analysis does not evaluate the noise exposure of construction workers within the Project Site based on CEQA requirements, and instead, evaluates the Project-related construction noise levels at the nearby sensitive receiver locations in the Project study area. Further, periodic exposure to high noise levels in short duration, such as Project construction, is typically considered an annoyance and not impactful to human health. It would take several years of exposure to high noise levels to result in hearing impairment.

B. State Plans, Policies, and Regulations

1. State of California Noise Requirements

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards, and provides guidance for local land use compatibility. State law requires that each county and city in the State of California adopt a General Plan that includes a Noise Element which is to be prepared according to guidelines adopted by the Governor's Office of Planning and Research. The purpose of the Noise Element is to limit the exposure of the community to excessive noise levels.

2. Building Standards Code

The State of California's noise insulation standards are codified in the California Code of Regulations, Title 24, Building Standards Administrative Code, Part 2, and the California Building Standards Code. These noise standards are applied to new construction in California for the purpose of controlling interior noise levels resulting from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are developed near major transportation noise sources, and where such noise sources create an exterior noise level of 60 dBA CNEL or higher. Acoustical studies that accompany building plans for noise-sensitive land uses must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. For new residential buildings, schools, and hospitals, the acceptable interior noise limit for new construction is 45 dBA CNEL. (BSC, n.d.)

3. OPR General Plan Guidelines

Though not adopted by law, the 2017 California General Plan Guidelines, published by the California Governor's OPR, provides guidance for local agencies in preparing or updating General Plans. The Guidelines provide direction on the required Noise Element portion of the General Plans. The purpose of the Noise Element is to limit the exposure of the community to excessive noise levels. The OPR Guidelines state that General Plan policies and standards must be sufficient to serve as a guideline for compliance with sound transmission control requirements, and directly correlate to the Land Use, Circulation, and Housing Elements. The Guidelines also state that the Noise Element must be used to guide decisions concerning land use and the location of new roads and transit facilities since these are common sources of excessive noise levels. (OPR, 2017, pp. 131-132) The City's Envision Whitter General Plan addresses the topic of noise in the Public Safety, and Noise and Health Element. Refer below for a discussion of the City's General Plan.

C. Local Regulations

1. City of Whittier General Plan

The City of Whittier has adopted their own version of the State Land Use Compatibility Guidelines for land use planning and to assess potential transportation noise impacts to proposed land uses. The Envision Whittier General Plan Public Safety, Noise and Health Element (October 2021) contains goals and policies related to noise within the City. The General Plan goals and policies which apply to the proposed project are presented below.

Goal 10 Noise levels community-wide that allow residents to enjoy quiet neighborhoods and outdoor activities.

- PSNH-10.1 Work toward the separation of buffering major roadways from noise-sensitive land uses such as residences, care facilities, schools, and hospitals.
- PSNH-10.2 Consider steps to correct existing noise problems. Avoid future problems through design measures such as buffers and barriers or through abatement procedures.
- PSNH-10.3 Control at their sources and sounds which exceed acceptable community noise levels.
- PSNH-10.4 Consider noise impacts as part of the development review process, particularly the location of parking, recreational activities, crowd noises, ingress/egress/loading, and refuse collection areas relative to surrounding residential development and other noise-sensitive land uses.
- PSNH-10.5 Use the provisions in the City's noise ordinance to abate unlawful noise.
- PSNH-10.6 Enforce Municipal Code noise controls for construction projects.
- PSNH-10.7 Minimize new residential or other noise-sensitive land use development in noise-impacted areas unless effective mitigation measures are incorporated into the project design to reduce outdoor activity area noise levels to a "normally acceptable" community noise equivalent level (CNEL).

- PSNH-10.8 Require industrial uses and trucking-related uses to incorporate buffers that maintain acceptable noise levels for surrounding uses and areas.

- PSNH-10.9 Regulate the use of sound-amplifying equipment to prevent impacts on sensitive receptors.

2. Whittier Municipal Code

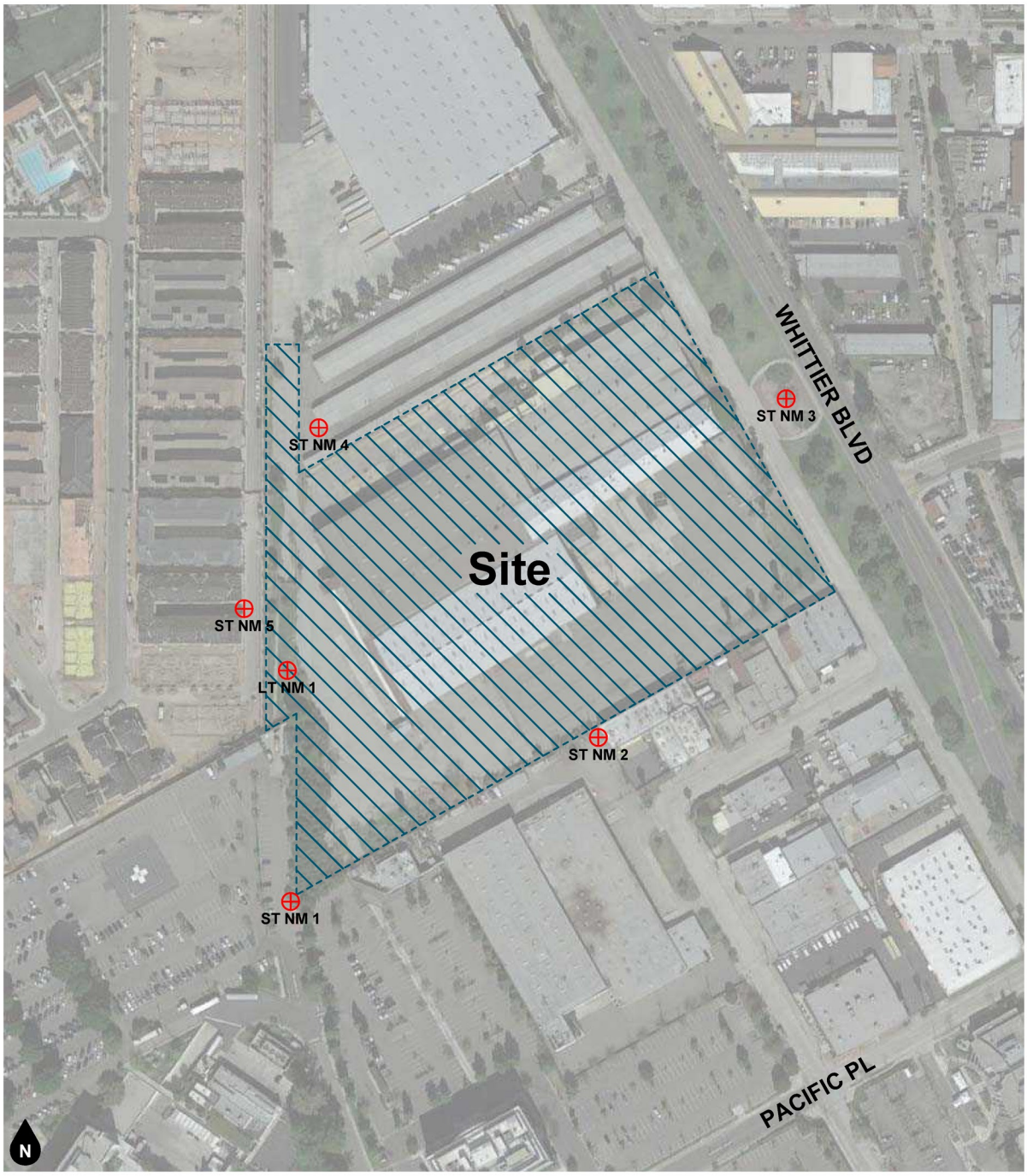
The City's noise standards are contained in Chapter 8.32 and Chapter 15.20 of the City Municipal Code. Section 8.32.040, Loud, Annoying, and Unnecessary Noises – Enumerated, identifies prohibited noises that are considered to be loud, annoying and unnecessary, and declares them to be in violation of the Municipal Code. Section 8.32.080, Exemptions and Waivers, identifies activities that are exempt from noise regulation, including, any noise resulting from activities of a temporary duration permitted by law and/or for which a waiver has been granted by the director; refuse collection trucks provided the trucks do not collect refuse between the hours of 9:00 PM and 5:00 AM; and permitted construction during daytime hours (Ganddini, 2023b, pp. 16-17). Section 15.20.020 of Chapter 15.20, Construction Hours, limits construction work to between the hours of 7:00 a.m. and 8:00 p.m. Monday through Saturday, and use of heavy equipment to between the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturdays. No work is permitted on Sundays or federal holidays.

4.5.5 Methodology for Calculating Project-Related Noise Impacts

A. Construction Noise Analysis Methodology

Construction noise associated with the Project was calculated at the sensitive receptor locations utilizing methodology presented in the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual (2018) together with several key construction parameters including: distance to each sensitive receiver, equipment usage, percent usage factor, and baseline parameters for the Project Site. Distances to receptors were based on the acoustical center of the Project Site. The equipment used to calculate the construction noise levels for each phase were based on the assumptions provided in the CalEEMod modeling in the Project's Air Quality, Global Climate Change, HRA, and Energy Impact Analysis (*Technical Appendix B* to this EIR). For construction noise purposes, the distance measured from the Project Site to sensitive receptors was assumed to be the acoustical center of the Project Site to the property line of residential properties with existing residential buildings. The receiver locations used in the Project construction noise analysis are shown on Figure 4.5-1, *Noise Receiver Locations*. Construction noise worksheets are provided in *Technical Appendix G* to this EIR. (Ganddini, 2023b, p. 21)

The expected duration of each phase and the loudest sound level at the nearest receptor (commercial and industrial uses adjacent to the north and south) is shown in Table 4.5-4, *Construction Reference Noise Levels*.



Source(s): Ganddini Group, Inc. (01-28-2022)

Figure 4.5-1

Not to Scale

Construction Noise Receiver Locations

Table 4.5-4 Construction Reference Noise Levels

Phase	Number of Days	Maximum dBA Leq
Demolition	52	70.9
Site Preparation	9	71.8
Grading	42	72.5
Building Construction	153	70.1
Paving	42	64.5
Architectural Coating	94	58.1

Source: (Ganddini, 2023b, p. 24)

B. Stationary Noise Analysis Methodology

The SoundPLAN acoustical modeling software was utilized to model project operational worst-case stationary noise impacts from the proposed project to adjacent sensitive uses (e.g., residences). Noise modeling input and outputs assumptions are provided in *Technical Appendix G* to this EIR. The peak hour Leq, Lmax, and CNEL associated with Project operation was modeled utilizing representative sound levels in the SoundPLAN model. Modeled noise sources include parking lot noise, loading/unloading areas and HVAC equipment. All noise sources were modeled to be in full operation. This is a conservative modeling effort, given that in actuality, not all noise sources are not in operation continuously for an entire hour. (Ganddini, 2023b, pp. 21-22)

C. Transportation Noise Analysis Methodology

The roadway noise level increases from project generated vehicular traffic were modeled utilizing a computer program that replicates the FHWA Traffic Noise Prediction Model FHWA-RD-77-108. The FHWA Traffic Noise Prediction Model arrives at a predicted noise level through a series of adjustments to the Reference Energy Mean Emission Level (REMEL). In California the national REMELs are substituted with the California Vehicle Noise (Calveno) Emissions Levels.1 Adjustments are then made to the REMEL to account for: total average daily traffic volumes, roadway classification (i.e., collector, secondary, major or arterial), the roadway active width (i.e., distance between the center of the outermost travel lanes on each side of the roadway), travel speed, truck mix (i.e., percentage of automobiles, medium trucks, and heavy trucks in the traffic volume), roadway grade and site conditions (hard or soft ground surface relating to the absorption of the ground, pavement, or landscaping).

Existing and Existing Plus Project average daily vehicle trips were calculated from the PM intersection turning movement volumes provided in the Project's traffic study (*Technical Appendix I* to this EIR). Neither the City of Whittier or the County of Los Angeles have vehicle/truck mixes and D/E/N splits for use in acoustical studies; therefore, vehicle/truck mixes and D/E/N splits for use in acoustical studies published by the Riverside County Department of Industrial Hygiene were utilized for noise modeling. Existing Plus Project vehicle mixes were calculated by adding the proposed project trips to existing conditions. FHWA spreadsheets are included in *Technical Appendix G* to this EIR. (Ganddini, 2023b, p. 21)

D. Vibration Analysis Methodology

Vibration levels were predicted using reference vibration levels and logarithmic equations contained in the Federal Transit Administration's (FTA) 2018 publication: "Transit Noise and Vibration Impact Assessment" (Ganddini, 2023b, p. 37). The vibration source levels for Project construction equipment are summarized in Table 4.5-5, *Construction Equipment Vibration Source Levels*.

Table 4.5-5 Construction Equipment Vibration Source Levels

Equipment		PPV at 25 ft, in/sec	Approximate Lv* at 25 ft
Pile Driver (impact)	upper range	1.518	112
	typical	0.644	104
Pile Driver (sonic)	upper range	0.734	105
	typical	0.170	93
Clam shovel drop (slurry wall)		0.202	94
Hydromill (slurry wall)	in soil	0.008	66
	in rock	0.017	75
Vibratory Roller		0.210	94
Hoe Ram		0.089	87
Large Bulldozer		0.089	87
Caisson Drilling		0.089	87
Loaded Trucks		0.076	86
Jackhammer		0.035	79
Small Bulldozer		0.003	58

*RMS velocity in decibels, VdB re 1 micro-in/sec
Source: (Ganddini, 2023b, Table 12)

4.5.6 Basis for Determining Significance

Section XIII of Appendix G to the CEQA Guidelines addresses typical adverse effects to noise, and includes the following threshold questions to evaluate a project's impacts on noise (OPR, 2019):

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?*

b. *Would the project result in the generation of excessive ground-borne vibration or noise levels?*

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, would the project expose people residing or working in the project area to excessive noise levels?*

In relation to Threshold "a," Project-related construction and operational activities would be subject to the applicable noise standards established by the Envision Whittier General Plan and Municipal Code. The Whittier Municipal Codes does not define the numeric level at which a development project's construction noise levels are considered "excessive." For purposes of this EIR, the metric used to evaluate whether the

Project's construction noise levels are considered "excessive" is adapted from Caltrans Transportation and Construction Vibration Guidance Manual (Ganddini, 2023b, p. 25). Accordingly, in consideration of the City's Envision Whittier General Plan and Municipal Code, the Project would result in a significant noise impact during operation if any of the following conditions occur:

Project construction activities would result in a significant impact if construction noise conflicts with the City of Whittier Municipal Code (Section 15.20) and Caltrans as follows:

- Construction activities occur outside of the hours permitted by the Whittier Municipal Code, Section 15.20.020 (7:00 a.m. to 8:00 p.m. Monday through Saturday with heavy equipment operations limited to 7:00 a.m. to 6:00 p.m. Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturday. No work is permitted on Sundays or federal holidays.

- If construction noise levels exceed 80 dBA Leq for an 8-hour period at residential uses or 85 dBA Leq for an 8-hour period at commercial uses.

Project operational activities would result in a significant impact if operational noise exceeds the levels allowed by the City of Whittier Municipal Code (Section 8.32.040) of the City General Plan as follows:

- Noise that emanates from one property to another;

- Late night disturbances of any kind that are plainly audible by inhabitants or occupants of any adjacent or neighboring residential properties or units; or

- Noise that occurs during nighttime hours that is plainly audible at a distance of 50 feet from a real property boundary.

The City of Whittier General Plan Noise Element indicates that the Land Use Compatibility Chart shown in Table 4.5-6, *Noise and Land Use Compatibility Guidelines*, be used to access stationary noise source impacts from one land use to another (Ganddini, 2023b, p. 40).

Table 4.5-6 Noise and Land Use Compatibility Guidelines

Land Use Category	Community Noise Exposure Limit (CNEL or DNL, DBA)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential - Low-Density Single- Family, Duplex, Mobile Homes	60	70	75	75+
Residential - Multi-Family	65	70	75	75+
Transient Lodging- Motels, Hotels	65	70	80	80+

Schools, Libraries, Churches, Hospitals, Nursing Homes	70	70	80	80+
Auditoriums, Concert Halls, Amphitheaters	N/A	70	N/A	70+
Sports Arenas, Outdoor Spectator Sports	N/A	N/A	75	75+
Playgrounds, Neighborhood Parks	70	70	75	75+
Golf Courses, Riding Stables, Water Recreation, Cemeteries	75	N/A	80	80+
Office Buildings, Business, Commercial, and Professional	70	77.5	77.5+	N/A
Industrial, Manufacturing, Utilities, Agriculture	75	80	80+	N/A

Source: (Ganddini, 2023b, Table 3)

Project-related traffic noise would result in a significant impact if traffic noise exceeds the levels established by the City of Whittier General Plan Update and Housing Update Draft Environmental Report as follows:

- When off-site traffic noise levels increase the ambient noise along affected roadways due to Project generated vehicle traffic by:

    - 5 dBA or more where the ambient noise level would change from normally acceptable to conditionally acceptable;

    - 3 dBA or more where the existing ambient noise would change from conditionally acceptable to normally unacceptable; or

    - 1 dBA or more where the existing ambient noise level is already normally unacceptable or would change from normally unacceptable to clearly unacceptable.

In relation to Threshold "b," the Whittier Municipal Code does not define the numeric level at which a development project's vibration levels are considered "excessive." For purposes of this EIR, the metric used to evaluate whether the Project's vibration levels are considered "excessive" during either construction or operation is adapted from Caltrans Transportation and Construction Vibration Guidance Manual (Ganddini, 2023b, p. 41). As shown in Table 4.5-7, *Groundborne Vibration Damage Potential Threshold Criteria*, the threshold at which there is a risk to "architectural" damage to historic and some older buildings is a peak particle velocity (PPV) of 0.25, at older residential structures a PPV of 0.3, and at new residential structures a PPV of 0.5.

Table 4.5-7 Groundborne Vibration Damage Potential Threshold Criteria

Structure Condition	Maximum PPV (in/sec)	
	Transient Sources[1]	Continuous/Frequent Intermittent Sources[1]
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

[1] Transient sources create a single isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.
Source: (Ganddini, 2023b, Table 4)

As shown in Table 4.5-8, *Guideline Vibration Annoyance Potential Criteria*, a PPV of 0.04 is the threshold at which groundborne vibration becomes distinctly perceptible in regard to annoyance. Accordingly, in consideration of the Municipal Code and Caltrans criteria, for evaluation under Threshold "b," vibration levels are considered significant if Project-related activities would result in groundborne vibration of 0.25 PPV or higher at a sensitive receptor.

Table 4.5-8 Guideline Vibration Annoyance Potential Criteria

Human Response	Maximum PPV (in/sec)	
	Transient Sources	Continuous/Frequent Intermittent Sources
Barely perceptible	0.04	0.01
Distinctly perceptible	0.25	0.04
Strongly perceptible	0.9	0.10
Severe	2.0	0.4

[1] Transient sources create a single isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.
Source: (Ganddini, 2023b, Table 5)

4.5.7 Impact Analysis

Threshold a: ***Would the Project generate 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?***

The analysis presented on the following pages summarizes the Project's potential construction noise levels and operational noise levels, including operational noise that would be generated on-site as well as off-site noise that would be generated by Project-related traffic. The detailed noise calculations for the analysis presented here are provided in Appendices C through F of the Project's Noise Analysis (see *Technical Appendix G*).

A. *Construction Noise Impact Analysis*

Construction activities on the Project Site would proceed in six (6) stages: 1) demolition; 2) site preparation; 3) grading; 4) building construction; 5) paving; and 6) application of architectural coatings. These activities would create temporary periods of noise when heavy construction equipment (i.e., bulldozer, trucks, concrete mixer, portable generators, power tools) is in operation and would cause a short-term increase in ambient noise levels. The Project construction noise levels at nearby receiver locations are summarized in Table 4.5-9, *Construction Noise Levels*.

Project-related construction activities are expected to occur on weekdays (and, potentially, on Saturdays) during the hours when the City's Municipal Code does not limit construction noise. In compliance with the City's Municipal Code Section 15.20.010, construction would not occur during the noise-sensitive nighttime hours unless authorized in writing by the city manager. The Project construction noise levels presented in Table 4.5-9 would not exceed the standards established by the City and impacts would be less than significant.

Table 4.5-9 Construction Noise Levels

Phase	Receptor Location	Existing Ambient Noise Levels (dBA Leq)[2]	Construction Noise Levels (dBA Leq)
Demolition	Multi-family Residential to West	53.5	67.3
	Commercial to North and South	63.5	70.9
	Hospital to Southwest	58.5	68.2
	Commercial to East	64.0	64.2
	Multi-family Residential to East/Southeast	64.0	62.0
Site Preparation	Multi-family Residential to West	53.5	68.3
	Commercial to North and South	63.5	71.8
	Hospital to Southwest	58.5	69.1
	Commercial to East	64.0	65.2
	Multi-family Residential to East/Southeast	64.0	62.9
Grading	Multi-family Residential to West	53.5	68.9
	Commercial to North and South	63.5	72.5
	Hospital to Southwest	58.5	69.8
	Commercial to East	64.0	65.8
	Multi-family Residential to East/Southeast	64.0	63.6
Building Construction	Multi-family Residential to West	53.5	66.5
	Commercial to North and South	63.5	70.1
	Hospital to Southwest	58.5	67.3
	Commercial to East	64.0	63.4
	Multi-family Residential to East/Southeast	64.0	61.2
Paving	Multi-family Residential to West	53.5	61.0
	Commercial to North and South	63.5	64.5
	Hospital to Southwest	58.5	61.8

	Commercial to East	64.0	57.9
	Multi-family Residential to East/Southeast	64.0	55.6
Architectural Coating	Multi-family Residential to West	53.5	54.6
	Commercial to North and South	63.5	58.1
	Hospital to Southwest	58.5	55.4
	Commercial to East	64.0	51.5
	Multi-family Residential to East/Southeast	64.0	49.2

[1] Construction noise worksheets are provided in Appendix D of the Project's Noise Technical Report (*Technical Appendix G*)

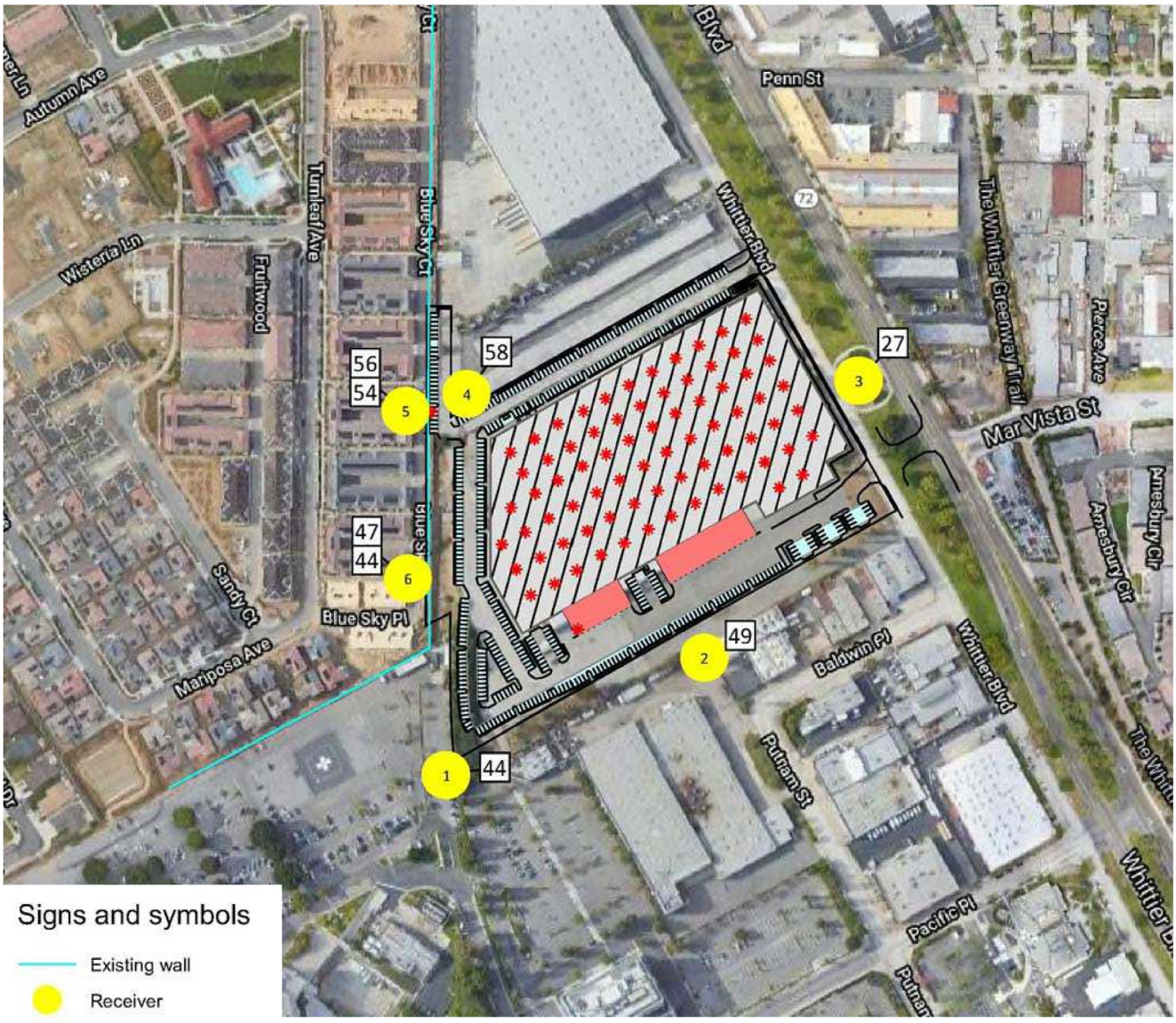
[2] Per measured existing ambient noise levels. STNM5 used for residential receptors to the west, STNM2 used for commercial/industrial receptors to the north and south, STNM1 used for the hospital receptor to the southwest, and STNM3 used for the residential and commercial receptors to the east and southeast.

Source: (Ganddini, 2023b, Table 7)

B. Operational Noise Impact Analysis – Stationary Noise

Stationary (on-site) noise sources associated with long-term Project operation are expected to include idling trucks, delivery truck and automobile parking, delivery truck backup alarms, roof-top air conditioning units, loading and unloading of delivery trailers, and parking lot vehicle movements. Project operational noise levels (in Leq and Lmax) at adjacent properties and nearby residential and commercial land uses are shown on Figure 4.5-2, *Operational Noise Levels*, and Figure 4.5-3, *Operational Noise Level Contours*, As shown, the quietest hourly noise level measured near the existing residential land uses to the west was 59 dBA Lmax. Measured nighttime maximum noise events at this location ranged between 61 and 67 dBA Lmax. The project could result in a peak hour Leq of 56 dBA Leq/Lmax at a distance of 50 feet on offsite property. Occasional vehicle parking lot noise is not likely to result in a violation of City of Whittier Municipal Code Section 8.32.040. Truck parking is not proposed near sensitive receptors (Ganddini, 2023b, p. 27). Accordingly, impacts would be less than significant.

The City of Whittier Envision Whittier General Plan Public Safety, Noise and Health Element indicates that the use of the General Plan Land Use Compatibility Chart, shown on Table 4.5-6, should be used to assess stationary noise source impacts from one land use to another. The Community Noise Equivalent Level (CNEL) was calculated for project operational noise and added to measured ambient noise levels to assess the project's consistency with the Noise Compatibility Guidelines. As shown on Table 4.5-10, *Comparison of Existing and Project CNEL at Receptor Locations*, Project operational noise will not result in any increases in the CNEL at any of the nearest sensitive receptors and will not cause the ambient noise level to exceed the applicable "normally acceptable" sound level at any of the adjacent or nearby properties (Ganddini, 2023b, p. 27). Accordingly, impacts would be less than significant.

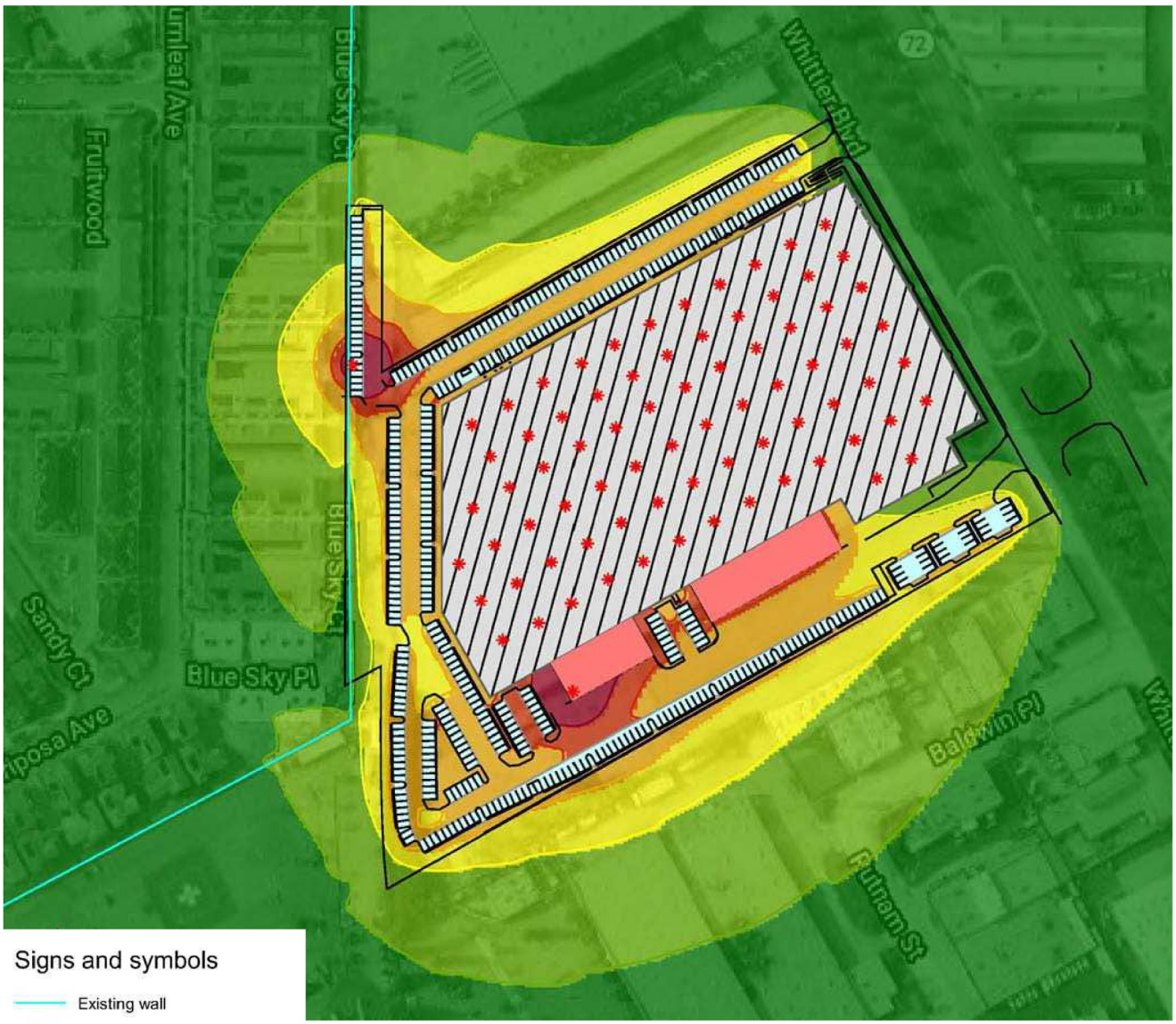


Source(s): Ganddini Group, Inc. (01-28-2022)

Figure 4.5-2

Not to Scale

Operational Noise Levels



Source(s): Ganddini Group, Inc. (01-28-2022)

Figure 4.5-3

Not to Scale

Operational Noise Level Contours

Table 4.5-10 Comparison of Existing and Project CNEL at Receptor Locations

Receptor[1]	Existing CNEL[2]	Project Operational CNEL[3]	Combined CNEL
1	65	50	65
2	65	55	65
3	65	33	65
4	65	64	65
5	65	62	65
6	65	53	65

[1] Refer to Receptor Locations shown on Figure 4.5-1.
[2] As measured (see Table 2 of the Project's Noise Technical Report [*Technical Appendix G*]).
[3] As modeled (see Figure 4.5-1).
Source: (Ganddini, 2023b, Table 11)

C. *Off-Site Transportation Noise Impact Analysis*

The analysis below addresses potential off-site traffic noise generated from the Project. To evaluate off-site noise increases that could result from Project-related traffic on the roadway system, noise levels were modeled for the following scenarios, with full analytical results found in *Technical Appendix G*:

- Existing Year (without Project)
- Existing Year (with Project)
- Existing Year (with Project Alternative)

The Existing plus Project (E+P) refers to existing year plus Project traffic noise conditions. E+P traffic noise conditions are shown in Table 4.5-11, *Change in Existing Noise Levels with Project*. As shown in Table 4.5-11, modeled Existing traffic noise levels range between 58-77 dBA CNEL at the right-of-way of each modeled roadway segment; and the modeled Existing Plus Project traffic noise levels range between 65-77 dBA CNEL at the right-of-way of each modeled roadway segment. (Ganddini, 2023b, p. 25)

Table 4.5-11 Change in Existing Noise Levels with Project

Roadway	Segment	Distance from roadway centerline to right-of-way (feet)[2]	Modeled Noise Levels (dBA CNEL)[1]				
			Existing Without Project at right-of-way	Existing Plus Project at right-of-way	Change in Noise Level	Exceeds Standards[3]	Increase of 1 dB or More?
Whittier Blvd Frontage Rd	West of Whittier Blvd	30	58.25	64.84	6.59	No	Yes
	North of Mar Vista St	30	58.51	65.97	7.46	No	Yes
	South of Mar Vista St	30	58.51	66.71	8.20	No	Yes
Whittier Blvd	North of Whittier Blvd Frontage Rd	60	75.67	75.92	0.25	Yes	No
	South of Whittier Blvd Frontage Rd	60	75.56	75.62	0.06	Yes	No
	North of Mar Vista St	60	75.27	75.33	0.06	Yes	No
	South of Mar Vista St	60	74.85	74.92	0.07	No	No
	North of Pacific Place	60	74.83	74.90	0.07	Yes	No
	South of Pacific Place	60	74.23	74.57	0.34	Yes	No

	North of Washington Blvd	60	72.74	73.14	0.40	Yes	No
	South of Washington Blvd	60	74.37	74.45	0.08	Yes	No
Pacific Place	West of Whittier Blvd	30	64.79	68.45	3.66	No	Yes
Washington Blvd (Santa Fe Springs Rd)	West of Whittier Blvd	55	76.77	76.89	0.12	Yes	No
	East of Whittier Blvd	55	75.42	75.43	0.01	Yes	No

[1] Exterior noise levels calculated 5 feet above pad elevation, perpendicular to subject roadway.
[2] Right of way per the City of Whittier General Plan Circulation Element.
[3] Per the City of Whittier normally acceptable standard for existing adjacent uses (see Table 4.5-6).
Source: (Ganddini, 2023b, Table 9)

In the event that the City extends Mar Vista Street across Whittier Boulevard, a traffic noise analysis also was conducted to evaluate this potential condition and changed traffic pattern. The Existing plus Project Plus Mar Vista Extension refers to Existing plus Project Alternative with Mar Vista Street extension noise conditions, which are shown in Table 4.5-12, *Change in Exiting Noise Levels with Project Plus* Mar Vista Extension. As shown in Table 4.5-12, the modeled Existing plus Project Alternative with Mar Vista Street extension traffic noise levels range between 60-77 dBA CNEL at the right-of-way of each modeled roadway segment. (Ganddini, 2023b, p. 25)

Table 4.5-12 Change in Exiting Noise Levels with Project Plus Mar Vista Extension

Roadway	Segment	Distance from roadway centerline to right-of-way (feet)[2]	Modeled Noise Levels (dBA CNEL)[1]				
			Existing Without Project at right-of-way	Existing Plus Project at right-of-way	Change in Noise Level	Exceeds Standards[3]	Increase of 1 dB or More?
Whittier Blvd Frontage Rd	West of Whittier Blvd	30	58.25	59.53	1.28	No	Yes
	North of Mar Vista St	30	58.51	64.20	5.69	No	Yes
	South of Mar Vista St	30	58.51	64.28	5.77	No	Yes
Whittier Blvd	North of Whittier Blvd Frontage Rd	60	75.67	75.90	0.23	Yes	No
	South of Whittier Blvd Frontage Rd	60	75.56	75.77	0.21	Yes	No
	North of Mar Vista St	60	75.27	75.50	0.23	Yes	No
	South of Mar Vista St	60	74.85	74.97	0.12	No	No
	North of Pacific Place	60	74.83	74.94	0.11	Yes	No
	South of Pacific Place	60	74.23	74.57	0.34	Yes	No
	North of Washington Blvd	60	72.74	73.14	0.40	Yes	No
	South of Washington Blvd	60	74.37	74.45	0.08	Yes	No
Mar Vista St	Whittier Blvd Frontage Rd to Whittier Blvd	33	68.05	69.82	1.77	No	Yes
	East of Whittier Blvd	33	64.85	65.09	0.24	Yes	No
Pacific Place	West of Whittier Blvd	30	64.79	66.97	2.18	No	Yes
Washington Blvd (Santa Fe Springs Rd)	West of Whittier Blvd	55	76.77	76.89	0.12	Yes	No
	East of Whittier Blvd	55	75.42	75.48	0.06	Yes	No

[1] Exterior noise levels calculated 5 feet above pad elevation, perpendicular to subject roadway.
[2] Right of way per the City of Whittier General Plan Circulation Element.
[3] Per the City of Whittier normally acceptable standard for existing adjacent uses (see Table 4.5-6).
Source: (Ganddini, 2023b, Table 10)

As shown in Table 4.5-11 and Table 4.5-12, the roadway segments of Whittier Boulevard frontage road west of Whittier Boulevard, Whittier Boulevard frontage road north of Mar Vista Street, Whittier Boulevard frontage road south of Mar Vista Street, Mar Vista Street from Whittier Boulevard frontage road to Whittier Boulevard, and Pacific Place west of Whittier Boulevard have noise level increases above 1 dB. These roadway segments and their associated noise level increases have been discussed individually below. (Ganddini, 2023b, p. 26)

- The existing land uses adjacent to the segment of Whittier Boulevard frontage road west of Whittier Boulevard are industrial uses. The modeled existing noise level is 58.25 dBA CNEL and the modeled Existing plus Project noise levels would be 64.84 dBA CNEL resulting in a 6.59 dB increase under the Project scenario, and 59.53 dBA CNEL resulting in a 1.28 dB increase under the Project Alternative with Mar Vista Street extension scenario. As shown in Table 4.5-6, noise levels of up to 75 dBA CNEL are considered normally acceptable for industrial uses. Therefore, with implementation of the Project, noise levels would still fall in the normally acceptable noise level category for industrial uses. Accordingly, impacts would be considered less than significant.

- The existing land uses adjacent to the segment of Whittier Boulevard frontage road north of Mar Vista Street are industrial uses. The modeled existing noise level is 58.51 dBA CNEL and the modeled Existing plus Project noise levels would be 65.97 dBA CNEL resulting in a 7.46 dB increase under the Project scenario, and 64.2 dBA CNEL resulting in a 5.69 dB increase under the Project Alternative with Mar Vista Street extension scenario. As shown in Table 4.5-6, noise levels of up to 75 dBA CNEL are considered normally acceptable for industrial uses. Therefore, with implementation of the Project, noise levels would still fall in the normally acceptable noise level category for industrial uses. Accordingly, impacts would be considered less than significant.

- The existing land uses adjacent to the segment of Whittier Boulevard frontage road south of Mar Vista Street include commercial and industrial uses. The modeled existing noise level is 58.51 dBA CNEL and the modeled Existing plus Project noise levels would be 66.71 dBA CNEL resulting in an 8.2 dB increase under the Project scenario, and 64.28 dBA CNEL resulting in a 5.77 dB increase under the Project Alternative with Mar Vista Street extension scenario. As shown in Table 4.5-6, noise levels of up to 70 dBA CNEL are considered normally acceptable for commercial uses and up to 75 dBA CNEL are considered normally acceptable for industrial uses. Therefore, with implementation of the Project, noise levels would still fall in the normally acceptable noise level category for commercial and industrial uses. Accordingly, impacts would be considered less than significant.

- There are no existing land uses adjacent to the segment of Mar Vista Street from Whittier Boulevard frontage road to Whittier Boulevard. In addition, this roadway segment is not an existing roadway segment and; therefore, is only included in the Project Alternative with Mar Vista Street extension scenario. The modeled existing noise level is 68.05 dBA CNEL and the modeled Existing plus Project noise levels would be 69.82 dBA CNEL, resulting in a 1.77 dB increase under the Project Alternative

with Mar Vista Street extension scenario. As there are no sensitive receptors located adjacent to this roadway segment, impacts would be considered less than significant.

- The existing land uses adjacent to the segment of Pacific Place west of Whittier Boulevard include commercial and industrial uses. The modeled existing noise level is 64.79 dBA CNEL and the modeled Existing plus Project noise levels would be 68.45 dBA CNEL, resulting in a 3.66 dB increase under the Project scenario, and 66.97 dBA CNEL resulting in a 2.18 dB increase under the Project Alternative with Mar Vista Street extension scenario. As shown in Table 4.5-6, noise levels of up to 70 dBA CNEL are considered normally acceptable for commercial uses and up to 75 dBA CNEL are considered normally acceptable for industrial uses. Therefore, with implementation of the Project, noise levels would still fall in the normally acceptable noise level category for commercial and industrial uses. Accordingly, impacts would be considered less than significant.

Therefore, although the five modeled roadway segments listed above have noise levels increases above 1 dB, none of the five roadways would change from the normally acceptable noise level category as a result of the Project. Accordingly, a change in noise level as a result of Project-generated vehicle traffic would be considered less than significant.

Threshold b: Would the Project generate excessive groundborne vibration or groundborne noise levels?

A. Construction Analysis

Construction activities on the Project Site would utilize equipment that has the potential to generate vibration. As shown in Table 4.5-8, vibration becomes distinctly perceptible to people in buildings at a PPV of 0.04 in/sec. The nearest off-site structures are the commercial and industrial buildings located adjacent to the northern and southern Project Site boundaries. The use of a vibratory roller and/or large bulldozer could be considered annoying to the industrial and commercial receptors to the north and south; however, annoyance is expected to be short-term and occur only during site grading and preparation. With the implementation of best management practices, the potential vibration annoyance related impacts would be less than significant.

The buildings associated with the nearest sensitive receptors, the multi-family residential uses to the west, are located as close as approximately 37 feet to the west of the western Project Site boundary. At 37 feet, use of a vibratory roller would be expected to generate a PPV of 0.117 in/sec and a bulldozer would be expected to generate a PPV of 0.049 in/sec. However, considering that the residential land uses range between 8 and 10 feet lower in elevation than the Project Site, the use of vibratory equipment on the Project Site would not adversely affect the residential land uses. Structures associated with the hospital use to the southwest of the Project Site are located as close as approximately 250 feet to the southwest of the nearest Project Site boundary. At 250 feet, use of a vibratory roller would be expected to generate a PPV of 0.007 in/sec and a bulldozer would be expected to generate a PPV of 0.003 in/sec. Use of a vibratory roller and/or a large bulldozer would not be considered annoying to the hospital receptor to the southwest. (Ganddini, 2023b, p. 27)

Vibration generated by construction activity could have the potential to damage structures. This damage could be structural damage, such as cracking of floor slabs, foundations, columns, beams, or wells, or cosmetic

architectural damage, such as cracked plaster, stucco, or tile. As stated above, the nearest off-site buildings are the commercial and industrial uses with structures located adjacent to the northern and southern Project Site boundaries. A vibratory roller could generate up to 0.21 PPV in/sec at a distance of 25 feet, and operation of a large bulldozer could generate up to 0.089 PPV in/sec at a distance of 25 feet (Ganddini, 2023b, p. 27). These vibration levels at 25 feet are under the threshold of significance of 0.25 PPV in/sec or higher at a sensitive receptor. If vibratory rollers and large bulldozers are used within 25 feet of these buildings, the vibration impact would be significant.

B. Operational Analysis

Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project Site. Trucks would travel to and from the Project Site along local roadways; however, vibration levels for heavy trucks operating at the posted speed limits on paved surfaces are not perceptible beyond the roadway. The Project would not result in the exposure of persons to excessive groundborne vibration or noise levels during long-term operation and a less than significant impact would occur.

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, would the Project expose people residing or working in the project area to excessive noise levels?***

The Project Site is not located within two miles of a public airport or airport with a land use compatibility plan. The closest airport is the San Gabriel Valley Airport located approximately 7.3 miles northwest of the Project Site. According to the Los Angeles County Airport Land Use Plan, the Project Site is outside of the Airport Influence Area and the airport noise impact zones (Los Angeles County, 2004). No impact would occur.

4.5.8 Cumulative Impact Analysis

A. Construction Noise

There are several known active, pending, or planned construction projects in the vicinity of the Project Site. The closest construction to the Project Site is the development of Lennar at the Groves is located west of the Project Site. This development includes apartment, condominiums, townhomes, single-family detached residential, and commercial retail uses. The complete list of cumulative projects in the vicinity of the Project is provided in Table 4.0-1 in Section 4.0, *Environmental Analysis*, of this EIR. In the event that construction on the Project Site occurs simultaneously with construction of other nearby projects, the effect to sensitive receptors in proximity to the Project Site (to the west) would not be cumulatively considerable in consideration of the existing built environment. Specifically, both projects are located just east of Whittier Boulevard and commercial, industrial, residential development, and residential streets separate the Project Site from the closest development project that may be under construction to the north of the Project Site. Noise from the area roadways and surrounding land use activities would overshadow any construction noise from those projects. Accordingly, there is no potential for the Project to contribute to the exposure of nearby sensitive

receptors to substantial temporary (construction-related) increases in daytime or nighttime ambient noise levels.

B. Stationary Noise

The analysis presented for Threshold "a" addresses the Project's contribution of noise to existing cumulative noise sources (i.e., ambient noise) in the Project area. As previously shown in this Subsection, the Project's noise contribution would not be perceptible to noise-sensitive receptors in the Project area. The Project's permanent stationary noise impacts would not be cumulatively-considerable.

C. Traffic Noise

The analysis presented under Threshold "a" addresses the Project's contribution of noise to existing cumulative noise sources (i.e., ambient noise) in the Project area. As summarized in that analysis, the Project's traffic noise contributions along study area roadways would not exceed applicable significance thresholds and, therefore, would not be cumulatively-considerable under near- or long-term conditions.

D. Groundborne Vibration and Noise

During construction, the Project's peak vibration impacts would occur during the grading phase when large pieces of equipment, like bulldozers, are operating on-site. (During the non-grading phases of Project construction, when smaller pieces of equipment are used on-site, the Project's vibration would be minimal.) Vibration effects diminish rapidly from the source; therefore, the only reasonable sources of cumulative vibration in the vicinity of the Project Site could occur on properties abutting these sites. The closest cumulative development in the area is located to the west of the Project Site at The Groves, although construction at The Groves adjacent to the Project Site boundary is already completed. As such, cumulative vibration sources would be on opposite sides of areas roads or already developed land uses, and would not comingle with the Project's construction-related activities to elevate vibration levels experienced at off-site properties. Accordingly, there is no potential for the Project to contribute to the exposure of persons to substantial and cumulatively-considerable temporary groundborne vibration or noise.

Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project Site. Trucks would travel to and from the Project Site along local roadways; however, vibration levels for heavy trucks operating at the posted speed limits on paved surfaces are not perceptible beyond the roadway. The Project would not cumulatively-contribute to the exposure of persons to excessive groundborne vibration or noise levels during long-term operation.

E. Airport Noise

The Project would not involve the construction, operation, or use of any public airports or public use airports. There are no conditions associated with implementation of the Project that would contribute airport noise or exposure of additional people to unacceptable levels of airport noise. Accordingly, the Project would have no potential to cumulatively-contribute to impacts associated with noise from a public airport, public use airport, or private airstrip. Additionally, the Project Site and the immediately surrounding area are not subject to

substantial airport- or air traffic-related noise. Accordingly, there is no potential for cumulative development to expose persons residing or working in the Project area to excessive airport-related noise levels.

4.5.9 Significance of Impacts Before Mitigation

Threshold a: Less-than-Significant Impact. The Project would generate short-term construction and long-term operational noise but would not generate noise levels that exceed the standards established by the Envision Whittier General Plan or Municipal Code.

Threshold b: Significant Direct Impact. The Project's construction and operational activities would not result in a perceptible groundborne vibration or noise but the Project's construction has the potential to cause vibratory structural damage if large construction equipment operates within 25 feet of off-site structures.

Threshold c: No Impact. The Project Site is not located within an area exposed to high levels of noise from the San Gabriel Valley Airport. As such, the Project would not expose people to excessive noise levels associated with a public airport or public use airport.

4.5.10 Mitigation Measures

MM 4.5-1 As a condition of the Project's demolition permit, grading permit, and building permit, the following best management practices shall be required. These items shall be noted on construction plans prior to City approval and construction contractors shall allow periodic inspection by the City or its designee to confirm compliance.

a) Construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers, consistent with manufacturer standards.

b) All stationary construction equipment shall be placed so that emitted noise is directed away from the noise sensitive receptors nearest the construction site.

c) Equipment shall be shut off and not left to idle when not in use.

d) Equipment staging areas shall be located to the southeastern or northeastern corners of the site or in another location of the site approved by the City of Whittier Public Works Department that creates the greatest distance between construction-related noise/vibration sources and residential homes located to the west.

e) Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded, and noise shall be directed away from sensitive receptors.

f) Music or sound amplification shall be prohibited.

g) Haul truck deliveries shall be limited to the same hours specified for construction and shall not occur at night unless approved by the City of Whittier.

MM 4.5-2 As a condition of the Project's grading permit, the use of large vibratory rollers, large bulldozers, or other similar vibratory equipment shall not be permitted within 25 feet of existing off-site occupied structures unless evidence is provided to the City of Whittier from a qualified professional that vibration levels at the off-site structures will be maintained below 0.25 PPV.

4.5.11 Significance of Impacts After Mitigation

Threshold b: Less-than-Significant Impact with Mitigation. Implementation of Mitigation Measure MM 4.5-2 would ensure that vibration levels at the off-site structures would be maintained below 0.25 PPV to avoid vibratory structural damage. With implementation of the required mitigation, impacts would be reduced to below a level of significance.

4.6 TRIBAL CULTURAL RESOURCES

The analysis in this Subsection relies in part on a records search conducted at the South Central Coastal Information Center (SCCIC) at California State University (CSU), Fullerton, by Brian F. Smith and Associates (hereinafter "BFSA), dated July 21, 2021 (BFSA, 2021). The analysis in this Subsection also contains information obtained by the City of Whittier during consultation with local Native American tribal representatives. It should be noted that much of the written and oral communication between Native American tribes and the City of Whittier is considered confidential in respect to places that have traditional tribal cultural significance (Gov. Code § 65352.4), and although relied upon in part to inform the preparation of this EIR Subsection, those communications are treated as confidential and are not available for public review. Under existing law, environmental documents must not include information about the location of archeological sites or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records Act (Cal. Code Regs. § 15120(d)). All non-confidential references used in this Subsection are listed in EIR Section 7.0, *References*.

4.6.1 EXISTING CONDITIONS

The Project Site is fully developed and has been developed since the 1950's. As such, there is no reasonable potential that tribal cultural resources could be located on the surface of the property or in shallow fill soils. BFSA performed an archaeological records search through the SCCIC at CSU, Fullerton. The records search provided information regarding previous archaeological studies in the Project area and any previously recorded sites within a one-half-mile radius of the Project Site. The results of the records search indicate that no prehistoric resources were recorded on the Project Site (BFSA, 2021). Due to the history of disturbance on the Project Site, there is no reasonable potential for tribal cultural resources to be located on the surface of the Project Site; however, buried resources may be present beneath the surface of the Site.

4.6.2 REGULATORY SETTING

A. State Plans, Policies, and Regulations

1. Traditional Tribal Cultural Places Act (Senate Bill 18, "SB 18")

Senate Bill 18 (SB 18) requires local (city and county) governments to consult with California Native American tribes to aid in the protection of traditional tribal cultural places ("cultural places") through local land use planning. SB 18 also requires the Governor's Office of Planning and Research (OPR) to include in the General Plan Guidelines advice to local governments for how to conduct these consultations. (OPR, 2005)

The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-level land use decisions are made by a local government.

SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. These consultation and notice

requirements apply to adoption and amendment of both general plans (defined in Government Code § 65300 et seq.) and specific plans (defined in Government Code § 65450 et seq.). Although SB 18 does not specifically mention consultation or notice requirements for adoption or amendment of specific plans, existing state planning law requires local governments to use the same processes for adoption and amendment of specific plans as for general plans (see Government Code § 65453). Therefore, where SB 18 requires consultation and/or notice for a general plan adoption or amendment, the requirement extends also to a specific plan adoption or amendment.

2. Assembly Bill 52 (AB 52)

California Assembly Bill 52 (AB 52) (2014) Chapter 532 amended Section 5097.94 of, and added Sections 21073, 21074, 21080.3.1, 21080.3.2, 21802.3, 21083.09, 21084.2 and 21084.3 to the California Public Resources Code, relating to Native Americans. AB 52 was approved on September 25, 2014. The legislature added new requirements regarding tribal cultural resources in Assembly Bill 52 (AB 52). By including tribal cultural resources early in the CEQA process, the legislature intended to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to tribal cultural resources (OPR, 2017a). By taking this proactive approach, the legislature also intended to reduce the potential for delay and conflicts in the environmental review process.

The Public Resources Code now establishes that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." (Pub. Resources Code, § 21084.2.) To help determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project (Pub. Resources Code, § 21080.3.1.).

If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Public Resources Code § 20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources.

Section 21074 of the Public Resources Code defines "tribal cultural resources." In brief, in order to be considered a "tribal cultural resource," a resource must be either:

(1) listed, or determined to be eligible for listing, on the national, state, or local register of historic resources, or

(2) a resource that the lead agency chooses, in its discretion, to treat as a tribal cultural resource.

In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the state register of historic resources. In applying those criteria, a lead agency must consider the value of the resource to the tribe. (OPR, 2017a)

3. State Health and Safety Code

California Health and Safety Code (HSC) § 7050.5(b) requires that excavation and disturbance activities must cease "In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery…" until the coroner can determine regarding the circumstances, manner, and cause of any death. The coroner is then required to make recommendations concerning the treatment and disposition of the human remains. Further, this section of the code makes it a misdemeanor to intentionally disturb, mutilate or remove interred human remains. § 7051 specifies that the removal of human remains from "internment or a place of storage while awaiting internment" with the intent to sell them or to dissect them with "malice or wantonness" is a public offense punishable by imprisonment in a state prison. Lastly, HSC §§ 8010-8011 establish the California Native American Graves Protection and Repatriation Act consistent with the federal law addressing the same. The Act stresses that "all California Indian human remains and cultural items are to be treated with dignity and respect." It encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California. It also outlines the need for aiding California Indian tribes, including non-federally recognized tribes, in filing repatriation claims. (CA Legislative Information, n.d.)

4.6.3 Basis for Determining Significance

According to Section XVII of Appendix G to the CEQA Guidelines, the proposed Project would result in a significant impact to tribal resources if the Project or any Project-related component would (OPR, 2019):

a. *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, 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:*

   i) *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), or*

   ii) *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.*

4.6.4 Impact Analysis

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, 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), or 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?***

Although no prehistoric resource sites or isolates are located on the surface of the Project Site, the Project Site is located within the boundaries of the Gabrieleño Band of Mission Indians – Kizh Nation ancestral territory. As such, the Project has the potential to cause adverse impacts to Gabrieleño Band of Mission Indians – Kizh Nation historical landscapes, ceremonial places, subsurface artifacts, and other Kizh tribal cultural resources should these resources be buried beneath the Site and discovered during ground-disturbing Project construction activities.

Tribal cultural resources, include resources with inherent tribal values that are difficult to identify through the same means as archaeological resources. These resources can be identified and understood through direct consultation with the tribes who attach tribal value to the resource. Tribal cultural resources may include Native American archaeological sites, but they may also include other types of resources such as a cultural landscape. Also relevant is the category termed "traditional cultural property" which is typically associated with cultural resource management performed under federal auspices. "Traditional" in this context refers to those beliefs, customs, and practices of a living community of people that have been passed down through the generations, usually orally or through practice. The traditional cultural significance of a historic property, then, is derived from the role the property plays in a community's historically rooted beliefs, customs, and practices. A traditional cultural property can be defined, generally, as one that is eligible for inclusion in the National Register of Historic Places (NRHP) because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community. A landscape can be a traditional cultural property and by extension a tribal cultural resource, provided the cultural landscape meets the criteria and that the landscape is geographically defined in terms of the size and scope. The appropriate treatment of tribal cultural resources is determined through consultation with tribes having cultural affiliation.

SB 18 is not relevant to the Project because no land use changes are proposed. As part of the AB 52 consultation processes required by State law, the City of Whittier sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project area on November 8, 2021. One response to the AB 52 consultation invitations was received from the Gabrieleño Band of Mission Indians – Kizh Nation.

Given the lack of any previously identified prehistoric sites within or near the Project Site and the magnitude and depth of ground disturbances on the Project Site over the previous 70-plus years, there is little potential for any prehistoric resources to be present or disturbed by the proposed development. Notwithstanding, excavations on portions of the Project Site that extend into previously undisturbed soils could contain tribal cultural resources. If any tribal cultural resources are unearthed during Project construction that meet the

definition of a tribal cultural resource according to Public Resources Code Section 21074 and that is: (i) 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), or (ii) 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, impacts to the tribal cultural resource would be significant. Mitigation is thus required. As discussed below, with implementation of mitigation, direct and cumulatively-considerable impacts would be less than significant.

As discussed under EIR Subsection 4.1, the Project Site does not contain a known cemetery site and human remains have not been previously discovered on the Site. Mandatory compliance with State law (California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98) would ensure that, in the unlikely event that human remains are discovered during Project construction, the remains would be identified in accordance with proper protocols and the remains would be treated or disposed with appropriate dignity. Accordingly, the Project would not result in a substantial adverse effect to tribal cultural resources associated with human remains.

4.6.5 Cumulative Impact Analysis

The potential for Project construction to result in cumulatively-considerable impacts to tribal, religious, and cultural resources were analyzed in conjunction with other projects located in southern Los Angeles County that occur in the same tribal influence areas as the Project Site. The other development projects within this areas would have a similar potential to uncover tribal cultural resources during construction activities. Therefore, the potential for Project construction to impact tribal cultural resources is a cumulatively-considerable impact for which mitigation is required.

4.6.6 Significance of Impacts Before Mitigation

Threshold a: Significant Direct and Cumulatively-Considerable Impact. The Project has the potential to result in significant impacts to tribal cultural resources in the absence of protective measures in the event that such resources are discovered during ground-disturbing construction activities.

4.6.7 Mitigation

Mitigation Measures MMs 4.1-3 through 4.1-5 shall apply (refer to Subsection 4.1, *Cultural Resources*).

4.6.8 Significance of Impacts After Mitigation

Threshold a: Less-than-Significant with Mitigation Incorporated. Implementation of MMs 4.1-3 through 4.1-5 would ensure the proper identification and subsequent treatment of any significant tribal cultural resources that may be encountered during ground-disturbing activities associated with Project development. With implementation of the required mitigation, the Project's potential impact to significant tribal cultural resources would be reduced to less than significant.

5.0 Other CEQA Considerations

5.1 Significant Environmental Effects Which Cannot be Avoided if the Proposed Project is Implemented

The CEQA Guidelines require that an EIR disclose the significant environmental effects of a proposed project that cannot be reduced to a level of insignificance if the project is implemented and, where impacts cannot be alleviated without imposing an alternative design, the reasons why the project is being proposed, notwithstanding their effect, should be described (CEQA Guidelines Section 15126(b) & Section 15126.2(c)). As described in detail in Section 4.0, *Environmental Analysis*, of this EIR, after the consideration of Project design features, compliance with applicable federal, State and local regulations, and the application of the feasible mitigation measures identified in this EIR, the Project is expected to result in the following significant environmental impacts:

Cultural Resources Threshold a) Significant Direct and Cumulatively-Considerable Impact. The Project Site is eligible for listing on the NRHP/CRHR under Criterion A/1, and as a City of Whittier local historic landmark under Criterion E of Section 18.84.050 of the Whittier Municipal Code, for associative value to post WWII manufacturing and distribution activities. Implementation of MM 4.1-1 and MM 4 4.1-2 will preserve the memory of the Ekco Products Company plant and its importance in the City of Whittier; however, demolition of the physical features and loss of their historical association would not be fully mitigable and remain a significant direct and cumulatively-considerable unavoidable impact.

Greenhouse Gas Emissions Threshold a) Significant Unavoidable Cumulatively Considerable Impact. The Project would exceed the SCAQMD significance threshold of 3,000 MTCO2e per year. As such, the Project would generate substantial, cumulatively-considerable GHG emissions that may have a significant impact on the environment. A majority of the Project's GHG emissions would be produced by mobile sources. Neither the Project Applicant nor the Lead Agency (City of Whittier) can substantively or materially affect reductions in Project mobile-source emissions beyond federal and State regulations. Accordingly, the City finds that the Project's GHG emissions are a significant and unavoidable cumulatively-considerable impact for which no feasible mitigation is available.

5.2 Significant Irreversible Environmental Impacts Which Would be Involved in the Proposed Action Should it be Implemented

The CEQA Guidelines require EIRs to address any significant irreversible environmental changes that would be involved in the proposed action should it be implemented (CEQA Guidelines Section 15126.2(c)). An environmental change would fall into this category if: a) the project would involve a large commitment of non-renewable resources; b) the primary and secondary impacts of the project would generally commit future generations to similar uses; c) the project involves uses in which irreversible damage could result from any potential environmental accidents; or d) the proposed consumption of resources are not justified (e.g., the project results in the wasteful use of energy).

Determining whether the Project may result in significant irreversible environmental changes requires a determination of whether key non-renewable resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. Natural resources, in the form of construction materials and energy resources, would be used in the construction of the proposed Project. The consumption of these natural resources would represent an irreversible change to the environment. However, development of the Project Site would have no measurable adverse effect on the availability of such resources, including resources that may be non-renewable (e.g., construction aggregates, fossil fuels). Additionally, the Project is required by law to comply with the California Green Building Standards Code (CALGreen) in effect at the time of building permit issuance, which will minimize the Projects' demand for energy, including energy produced from non-renewable sources.

Mandatory compliance with federal, State, and local regulations related to hazardous materials handling, storage, and use by all Project construction contractors (near term) and occupants (long-term) would ensure that any hazardous materials used on-site would be safely and appropriately handled to preclude any irreversible damage to the environment that could result if hazardous materials were released from the Project Site. Also, implementation of the Project would result in an improved environmental condition on the Project Site because existing hazardous materials would be removed from the property, contaminated soils would be removed to a depth of 10 feet and properly disposed of off-site, and soil vapor conditions would be remediated to be in compliance with regulatory limits.

The Project would not result in a wasteful, inefficient, or unnecessary consumption of energy. Accordingly, the Project would not result in a significant, irreversible change to the environment related to energy use.

Based on the above, Project construction and operation would require the commitment of limited, slowly renewable and non-renewable resources. However, this commitment of resources would not be substantial and would be consistent with regional and local growth forecasts and development goals for the area. The loss of such resources would not be highly accelerated when compared to existing conditions, and such resources would not be used in an inefficient or wasteful manner. Project construction and operation would adhere to the sustainability requirements of Title 24, Green Building Code, and CALGreen. Therefore, the Project would not result in the commitment of large quantities of natural resources that would result in significant irreversible environmental changes.

5.3 GROWTH-INDUCING IMPACTS OF THE PROPOSED PROJECT

CEQA requires a discussion of the ways in which the proposed Project could be growth inducing. The CEQA Guidelines identify a project as growth inducing if it would foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment (CEQA Guidelines Section 15126.2(d)). New employees and new residential populations represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area.

A project could indirectly induce growth at the local level by increasing the demand for additional goods and services associated with an increase in population or employment and thus reducing or removing the barriers to growth. This typically occurs in suburban or rural environs where population growth results in increased demand for service and commodity markets responding to the new population of residents or employees.

According to regional population projections included in SCAG's *Connect SoCal*, the City of Whittier's population is projected to grow by 11,800 residents between 2016 and 2045 (approximately 0.47 percent annual growth) (SCAG, 2020a). Over this same time period, employment in the City is expected to add 3,000 new jobs (approximately 0.29 percent annual job growth) (ibid). Economic growth would likely take place as a result of the Project's operation, but would merely replace employment opportunities that have been available on the Site since the 1950's. The Project's employees (short-term construction and long-term operational) would purchase goods and services in the region, but any secondary increase in employment associated with meeting these goods and services demands is expected to be accommodated by existing goods and service providers and, based on the amount of existing and planned future commercial and retail services available in areas near the Project Site, would be highly unlikely to result in any unanticipated, adverse physical impacts to the environment. In addition, the Project would create jobs, a majority of which would likely be filled by residents of the housing units either already built or planned for development within the City of Whittier and nearby areas. Accordingly, because it is anticipated that most of the Project's future employees would already be living in the City of Whittier or the immediate surrounding area, the Project's introduction of new employment opportunities on the Project Site, replacing the lost employment opportunities when former uses of the Site closed, would not induce substantial growth in the area.

Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment. Typically, growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning agencies such as SCAG. Significant growth impacts also could occur if a project provides infrastructure or service capacity to accommodate growth beyond the levels currently permitted by local or regional plans and policies. In general, growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth significantly affects the environment in some other way.

The area surrounding the Project Site consist of industrial, commercial, and residential development with commercial and industrial facilities to the north and south, Whittier Boulevard frontage road, Whittier Boulevard, and the commercial facilities to the east, and a residential community to the west. Development of the Project Site is not expected to place short-term development pressure on abutting properties because these areas are already built-out.

Based on the foregoing analysis, the Project would not result in substantial, adverse growth-inducing impacts.

5.4 EFFECTS FOUND NOT TO BE SIGNIFICANT DURING THE INITIAL SCOPING PROCESS

CEQA Guidelines Section 15128 requires that an EIR *"...contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR."* During the preparation of this EIR, the Project was determined to clearly have no potential to result in significant impacts under 14 environmental issue areas: aesthetics; agriculture and forestry resources; air quality; biological resources; energy; hydrology and water quality; land use and planning; mineral resources; population and housing; public services; recreation; transportation; utilities and service systems; and wildfire. Therefore, these issue areas were not required to be analyzed in detail in EIR Section 4.0, *Environmental Analysis*. A brief summary of the Project's impacts to aesthetics, agriculture and forestry resources, air quality, biological resources, energy, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, transportation, utilities and service systems, and wildfire is presented below.

5.4.1 AESTHETICS

Threshold "a:" ***Would the Project have a substantial adverse effect on a scenic vista?***

Less-than-Significant Impact. As described by the General Plan Environmental Impact Report (GPEIR) prepared for the Envision Whittier General Plan, scenic vistas are defined as natural landscapes that provide views of unique flora, geologic, or other natural features that are generally free from urban intrusions. Typical scenic vistas include views of mountains and hills, large, uninterrupted open spaces, and waterbodies. The GPEIR identified views of the Puente Hills as a scenic vista, which consists of a major topographic and open space feature that is located approximately 1.4 miles to the northeast of the Project Site. (City of Whittier, 2021a, p. 4.1-1)

Under existing conditions, public views of the Project Site and surrounding areas are mostly limited to the Whittier Boulevard frontage road to the east of the Project Site, as public views from the north and south are obstructed or precluded by existing industrial and commercial developments, and views from the west are also obstructed by an existing block wall located along the eastern side of Blue Sky Court and existing development beyond the southwest corner of the Project Site.

Threshold "b:" ***Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?***

No Impact. The California Department of Transportation (Caltrans) manages the State Scenic Highway Program. Caltrans provides guidance to local government agencies, community organizations and citizens that are pursuing the official designation of a State Scenic Highway. The Project Site is not within or near a State scenic highway. The nearest officially designated state scenic highway, State Route 91 (SR-91), is located more than 14 miles southeast of the City of Whittier in Anaheim Hills and would not be visible to motorists from the Project Site. The nearest eligible State scenic highway is a portion of the SR-57 freeway between Imperial Highway and the SR-60 freeway to the City of Industry (Caltrans, n.d.). The eligible portion of SR-57 is approximately 10.0 miles east of the Project Site and is not visible from the Project Site due to distance and intervening topography, development, and landscaping (Google Earth, 2023). Furthermore, the Project

Site is fully developed with light industrial buildings and does not contain any scenic resources visible from off-site locations, such as visually significant trees or rock outcroppings. Although the buildings on-site represent historical resources, the historic nature of the buildings is related to the historic use of the Site by the Ekco Products Company, prior to the use of the Site by Leggett and Platt, and the buildings are not considered historic based on their architectural or other visual characteristics (Duke CRM, 2022, p. 3). Accordingly, the Project would not impact scenic resources within a State designated scenic highway, and no impact would occur.

Threshold "c:"	***In non-urbanized areas, would the Project substantially degrade the existing visual character or quality of public views the site and its surroundings (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?***

Less-than-Significant Impact. The U.S. Census Bureau defines an "urbanized area" as a densely settled core or census tracts and/or census blocks that have 50,000 or more residents and meet minimum population density requirements while also being adjacent to territory containing non-residential urban land uses. The Project Site is located within the Los Angeles-Long Beach-Anaheim urbanized area (USCB, 2012); therefore, the analysis of potential impacts to visual character considers whether the Project design conflicts with applicable zoning and/or regulations governing scenic quality.

Regulations governing scenic quality are established through the City's Municipal Code, Envision Whittier General Plan, and by the WBSP. The Project has been designed to comply with all applicable provisions of the City's Municipal Code related to visual quality. The Project also would be consistent with all policies related to scenic quality in the Envision Whittier General Plan. In addition, and with exception of the proposed development hardship reliefs, as proposed by CUP22-0007, the Project would comply with all of the intensity and dimensional standards set forth in Table 4-2 of the WBSP. Furthermore, the Project has been designed in conformance with the WBSP Design Guidelines, which include requirements related to building massing, architectural style, facades, roofs, building accessories, color, and streetscapes, all of which were identified in order to ensure future development within the WBSP area enhances and does not degrade visual quality. Accordingly, the Project would not conflict with applicable zoning and other regulations governing scenic quality, and impacts would be less than significant.

Threshold "d:"	***Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?***

Less-than-Significant Impact. Under existing conditions, the Project Site is fully developed as a manufacturing facility. Lighting includes security lighting along the existing façades of the buildings, along with several light poles within the parking lots. Land uses in the surrounding area also are associated with artificial lighting and include a variety of industrial and commercial uses to the north, east, and south, and a residential community under development to the northwest. While no streetlights are located on the Whittier Boulevard frontage road at the Project Site, there are streetlights located along the frontage road north and south of the Project Site. Streetlights also are located to the east of the Project Site at the intersection of Whittier Boulevard and Mar

Vista Street. The Project would introduce new light sources to the Project Site as necessary for security, safety, and wayfinding.

The Project would be required to adhere to the lighting requirements as set forth in the City of Whittier Municipal Code, Section 18.98.030.K, which specifies design guidelines for manufacturing development, including requirements related to lighting. Section 18.98.030.K requires that "[e]xterior lighting standards should be located and designed to minimize direct glare beyond the parking lot or service area." The Project also would be required to comply with the requirements of subsection 5.5.4 (Corridor-Wide Design Guidelines – Lighting) of the WBSP, which includes the following requirements to preclude lighting impacts:

- *"Unnecessary glare should be avoided. Commercial buildings and landscaping can be illuminated indirectly by concealing light features within buildings and landscaping to highlight attractive features and avoid intrusion into neighboring properties."*
- *"Fixtures should use a reflector and/or a refractor system for efficient distribution of light and reduction of glare."*
- *"Sharp cut-off type fixtures are recommended, to prevent light from being emitted above the horizontal relative to the light source. Small decorative "glow" elements are permitted to emit light above the horizontal. Alternatively or in addition, fixtures should use a refractive prismatic diffuser globe to direct light downward and focused in a pattern as desired."*
- *"House side shields and internal reflector caps should be used to block light from illuminating residential windows."*
- For uplighting, "*[s]hielding and careful placement should be used to prevent spill light from visibility by pedestrians, motorists, and nearby residential dwelling windows. At parking lots adjacent to single-family homes, a combination of mounting height and luminaire shields should be used to protect residences from glare. In general, light sources should be kept low to maintain pedestrian scale and prevent spill light from impacting adjacent properties.*

The City would confirm compliance with applicable lighting requirements of the City's Municipal Code and the WBSP during future review of building permit applications/plans. Mandatory compliance with the Municipal Code and WBSP would ensure that the Project would not introduce any permanent design features that would adversely affect day or nighttime views in the area.

Glare is caused by light reflections from pavement, vehicles, and building materials such as reflective glass and polished surfaces. During daylight hours, the amount of glare depends on intensity and direction of sunlight. Glare can create hazards to motorists and can be a nuisance for pedestrians and other viewers. Exterior building materials proposed as part of the Project primarily include concrete, painted metal, and tempered glass. The proposed tempered glass is described by the manufacturer as having a "low" reflectivity. These non-reflective building materials would not result in potential glare impacts within the Project Site or surrounding areas, and glare impacts would be less than significant.

Based on the foregoing analysis, implementation of the Project would not result in a significant source of light or glare that would adversely affect daytime or nighttime views, and impacts would be less than significant.

5.4.2 Agriculture and Forestry Resources

Threshold "a:"	***Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?***

No Impact. According to mapping information available from the California Department of Conservation (CDC) Farmland Mapping and Monitoring Program (FMMP), the Project Site does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (CDC, 2021). The nearest area of any FMMP significance is a relatively small area of Prime Farmland located at the northeast corner of Durfee Avenue and Rosemead Boulevard, approximately 3.9 miles to the north of the Project Site. Given the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, no impact would result.

Threshold "b:"	***Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?***

No Impact. The Project Site is currently zoned as SP (Specific Plan) and is within the Workplace District of the WBSP, which does not permit agricultural uses. The Project's implementation would not require a zone change and would not result in a loss of land zoned for agriculture. The Project Site is mostly paved and vegetation onsite is minimal. There are no farming activities occurring at the Site. The Project Site is not located within any agricultural preserves, nor is the Project Site subject to any Williamson Act Contracts. As a result, the Project would not result in conflict with existing agricultural zoning or Williamson Act contracts, and no impact would occur.

Threshold "c:"	***Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?***

No Impact. Under existing conditions, the Project Site's zoning does not allow for forest land uses. Furthermore, the Project Site is fully developed under existing conditions, and does not contain any large stands of trees that could be used for forestry purposes. There are no lands surrounding the Project Site or within the Project vicinity that are zoned for forestry or timberland production uses. Accordingly, the Project has no potential to conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)), and no impact would occur.

Threshold "d:" ***Would the Project result in the loss of forest land or conversion of forest land to non-forest use?***

No Impact. As indicated in the response to 5.4.2 Threshold c), the Project Site and surrounding areas do not consist of forest land. As such, the Project has no potential to result in the loss of forest land or result in the conversion of forest land to non-forest use, and no impact would occur.

Threshold "e:" ***Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?***

No Impact. As indicated in the analysis of 5.4.2 Thresholds a) through d), the Project Site and surrounding areas do not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and there are no lands used for forestry or timberland production in the Project vicinity. Accordingly, the Project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use, and no impact would occur.

5.4.3 Air Quality

The topic of Air Quality was determined during the EIR scoping process to have no reasonable potential to be significantly impacted by the proposed Project. The determination was based on a technical report titled "*Whittier Boulevard Business Park Air Quality, Global Climate Change, HRA, and Energy Impact Analysis*," dated, February 11, 2022, prepared by Ganddini & Associates, attached to the Initial Study, and available for public review during this EIR's NOP public comment period. Since that time an updated report was published to reflect updated modeling, including CalEEMod Version 2022.1.1.13, EMFAC 2021, and OFFROAD2017, resulting in publication of an updated report dated June 27, 2023, titled "*Whittier Boulevard Business Park Air Quality, Global Climate Change, HRA, and Energy Impact Analysis.*" The below is based on the updated June 27, 2023, report included as *Technical Appendix B* to this EIR.

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

Less-than-Significant Impact: The Project Site is located within the South Coast Air Basin (SCAB). The SCAB encompasses approximately 6,754 square miles and includes Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The SCAB is bound by the Pacific Ocean to the west; the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east, respectively; and the San Diego County line to the south. In these areas, the South Coast Air Quality Management District (SCAQMD) is principally responsible for air pollution control and works directly with the Southern California Association of Governments (SCAG), county transportation commissions, local governments, as well as State and federal agencies to reduce emissions from stationary, mobile, and indirect sources to meet State and federal ambient air quality standards.

Currently, State and federal air quality standards are exceeded in most parts of the Basin. In response, the SCAQMD has adopted a series of Air Quality Management Plans (AQMPs) to meet the State and federal ambient air quality standards. AQMPs are updated regularly in order to more effectively reduce emissions, accommodate growth, and to minimize any negative fiscal impacts of air pollution control on the economy. The prior AQMP, the 2016 AQMP, was adopted by the SCAQMD in March 2017. The current 2022 AQMP was adopted December 2, 2022, by the SCAQMD Governing Board. Criteria for determining consistency with the AQMP are defined in Chapter 12, § 12.2, and § 12.3 of the SCAQMD's CEQA Air Quality Handbook (1993). The Project's consistency with these criteria and the adopted 2022 AQMP is discussed below.

- *Consistency Criterion No. 1: The Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.*

  Consistency Criterion No. 1 refers to violations of the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). As evaluated under 5.4.3 Thresholds b) and c), below, the Project would not exceed regional or localized significance thresholds for any criteria pollutant during construction or during long-term operation with the application of mandatory regulatory requirements. Therefore, the Project would not violate either the California Ambient Air Quality Standards (CAAQS) or National Ambient Air Quality Standards (NAAQS). Accordingly, the Project's regional and localized emissions would not contribute substantially to an existing or potential future air quality violation or delay the attainment of air quality standards, and the Project would therefore be consistent with Consistency Criterion No. 1. (Ganddini, 2023a, p. 42)

- *Consistency Criterion No. 2: The Project will not exceed the assumptions in the AQMP based on the years of Project build-out phase.*

  The growth forecasts used in the AQMP to calculate future air pollutant emissions levels are based in part on land use data provided by the general plans of the various jurisdictions within the SCAB. Projects that increase the intensity of use on a subject property may, as compared to its general plan designation, result in increased stationary area source emissions and/or vehicle source emissions when compared to the AQMP assumptions. However, if a project does not exceed the growth projections in the applicable local general plan, then the project is considered to be consistent with the growth assumptions in the AQMP. The 2022 AQMP is based on the prior General Plan that was in effect at the time, which designated the Project Site for General Industrial (GI) land use. As part of the Project, the Project Site would be developed with a 295,959 s.f. building for manufacturing, assembly, R&D, and/or light industrial use. The Project would be consistent with the "GI" land use designation for the subject property and therefore, would be consistent with the growth assumptions used in the AQMP and would not exceed the AQMP's long-term emissions projections. On the basis of the foregoing analysis, the Project would be consistent with Consistency Criteria No. 2. (Ganddini, 2023a, p. 42)

Based on the analysis presented above, the Project would not conflict with or obstruct implementation of the current SCAQMD AQMP, and impacts would be 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 non-attainment under an applicable federal or state ambient air quality standard?***

Less-than-Significant Impact: As indicated under the analysis of 5.4.3 Threshold a), the SCAQMD is principally responsible for air pollution control within the SCAB. The CAAQS designate the SCAB as nonattainment for ozone (O_3), PM_{10}, and $PM_{2.5}$, while the NAAQS designates the Project area as nonattainment for O_3 and $PM_{2.5}$ (Ganddini, 2023a, Table 3). Accordingly, the Project would result in a cumulatively-considerable net increase of criteria pollutant for which the Project region is non-attainment if the Project were to exceed the SCAQMD regional thresholds for NO_X or Volatile Organic Compounds (VOCs), both of which are ozone precursors, or if the Project were to exceed the SCAQMD regional thresholds for PM_{10} or $PM_{2.5}$.

The proposed Project has the potential to generate substantial pollutant concentrations during both construction activities and long-term operation. The following analysis is based on the applicable significance thresholds established by the SCAQMD (which are based on federal and State air quality standards). This analysis assumes that the proposed Project would comply with applicable, mandatory regional air quality standards, including SCAQMD Rule 403, "Fugitive Dust;" SCAQMD Rule 431.2. "Sulfur Content of Liquid Fuels;" SCAQMD Rule 1113, "Architectural Coatings;" SCAQMD Rule 1186, "PM_{10} Emissions from Paved and Unpaved Roads, and Livestock Operations;" SCAQMD Rule 1186.1, "Less-Polluting Street Sweepers," and Title 13, Chapter 10, § 2485, Division 3 of the California Code of Regulations "Airborne Toxic Control Measure."

For a detailed description of the health effects of air pollutants, refer to *Technical Appendix B* to this EIR. In general, air pollutants have adverse effects to human health, including but not limited to, respiratory illness, and carcinogenic effects.

SCAQMD Regional Significance Thresholds

Many air quality impacts that derive from dispersed mobile sources, which are the dominate pollution generators in the SCAB, often occurs hours later and miles away after photochemical processes have converted primary exhaust pollutants into secondary contaminants such as ozone. The incremental regional air quality impact of an individual project is generally very small and difficult to measure. Therefore, the SCAQMD has developed significance thresholds based on the volume of pollution emitted rather than on actual ambient air quality because the direct air quality impact of a project is not quantifiable on a regional scale. The SCAQMD CEQA Handbook states that any project in the SCAB with daily emissions that exceed any of the identified significance thresholds should be considered as having an individually and cumulatively significant air quality impact. Table 5-1, *SCAQMD Air Quality Significance Thresholds*, presents the SCAQMD regional thresholds (identified in as "Mass Daily Thresholds"). (Ganddini, 2023a, p. 27)

Table 5-1 SCAQMD Air Quality Significance Thresholds

Mass Daily Thresholds		
Pollutant	**Construction (lbs/day)**	**Operation (lbs/day)**
NOx	100	55
VOC	75	55
PM10	150	150
PM2.5	55	55
SOx	150	150
CO	550	550
Lead	3	3
Toxic Air Contaminants, Odor and GHG Thresholds		
TACs	Maximum Incremental Cancer Risk ≥ 10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million) Chronic & Acute Hazard Index > 1.0 (project increment)	
Odor	Project creates an odor nuisance pursuant to SCAQMD Rule 402	
GHG	10,000 MT/yr CO2e for industrial projects	
Ambient Air Quality Standards		
Pollutant	**SCAQMD Standards**	
NO2 -1-hour average	0.18 ppm (338 µg/m^3)	
PM10 -24-hour average Construction Operations	 10.4 µg/m^3 2.5 ug/m^3	
PM2.5 -24-hour average Construction Operations	 10.4 µg/m^3 2.5 µg/m^3	
SO2 1-hour average 24-hour average	 0.25 ppm 0.04 ppm	
CO 1-hour average 8-hour average	 20 ppm (23,000 µg/m^3) 9 ppm (10,000 µg/m^3)	
Lead 30-day average Rolling 3-month average	 1.5 µg/m^3 0.15 µg/m^3	

Source: (Ganddini, 2023a, Table 5)

Impact Analysis for Construction Emissions

Construction activities associated with the proposed Project would have the potential to generate air emissions, toxic air contaminant emissions, and odor impacts. Assumptions for the phasing, duration, and required equipment for the construction of the proposed Project were obtained from the Project Applicant and are described in EIR Section 3.0, *Project Description*.

The Project's construction characteristics and construction equipment fleet assumptions used in the analysis are described in *Technical Appendix B* to this EIR. For the purposes of the construction emissions analysis, construction was expected to start no sooner than December 2023 and be completed by mid-December 2024. However, the actual construction of the Project would be later and dependent on several factors, including timing of Project approvals, market conditions, and/or Project funding. As such, this analysis accounts for schedule modifications as Project plans evolve from conceptual planning to final mapping. Because construction would start at a later date than assumed in the analysis, it can be expected that Project emissions would be reduced because CalEEMod incorporates lower emission factors associated with construction equipment in future years due to improved emissions controls and fleet modernization through turnover.

A detailed discussion of the methodology used to calculate short-term construction emissions is provided in *Technical Appendix B* to this EIR. In summary, construction-related emissions were estimated using the CalEEMod (Version 2022.1.1.13) software, which is a Statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions from a variety of land use projects. The CalEEMod program uses the EMFAC2021 computer program to calculate the emission rates for construction-related employee vehicle trips and the OFFROAD2017 computer program to calculate emission rates for heavy truck operations. EMFAC2021 and OFFROAD2017 are computer programs generated by CARB that calculates composite emission rates for vehicles. Emission rates are reported by the program in grams per trip and grams per mile or grams per running hour. Daily truck trips and CalEEMod default trip length data were used to assess roadway emissions from truck exhaust. (Ganddini, 2023a, p. 28)

The calculated maximum daily emissions associated with Project construction are presented in Table 5-2, *Construction-Related Regional Pollutant Emissions*. As shown in Table 5-2, the Project's daily construction emissions of reactive organic gases (ROGs), nitrogen oxides (NO_X) carbon monoxide (CO), sulfur dioxide (SO_2), and particulate matter (PM_{10} and $PM_{2.5}$) would not exceed SCAQMD regional criteria thresholds. The SCAQMD considers any project-specific criteria pollutant emissions that exceed applicable SCAQMD significance thresholds also to be cumulatively considerable. Phrased another way, if a project does not exceed the SCAQMD regional thresholds, then SCAQMD considers that project's air pollutant emissions to not be cumulatively considerable. Thus, because Project construction would not exceed the SCAQMD regional criteria significance thresholds, Project-related construction activities would not result in a cumulatively-considerable net increase of any criteria pollutant, including any pollutants for which the SCAB does not attain applicable federal or State ambient air quality standards. Construction-related regional air quality impacts would therefore be less than significant. (Ganddini, 2023a, p. 30)

Impact Analysis for Regional Operational Emissions

The on-going operation of the proposed Project would result in a long-term increase in air quality emissions. This increase would be due to emissions from the Project-generated vehicle trips and through operational emissions from the on-going use of the proposed Project (Ganddini, 2023a, p. 35).

Table 5-2 Construction-Related Regional Pollutant Emissions

Activity	Pollutant Emissions (pounds/day)					
	ROG	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Maximum Daily Emissions[1,2]	33.10	38.40	37.60	0.09	9.88	4.15
SCAQMD Thresholds	75	100	550	150	150	55
Exceeds Thresholds?	**No**	**No**	**No**	**No**	**No**	**No**

Notes: CalEEMod Version 2022.1.1.13

1) On-site demolition, site preparation, and grading PM_{10} and $PM_{2.5}$ emissions show compliance with SCAQMD Rule 403 for fugitive dust.
2) Construction, painting, and paving phases may overlap.

Source: (Ganddini, 2023a, Table 6)

Methodology

The operations-related criteria air quality impacts created by the proposed Project have been analyzed through the use of the CalEEMod model. The operating emissions were based on the year 2024, which is the anticipated opening year for the Project. The operations daily emissions printouts from the CalEEMod model are provided in *Technical Appendix B* to this EIR. The CalEEMod analyzes operational emissions from area sources, energy usage, and mobile sources, which are discussed below. (Ganddini, 2023a, p. 35)

Mobile Sources

Mobile sources include emissions from the additional vehicle miles generated from the proposed Project. The vehicle trips associated with the proposed Project have been analyzed by inputting the project-generated vehicular trips (trip generation rate) from the Trip Generation Memo into the CalEEMod Model. The Trip Generation Memo found that the proposed Project would create approximately 998 vehicle trips per day (in terms of actual vehicles). The program then applies the emission factors for each trip which is provided by the EMFAC2021 model to determine the vehicular traffic pollutant emissions. (Ganddini, 2023a, p. 35)

The Trip Generation Memo found that the proposed industrial use would create 829 automobile round trips, 13 two-axle truck round trips, 12 three-axle truck round trips, and 144 four+-axle truck round trips per day (in terms of actual vehicles). The vehicle mix for the industrial project was changed in CalEEMod to match the Trip Generation Memo and the percentages in CalEEMod were changed to 83.1% autos and 16.9% trucks to match the overall vehicle percentages given in the TIA. Due to the proposed Project's location and proposed industrial land use, the average customer-based trip length was increased to 40 miles per SCAQMD recommendation, while all other trip lengths were based on the urban default values. (Ganddini, 2023a, p. 35)

Area Sources

Per guidance from the California Air Pollution Control Officers Association (CAPCOA), area sources include emissions from consumer products, landscape equipment and architectural coatings. Landscape maintenance includes fuel combustion emissions from equipment such as lawn mowers, rototillers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers, as well as air compressors, generators, and pumps. As specifics were not known about the landscaping equipment fleet, CalEEMod

defaults were used to estimate emissions from landscaping equipment. No changes were made to the default area source parameters. (Ganddini, 2023a, p. 35)

Energy Usage

Energy usage includes emissions from the generation of electricity and natural gas used on-site. No changes were made to the default energy usage parameters. (Ganddini, 2023a, p. 35)

Operational-Related Regional Air Quality Impacts

The worst-case summer or winter criteria pollutant emissions created from the proposed project's long-term operations have been calculated and are shown below in Table 5-3, *Regional Operational Pollutant Emissions*. As summarized in Table 5-3, Project-related operational emissions of ROGs, NO_X, CO, SO_2, PM_{10} and $PM_{2.5}$ would not exceed SCAQMD regional criteria thresholds. Accordingly, the Project's regional air quality emissions during long-term operations would be less than significant.

Conclusion

As indicated in Table 5-2 and Table 5-3, the Project would not exceed any of the SCAQMD regional thresholds during either construction or long-term operation. As such, the Project would not result in a cumulatively-considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or State ambient air quality standard, and impacts would be less than significant.

Table 5-3 Regional Operational Pollutant Emissions

Activity	Pollutant Emissions (pounds/day)					
	ROG	NOx	CO	SO2	PM_{10}	$PM_{2.5}$
Maximum Daily Emissions	13.10	18.40	70.70	0.22	6.08	1.46
SCAQMD Thresholds	55	55	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No

Notes: CalEEMod Version 2022.1.1.13; the higher of either summer or winter emissions.
Source: (Ganddini, 2023a, Table 10)

Threshold "c:" Would the project expose sensitive receptors to substantial pollutant concentrations?

Less-than-Significant Impact: Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. The California Air Resources Board (CARB) has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. The Project has the potential to expose sensitive receptors to substantial pollutant concentrations if Project construction or operational emissions were to exceed the SCAQMD Localized Significance Thresholds (LSTs). In addition, the Project has the potential to cause or contribute to CO "hot spots," and also has the potential to expose

sensitive receptors to substantial pollutant concentrations that could result in cancer risks and/or non-cancer hazards. Each is discussed below.

SCAQMD Localized Significance Thresholds Analysis

The analysis makes use of methodology included in the SCAQMD Final Localized Significance Threshold Methodology (LST Methodology). The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the NAAQS and CAAQS. Collectively, these are referred to as Localized Significance Thresholds (LSTs).

The SCAQMD established LSTs in response to the SCAQMD Governing Board's Environmental Justice Initiative I-4. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable federal or State ambient air quality standard at the nearest residence or sensitive receptor. The SCAQMD states that lead agencies can use the LSTs as another indicator of significance in its air quality impact analyses.

LSTs were developed in response to environmental justice and health concerns raised by the public regarding exposure of individuals to criteria pollutants in local communities. To address the issue of localized significance, the SCAQMD adopted LSTs that show whether a project would cause or contribute to localized air quality impacts and thereby cause or contribute to potential localized adverse health effects. The Look-up Tables were developed by the SCAQMD in order to readily determine if the daily emissions of CO, NO_X, PM_{10}, and $PM_{2.5}$ from a proposed project could result in a significant impact to the local air quality.

Table 5-1 (previously presented) shows the SCAQMD Air Quality Significance Thresholds for both construction and operations, which were used to evaluate the Project's potential localized air quality impacts. Refer to Section 2 of *Technical Appendix B* to this EIR for a discussion of the methodology used to estimate the Project's localized air quality emissions.

LST Analysis for Construction Localized Emissions

CalEEMod calculates construction emissions based on the number of equipment hours and the maximum daily disturbance activity possible for each piece of equipment. The maximum number of acres disturbed in a day for the proposed Project would be 4 acres during grading. The local air quality emissions from construction were analyzed using the SCAQMD's Mass Rate Localized Significant Threshold Look-up Tables and the LST Methodology. The emission thresholds were calculated based on the Southeast LA County source receptor area (SRA) 5 and a disturbance value of four acres per day. According to LST Methodology, any receptor located closer than 25 meters (82 feet) shall be based on the 25-meter thresholds. The nearest sensitive receptors to the Project Site are the existing multi- and single-family residential uses located adjacent to the west, the existing multi-family residential uses located approximately 335 feet (~102 meters) southeast, and the existing single-family residential uses located approximately 700 feet (~213 meters) northeast of the Project Site; therefore, the SCAQMD Look-up Tables for 25 meters were used. Table 5-4, *Local Construction Emissions at the Nearest Receptors*, shows the on-site emissions from the CalEEMod model for the different construction phases and the LST emissions thresholds. (Ganddini, 2023a, pp. 29-30)

As summarized in Table 5-4, localized emissions of NO_X, CO, and particulate matter (PM_{10} and $PM_{2.5}$) would not exceed applicable SCAQMD LSTs during Project construction activities. Accordingly, Project construction would not expose any sensitive receptors to substantial concentrations of criteria pollutants, and impacts would be less than significant. (Ganddini, 2023a, p. 32)

LST Analysis for Operational Localized Emissions

Project-related air emissions from on-site sources such as architectural coatings, landscaping equipment, on-site usage of natural gas appliances, as well as the operation of vehicles on-site may have the potential to exceed the State and federal air quality standards in the Project vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the SCAB. The nearest sensitive receptors that may be impacted by the proposed Project are the multi-family residential uses adjacent to the west (that are currently under construction), the existing multi-family residential uses located approximately 335 feet (~102 meters) southeast, and the existing single-family residential uses located approximately 700 feet (~213 meters) northeast of the Project Site. (Ganddini, 2023a, p. 39)

The local air quality emissions from on-site operations were analyzed according to the SCAQMD LST Methodology.

Table 5-4 Local Construction Emissions at the Nearest Receptors

Activity	On-Site Pollutant Emissions (pounds/day)			
	NOx	**CO**	**PM_{10}**	**$PM_{2.5}$**
Demolition	27.30	23.50	7.41	2.04
Site Preparation	36.00	32.90	6.71	4.10
Grading	34.30	30.20	3.84	2.28
Building Construction	11.20	13.10	0.50	0.46
Paving	7.81	10.00	0.39	0.36
Architectural Coating	0.91	1.15	0.03	0.03
SCAQMD Thresholds[1,2]	153	1,274	12	6
Exceeds Threshold?	**No**	**No**	**No**	**No**

Notes: Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for 4-acres at a distance of 25 m in SRA 5 Southeast Los Angeles County.

1) The nearest sensitive receptors are the existing multi- and single-family residential uses adjacent to the west, the existing multi-family residential uses located approximately 335 feet (~102 meters) southeast, and the existing single-family residential uses located approximately 700 feet (~213 meters) northeast of the Project Site; therefore, the 25-meter threshold was used.
2) The 4-acre threshold was interpolated from the 2-acre and 5-acre SCAQMD Mass Rate Look-up Table thresholds at 25 meters. Note: The project will disturb up to a maximum of 4 acres a day during grading.

Source: (Ganddini, 2023a, Table 8)

Per SCAQMD staff, the 5-acre Look-up Table, which is the largest site available, can be used as a conservative screening analysis for on-site operational emissions to determine whether more-detailed dispersion modeling would be necessary. This approach is conservative as it assumes that all on-site emissions associated with a project would occur within a concentrated 5-acre area. This screening method would therefore over-predict potential localized impacts, because by assuming that on-site operational activities are occurring over a smaller

area, the resulting concentrations of air pollutants are more highly concentrated once they reach the smaller site boundary than they would be for activities if they were spread out over a larger surface area. On a larger site, the same amount of air pollutants generated would disperse over a larger surface area and would result in a lower concentration once emissions reach the site boundary. The proposed Project was analyzed based on the Southeast Los Angeles County SRA 5 and as the Site is 13.49 acres, the screening thresholds for a five-acre project site were conservatively used to evaluate Project impacts. (Ganddini, 2023a, p. 37)

Table 5-5, *Local Operational Emissions at the Nearest Receptors*, shows the on-site emissions from the CalEEMod model that includes natural gas usage, landscape maintenance equipment, and vehicles operating on-site and the calculated emissions thresholds. Per LST methodology, mobile emissions include only on-site sources which equate to approximately 10 percent of the Project-related new mobile sources. The data provided in Table 5-5 shows that the on-going operations of the proposed Project would not exceed the SCAQMD operational LSTs. Therefore, the on-going operations of the proposed Project would create a less-than-significant operations-related impact to local air quality due to on-site emissions. (Ganddini, 2023a, p. 37)

Table 5-5 Local Operational Emissions at the Nearest Receptors

On-Site Emission Source	On-Site Pollutant Emissions (pounds/day)[1]			
	NOx	CO	PM_{10}	$PM_{2.5}$
Area Sources[2]	0.11	12.90	0.02	0.02
Energy Usage[3]	2.01	1.69	0.15	0.15
Vehicle Emissions[4]	15.50	56.20	5.91	1.28
Total Emissions	17.62	70.79	6.08	1.45
SCAQMD Thresholds[5]	172	1,480	4	2
Exceeds Threshold?	**No**	**No**	**No**	**No**

Notes:

1) Source: Calculated from CalEEMod and SCAQMD's Mass Rate Look-up Tables for 5 acres in SRA 5 Southeast Los Angeles County.
2) Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.
3) Energy usage consists of emissions from on-site natural gas usage.
4) On-site vehicular emissions based on 1/10 of the gross vehicular emissions and road dust.
5) The nearest sensitive receptors are the existing multi- and single-family residential uses located adjacent to the west, the existing multi-family residential uses located approximately 335 feet (~102 meters) southeast, and the existing single-family residential uses located approximately 700 feet (~213 meters) northeast of the Project Site; therefore, the 25-meter threshold was used.

Source: (Ganddini, 2023a. Table 11)

Carbon Monoxide "Hot Spot" Analysis

An adverse CO concentration, known as a "hot spot," would occur if an exceedance of the State one-hour standard of 20 ppm or the eight-hour standard of 9 ppm were to occur. At the time of the 1993 SCAQMD CEQA Air Quality Handbook, the SCAB was designated nonattainment under the CAAQS and NAAQS for CO.

It has long been recognized that CO hotspots are caused by vehicular emissions, primarily when idling at congested intersections. In response, vehicle emissions standards have become increasingly stringent in the last twenty years. Currently, the allowable CO emissions standard in California is a maximum of 3.4

grams/mile for passenger cars (there are requirements for certain vehicles that are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO concentration in the SCAB is now designated as attainment.

The analysis prepared for CO attainment in the SCAB by the SCAQMD can be used to assist in evaluating the potential for CO exceedances in the SCAB. CO attainment was thoroughly analyzed as part of the SCAQMD's 2003 Air Quality Management Plan (2003 AQMP) and the 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan). As discussed in the 1992 CO Plan, peak carbon monoxide concentrations in the SCAB are due to unusual meteorological and topographical conditions, and not due to the impact of particular intersections. Considering the region's unique meteorological conditions and the increasingly stringent CO emissions standards, CO modeling was performed as part of 1992 CO Plan and subsequent plan updates and air quality management plans. In the 1992 CO Plan, a CO hot spot analysis was conducted for four busy intersections in Los Angeles at the peak morning and afternoon time periods. The intersections evaluated included: South Long Beach Boulevard and Imperial Highway (Lynwood); Wilshire Boulevard and Veteran Avenue (Westwood); Sunset Boulevard and Highland Avenue (Hollywood); and La Cienega Boulevard and Century Boulevard (Inglewood). These analyses did not predict a violation of CO standards. The busiest intersection evaluated was that at Wilshire Boulevard and Veteran Avenue, which has a daily traffic volume of approximately 100,000 vehicles per day. The Los Angeles County Metropolitan Transportation Authority evaluated the Level of Service in the vicinity of the Wilshire Boulevard/Veteran Avenue intersection and found it to be Level of Service E during the morning peak hour and Level of Service F during the afternoon peak hour. (Ganddini, 2023a, p. 36)

The Project's Trip Generation Update Memo (*Technical Appendix I2*) shows that the proposed Project would generate a maximum of approximately 998 daily vehicle trips. The Traffic Impact Analysis (TIA), dated January 24, 2022, showed that the intersection with the highest traffic volume is located at Whittier Boulevard and Whittier Boulevard frontage road and has an Existing Plus Ambient Growth Plus Project Plus Cumulative - Alternative with Mar Vista Street Extension AM peak hour volume of 1,428 vehicles. The 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan) showed that an intersection which has a daily traffic volume of approximately 100,000 vehicles per day would not violate the CO standard. Therefore, as the intersection volume falls far short of 100,000 vehicles per day, no CO "hot spot" modeling was performed and no significant long-term air quality impact is anticipated to local air quality with the on-going use of the proposed Project. Accordingly, Project impacts due to CO "hot spots" would be less than significant. (Ganddini, 2023a, pp. 36-37)

Health Risk Assessment

In order to determine if the proposed Project may have a significant impact related to hazardous air pollutants (HAP), the *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (Diesel Analysis Guidelines), prepared by SCAQMD and dated August 2003, recommends that if a proposed project is anticipated to create hazardous air pollutants through stationary sources or regular operations of diesel trucks on the project site, then the proximity of the nearest receptors to the source of the hazardous air pollutants and the toxicity of the hazardous air pollutants should be analyzed through a comprehensive facility-wide health risk assessment (HRA). (Ganddini, 2023a, p. 25)

An HRA was conducted for the proposed Project, the results of which are included in Section 3 of *Technical Appendix B* to this EIR. Please refer to Section 3 of *Technical Appendix B* for a discussion of emissions inventory development and a description of the receptor network considered in the analysis. A summary of the Diesel Particulate Matter (DPM) emissions factors utilized in the analysis are provided in Table 12 of *Technical Appendix B;* Table 13 of *Technical Appendix B* provides a summary of the emission configurations used in the analysis; and Table 14 of *Technical Appendix B* provides a summary of the general modeling assumptions used in the modeling software.

The assessment of air quality and health risk impacts from pollutant emissions from this Project applied the United States Environmental Protection Agency (EPA) AERMOD Model, which is the air dispersion model accepted by the SCAQMD for performing air quality impact analyses. AERMOD predicts pollutant concentrations from point, area, volume, line, and flare sources with variable emissions in terrain from flat to complex with the inclusion of building downwash effects from buildings on pollutant dispersion. It captures the essential atmospheric physical processes and provides reasonable estimates over a wide range of meteorological conditions and modeling scenarios. AERMOD View Version 11.2.0, EPA version No. 22112, was utilized for the analysis. (Ganddini, 2023a, p. 45)

Health risks from diesel particulate matter are twofold. First, diesel particulate matter is a carcinogen according to the State of California. Second, long-term chronic exposure to diesel particulate matter can cause health effects to the respiratory system. (Ganddini, 2023a, p. 45)

According to the SCAQMD CEQA Handbook, any project that has the potential to expose the public to toxic air contaminants in excess of the following thresholds would be considered to have a significant air quality impact (Ganddini, 2023a, p. 25):

- If the Maximum Incremental Cancer Risk is 10 in one million or greater; or
- Toxic air contaminants from the proposed project would result in a Hazard Index increase of 1 or greater.

Provided below is an analysis of the Project's potential to expose sensitive receptors to cancer and non-cancer health risks.

Cancer Risks

The Project would generate toxic air contaminant emissions from diesel truck emissions created by the on-going operations of the proposed Project. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk. "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of toxic air contaminants over a 30-year lifetime will contract cancer, based on the use of revised Office of Environmental Health Hazard Assessment (OEHHA) risk-assessment methodology. (Ganddini, 2023a, p. 43)

According to the SCAQMD's MATES-V study, the Project area has an estimated multi-pathway cancer risk of 467 in one million and an inhalation cancer risk of 435 in one million. In comparison the average multi-pathway cancer risk for the SCAB portion of Los Angeles County is 497 in one million and the inhalation cancer risk is 462 in a million. The cancer risk in the local area largely is due to the proximity to the Interstate 605 Freeway. (Ganddini, 2023a, p. 43)

Cancer risk calculations were modeled in accordance with the *Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments*, released by the Office of Environmental Health Hazard Assessment (OEHHA) in February 2015 and formally adopted in March 2015. (Ganddini, 2023a, p. 46)

The model run results are shown in *Technical Appendix B* to this EIR. Figure 5 in *Technical Appendix B* illustrates the sensitive receptor locations considered in the analysis. Table 5-6, *Carcinogenic Risks and Non-Carcinogenic 3rd Trimester Exposure Scenario (0.25-Year)*, shows the cancer risk for the unborn child during the 3rd trimester. Table 5-7, *Carcinogenic Risks and Non-Carcinogenic Infant Exposure Scenario (2-Year)*, shows the cancer risk to infants (0-2 years). Table 5-8, *Carcinogenic Risks and Non-Carcinogenic Child Exposure Scenario (2-16 Years)*, shows the cancer risk to children ages 2 to 16 years. Table 5-9, *Carcinogenic Risks and Non-Carcinogenic Hazards Adult Exposure Scenario (16-30 Years)*, shows the cancer risk as that child becomes an adult (years 16-30). (Ganddini, 2023a, p. 46)

Table 5-6 Carcinogenic Risks and Non-Carcinogenic 3rd Trimester Exposure Scenario (0.25-Year)

Receptor ID (a)	Maximum Concentration (ug/m3) (b)	Maximum Concentration (mg/m3) (c)	Weight Fraction (d)	Contaminant (e)	Carcinogenic Hazards CPF (mg/kg/day) (f)	Carcinogenic Hazards RISK (per million) (g)	Noncarcinogenic Hazards REL (ug/m3) (h)	Noncarcinogenic Hazards RfD (mg/kg/day) (i)	Noncarcinogenic Hazards Index (j)
1	0.00114	1.1E-06	1.00E+00	DPM	1.1E+00	0.02	5.0E+00	1.4E-03	0.0002
2	0.00112	1.1E-06	1.00E+00	DPM	1.1E+00	0.02	5.0E+00	1.4E-03	0.0002
3	0.00107	1.1E-06	1.00E+00	DPM	1.1E+00	0.01	5.0E+00	1.4E-03	0.0002
4	0.00082	8.2E-07	1.00E+00	DPM	1.1E+00	0.01	5.0E+00	1.4E-03	0.0002
5	0.00099	9.9E-07	1.00E+00	DPM	1.1E+00	0.01	5.0E+00	1.4E-03	0.0002
6	0.00085	8.5E-07	1.00E+00	DPM	1.1E+00	0.01	5.0E+00	1.4E-03	0.0002
7	0.00062	6.2E-07	1.00E+00	DPM	1.1E+00	0.01	5.0E+00	1.4E-03	0.0001
bike trail_8	0.00119	1.2E-06	1.00E+00	DPM	1.1E+00	0.02	5.0E+00	1.4E-03	0.0002
9	0.00052	5.2E-07	1.00E+00	DPM	1.1E+00	0.01	5.0E+00	1.4E-03	0.0001

Source: (Ganddini, 2023a, Table 15)

Table 5-7 Carcinogenic Risks and Non-Carcinogenic Infant Exposure Scenario (2-Year)

Receptor ID (a)	Maximum Concentration (ug/m3) (b)	Maximum Concentration (mg/m3) (c)	Weight Fraction (d)	Contaminant (e)	Carcinogenic Hazards CPF (mg/kg/day) (f)	Carcinogenic Hazards RISK (per million) (g)	Noncarcinogenic Hazards REL (ug/m3) (h)	Noncarcinogenic Hazards RfD (mg/kg/day) (i)	Index (j)
1	0.0011	1.1E-06	1.00E+00	DPM	1.1E+00	0.36	5.0E+00	1.4E-03	0.0002
2	0.00108	1.1E-06	1.00E+00	DPM	1.1E+00	0.35	5.0E+00	1.4E-03	0.0002
3	0.00103	1.0E-06	1.00E+00	DPM	1.1E+00	0.34	5.0E+00	1.4E-03	0.0002
4	0.000079	7.9E-07	1.00E+00	DPM	1.1E+00	0.26	5.0E+00	1.4E-03	0.0002
5	0.00094	9.4E-07	1.00E+00	DPM	1.1E+00	0.31	5.0E+00	1.4E-03	0.0002
6	0.0008	8.0E-07	1.00E+00	DPM	1.1E+00	0.26	5.0E+00	1.4E-03	0.0002
7	0.00059	5.9E-07	1.00E+00	DPM	1.1E+00	0.19	5.0E+00	1.4E-03	0.0001
bike trail_8	0.00113	1.1E-06	1.00E+00	DPM	1.1E+00	0.37	5.0E+00	1.4E-03	0.0002
9	0.0005	1.9E-04	1.00E+00	DPM	1.1E+00	0.16	5.0E+00	1.4E-03	0.0001

Source: (Ganddini, 2023a, Table 16)

Table 5-8 Carcinogenic Risks and Non-Carcinogenic Child Exposure Scenario (2-16 Years)

Receptor ID (a)	Maximum Concentration (ug/m3) (b)	Maximum Concentration (mg/m3) (c)	Weight Fraction (d)	Contaminant (e)	Carcinogenic Hazards CPF (mg/kg/day) (f)	Carcinogenic Hazards RISK (per million) (g)	Noncarcinogenic Hazards REL (ug/m3) (h)	Noncarcinogenic Hazards RfD (mg/kg/day) (i)	Index (j)
1	0.00099	9.9E-07	1.00E+00	DPM	1.1E+00	0.36	5.0E+00	1.4E-03	0.0002
2	0.00098	9.8E-07	1.00E+00	DPM	1.1E+00	0.35	5.0E+00	1.4E-03	0.0002
3	0.00093	9.3E-07	1.00E+00	DPM	1.1E+00	0.34	5.0E+00	1.4E-03	0.0002
4	0.00072	7.2E-07	1.00E+00	DPM	1.1E+00	0.26	5.0E+00	1.4E-03	0.0001
5	0.00082	8.2E-07	1.00E+00	DPM	1.1E+00	0.30	5.0E+00	1.4E-03	0.0002
6	0.00068	6.8E-07	1.00E+00	DPM	1.1E+00	0.25	5.0E+00	1.4E-03	0.0001
7	0.00049	4.9E-07	1.00E+00	DPM	1.1E+00	0.18	5.0E+00	1.4E-03	0.0001
bike trail_8	0.00098	9.8E-07	1.00E+00	DPM	1.1E+00	0.35	5.0E+00	1.4E-03	0.0002
9	0.00043	4.3E-07	1.00E+00	DPM	1.1E+00	0.16	5.0E+00	1.4E-03	0.0001

Source: (Ganddini, 2023a, Table 17)

Table 5-9 Carcinogenic Risks and Non-Carcinogenic Hazards Adult Exposure Scenario (16-30 Years)

Receptor ID (a)	Maximum Concentration (ug/m3) (b)	Maximum Concentration (mg/m3) (c)	Weight Fraction (d)	Contaminant (e)	Carcinogenic Hazards CPF (mg/kg/day) (f)	Carcinogenic Hazards RISK (per million) (g)	Noncarcinogenic Hazards REL (ug/m3) (h)	Noncarcinogenic Hazards RfD (mg/kg/day) (i)	Index (j)
1	0.00094	9.4E-07	1.00E+00	DPM	1.1E+00	0.04	5.0E+00	1.4E-03	0.0002
2	0.00092	9.2E-07	1.00E+00	DPM	1.1E+00	0.04	5.0E+00	1.4E-03	0.0002
3	0.00088	8.8E-07	1.00E+00	DPM	1.1E+00	0.04	5.0E+00	1.4E-03	0.0002

4	0.00067	6.7E-07	1.00E+00	DPM	1.1E+00	0.03	5.0E+00	1.4E-03	0.0001
5	0.00075	7.5E-07	1.00E+00	DPM	1.1E+00	0.03	5.0E+00	1.4E-03	0.0002
6	0.00056	5.6E-07	1.00E+00	DPM	1.1E+00	0.02	5.0E+00	1.4E-03	0.0001
7	0.00038	3.8E-07	1.00E+00	DPM	1.1E+00	0.02	5.0E+00	1.4E-03	0.0001
bike trail_8	0.0009	9.0E-07	1.00E+00	DPM	1.1E+00	0.04	5.0E+00	1.4E-03	0.0002
9	0.00039	3.9E-07	1.00E+00	DPM	1.1E+00	0.02	5.0E+00	1.4E-03	0.0001

Source: (Ganddini, 2023a, Table 18)

The highest cancer risk corresponds to infant cancer risk 0-2 years (see Table 4-7) and is at receptor bike trail_8 (located east of the Project Site), with a maximum risk of 0.38 in one million, followed by receptor 1 (located west of the Project Site) at 0.37 in a million. The maximum 3rd trimester (0.25-year) cancer risk is at receptors 1, 2 (located west of the Project Site), and bike trail_8, with a maximum cancer risk of 0.02 in a million. The highest child (2-16 years) cancer risk is at receptor 1, with a maximum risk of 0.36 in one million. The highest adult (16-30 years) cancer risk is at receptors 1, 2, 3, and bike trail_8, with a maximum risk of 0.04 in one million. Accordingly, no children, infants, or adults would be exposed to cancer risks in excess of 10 in a million, indicating that Project impacts due to cancer risk would be less than significant. (Ganddini, 2023a, p. 46)

The assessment of cumulative cancer-related health risk to sensitive receptors within the Project vicinity is based on the following most-conservative scenario: an unborn child in its 3rd trimester is potentially exposed to DPM emissions (via exposure of the mother) during the opening year. That child is born opening year and then remains at home for the entire first two years of life. From age 2 to 16, the child remains at home 100 percent of the time. From age 16 to 30, the child continues to live at home, growing into an adult that spends 73 percent of its time at home and lives there until age 30. (Ganddini, 2023a, p. 46)

Based on the above, ultra-conservative assumptions, the 30.25-year, cumulative carcinogenic health risk (3rd trimester [-0.25 to 0 years] + infant [0-2 years] + child [2-16 years] + adult [16-30 years]) to an individual born during the opening year of the Project, and located in the Project vicinity for the entire 30-year duration, is a maximum of 0.78 in a million at receptor location bike trail_8, followed by 0.77 in a million at receptor location 1, as shown in Table 5-10, *Cumulative Carcinogenic Risk 30.25-Year Exposure Scenario*. Therefore, the on-going operations of the proposed Project would result in a less-than-significant impact due to the cancer risk from diesel emissions created by the proposed Project, as the residential cancer risk would not exceed 10 in a million. (Ganddini, 2023a, pp. 46-47)

Table 5-10 Cumulative Carcinogenic Risk 30.25-Year Exposure Scenario

Receptor ID	Cumulative RISK (per million)
1	0.77
2	0.76
3	0.72
4	0.56
5	0.65
6	0.54
7	0.39

bike trail_8	0.78
9	0.34

Source: (Ganddini, 2023a, Table 19)

Non-Cancer Risks

The relationship for non-cancer health effects is given by the equation:

HIDPM = CDPM/RELDPM

Where:

- HIDPM = Hazard Index; an expression of the potential for non-cancer health effects.
- CDPM = Annual average diesel particulate matter concentration in $\mu g/m^3$.
- RELDPM = Reference Exposure Level (REL) for diesel particulate matter (DPM); the diesel particulate matter concentration at which no adverse health effects are anticipated. (Ganddini, 2023a, p. 47)

The non-carcinogenic hazards to adult, child, and infant receptors were previously shown in Table 5-6 through Table 5-9 (refer to column j). The RELDPM is 5 $\mu g/m^3$. The Office of Environmental Health Hazard Assessment as protective for the respiratory system has established this concentration. Using the maximum DPM concentration from years 2023-2053, the resulting Hazard Index is: (Ganddini, 2023a, p. 47)

HIDPM = 0.00119/5 = 0.0002

The criterion for significance is a Hazard Index increase of 1.0 or greater. Therefore, the on-going operations of the proposed Project would result in a less-than-significant impact due to the non-cancer risk from diesel emissions created by the proposed Project. (Ganddini, 2023a, p. 47)

Conclusion

As demonstrated in the preceding analysis, the proposed Project would not: exceed any of the SCAQMD LSTs during construction or operation; cause or substantially contribute to a CO "hot spot;" or expose sensitive receptors to cancer risks exceeding 10 in one million or non-cancer risks exceeding a Hazard Index of 1.0. As such, the proposed Project would not expose sensitive receptors to substantial pollutant concentrations, and impacts would be 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?***

Less-than-Significant Impact: The Project could produce odors during proposed construction activities resulting from construction equipment exhaust, application of asphalt, and/or the application of architectural coatings; however, standard construction practices would minimize the odor emissions and their associated impacts. The objectionable odors that may be produced during the construction process are of short-term in nature and the odor emissions are expected to cease upon the drying or hardening of the odor-producing materials. Due to the short-term nature and limited amounts of odor producing materials being utilized, no

significant impact related to odors would occur during construction of the proposed project. Diesel exhaust and VOCs would be emitted during construction of the project, which are objectionable to some; however, emissions would disperse rapidly from the Project Site and therefore should not reach an objectionable level at the nearest sensitive receptors. In addition, construction activities on the Project Site would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance. Accordingly, the proposed Project would not create objectionable odors affecting a substantial number of people during construction, and short-term impacts would be less than significant. (Ganddini, 2023a, p. 31)

During long-term operation, the proposed Project would operate as manufacturing, assembly, research and development (R&D), light industrial, or related use with ancillary distribution and storage space, which are land uses not typically associated with objectionable odors. Potential sources that may emit odors during the on-going operations of the proposed Project would include odor emissions from the intermittent diesel delivery truck emissions and trash storage areas. The temporary storage of refuse associated with the proposed Project's long-term operational use could be a potential source of odor; however, Project-generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations, thereby precluding any significant odor impact. Furthermore, the proposed Project would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance during long-term operation. As such, and because the Project would be required to comply with SCAQMD's Rule 402, long-term operation of the proposed Project would not create objectionable odors affecting a substantial number of people and impacts would be less than significant. (Ganddini, 2023a, p. 37)

Based on the foregoing analysis, Project impacts due to odors associated with construction and operational activities would be less than significant.

5.4.4 Biological Resources

Threshold "a:"	***Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service?***

Less-than-Significant Impact. Under existing conditions, the Project Site is currently developed with three vacant, attached structures totaling 213,430 s.f. The surrounding area is also fully developed with urban uses. Because the Site is fully developed under existing conditions, no candidate, sensitive, or special status species have the potential to occur on the Site. Vegetation on the Site is minimal and is limited to ornamental vegetation and weeds. Because no candidate, sensitive, or special status species occur on the Site, there is no potential for redevelopment of the Site as proposed to result in substantial adverse effects to sensitive biological resources recognized by the California Department of Fish and Wildlife (CDFW) or the United States Fish and Wildlife Services (USFWS).

Notwithstanding, the Project Site contains trees in the southwest corner of the Site and around the existing buildings, while a number of trees, including the Paradox Hybrid Walnut Tree, are located in close proximity to the Project Site along the Whittier Boulevard frontage road. The on-site and nearby trees could be used by nesting avian species that are protected by the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Commission (CFGC Sections 3503.5 to 3513). Pursuant to the MBTA and CFGC, take of a protected species individual, their egg(s), or their nest is prohibited. In compliance with the MBTA and CFGC, the City of Whittier would condition the Project to require that if construction activities occur during the nesting season (February 1 to August 31), pre-construction surveys shall be conducted to determine the presence or absence of nesting birds on or adjacent to the Project Site prior to the commencement of construction activities. If active bird nests are present, the standard condition of approval requires avoidance of the nests until it can be determined the nest is no longer active or that the juveniles from the occupied nests are capable of surviving independently of the nest. Mandatory compliance with the City's standard condition of approval would ensure that impacts to nesting birds are remain below a level of significance.

Based on the foregoing analysis, Project impacts to sensitive or special-status species would be less than significant.

Threshold "b:" ***Would the Project have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?***

No Impact. The Project Site is currently developed with warehouse buildings and an associated parking lot and is in a highly urbanized and industrialized area in the City of Whittier. The entire area of the Site is paved or covered with the existing buildings. Vegetation on the Site is minimal and is limited to ornamental landscaping. Additionally, there are no natural drainages or riparian habitats on the Project Site under existing conditions. Accordingly, the Project would not result in any impacts to riparian habitat or other sensitive natural plant communities, and no impact would occur.

Threshold "c:" ***Would the Project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?***

No Impact. The Project Site is currently developed with three attached industrial buildings and an associated parking lot in a highly urbanized and industrialized area. The entire area of the Site is paved or covered with the existing buildings, and there are no wetlands or jurisdictional resources on the Project Site under existing conditions. An existing man-made open concrete drainage channel is located along the west side of the property which drains to an existing storm drain located at the southwest corner of the Project Site (Thienes, 2022a, p. 2). Due to the concrete-lined and man-made nature of the drainage channel, the channel does not comprise a wetland or jurisdictional resource under the jurisdiction of the CDFW, USFWS, or the United States Army Corps of Engineers (ACOE). Accordingly, the Project would not have a substantial adverse effect on any State- or federally-protected wetlands through direct removal, filling, hydrological interruption, or other means, and no impact would occur.

Threshold "d:"	***Would the Project interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?***

Less-than-Significant Impact. The Project Site is currently developed with three attached industrial buildings and an associated parking lot in a highly urbanized and industrialized area. As such, the Project Site does not provide for any wildlife movement corridors under existing conditions. Areas surrounding the Project Site also are fully developed with urban uses under existing conditions, and also do not serve as a wildlife movement corridor under existing conditions. Additionally, there are no native wildlife nursery sites within the Project vicinity. Although the Project Site and surrounding areas have the potential to provide habitat for nesting birds, the analysis of 5.4.4 Threshold a) demonstrates that implementation of the City's standard condition of approval for nesting birds would preclude potential impacts to the nesting birds. Accordingly, with mandatory compliance with the City's standard condition of approval for nesting birds, the Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, and impacts would be less than significant.

Threshold "e:"	***Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

No Impact. The Project Site is fully developed and does not contain any biological resources including trees that are protected by a tree preservation policy or ordinance. In accordance with City of Whittier Municipal Code Chapter 12.24 (Complete Streets Program), the City of Whittier in 2016 adopted a "Parkway Tree Manual" (City of Whittier, 2016) However, the Parkway Tree Manual only regulates trees within the public right-of-way. The Paradox Hybrid Walnut Tree is located in the median of the Whittier Boulevard frontage road right-of-way to the east, between Penn and Mar Vista Streets. The Paradox Hybrid Walnut Tree was designated in 1959 as State Historical Landmark No. 681 and is on the Local Register of Historic Resources (Landmark No. 25) (OHP, n.d.; City of Whittier, n.d., p. 25). The Project would not involve any improvements within the public right-of-way that would have the potential to impact trees regulated by the City's Parkway Tree Manual, including but not limited to the Paradox Hybrid Walnut Tree. There are no other local policies or ordinances protecting biological resources and that are applicable to the proposed Project or the Project Site. Accordingly, the Project has no potential to conflict with any local polices or ordinances protecting biological resources, such as tree preservation policy or ordinance, and no impact would occur.

Threshold "f:"	***Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?***

No Impact. There are no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan applicable to the Project area. Although Los Angeles County designates areas as "Significant Ecological Areas (SEAs)," which "are areas in which planning should be sensitive to resources and maintenance of biological functions as well," the Project Site is not located within or near any SEAs according to GIS mapping information available from Los Angeles

County. The nearest SEA is associated with the Puente Hills, located approximately 1.5 miles northeast of the Project Site; thus, the Project is not subject to the County's requirements related to SEAs. (LA County, n.d.) Accordingly, the Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan, no impact would occur.

5.4.5 ENERGY

The topic of Energy was determined during the EIR scoping process to have no reasonable potential to be significantly impacted by the proposed Project. The determination was based on a technical report titled "*Whittier Boulevard Business Park Air Quality, Global Climate Change, HRA, and Energy Impact Analysis*," dated, February 11, 2022, prepared by Ganddini & Associates, attached to the Initial Study, and available for public review during this EIR's NOP public comment period. Since that time, an updated report was published to reflect updated modeling, resulting in publication of an updated report dated June 27, 2023, titled "*Whittier Boulevard Business Park Air Quality, Global Climate Change, HRA, and Energy Impact Analysis*." The below is based on the updated June 27, 2023, report included as *Technical Appendix B* to this EIR.

Threshold "a:"	***Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?***

Less-than-Significant Impact: Refer to *Technical Appendix B* to this EIR for an overview of energy consumption in California, along with a discussion of regulations related to energy. The analysis in *Technical Appendix B* is based on information from the CalEEMod 2022.1.1.13 Daily and Annual Outputs contained in Appendix B and D to *Technical Appendix B*, which also were used to evaluate the Project's potential impacts to air quality and due to greenhouse gas emissions. (Ganddini, 2023a, p. 97).

The proposed Project would result in the consumption of energy resources during both construction and long-term operation. Each is discussed below.

Construction-Related Energy Demands

The construction schedule is anticipated to occur over the course of approximately 12 months and be completed in one phase. Project-related construction activities would represent a "single-event" demand and would not require on-going or permanent commitment of energy resources. The Project's construction process would consume electricity and fuel and are discussed in detail below.

Construction Equipment Electricity Usage Estimates

Electrical service would be provided to the Project by Southern California Edison (SCE). The power cost from on-site electricity consumption during construction of the proposed Project was used to estimate construction-related energy consumption. Based on the 2021 National Construction Estimator, the typical power cost per 1,000 square feet of building construction per month is estimated to be $2.37. Based on Table 25 of *Technical Appendix B* to this EIR, the total power cost of the on-site electricity usage during the construction of the proposed Project is estimated to be approximately $8,767.79. As shown in Table 14 of *Technical Appendix B*

to this EIR, the total electricity usage from Project construction related activities is estimated to be approximately 66,544 kWh. (Ganddini, 2023a, p. 97)

Construction Equipment Fuel Estimates

The Project's construction phase would consume electricity and fossil fuels as a single energy demand; that is, once construction is completed their use would cease. CARB's 2017 Emissions Factors Tables show that on average, aggregate fuel consumption (gasoline and diesel fuel) would be approximately 18.5 hp-hr-gal. Table 26 of *Technical Appendix B* to this EIR shows the results of the analysis of construction equipment. As presented in Table 26 of *Technical Appendix B*, Project construction activities would consume an estimated 43,341 gallons of diesel fuel. Project construction would represent a "single-event" diesel fuel demand and would not require on-going or permanent commitment of diesel fuel resources for this purpose. (Ganddini, 2023a, p. 98)

Construction Worker Fuel Estimates

It is assumed that construction worker trips are from light duty autos (LDA), light duty truck 1 (LDT1), and light duty truck 2 (LDT2) at a mix of 25 percent/50 percent/25 percent, respectively, along area roadways. With respect to estimated Vehicle Miles Traveled (VMT), the construction worker trips would generate an estimated 438,822 VMT. Data regarding Project-related construction worker trips were based on CalEEMod 2022.1.1.13 model defaults. Vehicle fuel efficiencies for construction workers were estimated using CARB's 2021 EMFAC model. An aggregate fuel efficiency of 25.44 miles per gallon (mpg) was used to calculate vehicle miles traveled for construction worker trips. Table 27 of *Technical Appendix B* to this EIR shows that an estimated 17,249 gallons of fuel would be consumed for construction worker trips. (Ganddini, 2023a, p. 98)

Construction Vendor/Hauling Fuel Estimates

Tables 28 and 29 of *Technical Appendix B* to this EIR show the estimated fuel consumption for vendor and hauling during building construction and architectural coating. With respect to estimated VMT, the vendor and hauling trips would generate an estimated 195,289 VMT. Data regarding project related construction worker trips were based on CalEEMod 2021.1.1.13 model defaults. (Ganddini, 2023a, p. 98)

For the architectural coatings it is assumed that the contractors would be responsible for bringing coatings and equipment with them in their light duty vehicles. Therefore, vendors delivering construction material or hauling debris from the Site during grading would use medium to heavy duty vehicles with an average fuel consumption of 7.66 mpg for medium heavy-duty trucks and 6.29 for heavy heavy-duty trucks. Tables 28 and 29 of *Technical Appendix B* to this EIR show that an estimated 29,866 gallons of fuel would be consumed for vendor and hauling trips. (Ganddini, 2023a, p. 98)

Construction Energy Efficiency/Conservation Measures

Construction equipment used over the approximately 12.5-month construction phase would conform to CARB regulations and California emissions standards and is evidence of related fuel efficiencies. There are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities or equipment that would not conform to current

emissions standards (and related fuel efficiencies). Equipment employed in construction of the project would therefore not result in inefficient wasteful or unnecessary consumption of fuel. (Ganddini, 2023a, p. 98)

The Project would utilize construction contractors which practice compliance with applicable CARB regulations regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Additionally, CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants. Compliance with these measures would result in a more efficient use of construction-related energy and would minimize or eliminate wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption. (Ganddini, 2023a, p. 99)

Additionally, as required by California Code of Regulations Title 13, Motor Vehicles, section 2449(d)(3) Idling, idling times of construction vehicles are limited to no more than five minutes, thereby minimizing or eliminating unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Enforcement of idling limitations is realized through periodic site inspections conducted by County building officials, and/or in response to citizen complaints. (Ganddini, 2023a, p. 99)

Based on the foregoing analysis, Project construction-related energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary.

Operational-Related Energy Demands

Energy consumption in support of or related to project operations would include transportation energy demands (energy consumed by employee and patron vehicles accessing the Project Site) and facilities energy demands (energy consumed by building operations and site maintenance activities). Each is discussed below. (Ganddini, 2023a, p. 99)

Transportation Fuel Consumption

Using the CalEEMod output used to evaluate the Project's air quality and greenhouse gas emissions impacts, it is assumed that an average trip for autos and light trucks was assumed to be 14.4 miles and 3- and 4-axle trucks were assumed to travel an average of 40 miles. In order to present a worst-case scenario, it was assumed that vehicles would operate 365 days per year. Table 30 of *Technical Appendix B* to this EIR shows the estimated annual fuel consumption for all classes of vehicles from autos to heavy-heavy trucks. (Ganddini, 2023a, p. 99)

The proposed Project would generate 998 vehicle trips per day (actual vehicles). The vehicle fleet mix was used from the CalEEMod output. Table 30 of *Technical Appendix B* to this EIR shows that an estimated 544,818 gallons of fuel would be consumed per year for the operation of the proposed Project. (Ganddini, 2023a, p. 99)

Trip generation and VMT generated by the proposed Project are consistent with other similar industrial uses of similar scale and configuration as reflected respectively in the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021). That is, the proposed Project does not propose uses or operations

that would inherently result in excessive and wasteful vehicle trips and VMT, nor associated excess and wasteful vehicle energy consumption. Furthermore, the State of California consumed approximately 4.2 billion gallons of diesel and 15.1 billion gallons of gasoline in 2015. Accordingly, the increase in fuel consumption from the proposed Project is insignificant in comparison to the State's demand. Therefore, project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. (Ganddini, 2023a, p. 99)

Facility Energy Demands (Electricity and Natural Gas)
Building operation and site maintenance (including landscape maintenance) would result in the consumption of electricity (provided by SCE) and natural gas (provided by Southern California Gas Company). The annual natural gas and electricity demands were provided per the CalEEMod output from the Project's air quality and greenhouse gas analyses and are provided in Table 31 of *Technical Appendix B* to this EIR. (Ganddini, 2023a, pp. 99-100)

As shown in Table 31 of *Technical Appendix B* to this EIR, the estimated electricity demand for the proposed Project is approximately 5,417,283 kWh per year. In 2021, the non-residential sector of the County of Los Angeles consumed approximately 44,438 million kWh of electricity. In addition, the estimated natural gas consumption for the proposed Project is approximately 7,501,515 kBTU per year. In 2021, the non-residential sector of the County of Los Angeles consumed approximately 1,743 million therms of gas. Therefore, the increase in both electricity and natural gas demand from the proposed Project is insignificant compared to the County's 2021 non-residential sector demand. (Ganddini, 2023a, p. 100)

Energy use in buildings is divided into energy consumed by the built environment and energy consumed by uses that are independent of the construction of the building such as in plug-in appliances. In California, the California Building Standards Code Title 24 governs energy consumed by the built environment, mechanical systems, and some types of fixed lighting. Non-building energy use, or "plug-in" energy use can be further subdivided by specific end-use (refrigeration, cooking, appliances, etc.). (Ganddini, 2023a, p. 100)

Furthermore, the proposed Project energy demands in total would be comparable to other non-residential projects of similar scale and configuration. Therefore, the Project facilities' energy demands and energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. (Ganddini, 2023a, p. 100)

Operational-Related Energy Demands
As demonstrated by the preceding analysis, the Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation, and impacts would be less than significant.

Threshold "b:"	***Would the Project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?***

Less-than-Significant Impact: Regarding federal transportation regulations, the Project Site is located in an already developed area. Access to and from the Project Site is from existing roads, including Whitter Boulevard

and I-605. Because these roads are already in place, the Project would not interfere with, or otherwise obstruct intermodal plans or projects that may be proposed pursuant to the ISTEA because SCAG is not planning for intermodal facilities in the Project area. (Ganddini, 2023a, p. 100)

Regarding the State Energy Plan and compliance with Title 24 CCR energy efficiency standards, the Project Applicant is required to comply with the California Green Building Standard Code requirements for energy efficient buildings and appliances as well as utility energy efficiency programs implemented by SCE and SoCalGas (Ganddini, 2023a, p. 100).

Regarding Pavley (AB 1493) regulations, an individual project does not have the ability to comply or conflict with these regulations because they are intended for agencies and their adoption of procedures and protocols for reporting and certifying GHG emission reductions from mobile sources (Ganddini, 2023a, p. 100).

Regarding the State's Renewable Energy Portfolio Standards, the Project would be required to meet or exceed the energy standards established in the California Green Building Standards Code, Title 24, Part 11 (CALGreen). CALGreen Standards require that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials (Ganddini, 2023a, p. 100).

Regarding CARB, the Project would be consistent with the applicable goals of the CARB Scoping Plan and would result in a less than significant impact (Ganddini, 2023a, p. 100).

In conclusion, as supported by the preceding analysis, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency, and impacts would be less than significant.

5.4.6 Hydrology and Water Quality

Threshold "a:"	***Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?***

Less-than-Significant Impact.

The California Porter-Cologne Water Quality Control Act (Section 1300 ["Water Quality"] et seq., of the California Water Code), and the Federal Water Pollution Control Act Amendment of 1972 (also referred to as the Clean Water Act [CWA]) require that comprehensive water quality control plans be developed for all waters within the State of California. The Project Site is within the jurisdiction of the Los Angeles Regional Water Quality Control Board (LARWQCB). The Water Quality Control Plan for the Los Angeles Region (Basin Plan) is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan: (a) designates beneficial uses for surface and ground waters; (b) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the State's anti-degradation policy; and (c) describes implementation programs to protect all waters in the Region. In addition, the Basin Plan incorporates (by reference) all applicable State and Regional Board plans and policies and other pertinent water quality policies and regulations. (LARWQCB, 2014)

The CWA requires all states to conduct water quality assessments to their water resources to identify water bodies that do not meet water quality standards. Water bodies that do not meet water quality standards are placed on a list of impaired waters pursuant to the requirements of Section 303(d) of the CWA. The Project Site is located in the San Gabriel River Watershed. Receiving waters for the Project Site's drainage include the following: Coyote Creek, North Fork; Coyote Creek; San Gabriel River (Reach 1); San Gabriel River Estuary; San Pedro Bay Near/Off Shore Zones; and the Pacific Ocean. Table 5-12, *Section 303(d) Impairments for Receiving Waters*, provides a summary of the receiving waters for the Project Site and their associated Section 303(d) impairments. (Thienes, 2022a, pp. 7-8)

A specific provision of the CWA applicable to the Project is CWA Section 402, which authorizes the NPDES permit program that covers point source pollution discharging to a water body. The NPDES program also requires operators of construction site one acre or larger to prepare a storm water pollution prevention plan (SWPPP) and obtain authorization to discharge storm water under an NPDES construction storm water permit. A discussion of the Project's potential to result in water quality impacts during construction and long-term operation is presented below.

Table 5-11 Section 303(d) Impairments for Receiving Waters

Receiving Waters	Section 303(d) Impairments
Coyote Creek, North Fork	Indicator Bacteria, Selenium
Coyote Creek	Dissolved Copper, Indicator Bacteria, Iron, Malathion, pH, Toxicity
San Gabriel River (Reach 1)	Temperature (water)
San Gabriel River Estuary	Copper, Dioxin, Indicator Bacteria, Nickel, Dissolved Oxygen
San Pedro Bay Near/Off Shore Zones	Chlordane, PCBs (Polychlorinated biphenyls), Total DDT, Toxicity
Pacific Ocean	None

(Thienes, 2022a, pp. 7-8)

Temporary Construction Activities

Construction of the Project would involve demolition, clearing, grading, paving, utility installation, building construction, architectural coatings, and landscaping activities. Construction activities would result in the generation of potential water quality pollution such as silt, debris, chemicals, paints, solvents, and other chemicals with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction of the Project in the absence of any protective or avoidance measures.

Pursuant to the requirements of the LARWQCB and Chapter 8.36, *Stormwater and Runoff Pollution Control*, of the City's Municipal Code, the Project Applicant would be required to obtain a NPDES Municipal Storm Water Permit for construction activities. The NPDES permit is required for all projects that include construction activities, such as clearing, soil stockpiling, grading, and/or excavation that disturb at least one acre of total land area. In addition, the Project would be required to comply with the LARWQCB's Basin Plan. Compliance with the NPDES Permit and the Basin Plan involves the preparation and implementation of a SWPPP for construction-related activities, including grading. The SWPPP would specify the Best Management Practices (BMPs) that the Project would be required to implement during construction activities to ensure that all potential pollutants of concern are prevented, minimized, and/or otherwise appropriately

treated prior to being discharged from the subject property. Mandatory compliance with the SWPPP would ensure that the Project does not violate any water quality standards or waste discharge requirements during construction activities. Therefore, water quality impacts associated with construction activities would be less than significant.

Post-Development Water Quality Impacts

The Project would entail redevelopment of the Project Site with storm water pollutants of a building used for manufacturing assembly, R&D, and/or light industrial use having up to 295,959 s.f. of floor space along with associated parking and landscaping areas. According to the Project's LID report, pollutants of concern associated with the proposed Project include suspended solids; total phosphorus; total nitrogen; total Kjeldahl nitrogen; cadmium, total; chromium, total; copper, total; lead, total; zinc, total; heavy metals; and trash/debris (Thienes, 2022a, pp. 7-8).

Pursuant to Chapter 8.36 of the City's Municipal Code, the Project Applicant would be required to implement the Project's LID (*Technical Appendix F2* to this EIR) to demonstrate compliance with the Los Angeles County Municipal Separate Storm Sewer System (MS4) NPDES Permit and to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. The LID is a site-specific post-construction water quality management program designed to address the pollutants of concern associated with development projects via BMPs, implementation of which ensures the on-going protection of the watershed basin. As identified in *Technical Appendix F2*, the Project is designed to include source controls (e.g., storm drain message and signage; outdoor trash storage/waste handling requirements; outdoor/loading dock requirements; and landscape irrigation practices) and low impact development requirements (e.g., biofiltration, BMP maintenance, drain inserts, and parking lot design). Specifically, stormwater from the northwestern and southern portion of the proposed building and from approximately the north half and the south half of the Project Site would flow to the proposed catch basins on the western side of the Site, go through the proposed 18-inch storm drain, then discharge to the existing catch basin and storm drain at the southwest corner of the Project Site. A portion of the proposed southwestern truck yard would sheet flow off of the Project Site. The western portion of the Project Site that is not being improved by the proposed Project would continue to drain southerly as it does under existing conditions. (Thienes, 2021, n.p.) Before any of these areas to be developed as part of the Project discharge offsite, the first flush flows would be diverted to underground chambers for detention purposes. The detained stormwater would slowly pump up to at-grade WetlandMOD biofiltration devices for treatment over a maximum period of 96 hours. The WetlandMOD biofiltration devices would utilize plants and soil media from Attachment H to the MS4 Permit to biotreat pollutants. Drain inserts would be utilized in catch basins for pretreatment. (Thienes, 2022a, p. 2)

Adherence to statutory requirements and long-term maintenance of BMPs would ensure that water quality and waste discharge requirements are not violated. Accordingly, long-term operation of the Project would not result in substantial impacts to water quality, water quality standards, or waste discharge requirements associated with long-term operational activities, and impacts would be less than significant.

Conclusion

Based on the foregoing analysis, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality, and impacts would be 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?***

Less-than-Significant Impact. Potable Water service to the proposed Project would be provided by the City of Whittier. The City's water supply sources include groundwater pumped from the Main Basin and Central Basin, and recycled water supplies. The Project Site occurs within the Central Basin, while the City obtains a majority of its water from the Main Basin, which is located to the north of the City's water service area. (City of Whittier, 2021d. p. 6-1 and Figure 4)

The Project would entail redevelopment of the Project Site, which would include demolition of the existing 213,430 s.f. buildings on the Site and constructing a new 295,959 s.f. building for manufacturing, assembly, R&D, and/or light industrial use. Although the Project would be indirectly supplied by groundwater via the City's water system, in June 2021 the City of Whittier adopted its "2020 Urban Water Management Plan (UWMP)." The City's UWMP forecasts water demands and supplies under normal, single-dry, and multiple-dry year conditions; assesses supply reliability; and describes methods of reducing demands under potential water shortages. The City's UWMP is based, in part, on the General Plan land use designations of lands within the City's service area (City of Whittier, 2021d, p. 3-7). The proposed Project is consistent with the Site's existing General Plan and Specific Plan land use designations, and also is consistent with the Site's underlying zoning classifications. As such, the proposed Project is fully accounted for by the UWMP. Because the UWMP demonstrates that the City would have sufficient water supplies, including groundwater, to meet water demands within its district through 2045, it can therefore be concluded that the Project's demand for potable water would not result in the depletion of groundwater supplies. As such, Project impacts to groundwater supplies would be less than significant.

With respect to groundwater recharge, the Project Site only provides for nominal areas of groundwater recharge under existing conditions, with recharge limited to landscaped areas on the Site. With redevelopment of the Project Site as proposed, the Site would continue to consist primarily of impervious surfaces, with exception of proposed landscape areas. With implementation of the Project, runoff generated onsite would continue to be conveyed towards the south, and the total amount of runoff leaving the Project Site would be similar to existing conditions. Runoff generated on the Project Site ultimately would be conveyed to natural drainage channels that allow for infiltration of water into the groundwater table, also similar to existing conditions. Accordingly, Project impacts to groundwater recharge would be less than significant.

Based on the foregoing analysis, the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge, and impacts would be 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;

ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site;

iii) create or contribute runoff water which would exceed the capacity or existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

iv) impede or redirect flood flows?

Erosion, Siltation, and Water Quality

Less-than-Significant Impact. Please refer to the analysis of Section 4.2, Geology and Soils, Threshold b) and 5.4.6, Hydrology and Water Quality, Threshold a). As indicated therein, the Project would be subject to the City's NPDES permit during construction. The Los Angeles County Municipal Separate Storm Sewer System (MS4) NPDES Permit requires the Project Applicant to prepare and submit to the City for approval a Project-specific SWPPP. The Project also would be subject to SCAQMD Rule 403, as well as Chapter 8.36, *Stormwater and Runoff Pollution Control*, of the City's Municipal Code, which regulates discharges to protect and improve water quality of receiving waters. With mandatory compliance to the requirements to be included in the Project's SWPPP, as well as mandatory compliance to applicable regulatory requirements including but not limited to SCAQMD Rule 403, the potential for erosion, sedimentation, and water quality impacts during Project construction would be reduced to less-than-significant levels.

As also indicated under the analysis of Section 4.2, Geology and Soils, Threshold b) and 5.4.6, Hydrology and Water Quality, Threshold a), following construction, erosion and sedimentation hazards on the Project Site would be minimized, as the disturbed areas would be landscaped or covered with impervious surfaces, and drainage would be controlled through a storm drain system. The Project would be required to comply with the requirements outlined in the Project's LID report, pursuant to the requirements of Chapter 8.36 of the City's Municipal Code. The BMPs identified in the Project's LID would reduce the Project's potential operational impacts concerning erosion, sedimentation, and adverse effects to water quality. Accordingly, long-term operation of the proposed Project would not result in substantial soil erosion, sedimentation, or the degradation of water quality, and impacts would be less than significant.

On- or Off-Site Flooding and Stormwater Drainage Capacity

Less-than-Significant-Impact. Under existing conditions, peak runoff from the Project Site during 50-year storm events is estimated at approximately 30.1 cubic feet per second (cfs). With development of the Project as proposed, peak runoff on the Project Site during 50-year storm events would increase to approximately 41.05 cfs. (Thienes, 2021) Although peak runoff would increase, the proposed Project was reviewed by the Los Angeles County Flood Control District (LACFCD), which determined that the proposed Project would not exceed the capacity of existing downstream storm facilities. Because the existing drainage facilities are adequately sized to convey Project runoff, the Project also would not result in potential flood hazards

downstream. Additionally, although some flooding may occur within the parking areas during peak storm events, the Project's drainage system has been designed to ensure that the proposed building is not subject to flood hazards. Accordingly, impacts would be less than significant.

Impediments to or Redirection of Flood Flows

No Impact. According to mapping information available from the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) program, the Project Site is located within Flood Zone X, which includes "[a]reas determined to be outside the 0.2% annual chance floodplain" (FEMA, 2008). Accordingly, the Project has no potential to impede or redirect flood flows, and no impact would occur.

Conclusion

Based on the preceding analysis, 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 which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site; create or contribute runoff water which would exceed the capacity or existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. Impacts would be less than significant.

Threshold "d:" Would the Project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact. According to mapping information available from FEMA's FIRM program, the Project Site is located within Flood Zone X, which includes "[a]reas determined to be outside the 0.2% annual chance floodplain" (FEMA, 2008). Accordingly, the Project would not be subject to inundation due to flood hazards, and no impact would occur.

The Project Site is located approximately 15.7 miles northeast of the Pacific Ocean. As such, the Project Site is not subject to inundation due to tsunamis, and no impact would occur.

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. There are no enclosed or semi-enclosed bodies of water in proximity to the Project Site. Accordingly, the Project would not be subject to inundation from seiches, and no impacts would occur.

Based on the foregoing analysis, the Project would not risk release of pollutants due to Project inundation from floods, tsunamis, or seiches, and no impact would occur.

Threshold "e:" Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less-than-Significant Impact. The 2014 Sustainable Groundwater Management Act (SGMA) requires local public agencies and Groundwater Sustainability Agencies (GSAs) in "high-" and "medium"-priority basins to

develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs. As noted above, the City of Whittier would provide water service to the proposed Project and obtains a majority of its water resources from groundwater extraction within the Main Basin and the Central Basin. The California Department of Water Resources (DWR) currently categorizes the Central Basin and Main Basin as "very low" priority (City of Whittier, 2021d, p. 4-27). Further, Section 10720.8(a) of the SGMA exempts adjudicated basins from the SGMA's requirement to prepare a GSP; the Main and Central Basins have been adjudicated. Therefore, preparation of Groundwater Sustainability Plans is not required and the Main and Central Basins are not subject to the requirements of the SGMA. As such, the Project has no potential to conflict with a sustainable groundwater management plan, and no impact would occur.

The California Porter-Cologne Water Quality Control Act (§ 13000 ("Water Quality") et seq., of the California Water Code), and the Federal Water Pollution Control Act Amendment of 1972 (also referred to as the Clean Water Act (CWA)) require that comprehensive water quality control plans be developed for all waters within the State of California. The Project Site is located within the jurisdiction of the LARWQCB. Water quality information for the San Gabriel River watershed is contained in the Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties (Basin Plan).

The Basin Plan describes actions by the LARWQCB and others that are necessary to achieve and maintain the water quality standards. The LARWQCB regulates waste discharges to minimize and control their effects on the quality of the region's groundwater and surface water. Permits are issued under several programs and authorities. The terms and conditions of these discharge permits are enforced through a variety of technical, administrative, and legal means. The LARWQCB ensures compliance with the Basin Plan through its issuance of NPDES Permits, issuance of Waste Discharge Requirements (WDR), and Water Quality Certifications pursuant to Section 401 of the CWA. As discussed under 5.4.6, Hydrology and Water Quality, Threshold a), with adherence to State and local water quality regulations, the potential for the proposed Project to generate pollutants and impact water quality during construction and operation would be less than significant. The Project would not degrade water quality, cause the receiving waters to exceed the water quality objectives, or impair the beneficial use of receiving waters.

Based on the foregoing analysis, the Project would not result in water quality impacts that would conflict with the Basin Plan, and the Project has no potential to conflict with a sustainable groundwater management plan. Impacts would be less than significant.

5.4.7 Land Use and Planning

Threshold "a:" Would the Project physically divide an established community?

No Impact. As part of the Project, the Project Site would be redeveloped with a building for manufacturing, assembly, R&D, and/or light industrial use and surface parking. The Project Site is completely surrounded by roadways and other developed properties. The surrounding properties are developed with industrial, commercial, and medical uses, while residential dwelling units currently are under construction to the west of the Project Site. Because the only residential uses occur to the west of the Project Site, and because the Project

Site does not afford any public access under existing conditions (e.g., public roads or trails), the Project has no potential to physically divide an established community. No impact would occur.

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?***

Less-than-Significant Impact. Under existing conditions, the Project Site is designated as "Innovation" in the Envision Whittier General Plan and is zoned SP Workplace District by the WBSP. The proposed Project would redevelop the subject property in accordance with the land use and development standards and applicable zoning ordinance development standards. Based on a review of the Project's application materials by City staff, and as otherwise demonstrated throughout the analysis provided herein, the proposed Project would not conflict with applicable goals, objectives, or policies of the Envision Whittier General Plan, zoning requirements of the SP (Workplace District of the WBSP) zone, City of Whittier Municipal Code requirements, or other applicable regulations (e.g., regulations promulgated by the SCAQMD) adopted for the purpose of avoiding or mitigating an environmental effect. As such, the proposed Project would not 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, and impacts would be less than significant.

5.4.8 Mineral Resources

Threshold "a:"	***Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?***

No Impact: According to mapping information available from the CDC, the western portions of the Project Site are classified as occurring within Mineral Resources Zone (MRZ) 1, while the eastern portions of the Project Site are classified as occurring within MRZ-4. The MRZ-1 classification includes "[a]reas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence." The MRZ-4 classification includes "[a]reas where available information is inadequate for assignment to any other MRZ zone." (CDC, n.d.) Accordingly, the Project has no potential to result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State, and no impact would occur.

Threshold "b:"	***Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?***

No Impact: Under existing conditions, the Project Site is designated as "Innovation" in the Envision Whittier General Plan and is zoned SP Workplace District by the WBSP. The Innovation land use designation, and Workplace District zoning do not allow for the extraction of mineral resources, and neither the General Plan nor the WBSP identify the Project Site as a locally-important mineral resource recovery site. There are no other land use plans that identify the Project Site as a locally-important mineral resource recovery site. Accordingly, the Project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan, and no impact would occur.

5.4.9 POPULATION AND HOUSING

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)?***

Less-than-Significant Impact: The Project would not involve the development of any residential uses and would not result in a direct increase in the residential population in the City. The Project would entail redevelopment of the Project Site with a 295,959 s.f. building used primarily for manufacturing, assembly, R&D, and/or light industrial use. While the Project may indirectly result in an increase in the City's population, it is anticipated that future employees largely would consist of existing residents of the City or surrounding jurisdictions. The proposed building is consistent with the Site's Envision Whittier General Plan Land Use Designation of Innovation and the Site's SP Workplace District zoning. Accordingly, the proposed Project would not result in growth that was not already anticipated by the Envision Whittier General Plan, or the WBSP. Furthermore, the Project Site is already developed with manufacturing buildings and existing public roadways and utility infrastructure already is available to serve the property. Additionally, there are no improvements proposed as part of the Project, such as major roadway improvements or sewer lines that would indirectly result in population growth. Accordingly, the Project would not induce substantial unplanned population growth in an area, either directly or indirectly, and impacts would be less than significant.

Threshold "b:"	***Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?***

No Impact: Under existing conditions the Project Site is developed with several existing attached buildings of approximately 213,430 s.f. in size. As part of the Project, the existing manufacturing buildings would be demolished and replaced with a proposed 295,959 s.f. building for manufacturing, assembly, R&D, and/or light industrial use. The Project Site does not contain any housing and there are no people living at the Project Site that would be displaced by the Project. Accordingly, the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere, and no impact would occur.

5.4.10 PUBLIC SERVICES

Threshold "a:"	***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government 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?***

Less-than-Significant Impact. Fire prevention services are provided by the Los Angeles County Fire Department (LACFD). The Project would entail demolition of the existing 213,430 s.f. of manufacturing buildings on the Site, and the construction and operation of a new 295,959 s.f. building used primarily for manufacturing, assembly, R&D, and/or light industrial use. Due to the Project's slight increase in building

size as compared to existing conditions, the Project would result in a nominal but incremental increase in demand for fire protection services. Under existing conditions, the Project Site is served by LACFD Station 28 (Battalion 8 Headquarters), located at 7733 Greenleaf Avenue (approximately 0.6-mile east of Project Site), while secondary fire protection services are provided by LAFCD Station 17, located at 12006 Hadley Street (approximately 0.7-mile north of the Project Site). Based on the Project Site's proximity to two existing fire stations, the Project would be adequately served by fire protection services, and no new or expanded unplanned facilities would be required. Furthermore, to ensure adequate fire protection for all residents of the City of Whittier, the City of Whittier Building and Safety Division and the LACFD enforce fire standards as they review building plans and conduct building inspection and review structures for compliance with the California Code, including Public Resources Code Sections 4290-4299 and California Government Code Section 51178, both of which address fire safety, as well as City of Whittier Municipal Code Chapter 15.12 (Fire Code) (City of Whittier, 2023). With mandatory compliance with applicable regulations related to fire protection, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or need for new or physically altered fire protection 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. Therefore, because there would be no need to physically expand fire protection facilities as a result of the Project, impacts would be less than significant.

Threshold "b:"	***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government 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?***

Less-than-Significant Impact. Police protection services in the Project area are provided by the Whittier Police Department. The Project would entail demolition of the existing 213,430 s.f. of manufacturing buildings on the Site, and the construction and operation of a new 295,959 s.f. building for manufacturing, assembly, R&D, and/or light industrial use. Due to the Project's slight increase in building size as compared to existing conditions, the Project would result in a nominal but incremental increase in demand for police protection services. The nearest police station to the Project Site is the Whittier Police Station, located at 13200 Penn Street, Whittier, CA 90602, or approximately 0.7-mile east of the Project Site. The Project would not result in a substantial increase in population in the City of Whittier, nor would it substantially increase the number of people at the Project Site after completion compared to occupancy levels associated with the former uses of the Site. The slight increase in building square footage on site would not generate a substantial increase in employees/personnel or uses necessitating increased calls for service. The Project incorporates safety features such as setbacks from the street and well-lit exterior spaces with visual exposure. Therefore, because there would be no need to physically expand or alter police protection facilities as a result of the Project, impacts would be less than significant.

Threshold "c:"	***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically***

altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Schools?

Less-than-Significant Impact. The Project would entail demolition of the existing 213,430 s.f. of manufacturing buildings on the Site, and the construction and operation of a new 295,959 s.f. building for manufacturing, assembly, R&D, and/or light industrial use. The Project would not include any residential uses that could directly result in the generation of school-age children. Rather, the Project only has the potential to result in indirect impacts to school services in the area as a result a nominal increase in the number of workers onsite as compared to existing conditions. However, the Project would not generate a large number of new residents within the local area, as it is anticipated that a majority of jobs generated by the Project would be filled by existing area residents. As such, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, or need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for school services. Therefore, because there would be no need to physically expand or alter school facilities as a result of the Project, impacts would be less than significant.

Threshold "d:" ***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Parks?***

Less-than-Significant Impact. The Project would entail demolition of the existing 213,430 s.f. of manufacturing buildings on the Site, and the construction and operation of a new 295,959 s.f. building for manufacturing, assembly, R&D, and/or light industrial use. The Project would not include any residential uses that could directly result in a direct increase in demand for park facilities and resources. Rather, the Project only has the potential to result in indirect impacts to parks in the area as a result a nominal increase in the number of workers on the Site as compared to existing conditions. As such, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities, or need for new or physically altered park facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for park services. Therefore, because there would be no need to physically expand or alter park facilities as a result of the Project, impacts would be less than significant.

Threshold "e:" ***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Other Public Facilities?***

Less-than-Significant Impact. The Project would entail demolition of the existing 213,430 s.f. of manufacturing buildings on the Site, and the construction and operation of a new 295,959 s.f. building for manufacturing, assembly, R&D, and/or light industrial use. The Project would not include any residential uses that could directly result in a direct increase in demand for library facilities. As such, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities, or need for new or physically altered library facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for library services. Similarly, no other public facilities need to be physically altered or expanded to service the Project. Therefore, because there would be no need to physically expand or alter library or other public facilities as a result of the Project, impacts would be less than significant.

5.4.11 Recreation

Threshold "a:"	***Would the Project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?***

Less-than-Significant Impact. The Project would entail demolition of the existing 213,430 s.f. of manufacturing buildings on the Site, and the construction and operation of a new 295,959 s.f. building for manufacturing, assembly, R&D, and/or light industrial use. The Project would not include any residential uses that could directly result in a direct increase in demand for park facilities and resources. Rather, the Project only has the potential to result in indirect impacts to parks in the area as a result of a potentially nominal increase in park use by workers on the site. As such, the Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, Therefore, impacts would be less than significant.

Threshold "b:"	***Would the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?***

No Impact. The Project does not include the construction of any new on- or off-site recreation facilities. Additionally, the Project would not expand any existing off-site recreational facilities. Accordingly, the Project would not include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment, and no impact would occur.

5.4.12 Transportation

Threshold "a:"	***Would the project conflict with an applicable program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?***

Less-than-Significant Impact: In addition to Level of Service (LOS) standards established by the Envision Whittier General Plan, which is discussed below, the only applicable programs, plans, ordinances, or policies addressing the circulation system are the City's Envision Whittier General Plan, the WBSP, and the Los

Angeles County Congestion Management Plan (CMP). Future development on the Site would be required to comply with all applicable provisions of the City of Whittier Municipal Code related to the circulation system, including, but not limited to, Chapter 12.24 (Complete Streets Program, which promotes safe, convenient and comfortable routes for walking, bicycling and public transportation) and Chapter 18.67 (Transportation Demand Management, which promotes a reduction in vehicle trips associated with new development). The City of Whittier reviewed the proposed Project for consistency with policies contained in the Mobility and Infrastructure Element of the Envision Whittier General Plan and determined that the proposed Project would not conflict with any policies related to the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Additionally, none of the Project's study area intersections are identified as CMP facilities, and as such the Project has no potential to conflict with the CMP. Accordingly, impacts would be less than significant.

Trip generation rates were calculated in the Project's TIA using 294,800 s.f. of building area and 10th Edition ITE Rates (Ganddini, 2022c, p. 18). Because the building size slightly increased after the Project's traffic study was prepared and the 11th Edition of the ITE Manual was published, an update to the trip generation was conducted to account for a 295,959 s.f. building and the updated 11th Edition ITE rates were used (*Technical Appendix I2* to this EIR) (Ganddini, 2023c). As documented in the Project's trip generation memo update, the Project is anticipated to generate a total of 998 average daily trips (ADT) in terms of actual vehicles, including 101 morning peak hour trips and 101 evening peak hour trips. In terms of "passenger car equivalent" (PCE), which converts all classifications of vehicles – including heavy trucks with multiple axles – to a single metric, the Project would generate in PCEs, a total of 1,305 ADT, including 123 trips during the morning peak hour and 123 trips during the evening peak hour. (Ganddini, 2022c, Table 2)

Refer to the Project's TIA (*Technical Appendix I1* to this EIR) for a discussion of the methodology used to evaluate the Project's effects on LOS, a summary of existing traffic conditions within the Study Area, and for the results of the analysis of the Project's effects to study area facilities. Note that the calculations given in *Technical Appendix I1* are based on a proposed 294,800 s.f. building whereas the Project as proposed entails a 295,959 s,f, building (1,159 s.f. larger), but the de minimis 0.3 percent increase in building size would not change any of the significance conclusions provided herein. The results of the TIA demonstrate that the proposed Project would not conflict with the City's standards for LOS at any Study Area facility. Furthermore, pursuant to SB 743 and State CEQA Guidelines § 15064.3(a), "…a project's effect on automobile delay shall not constitute and environmental impact." Therefore, for purposes of CEQA, the Project's contribution to the projected LOS at Study Area facilities would be less than significant.

Accordingly, and based on the preceding analysis, the proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be less than significant.

Threshold "b:" ***Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?***

Less-than-Significant Impact: The *City of Whittier Vehicle Miles Traveled (VMT) Transportation Study Guidelines* (City VMT Guidelines), published in October 2021, has been used to prepare the evaluation herein

and in *Technical Appendix 11* to this EIR. The City VMT Guidelines include screening criteria for locally-serving retail, projects located in a Low VMT Area, projects located in a transit priority area, affordable housing, and transportation facilities, none of which apply to the proposed Project. However, according to the City VMT Guidelines, projects that generate 110 or fewer daily trips may be presumed to have a less-than-significant impact and are screened from the requirement to prepare further VMT analysis. (Ganddini, 2022c, p. 54)

As noted in the Office of Planning and Research (OPR) Technical Advisory, "Proposed Section 15064.3, subdivision (a), states, 'For the purposes of this section, 'vehicle miles traveled' refers to the amount and distance of automobile travel attributable to a project.' Here, the term 'automobile' refers to on-road passenger vehicles, specifically cars and light trucks." Additionally, the City VMT Guidelines indicate that the VMT threshold for light industrial projects is based on home-based work VMT per employee. Therefore, it is appropriate to exclude the Project-generated truck trips for VMT purposes of assessing the Project's employment size. (Ganddini, 2022c, p. 54)

For the proposed Project, since the existing building could be re-occupied with manufacturing land use under existing entitlements, net new trips that are expected to result from the Project relative to the existing building/previous use should be considered. Accordingly, the proposed Project is forecast to result in a net decrease of approximately 89 net passenger car trips per day relative to the previous use, including a net reduction of 49 fewer passenger car trips during the AM peak hour and 63 fewer passenger car trips during the PM peak hour. Therefore, excluding truck trips (per the OPR Technical Advisory), the proposed Project satisfies the City-established screening criteria for small projects that result in a net increase of 110 or fewer daily passenger car trips, and therefore may be presumed to result in a less-than-significant VMT impact. (Ganddini, 2023c, Table 3)

Based on the foregoing analysis, the proposed Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b), and impacts would be less than significant.

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)?***

Less-than-Significant Impact: The Project Site is located in an area with a mixture of industrial, commercial, and residential uses. In addition, under existing conditions the Project Site is fully developed with 213,430 s.f. of manufacturing buildings, which generate both truck and passenger vehicle traffic. As part of the Project, the Project Site would be redeveloped with a new 295,959 s.f. building for manufacturing, assembly, R&D, and/or light industrial use. The types of traffic generated during operation of the proposed Project (i.e., passenger cars and trucks) would be similar to existing conditions and would be compatible with the type of traffic observed along Project area roadways under existing conditions. In addition, all proposed improvements within the public right-of-way, which would be limited to frontage improvements along the Whittier Boulevard frontage road, would be installed in conformance with City design standards. The City reviewed the Project's application materials and determined that no hazardous transportation design features would be introduced through implementation of the Project. Accordingly, the Project would not create or substantially increase safety hazards due to a design feature or incompatible use, and impacts would be less than significant.

Threshold "d:" Would the Project result in inadequate emergency access?

Less-than-Significant Impact: Access to the Project Site would be provided by two driveways connecting the Project Site to the Whittier Boulevard frontage road. The 28-ft driveway in the northeast corner of the Project Site would be for passenger vehicles only and would allow for full access movements (right turns and left turns in and out of the Project Site). The 50-ft driveway in the southeast corner of the Project Site would allow access for both passenger cars and trucks and would also allow full access movements. This 50-ft driveway with 30-ft curve radii is designed to accommodate the wide turning radii of heavy trucks. Emergency vehicles could use this driveway, providing adequate emergency access. Emergency personnel would have access rights through the gates securing the truck court on the south side of the Project Site. Because the Project is designed to provide adequate emergency access, impacts would be less than significant.

5.4.13 Utilities and Service Systems

Threshold "a:" Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less-than-Significant Impact. The City of Whittier provides potable water service within their service area which comprises roughly the western half of the City. Under existing conditions, the Project Site is developed with three attached buildings with a total footprint area of 213,430 s.f. Implementation of the Project would demolish the existing buildings and redevelop the Site with one building for manufacturing, assembly, R&D, and/or light industrial use with a total building footprint of 295,959 s.f. The City of Whittier maintains an existing 8-inch domestic water main located in the parkway area within the right-of-way of the adjacent Whittier Boulevard frontage road and a 12-inch main, which will be protected in place, onsite in an easement along the south property line. The City's existing water infrastructure and treatment facilities are adequate to serve the Project; thus, the Project would not require or result in the relocation or construction of new or expanded water facilities, and impacts would be less than significant.

Wastewater services are provided by the City of Whittier for collection and treatment, although no wastewater treatment plants are located in the City. All flow is carried out of the City and treated at the Los Angeles County Sanitation District (LACSD) Joint Water Pollution Control Plant, located in the City of Carson, or the Los Coyotes Water Reclamation Plant, located in the City of Cerritos (City of Whittier, 2018b). The Project does not propose any uses which would result in the generation of higher-than-expected wastewater. In addition, sewage generated by the Project would be conveyed to the existing 6-inch gravity sewer along the west property line, consistent with existing conditions. According to the Project's sewer study (*Technical Appendix H* to this EIR), the existing sewer facilities in the area have adequate capacity to serve the Project and other cumulative developments in the local area (Thienes, 2022b). As such, the Project would not require or result in the relocation or construction of new or expanded wastewater treatment facilities, and impacts would be less than significant.

As part of the Project, drainage and water quality features would be constructed on the Site. Stormwater from the northwestern and southern portion of the proposed building and from approximately the north half and the south half of the Project Site would flow to the proposed catch basins on the western side of the Site, go through the proposed 18-inch storm drain, then discharge to the existing catch basin and storm drain at the southwest corner of the Project Site. A portion of the proposed southwestern truck yard would sheet flow off of the Project Site. The western portion of the Project Site that is not being improved by the proposed Project would continue to drain southerly as it does under existing conditions. (Thienes, 2021, n.p.) Before any of these areas to be developed as part of the Project discharge offsite, the first flush flows would be diverted to underground chambers for detention purposes. The detained stormwater would slowly pump up to at-grade WetlandMOD biofiltration devices for treatment over a maximum period of 96 hours. The WetlandMOD biofiltration devices would utilize plants and soil media from Attachment H to the MS4 Permit to biotreat pollutants. Drain inserts would be utilized in catch basins for pretreatment. (Thienes, 2022a, p. 2) Impacts associated with the above-described Project-related drainage facilities are inherent to the Project's construction phase, and impacts have been evaluated throughout this EIR under the appropriate subject headings (e.g., air quality, biological resources, etc.). There are no environmental impacts that would occur specifically related to the Project's drainage improvements, and impacts would therefore be less than significant.

Under existing conditions, the Project Site is served by Southern California Edison (SCE) for electrical power, Southern California Gas Company (SoCal Gas) for natural gas, and Frontier Communications for telephone. Connections to the existing utility networks are available in the Project area and any off-site improvements would occur within improved rights-of-way, which are inherent to the Project's construction phase and have been evaluated throughout this EIR. Where necessary, mitigation measures have been identified to reduce impacts to a level below significance. Because the Project Site has been previously developed with a manufacturing facility that requires electric power, natural gas, and telecommunication services, implementation of the proposed Project is not anticipated to limit the ability of SCE, SoCalGas, or Frontier Communications to provide service to Project. Therefore, the proposed Project would not require or result in the construction or expansion of new facilities, and impacts would be less than significant.

Threshold "b:" ***Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?***

Less-than-Significant Impact. The City of Whittier provides water services to the City and to the Project Site. All of the City of Whittier's water supply is obtained from groundwater wells located in the Main Basin and Central Basin, as well as recycled water supplies. Water from the Main San Gabriel Basin is provided by five City wells and water from the Central Basin is provided by four active City wells. Transmission mains deliver water from the Main San Gabriel Basin and Central Basin to the City's Pumping Plant No. 2 (PP2), which is also known as Marshall R. Bowen Pumping Plant (City of Whittier, 2021d).

The Project would entail redevelopment of the Project Site, which would include demolition of the existing 213,430 s.f. buildings on the Site and constructing a new 295,959 s.f. building for manufacturing, assembly, R&D, and/or light industrial use. In June 2021, the City of Whittier adopted its "2020 Urban Water Management Plan (UWMP)." The City's UWMP forecasts water demands and supplies under normal, single-dry, and multiple-dry year conditions; assesses supply reliability; and describes methods of reducing demands

under potential water shortages. The City's UWMP is based, in part, on the General Plan land use designations of lands within the City's service area (City of Whittier, 2021d, p. 3-7). The proposed Project is consistent with the Site's existing General Plan and Specific Plan land use designations, and also is consistent with the Site's underlying zoning classifications. As such, the proposed Project is fully accounted for by the UWMP. Because the UWMP demonstrates that the City would have sufficient water supplies to meet water demands within its district through 2045, it can therefore be concluded that there are sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years. Accordingly, impacts would be less than significant.

Threshold "c:" ***Would the project 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?***

Less-than-Significant Impact. The City does not provide wastewater services within its service area but relies on the LACSD for collection and treatment at their Joint Water Pollution Control Plant (JWPCP) or the Los Coyotes Water Reclamation Plant. Additionally, the City does not own or operate wastewater treatment facilities. According to the Envision Whittier General Plan EIR, as of May 2021, the JWPCP had a design capacity of 400 million gallons of wastewater per day (mgd), and processed an average flow of 243.1 mgd, resulting in an excess capacity of approximately 156.9 mgd. The Los Coyotes Water Reclamation Plant had a design capacity of 37.5 mgd, and processed an average recycled flow of 17.5 mgd, resulting in an excess capacity of approximately 20 mgd. (City of Whittier, 2021a, p. 4.19-8)

Under existing conditions, the Project Site is developed with 213,430 s.f. of manufacturing building space and generates wastewater requiring treatment. Implementation of the Project would result in the demolition of the existing 213,430 s.f. buildings and the redevelopment of the Site with one building for manufacturing, assembly, R&D, and/or light industrial use with a total building area of 295,959 s.f. Thus, the Project would result in a net increase in building area by 82,529 s.f. as compared to existing conditions. Based on wastewater generation rates published by the LACSD, and assuming 100% of the proposed building is developed with manufacturing uses (which has a higher wastewater generation rate than for assembly, R&D, and/or light industrial uses), the incremental increase of 82,529 s.f. of building area would result in the generation of an additional 16,506 gallons per day (gpd) of wastewater requiring treatment (82,529 s.f. x 200 gpd/1,000 s.f. = 16,506 gpd) (LACSD, n.d.). The incremental increase in wastewater generated by the Project would represent only 0.01% of the excess capacity of 156.9 mgd available at the JWPCP and 0.08% of the excess capacity of 20 mgd available at the Los Coyotes Water Reclamation Plant. Moreover, The LACSD has indicated that their downstream trunk main has adequate capacity to support the local sewers from the Project Site.

Based on the foregoing analysis, the Project would 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, and impacts would be less than significant.

Threshold "d:"	***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?***
Threshold "e:"	***Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

Less-than-Significant Impact. The City of Whittier contracts with the private sector for solid waste collection services. Solid waste collection services for the Project Site are handled by Athens Services. Waste generated from the western portions of the City of Whittier is taken to Material Recovery Facilities (MRFs), and ultimately is conveyed to the Savage Canyon Landfill. The Savage Canyon Landfill is owned and operated by the City and comprises approximately 132 acres with a permitted capacity of 19,337,450 cubic yards (cy) and a remaining capacity of 9,510,833 cy. The maximum permitted throughput per day is 3,350 tons per day (tpd). (CalRecycle, n.d.)

Under existing conditions, the Project Site is developed with 213,430 s.f. of manufacturing building space and generates wastewater requiring treatment. Implementation of the Project would result in the demolition of the existing 213,430 s.f. of buildings and the redevelopment of the Site with one building for manufacturing, assembly, R&D, and/or light industrial use with a total building area of 295,959 s.f. Thus, the Project would result in a net increase in building area by 82,529 s.f. as compared to existing conditions. Although the Project would result in a net increase in building area and attendant increase in solid waste generation, due to the relatively minor increase in building area, the Project has no potential to exceed the capacity of any of the existing MRFs or the Savage Canyon Landfill. Accordingly, impacts would be less than significant.

As noted by the Envision Whittier General Plan EIR, recyclable materials are sorted and then diverted from local landfills at each of the MRFs. As a result, businesses and residential uses that are serviced by Athens Services, including the proposed Project, are inherently in compliance with the waste reduction requirements of AB 341. In addition, the City is required by comply with State laws regarding source reduction and recycling. (City of Whittier, 2021a, p. 4.19-26) Specifically, according to AB 939, at least 50 percent of the Project's solid waste is required to be diverted from landfills. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991 (Cal Pub Res. Code § 42911), the Project is required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued. (CA Legislative Info, n.d.) Additionally, in compliance with AB 341 (Mandatory Commercial Recycling Program), the future occupant of the Project would be required to arrange for recycling services, if the occupant generates four (4) or more cubic yards of solid waste per week (CA Legislative Info, n.d.). The implementation of these mandatory requirements would reduce the amount of solid waste generated by the Project and diverted to landfills, which in turn will aid in the extension of the life of affected disposal sites. Accordingly, the Project would not impair the attainment of solid waste reduction goals and would be required to comply with all applicable federal, State, and local management and reduction statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

5.4.14 WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones,	
Threshold "a:"	***Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?***
Threshold "b:"	***Would the Project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?***
Threshold "c:"	***Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary on ongoing impacts to the environment?***
Threshold "d:"	***Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?***

No Impact. Under existing conditions, the Project Site is fully developed and within a completely urbanized area of the City of Whittier that is void of any wildland hazard areas. According to mapping information available from the Department of Forestry and Fire Protection (CalFire), the Project Site is not located in or near a State Responsibility Area (SRA) (CalFire, n.d.). Additionally, mapping information available from CalFire indicates that the Project Site is not within or near a fire hazard severity zone (FHSZ). The nearest lands mapped within a FHSZ occur approximately 1.3 miles northeast of the Project Site. (CalFire, n.d.)

The Project is subject to the City's development review and permitting process and future building permits associated with the Project would be required to incorporate all applicable design and safety standards and regulations in the California Fire Code and the City of Whittier Municipal Code Chapter 15.12, *Fire Code*. The incorporation of applicable design and safety standards and regulations would ensure that the Project's development does not interfere with the provision of local emergency services. No impact would occur.

The Project Site and surrounding areas do not contain substantial slopes, and there are no components of the proposed Project that would exacerbate fire risks in the local area. As such, the Project would not expose future occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, and no impact would occur.

Because the Project Site is not located in an area subject to wildland fire hazards, no special infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) would be required for the Project and that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. No impact would occur.

The Project area is not subject to fire hazards and does not contain any large hillsides or other topographic features that could be subject to flooding or landslides as a result of wildfires. Therefore, the Project would

not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes, and no impact would occur.

Based on the foregoing analysis, impacts associated with wildfire hazards would not occur.

6.0 ALTERNATIVES

Pursuant to CEQA Guidelines Section 15126.6(a):

> *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 selection of 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.*

As described in detail in Section 4.0 of this EIR, after the consideration of Project design features, compliance with applicable federal, State and local regulations, and the application of the feasible mitigation measures identified in this EIR, the Project is expected to result in the following significant environmental impacts:

> Cultural Resources Threshold a) Significant Direct and Cumulatively-Considerable Impact. The Project Site is eligible for listing on the NRHP/CRHR under Criterion A/1, and as a City of Whittier local historic landmark under Criterion E of Section 18.84.050 of the Whittier Municipal Code, for associative value to post WWII manufacturing and distribution activities. Implementation of MM 4.1-1 and MM4 4.1-2 will preserve the memory of the Ekco Products Company plant and its importance in the City of Whittier; however, demolition of the physical features and loss of their historical association would not be fully mitigable and remain a significant direct and cumulatively-considerable unavoidable impact.
>
> Greenhouse Gas Emissions Threshold a) Significant Unavoidable Cumulatively Considerable Impact. The Project would exceed the SCAQMD significance threshold of 3,000 MTCO2e per year. As such, the Project would generate substantial, cumulatively-considerable GHG emissions that may have a significant impact on the environment. A majority of the Project's GHG emissions would be produced by mobile sources. Neither the Project Applicant nor the Lead Agency (City of Whittier) can substantively or materially affect reductions in Project mobile-source emissions beyond federal and State regulations. Accordingly, the City finds that the Project's GHG emissions are a significant and unavoidable cumulatively-considerable impact for which no feasible mitigation is available.

6.1 ALTERNATIVES UNDER CONSIDERATION

CEQA Guidelines Section 15126.6(e) requires that an EIR include an alternative that describes what would reasonably be expected to occur on the Project Site in the foreseeable future if the Project were not approved, based on current plans and consistent with available infrastructure and community services (i.e., "No Project"

Alternative). For projects that include a revision to an existing land use plan, the "No Project" Alternative may be the continuation of the existing land use plan into the future. For projects other than a land use plan (for example, a development project on a specific property), the "No Project" Alternative is considered to be the circumstance under which the project does not proceed (CEQA Guidelines Section 15126(e)(3)(A-B). Because the Project does not include a land use plan amendment, this EIR includes one "No Project" Alternative analyses: The scenario where the Project does not proceed and the Project Site remains in its existing condition is evaluated as the "No Project Alternative."

In compliance with CEQA Guidelines Section 15126.6(a), an EIR must describe "a range of reasonable alternatives to a project, or to the location of a 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." The EIR need not consider every conceivable alternative; rather it must consider a reasonable range of potentially feasible alternatives to the project, or to the location of the project, which would avoid or substantially lessen 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" (CEQA Guidelines Section 15126.6(b)).

The following alternatives are analyzed in this Section:

6.1.1 No Project Alternative

The No Project Alternative considers no development on the Project Site beyond what occurs on the Site under existing conditions. Under this Alternative, the three existing attached buildings, with a total building footprint of 213,430 s.f., would remain on the approximately 13.49-acre Project Site and the buildings would be kept vacant for the foreseeable future. No hazardous materials remediation work would occur on the Site. This Alternative was used to compare the environmental effects of the proposed Project with an alternative that would leave the property in its existing state.

6.1.2 Building Reuse Alternative

The Building Reuse Alternative considers a scenario in which the three existing buildings would remain on the Project Site and be reused. The three attached buildings would be renovated for reuse and would retain the total existing building footprint of 213,430 s.f. Asbestos would be removed to the extent possible, but the contaminated soil that underlies the Site would remain and could not be remediated. Also, to the extent possible, major interior renovations, roof replacement, and structural stability issues would need to be addressed. The existing pavement on the parking areas would be removed and new pavement would be applied. This Alternative compares the environmental effects of the proposed Project with an alternative that would reuse the existing buildings on the property, thereby eliminating the Project's significant and unavoidable impact associated with demolition of a building that is historically significant for its former use as a post-World War II manufacturing facility, but not allowing for environmental cleanup of hazardous contaminates present in the Site's soils under existing conditions.

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6.1.3 Reduced Project Alternative

The Reduced Project Alternative would redevelop the Project Site with a smaller building than is proposed with the Project. The building would be reduced by 25 percent, for a total building footprint of 221,624 s.f. This alternative was used to evaluate a scenario that would reduce the total building space on the Project Site relative to the Project but still allow productive use of entire Project Site. The portions of the Project Site not used for building space would be used for parking.

6.2 Alternatives Considered and Rejected

An EIR is required to identify any alternatives that were considered by the Lead Agency but were rejected as infeasible. Among the factors described by CEQA Guidelines Section 15126.6 in determining whether to exclude alternatives from detailed consideration in the EIR are: a) failure to meet most of the basic project objectives, b) infeasibility, or c) inability to avoid significant environmental impacts. With respect to the feasibility of potential alternatives to the Project, CEQA Guidelines Section 15126.6(f)(1) notes:

> *"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…and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site…"*

In determining an appropriate range of alternatives to be evaluated in this EIR, a number of possible alternatives were initially considered and, for a variety of reasons, rejected. Alternatives were rejected because either: 1) they could not accomplish the basic objectives of the Project, 2) they would not have resulted in a reduction of significant adverse environmental impacts, or 3) they were considered infeasible to construct or operate. A summary of the alternatives that were considered but rejected are described below.

6.2.1 Alternative Sites

CEQA does not require that an analysis of alternative sites be included in an EIR. However, if the surrounding circumstances make it reasonable to consider an alternative site, then an alternative sites analysis should be considered and analyzed in the EIR. In making the decision to include or exclude an analysis of an alternative site, 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 to be considered for inclusion in the EIR" (CEQA Guidelines Section 15126.6(f)(2)).

Historic activities on the Project Site have resulted in pervasive, ongoing disturbance over the last 70+ years. The Project Site does not contain any natural/native habitat. Three attached buildings are located on the 13.49-acre Project Site, which are vacant and unused. Based on a review of aerial photography and the City of Whitter Envision Whittier General Plan Land Use Map, there are no other properties available for purchase by the Project Applicant in the City of Whittier with similar accessibility to Whittier Boulevard, that are large enough to support the proposed Project, and that have fewer developmental and physical environmental constraints

than the Project Site evaluated in this EIR. In light of the foregoing reasons, a more detailed analysis of alternative sites is not warranted.

6.3 ALTERNATIVE ANALYSIS

The discussion on the following pages compares the environmental impacts expected from each alternative considered by the Lead Agency relative to the impacts of the Project. A conclusion is provided for each topic as to whether the alternative results in one of the following: (1) reduction of elimination of the Project's impact, (2) a greater impact than would occur under the Project, (3) the same impact as the Project, or (4) a new impact in addition to the Project's impacts. Table 6-1, *Alternatives to the Project – Comparison of Environmental Impacts*, at the end of this section compares the impacts of the alternatives against those of the Project and identifies the ability of the alternative to meet the basic objectives of the Project. As previously stated in EIR Section 3.0, the underlying purpose and goal of the proposed Project is to redevelop an underutilized and deteriorated property in the City of Whittier's Innovation land use category to bring a contemporary, economically viable, employment-generating use to the property. The following objectives are intended to achieve the underlying purpose:

A. To expand economic development and increase the tax base for the City of Whittier by redeveloping and revitalizing an underutilized property with an in-demand use.

B. To provide a new, modern building in proximity to Whittier Boulevard that is attractive to a variety of business types including manufacturing, assembly, R&D, and light industrial.

C. To make efficient use of an underutilized property in the City of Whittier by maximizing its buildout potential while accommodating all parking requirements with ground level non-structured parking (no parking garages or underground parking).

D. To enhance the visual quality of a property visible from Whittier Boulevard by introducing contemporary architecture and improved landscaping.

E. To attract a new employment-generating business to the City of Whittier, thereby growing the economy and providing a more equal jobs-housing balance in the local area that will reduce the need for members of the local workforce to commute outside the area for employment.

F. To assist in remediating hazardous building and soil conditions in the vicinity of Whittier Boulevard by removing and properly disposing of asbestos-containing materials and contaminated soils as part of a site's redevelopment plan.

6.3.1 NO PROJECT ALTERNATIVE

The No Project Alternative considers no development on the Project Site beyond what occurs on the Site under existing conditions. Under this Alternative, the three existing attached buildings, with a total building footprint of 213,430 s.f., would remain on the approximately 13.49-acre Project Site and the buildings would be kept

vacant for the foreseeable future. No hazardous materials remediation work would occur on the Site. This Alternative was used to compare the environmental effects of the proposed Project with an alternative that would leave the property in its existing state. Refer to the description of the Project Site's existing physical conditions in Section 2.0 of this EIR.

A. Cultural Resources

The No Project Alternative would leave the Project Site in its existing condition, which include three vacant attached buildings and paved parking areas. Under this alternative, the three buildings would remain vacant and unused on the Project Site. Demolition of the existing buildings would not occur; therefore, the significant direct and cumulatively-considerable cultural resource impacts to the NRHP/CRHP eligible buildings would not occur. Additionally, there would be no potential impacts to subsurface archaeological resources that may exist beneath the ground surface. Selection of this Alternative would avoid all site disturbances on the Project Site.

B. Geology and Soils

The No Project Alternative would leave the Project Site in its existing condition, and no new structures would be constructed on the Project Site. Accordingly, there would be no potential for this Alternative to expose people or structures to safety risks associated with geologic hazards.

With respect to paleontological resources, the No Project Alternative would not involve any excavation or grading activities. Therefore, the potential to discover previously unidentified paleontological resources is eliminated. Although there are mitigation measures identified in EIR Subsection 4.2 that would reduce the Projects' direct and cumulatively considerable impacts to paleontological resources to below a level of significance, implementation of the No Project Alternative would avoid potential impacts to paleontological resources associated with the Project and would require no mitigation.

C. Greenhouse Gas Emissions

Under the No Project Alternative, there would be no new construction or development on the Project Site. Therefore, there would be no new sources of near-term or long-term GHG emissions under the No Project Alternative. The No Project Alternative would avoid the Significant Unavoidable Cumulatively-Considerable Impact related to GHG emissions that would result from the Project.

D. Hazards and Hazardous Materials

The No Project Alternative would not involve construction activities; therefore, the potential for exposure of construction workers to asbestos containing materials and lead-based materials during demolition would be reduced. However, these materials would remain in the buildings presenting potential for exposure to any persons entering the structures. The No Project Alternative would not entail the transport, use and disposal of hazardous materials, so the release of hazardous materials and hazardous emissions from construction and operational activities would not occur. However, releases of hazardous substances have occurred at the Site which is currently an open case under the jurisdiction of the Los Angeles Regional Water Quality Control

Board (LARWQCB). The No Project Alternative would not allow for grading across the Site as proposed by the Project and would not allow for the associated environmental cleanup under a Soil Management Plan that would remove the contaminants of concern and that requires building demolition and excavation of the ground surface to accomplish. Additionally, a contemporary storm water drainage system would not be installed and rain water falling on the Site that infiltrates into the ground under existing conditions through cracks in the existing pavement and other pervious areas would continue to infiltrate and reach soil contaminates found in deeper soils, thereby adversely affecting ground water quality.

The No Project Alternative would have no impact or a less than significant impact related to its location on a hazardous materials site, hazards from airport operations, emergency response/evacuation, and wildland fires. Although the No Project Alternative would not result in a significant impact compared to the existing condition (because the existing condition would remain the same), the No Project Alternative would not achieve the environmental benefits resulting from the proposed Project's construction and associated hazardous materials cleanup activities.

E. Noise

The No Project Alternative would not involve construction activities; no noise or vibration effects associated with construction would occur. The No Project Alternative would avoid all construction-related noise and vibration impacts. Under the No Project Alternative, no new sources of permanent noise would be introduced on the Project Site. Additionally, because the Project Site would not be developed and no new traffic trips would be generated, the No Project Alternative would not contribute to an incremental increase in area-wide traffic noise levels. Selection of this Alternative would avoid the Project's less than significant noise impacts.

F. Tribal Cultural Resources

The No Project Alternative would leave the Project Site in its existing condition; no grading would occur under this Alternative and there would be no potential impacts to tribal cultural resources that may be present beneath the existing ground surface. Although, the mitigation measures identified in EIR Subsection 4.6 would reduce the Projects' tribal cultural resources impacts to less than significant impacts, implementation of the No Project Alternative would avoid potential impacts to tribal cultural resources associated with the Project and would require no mitigation.

G. Conclusion

Implementation of the No Project Alternative would result in no physical environmental impacts to the Project Site beyond those that have previously occurred on the Project Site. All significant effects of the Project would be avoided by the selection of this Alternative. Because the No Project Alternative would not result in development of the Project Site and would not promote local economic development, including through the creation of new jobs and the expansion of the local tax base, the No Project Alternative would fail to meet all the Project's objectives. Additionally, the No Project Alternative would not achieve the environmental benefits resulting from the proposed Project's hazardous materials cleanup activities which would occur as part of demolishing and removing the existing buildings and other onsite improvements and grading the site under a LARWQCB-approved Soil Management Plan.

6.3.2 BUILDING REUSE ALTERNATIVE

The Building Reuse Alternative considers a scenario in which the three existing buildings would remain on the Project Site and be reused. The three attached buildings would be renovated for reuse and would retain the total existing building footprint of 213,430 s.f. Asbestos would be removed to the extent possible, but the contaminated soil that underlies the Site would remain and could not be remediated. An attempt would be made to retrofit a soil vapor mitigation system under the existing buildings to address soil vapor intrusion. Also, to the extent possible, major interior renovations, roof replacement, and structural stability issues would need to be addressed. The existing pavement on the parking areas would be removed and new pavement would be applied. This Alternative compares the environmental effects of the proposed Project with an alternative that would reuse the existing buildings on the property, thereby eliminating the Project's significant and unavoidable impact associated with demolition of a building that is historically significant for its former use as a post-World War II manufacturing facility.

A. Cultural Resources

The Building Reuse Alternative would maintain the total existing building square footage on the Project Site with the renovation of the existing buildings. Demolition of the existing buildings would not occur and therefore the Building Reuse Alternative would avoid the Project's significant direct and cumulatively-considerable impacts associated with the loss of a building with associative historical significance to post WW II manufacturing. This Alternative also would avoid the Project's potentially significant impacts to subsurface resources because ground disturbance under this Alternative would be minimal.

B. Geology and Soils

The Building Reuse Alternative would renovate the existing buildings on the Project Site and no new structures would be constructed. Accordingly, there would be no potential for this Alternative to expose people or structures to safety risks associated with geologic hazards.

With respect to paleontological resources, this Alternative would avoid the Project's potentially significant impacts to subsurface resources because ground disturbance under this Alternative would be minimal.

C. Greenhouse Gas Emissions

The Building Reuse Alternative would renovate the vacant existing buildings on the Project Site for use by a future tenant. Greenhouse gas emissions associated with construction of the Project would be reduced because the existing buildings would remain and be renovated. Greenhouse gas emissions from mobile sources would be the same as the Project; however, area source and energy source GHG emissions would increase under this alternative because a user would be operating out of a 70+ year old building. New construction under 2022 CALGreen standards would result in more efficient energy use and thus lower GHG emissions.

D. Hazards and Hazardous Materials

The Building Reuse Alternative would involve the renovation of the existing buildings on the Project Site. While there would be no demolition of the existing buildings, there could be potential for exposure to asbestos containing materials and lead-based materials during the renovation of the buildings. Releases of hazardous substances have occurred at the Site and offsite which is currently an open case under the jurisdiction of the LARWQCB. The Building Reuse Alternative would not allow for soil excavation in the area of the existing buildings and would limit the ability to conduct environmental cleanup under a Soil Management Plan. Contaminants of concern in the Site's soils would remain, exposing Site occupants to hazardous soil vapor. An attempt would be made to retrofit a soil vapor mitigation system under the existing buildings to address soil vapor intrusion, but any such system would not be as effective as installing a soil vapor system under a new building. Under this alternative, most of the contaminated soils would remain and soil vapor would impact the existing buildings and their occupants. Therefore, because the near surface contaminated soils would not be completely remediated under this alternative, impacts would be increased compared to the proposed Project.

E. Noise

The Building Reuse Alternative involves renovation of the existing buildings on the Project Site, but would not involve demolition or construction of a new building; therefore, noise and vibration effects associated with construction would be reduced and the Project's significant short-term vibration impact during construction would be avoided. Under long-term operational conditions, noise impacts from operations on the Project Site (i.e., stationary noise) would be similar relative to the Project due to similar operational practices (i.e. cargo loading/unloading activities) and daily truck traffic volumes.

F. Tribal Cultural Resources

The Building Reuse Alternative would renovate the existing buildings on the Project Site and no new structures would be constructed. This Alternative would avoid the Project's potentially significant impacts to subsurface resources because ground disturbance under this Alternative would be minimal.

G. Conclusion

Implementation of the Building Reuse Alternative would avoid the Project's significant direct and cumulatively-considerable impacts to historic resources because the existing buildings on the Project Site would remain and not be demolished. The significant and unavoidable cumulatively-considerable impact associated with greenhouse gas emissions would be similar to the Project, although would be slightly increased because energy use would be greater by relying on 70+ year old building systems instead of energy efficient systems required under the current version of the California Green Building Code. The Building Reuse Alternative would reduce the Project's significant impacts to geology and soils (potential for discovery of and impact to paleontological resources), and tribal cultural resources (potential discovery of and impact to tribal cultural resources) because the depth of excavation would not reach native soils. Also, the Project's significant noise (vibration) impacts to off-site occupied buildings would not occur because large equipment would not be needed in close proximity to off-site buildings under this alternative. Impacts associated with hazards and

hazardous resources would be increased under this alternative because complete soil remediation would not occur across the site, soil remediation under the building would not occur at all, and retrofitting of a soil vapor barrier under the existing building would not be as effective as installing a soil vapor barrier under a new building. Because the Building Reuse Alternative would retain the existing 213,430 s.f. building rather than constructing the 295,959 s.f. building proposed with the Project, the build-out potential of the Project Site for employment-generating uses would not be maximized; therefore, this Alternative would not meet the Project's objectives.

6.3.3 Reduced Project Alternative

The Reduced Project Alternative would redevelop the Project Site with a smaller building than is proposed with the Project. The building would be reduced by 25 percent, for a total building footprint of 221,624 s.f. This alternative was used to evaluate a scenario that would reduce the total building space on the Project Site relative to the Project but still allow productive use of entire Project Site. The portions of the Project Site not used for building space would be used for parking.

A. Cultural Resources

The Reduced Project Alternative would develop the entire Project Site and would result in identical potential impacts to cultural resources as the Project. The Reduced Project Alternative would require similar mitigation as the Project; however, because the existing NRHP/CRHR eligible buildings would be demolished, the Reduced Project Alternative would have the same significant and cumulatively-considerable impacts as the Project related to the loss of a historic building with associative significance to Post WW II manufacturing.

B. Geology and Soils

This alternative would disturb the same physical area as the Project and would, therefore, have the same potential for soil erosion during the construction phase as the Project. Soil erosion impacts would be less than significant under both the Project and this Alternative due to mandatory compliance with federal, State, and local water quality standards. The Reduced Project Alternative would be required to comply with the same mandatory regulatory requirements as the Project to preclude substantial hazards associated with seismic ground shaking and geologic hazards. The Reduced Project Alternative would result in a similar, less-than-significant impact to geology and soils as the Project.

With respect to paleontological resources, this Alternative would have the same potential impacts as the Project's due to excavation and grading activities.

C. Greenhouse Gas Emissions

Because the Reduced Project Alternative would result in less building floor area than the Project, the Reduced Project Alternative is expected to require less energy to construct and operate than the Project and, therefore, would result in a reduction of non-mobile source GHG emissions as compared to the Project. The Reduced Project Alternative would result in an incremental reduction in mobile source GHG emissions due to a

reduction daily passenger vehicle traffic, and would avoid the Project's significant unavoidable cumulatively-considerable impacts to greenhouse gas emissions.

D. Hazards and Hazardous Materials

Both the Reduced Project Alternative and the Project would have the potential to create a significant hazard to the public or the environment during demolition and construction activities due to existing site contamination and due to the likely presence of asbestos-containing materials within the existing buildings on-site. Mandatory compliance with regulatory requirements and implementation of mitigation would ensure that the Project Site's associated RECs, soil contamination, and soil vapors are properly remediated during construction. Accordingly, impacts under both the Reduced Project Alternative and the Project would be reduced to less than significant.

E. Noise

Under Reduced Project Alternative, the types of daily construction activities conducted on the Project Site would be similar under both the Reduced Project Alternative and the Project, although the intensity of construction activities would be reduced under this alternative as a smaller building would be constructed. Therefore, noise and vibration levels during the building construction phase would be reduced under this alternative as compared to the Project but the temporary vibration impact for grading activities within 25 feet of occupied structures would be the same and the same mitigation would apply to reduce the impact to less than significant. Under long-term operational conditions, noise impacts from operations on the Project Site (i.e., stationary noise) would be reduced relative to the Project due to reduced operational practices (i.e., cargo loading/unloading activities) and reduced daily heavy truck traffic volumes.

F. Tribal Cultural Resources

The Reduced Project Alternative would develop the entire Project Site and would result in identical potential impacts to tribal cultural resources as the Project. The Reduced Project Alternative would require similar mitigation as the Project and, after mitigation, both the Reduced Project Alternative and the Project would result in less than significant impacts to tribal cultural resources.

G. Conclusion

The Reduced Project Alternative would have the same significant direct and cumulatively-considerable impact to cultural resources as the Project. The Project's significant unavoidable cumulatively-considerable impact to GHG emissions would be reduced to less than significant under the Reduced Project Alternative. The Reduced Project Alternative would reduce the Project's less than significant impacts to noise. All other impacts from the Reduced Project Alternative would be similar to the Project.

Because the Reduced Project Alternative would construct a 221,624 s.f. building rather than constructing the 295,959 s.f. building proposed with the Project, the build-out potential of the Project Site for employment-generating uses is not being maximized; therefore, this Alternative would not meet the Project's objectives.

6.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives shall identify an environmentally superior alternative among the alternatives evaluated in the EIR. In general, the environmentally superior alternative as defined by CEQA should minimize adverse impacts to the Project Site and its surrounding environment.

As shown in Table 6-1, both the No Project Alternative and the Building Reuse Alternative would avoid or reduce some of the Project's significant environmental impact and, therefore, can be considered environmentally superior to the Project. However, neither of those alternatives would remediate the existing hazardous materials conditions present on the Site under existing conditions. The No Project Alternative is considered to be a "no project" alternative as defined by CEQA Guidelines Section 15126.6(e)(3). If a "no project" alternative is identified as the environmentally superior alternative then the EIR shall also identify an environmentally superior alternative among the other alternatives (see CEQA Guidelines Section 15126.6(e)(2).

The Reduced Project Alternative is the Environmentally Superior Alternative, although it does not meet all of the Project objectives to the extent as the Project.

Table 6-1 Alternatives to the Project – Comparison of Environmental Impacts

ENVIRONMENTAL TOPIC	PROJECT SIGNIFICANCE OF IMPACTS AFTER MITIGATION	NO PROJECT ALTERNATIVE	BUILDING REUSE ALTERNATIVE	REDUCED PROJECT ALTERNATIVE
Cultural Resources	Significant Direct and Cumulatively-Considerable Impact	Reduced	Reduced	Similar
Geology and Soils	Less-than-Significant Impact	Reduced	Reduced	Similar
Greenhouse Gas Emissions	Significant Unavoidable Cumulatively-Considerable Impact	Reduced	Similar	Reduced
Hazards and Hazardous Materials	Less-than-Significant Impact	Reduced	Increased	Similar
Noise	Less-than-Significant Impact	Reduced	Reduced	Reduced
Tribal Cultural Resources	Less-than-Significant Impact	Reduced	Reduced	Similar
ABILITY TO MEET PROJECT OBJECTIVES				
Objective A: To expand economic development and increase the tax base for the City of Whittier by redeveloping and revitalizing an underutilized property with an in-demand use.		No	Yes, but to a lesser extent	Yes, but to a lesser extent
Objective B: To provide a new, modern building in proximity to Whittier Boulevard that is attractive to a variety of business types including manufacturing, assembly, R&D, and light industrial.		No	No	Yes
Objective C: To make efficient use of an underutilized property in the City of Whittier by maximizing its buildout potential while accommodating all parking requirements with ground level non-structured parking (no parking garages or underground parking).		No	No	Yes, but to a lesser extent
Objective D: To enhance the visual quality of a property visible from Whittier Boulevard by introducing contemporary architecture and improved landscaping.		No	No	Yes

Environmental Topic	Project Significance of Impacts After Mitigation	No Project Alternative	Building Reuse Alternative	Reduced Project Alternative
Objective E: To attract a new employment-generating business to the City of Whittier, thereby growing the economy and providing a more equal jobs-housing balance in the local area that will reduce the need for members of the local workforce to commute outside the area for employment.		No	Yes, but to a lesser extent	Yes, but to a lesser extent
Objective F: To assist in remediating hazardous building and soil conditions in the vicinity of Whittier Boulevard by removing and properly disposing of asbestos-containing materials and contaminated soils as part of a site's redevelopment plan.		No	No	Yes

7.0 REFERENCES

7.1 PERSONS CONTRIBUTING TO EIR PREPARATION

7.1.1 CITY OF WHITTIER COMMUNITY DEVELOPMENT

- Ellen Fitzgerald, Principal Planner

7.1.2 T&B PLANNING, INC.

- Tracy Zinn, AICP, Principal
- Kristen Goddard, AICP, Senior Planner
- Gary Cheng, Project Planner
- Andrea Halfhill, Environmental Analyst
- Rhea Smith, GIS Technician

7.2 DOCUMENTS APPENDED TO THIS EIR

The following reports, studies, and supporting documentation were used in preparing the Whittier Boulevard Business Center Project EIR and are bound separately as Technical Appendices. A copy of the Technical Appendices is available for review at the City of Whittier, Community Development, 13230 Penn Street, Whittier, California, 90602.

Appendix A: Initial Study for Whittier Boulevard Business Center Project, Notice of Preparation (NOP), and Written Comments on the NOP.

Appendix B: Ganddini Group, Inc., 2023a. *Whittier Boulevard Business Park Air Quality, Global Climate Change, HRA, and Energy Impact Analysis*. June 27, 2023.

Appendix C1: Duke CRM, 2022. *Cultural Resources Services for the 12352 Whittier Boulevard Project, City of Whittier, County of Los Angeles California*. April 10, 2022.

Appendix C2: Brian F. Smith and Associates, 2021. *Records Search Results for the Whittier Boulevard Business Park (21-151) Project*. July 21, 2021. (Confidential and not available for public review except by qualified professionals)

Appendix C3: Duke CRM, 2023. *Historical Documentation Report of the Ecko Products Company Manufacturing Facility, 12352 Whittier Boulevard, Whittier, Los Angeles County, California, 90602.* June 2023.

Appendix D: NorCal Engineering, 2021. *Geotechnical Engineering Investigation, Proposed Industrial Warehouse Development, 12352 Whittier Boulevard, Whitter, California*. April 2, 2021.

Appendix E1: Hazard Management Consulting (HCM), 2019. *Phase I Environmental Site Assessment, Former Leggett & Platt Facility, 12352 Whitter Boulevard, Whitter, California 90602*. December 12, 2019.

Appendix E2: Hazard Management Consulting (HCM), 2021. *Soil and Soil Vapor Investigation, 12352 East Whittier Boulevard, Whittier, California*. April 13, 2021.

Appendix E3: Hazard Management Consulting (HCM), 2023. *Soil Management Plan Former Leggett & Platt Facility, 12352 Whitter Boulevard, Whitter, California 90602*. January 13, 2023.

Appendix F1: Thienes Engineering, Inc., 2021. *Preliminary Hydrology Calculations for Whittier Boulevard Business Park, 12352 Whittier Boulevard, Whittier, CA 90602*. October 25, 2021.

Appendix F2: Thienes Engineering, Inc., 2022a. *Low Impact Development (LID) for Whittier Boulevard Business Park, 12352 Whittier Boulevard, Whittier, California 90602*. March 28, 2022.

Appendix G: Ganddini Group, Inc., 2023b. *Whittier Boulevard Business Park Noise Impact Analysis*. June 16, 2023.

Appendix H: Thienes Engineering, Inc., 2022b. *Sewer Area Study for Whittier Boulevard Business Park Industrial Warehouse Development, 12352 Whittier Boulevard, Whittier, CA 90602*. July 20, 2022.

Appendix I1: Ganddini Group, Inc., 2022c. *Whittier Boulevard Business Park Traffic Impact Analysis*. January 24, 2022.

Appendix I2: Ganddini Group, Inc., 2023c. *12352 Whittier Boulevard Industrial Project Trip Generation Memorandum*. June 13, 2023.

7.3 DOCUMENTS INCORPORATED BY REFERENCE

The following reports, studies, and supporting documentation were used in the preparation of this EIR and are incorporated by reference within this EIR. A copy of the following reports, studies, and supporting documentation is a matter of public record and is generally available to the public at the location listed.

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